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Agencies in this issue—

Agricultural Research Service
Air Force Department
Business and Defense Services Administration
Coast Guard
Consumer and Marketing Service
Delaware River Basin Commission
Federal Aviation Administration
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Fish and Wildlife Service
Food and Drug Administration
Housing and Urban Development Department
Immigration and Naturalization Service
International Commerce Bureau
Interstate Commerce Commission
Justice Department
Land Management Bureau
Packers and Stockyards Administration
Public Health Service
Small Business Administration

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FEDERAL REGISTER

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Title 7—AGRICULTURE

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Orange Reg. 65, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905; 34 F.R. 12426), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Murcott Honey oranges grown in Florida.

Order. In § 905.521 (Orange Regulation 65; 35 F.R. 72), the provisions of paragraph (a) (2) (viii) are amended to read as follows:

§ 905.521 Orange Regulation 62.

(a) * * *

(2) * * *

(viii) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2$^{9}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Murcott Honey oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, January 22, 1970, to become effective January 23, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 70–1008; Filed, Jan. 26, 1970; 8:49 a.m.]

[Tangerine Reg. 39, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905; 34 F.R. 12426), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of tangerines grown in Florida.

Order. Paragraph (a) of § 905.521 (Tangerine Reg. 39; 34 F.R. 19462) is hereby deleted and a new paragraph (a) substituted in lieu thereof to read as follows:

§ 905.521 Tangerine Regulation 39.

(a) *Order.* (1) During the period January 23 through September 13, 1970, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, which do not grade at least U.S. No. 1; or

(ii) Any tangerines, grown in the production area, which are smaller than 2$^{2}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida tangerines.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, January 22, 1970, to become effective January 23, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 70–1007; Filed, Jan. 26, 1970; 8:49 a.m.]

[Tangelo Reg. 39, Amdt. 1]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905; 34 F.R. 12426), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of tangelos grown in Florida.

Order. In § 905.522 (Tangelo Regulation 39; 34 F.R. 19463), paragraph (a) (2) (ii) is amended to read as follows:

§ 905.522 Tangelo Regulation 39.

(a) * * *

(2) * * *

(ii) Any tangelos, grown in the production area, which are smaller than 2$^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall

be applied in accordance with the provisions of the application of tolerance, specified in the U.S. Standards for Florida Oranges and Tangelos.

* * * * *

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated, January 22, 1970, to become effective January 23, 1970.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 70–1006; Filed, Jan. 26, 1970; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 3]

PART 1003—MILK IN THE WASHINGTON, D.C., MARKETING AREA

Order Suspending Certain Provisions

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Washington, D.C., marketing area.

It is hereby found and determined that the following provisions as they appear in § 1003.16(a) of the order no longer tend to effectuate the declared policy of the Act and are hereby suspended:

(1) "concentrated milk (including frozen concentrated milk),"

(2) ", cream and any mixture of cream and milk or skim milk" and

(3) "products which are packaged in hermetically sealed containers,".

Suspension of these provisions is necessary to insure that pasteurized fluid whole milk packaged in certain paper containers which may be considered "hermetically sealed", continues to be classified as Class I pending final action on the recent joint hearing under the Washington, D.C., Upper Chesapeake Bay and Delaware Valley orders called to consider the matter of order merger.

The merger hearing was called at the request of producer associations representing the majority of producers in each of the respective markets and was prompted by evidence of a rapidly proceeding integration of the marketing structure as among these markets.

The consolidation of processing operations by handlers operating in the several markets has brought into play some basic differences in the classification provisions as between the orders. In order to resolve some of these differences without affecting the classification of other products, the principal producer cooperative in the Washington, D.C., market requested termination of certain of the provisions herein suspended which would have resulted in the classification of cream as Class I regardless of the type of package and left unaffected the classification provisions as administered with respect to all other products.

A proposed termination order was issued on December 16, 1969 (34 F.R. 19985, 20433), and parties were afforded 14 days to present written views and arguments relative to the proposed termination.

Several handlers, in presentation of their views, objected to the proposed termination on the grounds that the classification of various cream products, which in their view were clearly Class II products under the existing order, inappropriately would be classified as Class I by virtue of such termination order.

The immediate problem evolves from the language "in hermetically sealed containers", initially included in the order to accommodate a Class II classification of canned condensed and evaporated milk but which now could be construed to require a Class II classification of regular milk, as well as certain cream products, in certain packages.

In view of the urgency of the matter and in light of handlers' objections to the initially proposed termination order, it is necessary to sacrifice, pending a decision with respect to the issues considered at the merger hearing, the present Class I classification of cream and cream and milk or skim milk mixtures. Accordingly, this suspension extends the provisions initially proposed to be removed by inclusion of the provision "cream and any mixture of cream and milk or skim milk". The need for the suspension of the additional provision was recognized by petitioner in filing views regarding the proposed termination.

It is hereby found and determined that 30 days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area;

(b) This suspension order does not adversely affect handlers and does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Interested parties were afforded opportunity to file written data, views, or arguments concerning the proposed termination or suspension (34 F.R. 19985, 20433).

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the month of January 1970 and thereafter until such time the order is amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 22, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70–970; Filed, Jan. 26, 1970; 8:46 a.m.]

[Milk Order 16]

PART 1016—MILK IN THE UPPER CHESAPEAKE BAY (MARYLAND) MARKETING AREA

Order Suspending Certain Provision

This suspension order is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Upper Chesapeake Bay, marketing area.

It is hereby found and determined that § 1016.41(a)(3) of the order no longer tends to effectuate the declared policy of the Act and is therefore suspended.

Section 1016.41(a)(3) provides for a Class I classification of cream and certain mixtures of cream with milk or skim milk for consumption in fluid form, if disposed of on routes in the Washington, D.C., Order No. 3 marketing area.

Under this order (Order No. 16) cream, 18 percent or more butterfat, is designated as Class II, also mixtures in fluid form of cream and milk or skim milk containing at least 12 percent but less than 18 percent butterfat are classified 50 percent of the quantity by weight as Class II; the remaining 50 percent, and "mixtures" containing less than 12 percent butterfat, are classified as Class I.

The suspension of § 1016.41(a)(3) is a corollary order action to, and is made necessary by, the suspension of certain provisions of the fluid milk product definition of the Washington, D.C., Order No. 3 issued concurrently herewith.

This provision was adopted initially to provide identical pricing as between Washington, D.C., and Upper Chesapeake Bay handlers with respect to cream and cream mixtures disposed of in the Washington, D.C., marketing area.

The suspension of certain provisions of the Washington, D.C., order to provide a Class II classification for cream and cream mixtures obviates the need for said § 1016.41(a)(3) and such provision appropriately must be suspended to insure continuing compatibility of classification with respect to cream or cream mixtures disposed of in the Washington, D.C., marketing area.

The need for this action is recognized by representatives of the major producer groups in the two respective markets.

It is hereby found and determined that notice of proposed rulemaking, public procedure thereon, and 30 days' notice of the effective date hereof are impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area; and

(b) This suspension order does not adversely affect handlers and does not require of persons affected substantial or extensive preparation prior to the effective date.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of January 1970 and thereafter until such time the order is amended.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 20, 1970.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 70-981; Filed, Jan. 26, 1970; 8:47 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 336—PROCEEDINGS BEFORE NATURALIZATION COURT

Final Hearings

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed.

§ 336.13 [Amended]

1. Paragraph (b) of § 336.13 *Preparation of lists and orders of court for presentation at final hearing* is deleted.

2. Section 336.16 is amended to read as follows:

§ 336.16 Final hearing; waiver of 30-day period.

A petitioner for naturalization may request the district director, in writing, to waive the 30-day period following the filing of the petition referred to in section 336(c) of the Immigration and Nationality Act. The waiver request shall set forth all the facts and circumstances which the petitioner believes will be in the public interest. Such request may be made at any time after an application to file a petition for naturalization has been filed with the Service. The district director shall cause a full and complete investigation to be conducted and if such investigation satisfactorily establishes that such waiver will be in the public interest, he may, in his discretion, grant the waiver.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553 of title 5 of the United States Code (80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the prescribed rules implement the Act of December 5, 1969 (Public Law 91–136; 83 Stat. 283), relieve restrictions, and are beneficial to persons affected thereby.

Dated: January 22, 1970.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 70-995; Filed, Jan. 26, 1970; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134–134h), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

In § 76.2, paragraph (e) is amended and paragraphs (f) and (g) are reissued to read as follows:

§ 76.2 Notices relating to existence of hog cholera; prohibition of movement of virulent virus; spread of disease through raw garbage; regulations; quarantines; eradication States; and free States.

* * * * *

(e) *Notice of quarantine.* Notice is hereby given that because of the existence of hog cholera in the States of Arizona, Arkansas, Illinois, Iowa, Maryland, Massachusetts, Mississippi, New York, North Carolina, Ohio, Oklahoma, Rhode Island, Texas, and Virginia, and The Commonwealth of Puerto Rico, and the nature and extent of outbreaks of this disease, the following areas are quarantined because of said disease:

(1) *Arizona.* That portion of Maricopa County bounded by a line beginning at the junction of Yuma Road and Perryville Road; thence, following Perryville Road in a southerly direction to its junction with Baseline Road and the Gila and Salt River Base Line; thence, following the Gila and Salt River Base Line in an easterly direction to the southeastern corner of sec. 31, of T. 1 N., R. 1 W.; thence, following the eastern boundaries of secs. 31, 30, and 19, of T. 1 N., R. 1 W. in a northerly direction to Reams Road; thence, following Reams Road in a northerly direction to Yuma Road; thence, following Yuma Road in a westerly direction to its junction with Perryville Road.

(2) *Arkansas.* (i) That portion of Clay County bounded by a line beginning at the junction of Arkansas-Missouri State line and the Black River; thence, following the east bank of the Black River in a generally southwesterly direction to U.S. Highway 62; thence, following U.S. Highway 62 in a generally easterly direction to the Little Cache River Ditch No. 1; thence, following the Little Cache River Ditch No. 1 in a northeasterly direction to State Highway 139; thence, following State Highway 139 in a northerly direction to the Arkansas-Missouri State line; thence, following the Arkansas-Missouri State line in a westerly direction to its junction with the Black River.

(ii) That portion of Lawrence County bounded by a line beginning at the junction of U.S. Highway 63 and U.S. Highway 67; thence, following U.S. Highway 67 in a southwesterly direction to the Lawrence-Jackson County line; thence, following the Lawrence-Jackson County line in a westerly direction to the east bank of the Black River; thence, following the east bank of the Black River in a generally northerly direction to U.S. Highway 63; thence, following U.S. Highway 63 in a southeasterly direction to its junction with U.S. Highway 67.

(iii) The adjacent portions of Randolph, Lawrence, and Greene Counties bounded by a line beginning at the junction of State Highway 304 and the Village Creek Main Ditch; thence, following the Village Creek Main Ditch in a southwesterly direction to State Highway 25; thence, following State Highway 25 in a generally easterly direction to the Cache River; thence, following the west bank of the Cache River in a northeasterly direction to State Highway 34; thence, following State Highway 34 in a generally northerly direction to State Highway 304; thence, following State Highway 304 in a westerly direction to its junction with the Village Creek Main Ditch.

(3) *Illinois.* (i) That portion of Christian County comprised of Buckhart, Mosquito, Mount Auburn, and Stonington Townships;

(ii) That portion of Montgomery County comprised of Butler, Grove, East Fork, Fillmore, Hillsboro, Irving, and Witt Townships.

(4) *Iowa.* (i) That portion of Boone County comprised of Amaqua, Grant, and Yell Townships;

(ii) That portion of Jackson County comprised of Fairfield Township;

(iii) That portion of Humboldt County comprised of Vernon Township;

(iv) That portion of Kossuth County comprised of Whittemore Township;

(v) That portion of Marion County comprised of Lake Prairie and Summit Townships;

(vi) That portion of Marshall County comprised of Le Grand Township;

(vii) That portion of Montgomery County comprised of Lincoln Township;

(viii) That portion of Pottawattamie County comprised of Grove Township;

(ix) That portion of Tama County comprised of Clark and Perry Townships;

(x) That portion of Wright County comprised of Boone Township.

(5) *Maryland.* That portion of Wicomico County beginning at the junction of U.S. Highway 13 and the northern boundary of Wicomico County (the Maryland-Delaware State line); thence, following U.S. Highway 13 in a southwesterly direction to the Wicomico-Somerset County line; thence, following the Wicomico-Somerset County line in a southeasterly direction to the Wicomico-Worcester County line; thence, following

the Wicomico-Worcester County line in an easterly direction to the Pocomoke River; thence, following the west bank of the Pocomoke River in a northerly direction to the Maryland-Delaware State line; thence, following the Maryland-Delaware State line in a westerly direction to its junction with U.S. Highway 13.

(6) *Massachusetts.* Bristol and Worcester Counties.

(7) *Mississippi.* Calhoun, Grenada, Rankin, Tallahatchie, and Webster Counties.

(8) *New York.* That portion of Montgomery County lying south of the Mohawk River, east of County Roads 27 and 145, north of the New York State Thruway, and west of State Highway 30.

(9) *North Carolina.* (i) That portion of Cumberland County bounded by a line beginning at the junction of U.S. Interstate Highway 95 and State Secondary Road 1835; thence, following State Secondary Road 1835 in a southerly direction to State Highway 24; thence, following State Highway 24 in a northwesterly direction to Cape Fear River; thence, following the eastern bank of Cape Fear River in a northerly direction to U.S. Interstate Highway 95; thence, following U.S. Interstate Highway 95 in a northeasterly direction to its junction with State Secondary Road 1835;

(ii) That portion of Duplin County bounded by a line beginning at the junction of State Highway 11 and the eastern boundary of Duplin County; thence, following the eastern boundary line in a southeasterly direction to State Road 1715; thence, following State Road 1715 in a westerly direction to State Highway 50; thence, following State Highway 50 in a northwesterly direction to the Northeast Cape Fear River; thence, following the Northeast Cape Fear River in a northerly direction to State Highway 11; thence, following State Highway 11 in an easterly direction to its junction with the eastern boundary of Duplin County;

(iii) The adjacent portions of Edgecombe and Halifax Counties bounded by a line beginning at the junction of State Secondary Road 1418 and Fishing Creek; thence, following State Secondary Road 1418 in a southerly direction to State Highway 44; thence, following State Highway 44 in a southerly direction to State Highway 97; thence, following State Highway 97 in a northeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to State Secondary Road 1103; thence, following State Secondary Road 1103 in a northwesterly direction to State Secondary Road 1003; thence, following State Secondary Road 1003 in a southwesterly direction to State Secondary Road 1109; thence, following State Secondary Road 1109 in a southerly direction to the junction of State Secondary Road 1418 and Fishing Creek;

(iv) That portion of Gates County bounded by a line beginning at the junction of State Road 1304 and the North Carolina-Virginia State line; thence, following State Road 1304 in a southwesterly direction to State Road 1312; thence, following State Road 1312 in a southeasterly direction to State Road 1318; thence, following State Road 1318 in a southwesterly direction to State Road 1300; thence, following State Road 1300 in a northwesterly direction to State Road 1303; thence, following State Road 1303 in a southwesterly direction to State Highway 37; thence, following State Highway 37 in a northwesterly direction to State Road 1219; thence, following State Road 1219 in a westerly direction to State Road 1217; thence, following State Road 1217 in a northerly direction to State Road 1202; thence, following State Road 1202 in a westerly direction to State Road 1208; thence, following State Road 1208 in a northeasterly direction to the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in an easterly direction to its junction with State Road 1304;

(v) The adjacent parts of Johnston, Wake, and Harnett Counties bounded by a line beginning at the junction of State Highways 42 and 50; thence, following State Highway 50 in a southerly direction to State Secondary Road 1322; thence, following State Secondary Road 1322 in a westerly direction to State Secondary Road 1309; thence, following State Secondary Road 1309 in a southwesterly direction to State Secondary Road 1303; thence, following State Secondary Road 1303 in a southwesterly direction to State Secondary Road 1551; thence, following State Secondary Road 1551 in a northwesterly direction to State Secondary Road 1532; thence, following State Secondary Road 1532 in a westerly direction to State Secondary Road 1006; thence, following State Secondary Road 1006 in a northerly direction to State Highway 42; thence, following State Highway 42 in an easterly direction to its junction with State Highway 50;

(vi) That portion of Pasquotank County bounded by a line beginning at the junction of the Pasquotank River and U.S. Highway 17; thence, following U.S. Highway 17 in a generally southeasterly direction to State Road 1333; thence, following State Road 1333 in a generally southeasterly direction to State Road 1309; thence, following State Road 1309 in a southeasterly direction to the Norfolk Southern Railway; thence, following the Norfolk Southern Railway in an easterly direction to the Pasquotank River; thence, following the west bank of the Pasquotank River in a generally northwesterly direction to its junction with U.S. Highway 17;

(vii) That portion of Pitt County bounded by a line beginning at the junction of U.S. Highway 13 and U.S. Highway 64; thence, following U.S. Highway 64 in a westerly direction to State Road 1400; thence, following State Road 1400 in a southwestrly direction to the Tar River; thence, following the north bank of the Tar River in a southeasterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a northerly direction to State Highway 903; thence, following State Highway 903 in a northeasterly direction to State Highway 33; thence, following State Highway 33 in a northwesterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a northerly direction to its junction with U.S. Highway 64;

(viii) The adjacent portions of Wayne and Lenoir Counties bounded by a line beginning at the junction of the Atlantic and East Carolina Railroad and the Lenoir County line; thence, following the Atlantic and East Carolina Railroad in a northwesterly direction to State Secondary Road 1713; thence following State Secondary Road 1713 in a southwesterly direction to State Highway 111; thence, following State Highway 111 in a southerly direction to the Neuse River; thence, following the northern bank of the Neuse River in an easterly direction to State Secondary Road 1002; thence, following State Secondary Road 1002 in a northerly direction to the Atlantic and East Carolina Railroad; thence, following the Atlantic and East Carolina Railroad in a northwesterly direction to its junction with the Lenoir County line;

(ix) That portion of Wilson County bounded by a line beginning at the junction of State Highway 58 and the Wilson-Nash County line; thence, following State Highway 58 in a southerly direction to State Road 1163; thence, following State Road 1163 in a southwesterly direction to its junction with State Road 1169; thence, following State Road 1169 in a southwesterly direction to State Road 1103; thence, following State Road 1103 in a southwesterly direction to State Road 1154; thence, following State Road 1154 in a northerly direction to State Highway 42; thence, following State Highway 42 in a southwesterly direction to State Road 1142; thence, following State Road 1142 in a northwesterly direction to State Road 1149; thence, following State Road 1149 in a northerly direction to its junction with State Road 1301; thence, following State Road 1301 in a northeasterly direction to the Wilson-Nash County line; thence, following the Wilson-Nash County line in a northeasterly direction to its junction with State Highway 58;

(x) The adjacent portions of Jones and Lenoir Counties bounded by a line beginning at the junction of the Atlantic and East Carolina Railway and the Jones-Lenoir County line; thence, following the Atlantic and East Carolina Railway in a southeasterly direction to State Road 1312; thence, following State Road 1312 in a southerly direction to U.S. Highway 70; thence, following U.S. Highway 70 in an easterly direction to State Road 1313; thence, following State Road 1313 in a southwesterly direction to State Road 1002; thence, following State Road 1002 in a southerly direction to State Road 1305; thence, following State Road 1305 in a southwesterly direction to State Road 1919; thence, following State Road 1919 in a northwesterly direction to State Highway 58; thence, following State Highway 58 in a northerly direction to State Road 1916; thence, following State Road 1916 in a westerly direction to State Road 1912;

thence, following State Road 1912 in a northerly direction to State Road 1911; thence, following State Road 1911 in a westerly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to the Neuse River; thence, following the south bank of the Neuse River in an easterly direction to the Atlantic and East Carolina Railway; thence, following the Atlantic and East Carolina Railway in a southeasterly direction to its junction with the Jones-Lenoir County line.

(10) *Ohio.* That portion of Preble County comprised of Dixon Township.

(11) *Oklahoma.* Comanche County.

(12) *Rhode Island.* The entire State.

(13) *Texas.* (i) Dallas, Falls, Fayette, Harris, Henderson, Houston, Lee, Nueces, Upshur, and Wilson Counties.

(ii) That portion of El Paso County bounded by a line beginning at the junction of U.S. Highway 54 with the New Mexico-Texas State line; thence, following U.S. Highway 54 in a southwesterly direction to the north bank of the Rio Grande River; thence, following the north bank of the Rio Grande River in a generally northwesterly direction to the New Mexico-Texas State line; thence, following the New Mexico-Texas State line in a generally northerly direction to the northwest corner of El Paso County; thence, following the New Mexico-Texas State line in an easterly direction to its junction with U.S. Highway 54.

(iii) Adjacent parts of Comanche, Erath, and Hamilton Counties bounded by a line beginning at the junction of Farm to Market Road 1702 and State Highway 6 in Erath County; thence, following State Highway 6 in a southeasterly direction to its junction with U.S. Highway 281; thence, following U.S. Highway 281 and State Highway 6 in a southeasterly direction to the town of Hico in Hamilton County; thence, following U.S. Highway 281 in a southwesterly direction to its junction with State Highway 36; thence, following State Highway 36 in a northwesterly direction to its junction with Farm to Market Road 1702; thence, following Farm to Market Road 1702 in a generally northerly direction to its junction with State Highway 6.

(iv) That portion of Waller County bounded by a line beginning at the junction of State Highway 159 and U.S. Highway 290; thence, following U.S. Highway 290 in a southeasterly direction to the Waller-Harris County line; thence, following the Waller-Harris County line in a southeasterly direction to the Waller-Fort Bend County line; thence, following the Waller-Fort Bend County line in a southwesterly direction to the Brazos River; thence, following the east bank of the Brazos River in a generally northerly direction to State Highway 159; thence, following State Highway 159 in a northeasterly direction to its junction with U.S. Highway 290.

(14) *Virginia.* (i) City of Virginia Beach County.

(ii) That portion of James City County bounded by a line beginning at the junction of Virginia Primary Highway 168–30 with the boundary line between New Kent and James City Counties; thence, following the northern boundary line of James City County in an easterly direction to its junction with the York River; thence, following the western bank of the York River in a southeasterly direction to its junction with Virginia Secondary Highway 607; thence, following Virginia Secondary Highway 607 in a southwesterly direction to its junction with U.S. Highway 60; thence, following U.S. Highway 60 in a westerly direction to its junction with Virginia Secondary Highway 610; thence, following Virginia Secondary Highway 610 in a southwesterly direction to its junction with Virginia Secondary Highway 603; thence, following Virginia Secondary Highway 603 in a northwesterly direction to its junction with Virginia Secondary Highway 601; thence, following Virginia Secondary Highway 601 in a northeasterly direction to its junction with Virginia Primary Highway 168–30; thence, following Virginia Primary Highway 168–30 to its junction with the boundary line between New Kent and James City Counties.

(15) *The Commonwealth of Puerto Rico.* The entire Commonwealth.

(f) Notice is hereby given that there is no clinical evidence that the virus of hog cholera exists in swine in the following States, that systematic procedures are in effect to detect and eradicate the disease should it appear within any of such States, and that such States are designated as hog cholera eradication States:

California.	Georgia.
Connecticut.	Michigan.
Delaware.	Minnesota.
Florida.	Tennessee.

(g) Notice is hereby given that a period of more than 1 year has passed since there has been clinical evidence that the virus of hog cholera exists in the following States, that more than 1 year has passed since systematic procedures were placed in effect to exclude the virus of hog cholera and to detect and eradicate the disease should it appear within any of such States, and that the virus of hog cholera has been eradicated from such States and such States are designated as hog cholera free States:

Alaska.	Utah.
Idaho.	Vermont.
Montana.	Washington.
Nevada.	West Virginia.
North Dakota.	Wisconsin.
Oregon.	Wyoming.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264, 1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments of § 76.2 shall become effective upon issuance.

The amendments quarantine Butler Grove, Irving, Witt, Hillsboro, East Fork, and Fillmore Townships in Montgomery County in the State of Illinois; a portion of Pasquotank County in the State of North Carolina; all of Worcester County in Massachusetts; and parts of Greene and Lawrence Counties in Arkansas because of the existence of hog cholera. This action is deemed necessary to prevent further spread of the disease. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to such counties.

The amendments also exclude parts of Clay and Randolph Counties in Arkansas; parts of Benton, Boone, Clinton, Greene, Jackson, Hancock, Humboldt, Jasper, Kossuth, Mahaska, Marshall, Mills, Pottawattamie, Palo Alto, Tama, and Wright Counties in Iowa; and a part of Worcester County in Maryland from the areas heretofore quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2. Further, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine.

The foregoing amendments also add the States of California and Georgia to the list of hog cholera eradication States as set forth in § 76.2(f). The provisions also include without substantive amendments the text of § 76.2(g) which continues in effect. In this respect, the provisions do not change the rights or duties of any person.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effective promptly in order to be of maximum benefit to affected persons.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 21st day of January 1970.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70–1005; Filed, Jan. 26, 1970; 8:49 a.m.]

Chapter II—Packers and Stockyards Administration, Department of Agriculture

PART 203—STATEMENTS OF GENERAL POLICY UNDER THE PACKERS AND STOCKYARDS ACT

Regulations and Practices of Stockyard Owners and Market Agencies

On August 28, 1969, a notice was published in the FEDERAL REGISTER (34 F.R.

13748) regarding the proposed issuance of an amendment to § 203.8 of the Statements of General Policy Under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.) regarding regulations and practices of stockyard owners and market agencies.

Interested persons were given an opportunity to submit written data, views, or arguments concerning the proposed statement. In response to the request of interested persons, the time for filing written data, views, or arguments was extended to and including November 28, 1969 (34 F.R. 16556). After consideration of all relevant matters, the following modifications of § 203.8 of Part 203, Chapter II, Title 9, Code of Federal Regulations, are hereby promulgated:

1. Paragraph (a) of § 203.8 *Statement with respect to regulations and practices of stockyard owners and market agencies* is amended to read as follows:

(a) Stockyard services furnished by stockyard owners and market agencies pursuant to a reasonable request must be reasonable and nondiscriminatory. Stockyard owners and market agencies have the statutory right and duty to establish, observe, and enforce regulations and practices, which are not unreasonable or unjustly discriminatory, with respect to the furnishing of stockyard services.

2. Paragraph (g) of § 203.8 is amended by adding at the end thereof the following: "Although there is no legal requirement that stockyard owners consult with appropriate market representatives before deciding on rules or regulations affecting them, the Packers and Stockyards Administration encourages such consultation. (See Hearings before the Subcommittee on Livestock and Grains of the Committee on Agriculture, House of Representatives, 90th Cong., first session, on H.R. 6231, p. 23; and S. Rept. No. 1331, 90th Cong., second session, p. 2). Similarly, the market agencies and dealers should consult with stockyard owners on proposed rules or regulations affecting them or market services. In the event of a complaint, consideration will be given as to whether or not the views of the respective parties were fairly considered by the stockyard owners, market agencies, or dealers. The Packers and Stockyards Administration, wherever possible, will give recognition to the mutual agreements between market agencies or dealers and stockyard owners, provided that such agreements are consistent with the provisions of the Act."

3. Paragraphs (h), (i), (j), and (k) of § 203.8 are deleted and the following new paragraphs added to the section:

(h) Stockyards no longer have a monopolistic position in the field of livestock marketing. Subject to review by the Secretary, a stockyard owner can deny a person the right to establish a business as a market agency or dealer at the stockyard for good cause. Registration with the Secretary as a market agency or dealer does not automatically require that the stockyard owner shall provide the registrant with facilities to do business on a market. To alleviate future misunderstandings about the privilege of establishing a business at a stockyard, a stockyard owner should publish rules to inform individuals and firms of the requirements for establishing a business at the stockyard.

(i) (1) The Act of July 31, 1968 (Public Law 90–446), added the following paragraph to section 307 of the Packers and Stockyards Act:

> It shall be the responsibility and right of every stockyard owner to manage and regulate his stockyard in a just, reasonable, and nondiscriminatory manner, to prescribe rules and regulations and to require those persons engaging in or attempting to engage in the purchase, sale, or solicitation of livestock at such stockyard to conduct their operations in a manner which will foster, preserve, or insure an efficient, competitive public market. Such rules and regulations shall not prevent a registered market agency or dealer from rendering service on other markets or in occasional and incidental off-market transactions.

(2) Under this legislation, a stockyard owner cannot prohibit a market agency or dealer engaged in business at a stockyard from rendering service at another public stockyard. With respect to business by such a market agency or a dealer in an off-market transaction, i.e., a "country" transaction not at a public stockyard, a complete prohibition would be unlawful. The Act specifically states that a stockyard owner's rules and regulations shall not prevent a market agency or dealer from engaging in "occasional and incidental" off-market transactions. The term "occasional," as defined in dictionaries and as construed in numerous court decisions, means occurring now and then; occurring at irregular intervals; infrequent; according to no fixed or certain scheme. The term "incidental" means not of prime concern; subordinate; only an adjunct to something else; related, collateral or pertinent to; dependent on and following the existence of another and principal thing. It is not possible to establish an exact percentage or frequency test to determine whether a market agency or dealer is engaging in more than "occasional and incidental" off-market transactions. Each case would have to be considered on its own merits applying the commonly accepted meanings stated above.

(3) To limit off-market transactions which are more than "occasional and incidental," the stockyard owner would have to show that such limitation is necessary to foster, preserve, or insure an efficient, competitive public market. In reviewing such a matter on a case by case basis, the Packers and Stockyards Administration would consider all of the relevant facts and circumstances, such as the number of firms operating at the stockyard; the volume of market and off-market transactions being engaged in by such firms; whether the firms engaging in off-market transactions were deliberately trying to circumvent and weaken the public market; the extent to which such off-market transactions were injuring the market; the marketing alternatives available in the area; the competing elements of the livestock industry in the area; the quantity, type, and nature of the livestock business conducted in the area; and any other economic or statistical evidence relating to the matter. No one factor would be decisive. All relevant circumstances would be considered in order to determine whether the limitation was necessary to foster, preserve, or insure an efficient, competitive public market.

(j) The Packers and Stockyards Administration has the responsibility of giving consideration to the issuance of a complaint whenever it has reason to believe that any stockyard owner or market agency has violated the Act. In the formal administrative proceeding initiated by any such complaint, it is the responsibility of the Judicial Officer of the Department to determine, after full hearing, whether the stockyard owner or market agency has violated the Act.

(k) The Packers and Stockyards Administration does not favor or endorse any one system of livestock marketing over any other system of marketing. The views set forth in this statement regarding converting from one system to another are solely for the purpose of setting forth our interpretation of the applicable legal provisions inasmuch as questions have arisen with respect to these matters. This statement is for the purpose of setting forth the views of the Packers and Stockyards Administration to guide those persons engaged in business as market agencies or as stockyard owners in establishing, observing, and enforcing regulations and practices in the control and conduct or their business.

The foregoing statement shall become effective upon its publication in the FEDERAL REGISTER.

(Sec. 407(a), 42 Stat. 169, as amended, 7 U.S.C. 228(a); interprets or applies sections 304, 307, 312, 42 Stat. 164 et seq., as amended, 7 U.S.C. 205, 208, 213)

Done at Washington, D.C., this 21st day of January 1970.

DONALD A. CAMPBELL,
Administrator, Packers and Stockyards Administration.

[F.R. Doc. 70–1009; Filed, Jan. 26, 1970] 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 69–WE–33–AD; Amdt. 39–927]

PART 39—AIRWORTHINESS DIRECTIVES

North American Sabreliner Models NA–265–40 and –60 Airplanes With Thrust Reversers Installed

Pursuant to the authority delegated to me by the Administrator (31 F.R.

13697) an airworthiness directive was adopted on December 24, 1969, and made effective immediately as to all known U.S. operators of North American Sabreliner models NA-265-40 and -60 airplanes with thrust reversers installed. The directive requires thrust reverser rigging inspections. Since it was found that immediate corrective action was required, notice and public procedure thereon was impractical and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of North American Sabreliner models NA-265-40 and -60 airplanes by individual telegrams dated December 24, 1969. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

Pursuant to the authority of the Federal Aviation Act of 1958, as amended, delegated to me by the Administrator, the following Airworthiness Directive applicable to operators of North American Sabreliner Models NA-265-40 and -60 with thrust reversers installed is effective immediately upon receipt of this telegram because of an unwanted inflight engine thrust reversal. Within ten (10) hours time in service or not later than December 29, 1969, whichever occurs first, unless already accomplished since December 19, 1969, perform the "Engine-Thrust Reverser Rigging Inspection" described in North American Alert Wire dated December 19, 1969, or an equivalent inspection approved by the Chief, Aircraft Engineering Division, FAA Western Region.

This amendment is effective upon publication in the FEDERAL REGISTER for all persons except those to whom it was made effective immediately by telegram dated December 24, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Los Angeles, Calif., on January 15, 1970.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 70-979; Filed, Jan. 26, 1970; 8:47 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart B—Exemption of Certain Food Additives From the Requirement of Tolerances

BROMINATED VEGETABLE OILS; REMOVAL FROM LIST OF SUBSTANCES GENERALLY RECOGNIZED AS SAFE

The flavor adjuvant brominated vegetable oils is listed in § 121.101(g) of the food additive regulations (21 CFR 121.101(g)) as a substance generally recognized as safe for use in human food. On the basis of toxicity studies reported by the Canadian Food and Drug Directorate in "Food and Cosmetics Toxicology," vol. 7, pp. 25–33 (1969), demonstrating signficant biochemical and pathological changes in test animals fed brominated vegetable oils, and of other relevant material, the Commissioner of Food and Drugs concludes that brominated vegetable oils can no longer be regarded as generally recognized as safe for use in food.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784, 1785 et seq., as amended; 21 U.S.C. 321(s), 348, 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.101 *Substances that are generally recognized as safe* is amended by deleting from the list in paragraph (g) the item "Brominated vegetable oils."

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

The Commissioner finds that it is in the public interest to allow 180 days from the effective date of this order during which period manufacturers should reformulate products containing brominated vegetable oils to eliminate brominated vegetable oils or bring the concentration within an allowable level authorized through a food additive regulation. The 180-day period provides time for the submission of a food additive petition, supported by toxicity data, to show that any proposed level of addition of brominated vegetable oils will be safe.

(Secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784, 1785 et seq., as amended; 21 U.S.C. 321(s), 348, 371(a))

Dated: January 23, 1970.

CHARLES C. EDWARDS,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 70-1062; Filed, Jan. 26, 1970; 8:45 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Memo No. 658]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart O—Administrative Division

DELEGATING AUTHORITY FOR TAKING PERSONNEL ACTIONS ON POSITIONS IN GRADE GS-14

JANUARY 15, 1970.

Under and by virtue of the authority vested in me by §§ 0.76(c)(4), 0.76(k), 0.136, and 0.159 of Title 28 of the Code of Federal Regulations, I hereby delegate to the Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, the Commissioner of Immigration and Naturalization, and Director of the Bureau of Narcotics and Dangerous Drugs authority, as to their respective jurisdictions, to take final actions in matters pertaining to the employment, direction, and general administration (including appointment, assignment, training, promotion, demotion, compensation, leave, classification, separation) of all personnel, except attorneys, in general schedule grade GS-14.

L. M. PELLERZI,
Assistant Attorney General for Administration.

[F.R. Doc. 70-974; Filed, Jan. 26, 1970; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER I—MILITARY PERSONNEL

PART 881—APPOINTMENT OF OFFICERS IN THE U.S. AIR FORCE OR AS RESERVES OF THE AIR FORCE

Miscellaneous Amendments

Part 881 of Chapter VII of Title 32 of the Code of Federal Regulations is amended as follows:

1. Section 881.4 is amended by revising paragraph (c)(3) to read as follows:

§ 881.4 Responsibility.

* * * * *

(c) * * *

(3) Reserve officers of other services to fill Ready Reserve vacancies. All appointments of legal officers, chaplains, personnel of the medical services and all appointments above captain require Hq USAF approval.

* * * * *

§ 881.7 [Amended]

2. Section 881.7(b)(3) is amended by changing office symbol in last sentence from "AFPMRDC" to "AFPMRDS."

§ 881.8 [Amended]

3. Section 881.8 is amended by changing the office symbol used in "Notes" to paragraphs (c)(3) and (h)(8) from "AFPMRDC" to "AFPMRDS."

§ 881.12 [Amended]

4. In § 881.12, paragraph (b) is revised, and the office symbol used in the last sentence of paragraph (g)(1) is changed from "AFPMRDC" to "AFPMRDS."

(b) *Age.* By law, no person will be appointed as a Reserve of the Air Force who is under the age of 18 years. Women applicants will not be appointed under the age of 21 years except nurses who may be appointed as second lieutenants at age 20. Applicants without prior military service will not be appointed after they reach 40 years of age. Women applicants may not be appointed in a grade above lieutenant colonel. The following table, showing the maximum age for grade, will apply for appointments made under this part.

When application for appointment is to the grade of—	*Then the applicant's age must be less than—*
Second lieutenant	30
First lieutenant	34
Captain	40
Major	46
Lieutenant Colonel	51
Colonel	56

* * * * *

§ 881.13 [Amended]

5. Section 881.13 is amended by changing the fourth entry in paragraph (b) from "AFPMRDC" to "AFPMRDS."

§ 881.19 [Amended]

6. Paragraphs (a) and (b)(1) to § 881.19 are amended by changing office symbol from "AFPMRDC" to "AFPMRDS."

7. Section 881.35(d) is revised to read as follows:

§ 881.35 Application, processing, and selection.

* * * * *

(d) Biomedical therapist (Podiatrist) and optometry officers who are not otherwise eligible for any higher grade shall be appointed in the temporary grade of first lieutenant effective on the date of entry on active duty.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012; 10 U.S.C. 591, 593, 8067, 8353, 8358, 8359, 8444)

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, Jr.,
Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 70-971; Filed, Jan. 26, 1970; 8:46 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL PROVISIONS

PART 2—ACCEPTANCE AND ADMINISTRATION OF GIFTS

Repeal of Part

The authority of the Secretary of Health, Education, and Welfare to accept gifts on behalf of the United States made for the benefit of the Public Health Service or for the carrying out of any of its functions (sec. 501, Public Health Service Act; 42 U.S.C. 219) has been delegated by the Secretary to the Assistant Secretary for Health and Scientific Affairs without limitations, except with respect to certain gifts of property (33 F.R. 16412). By memorandum dated November 6, 1968, the Assistant Secretary redelegated this authority to the Director, National Institutes of Health, the Administrator, Health Services and Mental Health Administration (34 F.R. 567), and the Administrator, Consumer Protection and Environmental Health Service. In addition, the management of gifts not to the United States but for the use and benefit of patients of the Service is governed by internal administrative issuances, such as the Division of Hospital Operations Manual (Chapter 1, sec. 8).

Under these circumstances the regulations set forth in Part 2, Title 42 CFR relating to the Acceptance and Administration of Gifts are obsolete and unnecessary.

Notice of proposed rule making, public rule making procedures and delay in effective date have been omitted as unnecessary since Part 2 relates to agency management.

Part 2 is therefore hereby repealed, effective immediately.

(Secs. 215, 321, 501, 58 Stat. 690, as amended, 695, as amended, 709, as amended; 42 U.S.C. 216, 248, 219)

Dated: December 31, 1969.

ROGER O. EGEBERG,
Assistant Secretary for Health and Scientific Affairs.

Approved: January 21, 1970.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 70-1011; Filed, Jan. 26, 1970; 8:49 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18271]

PART 81—STATIONS ON LAND IN MARITIME SERVICES

PART 83—STATIONS ON SHIPBOARD IN MARITIME SERVICES

Frequencies Available; Correction

In the matter of amendment of Parts 2, 81, 83 and 85—to effect orderly shifts from present double sideband (DSB) and/or single sideband (SSB) to new (replacement) frequencies; to establish a revised schedule of dates, technical standards, frequencies and other requirements for the transition of ship and coast stations from DSB to SSB radiotelephony on frequencies within the revised frequency allotments adopted by the World Administrative Radio Conference, Geneva—1967, for the exclusive HF maritime mobile service bands between 4 and 23 Mc/s, Docket No. 18271, RM-1132.

1. In the third report and order in the above-entitled matter released December 22, 1969, FCC 69-1369 (34 F.R. 20194) corrections are necessary to reinsert certain existing conditions that were inadvertently deleted. In §§ 81.304 and 83.351 frequencies available to public coast stations and ship stations, respectively, are listed subject to certain conditions of use. Each specific condition is assigned a number. In assigning a particular number to a condition, certain numbers already in the rules were duplicated. This in effect deleted matters not subject to this rule making. In addition, an editorial correction is made in the table in § 83.351(b)(38). The column headings designating the transmit and receive frequencies are transposed.

2. In view of the foregoing, Parts 81 and 83 are amended as set forth below.

Released: January 22, 1970.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

A. Part 81, Stations on Land in the Maritime Services, is amended as follows:

1. In § 81.304, subparagraph (2) of paragraph (a) is corrected in regard to the conditions of use for the frequencies listed below; in paragraph (b), subparagraphs (1), (2), (7), (8), and (19) through (22) are reinserted, and new subparagraphs (27) and (28) are added to read as follows:

§ 81.304 Frequencies available.

(a) * * *

(2)

Carrier frequencies (kc/s)

Old frequency (1)	New frequency (2)	Conditions of use (3)
* * *	* * *	* * *
4072.4	4072.4	3, 5, 18, 28.
	* * *	* * *
	4088.4	3, 5, 27.
	* * *	* * *
	4387.0	3, 5, 27.
	* * *	* * *
	8246.0	3, 5, 27.
	* * *	* * *
	8780.0	3, 5, 27.
	* * *	* * *
	12,379.0	3, 5, 27.
	* * *	* * *
	13,158.0	3, 5, 27.
	* * *	* * *
	16,488.0	3, 5, 27.
	* * *	* * *
	17,283.0	3, 5, 27.
* * *	* * *	* * *

* * * * *

(b) * * *

(1) The frequency 2182 kc/s is authorized for use on a shared basis primarily by ship stations and secondarily by coast stations.

(2) The frequencies 2514, 2550, and 2582 kc/s are authorized for use in the Great Lakes area on a shared basis with coast stations of Canada upon the express condition that, except in case of distress, the frequency 2550 kc/s shall not be used for transmission to ship stations of Canada and the frequency 2582 kc/s shall not be used for transmission to ship stations of the United States.

* * * * *

(7) Each carrier frequency which is not to be used prior to a specified beginning date, may be used under appropriate station authorization for test transmission during a period commencing not more than 2 months in advance of such specified beginning date; solely to determine whether an existing coast station is capable of proper technical operation on that particular radiochannel

preparatory to rendering regular service thereon: *Provided,* That harmful interference is not caused by such test transmission to the service of any other station.

(8) Use of the frequency 2638 kc/s by coast stations in certain geographic areas as prescribed in this part is authorized upon the express condition that harmful interference shall not be caused to intership communication on this frequency, nor to the service of any station which in the discretion of the Commission, has priority on the frequency or frequencies to which interference results: *Provided,* That with respect to the stations of the maritime mobile service, this condition shall not be construed as prohibiting the operation of a coast station on this frequency pursuant to the provisions of §§ 81.181(b), 81.182, and 81.183 (b) and (c).

* * * * *

(19) The frequency deviation is limited to ±5 kc/s.

(20) A frequency deviation of ±15 kc/s may be employed until March 1, 1969; after March 1, 1969, a deviation of ±5 kc/s shall be employed.

(21) Not available for assignment prior to March 1, 1969. During the period March 1, 1969, to January 1, 1971, available for assignment in areas where harmful interference will not result to assignments on Channels Nos. 07 through 20, inclusive.

(22) To the extent practicable, the order of assignment of public correspondence channels will be in accord with the U.S. priority numbering system, as follows:

Priority No.		Transmit (Mc/s)	Receive (Mc/s)	Channel designator
U.S.	I.T.U.			
1	1	161.900	157.300	26
2	2	161.950	157.350	27
3	3	161.850	157.250	25
4	4	161.800	157.200	24
[1] 1	6	162.000	157.400	28
5	13	161.825	157.225	84
6	14	161.950	157.375	87
7	15	161.925	157.325	86
8	17	161.875	157.275	85

[1] Channel 28 will be assigned interchangeably with Channel 26 as the first priority number.

* * * * *

(27) Available January 1, 1974, for use with emissions 2.8A3A and 2.8A3J, with coast and ship stations operating (simplex) on the same channel.

(28) Until January 1, 1972, emission A3, A3B, A3A, A3H, and A3J; during the period January 1, 1972, to January 1, 1974, emission 2.8A3A, 2.8A3H, and 2.8A3J.

* * * * *

B. Part 83, Stations on Shipboard in the Maritime Services is amended as follows:

1. In § 83.351, in paragraph (a), subparagraphs (3) and (4) are Reserved; in paragraph (b), subparagraphs (1) and (2) are amended, subparagraph (6) is Reserved, and subparagraph (38) is amended [to correctly specify frequencies available for use by ship and coast stations], to read as follows:

§ 83.351 Frequencies available.

(a) * * *

(3) [Reserved]

(4) [Reserved]

* * * * *

(b) * * *

(1) The following conditions of use are applicable to the frequencies 2206, 2182, and 2214 kc/s:

(i) Except in event of distress, use of the frequency 2206 kc/s in the Great Lakes area by ship stations of the United States is prohibited.

(ii) The frequency 2182 kc/s is authorized for use on a shared basis primarily by ship stations and secondarily by coast stations.

(iii) The frequency 2214 kc/s is authorized for use exclusively at locations at which interference is not caused to the service of any U.S. Government station.

(2) The frequencies 2638 and 2738 kc/s are authorized for use on a shared basis with ship stations of other countries, for the purposes hereinafter prescribed in this subpart. Use of these frequencies for ship-to-shore communication in certain geographic areas in accordance with this subpart is authorized upon the express condition that harmful interference shall not be caused to intership communication on these frequencies, nor to the service of any station which, in the discretion of the Commission, has priority on the frequency or frequencies to which interference results: *Provided,* That in respect to stations of the maritime mobile service, this condition shall not be construed as prohibiting the operation of ship stations for authorized ship-to-shore communication on this frequency pursuant to the provisions of §§ 83.176, 83.177(b), 83.179, and 83.180.

* * * * *

(6) [Reserved]

* * * * *

(38) To the extent practicable, the order of assignment of public correspondence channels will be in accord with the U.S. priority numbering system, as follows:

Priority No.		Transmit (Mc/s)	Receive (Mc/s)	Channel designator
U.S.	I.T.U.			
1	1	157.300	161.900	26
2	2	157.350	161.950	27
3	3	157.250	161.850	25
4	4	157.200	161.800	24
[1] 1	6	157.400	162.000	28
5	13	157.225	161.825	84
6	14	157.375	161.950	87
7	15	157.325	161.925	86
8	17	157.275	161.875	85

[1] Channel 28 will be assigned interchangeably with Channel 26 as the first priority number.

* * * * *

[F.R. Doc. 70-980; Filed, Jan. 26, 1970; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Certain Wildlife Refuges

The following special regulations are issued and are effective upon date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MISSISSIPPI

NOXUBEE NATIONAL WILDLIFE REFUGE

Sport fishing on the Noxubee National Wildlife Refuge, Brooksville, Miss., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 1,892 acres, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations except the following special conditions:

(1) The sport fishing season extends from March 1 through October 31, 1970, on Ross Branch Reservoir, Bluff and Loakfoma Lakes, Keaton Tower Pond, Parker and Pete Sloughs, Cypress, Jones, and Octoc Creeks, and Noxubee River. Road borrow pits and Betts Ponds are open year-round.

(2) A daily permit (50 cents) is required by the Mississippi State Game and Fish Commission to fish in Bluff and Loakfoma Lakes, and tailwaters of the spillways.

(3) Fishing permitted during daylight hours only.

(4) Snag lines prohibited.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33 and are effective through December 31, 1970.

TENNESSEE

CROSS CREEKS NATIONAL WILDLIFE REFUGE

Sport fishing on the Cross Creeks National Wildlife Refuge, Dover, Tenn., is permitted only on areas designated by signs as open to fishing. These open areas, comprising 4,050 acres, are delineated on a map that is available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions.

(1) The sport fishing season is open 24 hours per day year-round on Barkley

Lake. The open season for Elk and South Cross Creek Reservoirs and the 15 smaller ponds extends from April 1 through September 15. Fishermen are permitted on the refuge bodies of water only from 30 minutes before sunrise to 30 minutes after sunset.

(2) Boats powered by outboard motors of 3 horsepower or less are permitted on Elk and South Cross Creek Reservoirs. Motor size is not restricted on Barkley Lake. Motors are not permitted in other refuge waters open to fishing.

(3) Fishermen must follow designated routes of travel while on the refuge, and use the parking areas as provided.

(4) All State regulations must be obeyed while fishing on refuge reservoirs as well as that portion of Barkley Lake within the refuge. Fishing license must be carried on the person to be exhibited to Federal or State officers upon request. No special refuge permit is required.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

C. EDWARD CARLSON,
Regional Director, Bureau of Sport Fisheries and Wildlife.

JANUARY 20, 1970.

[F.R. Doc. 70-984; Filed, Jan. 26, 1970; 8:47 a.m.]

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER F—AID TO FISHERIES

PART 250—FISHERIES LOAN FUND PROCEDURES

Change of Interest Rate

JANUARY 22, 1970.

Public Law 89-85 amended section 4 of the Fish and Wildlife Act of 1956 by providing that any fishery loan shall "Bear an interest rate of not less than (a) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (b) such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purpose." The average market yield of such outstanding obligations was 7⅝ percent as of December 31, 1969, up 1 percent from June 30, 1969. In order to comply with Public Law 89-85 it is necessary to increase the interest rate charged on fisheries loans from 7½ percent to 8 percent.

This amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003).

In view of the necessity for making the effective date as soon as possible, this amendment is hereby adopted and will become effective upon publication in the FEDERAL REGISTER.

Section 250.10 is amended by deleting "7½ percent" and substituting "8 percent" therefor.

PHILIP M. ROEDEL,
Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 70-1010; Filed, Jan. 26, 1970; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 121]

[Docket No. 10078; Notice 70-3]

CARRIAGE OF PERSONS WITHOUT COMPLIANCE WITH PASSENGER-CARRYING REQUIREMENTS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 121 of the Federal Aviation Regulations to allow air carriers and commercial operators to carry additional categories of persons aboard an airplane without complying with the passenger-carrying airplane and operation requirements of Part 121.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before April 27, 1970, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Present § 121.583 lists several categories of persons who may be carried aboard an airplane without complying with the passenger-carrying or passenger-service airplane requirements in Part 121. For a number of years prior to 1959, animal attendants and other cargo attendants were often carried in cargo airplanes. These persons accompanying shipments were considered to be crewmembers because their presence aboard the airplane was considered necessary for the safety of the airplane in flight. In 1958, the demand increased for transportation of classified government cargo and government cargo requiring security or honor guards.

However, guards and escorts for classified or special cargo were considered to be passengers when their presence was not necessary for the safe operation of the airplane. Similarly, when cargo attendants were carried aboard cargo airplanes to or from their specific duty assignments they were considered to be passengers. Consequently, cargo operations became subject to the passenger-carrying rules. In 1958, the passenger-carrying rules differed from the cargo-carrying requirements primarily with respect to fire prevention, weight, and performance limitations. Compliance with these requirements by an air carrier placed an unreasonable burden upon air carriers because such individuals were not intended to fall within the normally accepted category of air carrier passengers. Therefore, it appeared desirable to exclude from the passenger category, subject to special conditions to provide an equivalent level of safety, persons authorized to perform a specific duty in connection with cargo being carried aboard a cargo airplane while in the performance of such duty or while traveling to or from a duty assignment. These categories of persons excluded from the passenger-carrying requirements and the special conditions of operation were the subject of Special Civil Air Regulation SR-432.

In 1962, another Special Civil Air Regulation, SR-432A, increased the nonpassenger categories to include company employees and their dependents, military couriers, military route supervisors, and flight crewmembers of any military cargo contract air carrier or commercial operator, when operating under a military cargo contract and specifically authorized by the appropriate military service. When Part 121 of the Federal Aviation Regulations was adopted in 1964, SR-432A was incorporated as § 121.583 of Part 121, with no substantive change.

This proposed amendment would expand the categories of persons who may be carried aboard an airplane without complying with the passenger-carrying requirements. Shipments of high value or of a confidential nature, whether Government or private, often require the protection of a security guard. The present permission to carry security guards for shipments made by the United States would be broadened by this proposal to include shipments made by anyone of valuable or confidential cargo.

The Air Transport Association has advised the FAA that shippers are requesting that an attendant accompany shipments of fragile articles such as electronic instruments and rare works of art. In addition, a need has arisen to carry persons performing experiments or tests on new cargo containers and cargo handling devices. Some new methods of shipping perishable agricultural produce and other materials by air require an attendant to maintain environmental conditions. The proposed amendment would include persons necessary for the protection of these kinds of shipments and for test activities.

It is also proposed to allow military contract coordinators to be carried on the same basis that military route supervisors are now carried. Military contract coordinators ride on airplanes operating under military contracts to assure compliance with the terms of the contract.

There is a need for the carriage of persons who operate special cargo handling equipment to places where such persons are not available. Finally, there is a need for the carriage of persons needed to load or unload outsize cargo such as drivers of large vehicles or operators of large machines.

Proposed § 121.583 would no longer contain the requirement present in paragraph (a)(2) of § 121.583 that the certificate holder must find that other means of transportation are impracticable as a condition for the carriage of persons prescribed in paragraph (a)(1) traveling to or from their work assignment. In view of the comprehensive substitute requirements proposed in § 121.583 and applicable to the persons covered by that section while in the performance of this work, it is proposed to allow such persons to travel to and from their work assignment without regard to the availability of other transportation.

Although this amendment would increase the categories of persons who may be carried by an air carrier or commercial operator without complying with certain passenger-carrying requirements of Part 121, it must not be construed to relieve an operator from compliance with any passenger-carrying restrictions placed on an air carrier by the Civil Aeronautics Board.

In addition to expanding the categories of persons who may be carried without complying with the passenger-carrying requirements, this amendment would also reorganize the present aircraft and operating requirements that must be observed when such persons are carried, and would add some new requirements. Present § 121.583 contains requirements concerning cargo location, survival equipment, manuals, seats, and safety belts. This amendment would add requirements concerning emergency exits and passenger information.

This proposal would also amend § 121.583 to make clear which sections of Part 121 need not be complied with when the persons listed in § 121.583 are carried. Present § 121.583 exempts an airplane carrying the persons listed in that section from complying with the "passenger-carrying" or "passenger-service airplane" requirements of any part of the Federal Aviation Regulations. Proposed § 121.583 would specify those sections of Part 121 that are made specifically applicable to "passenger-carrying operation" or "passenger-carrying aircraft" by use of those terms.

In addition, proposed § 121.583 would specify several other sections of Part 121 that contain requirements concerning the carriage of passengers, but do not

use the term "passenger-carrying aircraft" or "passenger-carrying operation." Some of these sections concerning the carriage of passengers, such as § 121.317 pertaining to passenger information, are not practical when applied to the persons specified in § 121.583. Section 121.583 would be further amended, as discussed above, to add workable requirements that apply when a person specified in § 121.583 is carried.

Section 121.1(d) contains a definition of "passenger-carrying aircraft" and "passenger-carrying operation" for the purpose of Part 121. This proposed amendment would revise that definition to include the new categories of persons to be excepted from the passenger-carrying requirements. To avoid duplication, § 121.1(d) would refer to the persons listed in § 121.583. The terms "authorized government representative" and "persons accompanying a shipment" presently contained in § 121.1(d) would be more specifically defined in § 121.583.

The term "passenger-service" presently in § 121.583 would be deleted as obsolete. That term, which is not used in any other section in Part 121, had the same meaning as "passenger-carrying aircraft" in the Civil Air Regulations from which Part 121 was recodified.

In consideration of the foregoing, it is proposed to amend Part 121 of the Federal Aviation Regulations as follows:

1. By amending § 121.1(d) to read as follows:

§ 121.1 Applicability.

* * * * *

(d) For the purpose of this part, "passenger-carrying airplane" or "passenger-carrying operation" means one carrying any person other than a person listed in § 121.583.

2. By amending § 121.583 to read as follows:

§ 121.583 Carriage of persons without compliance with the passenger-carrying requirements of this part.

(a) When authorized by the certificate holder, the following persons, but no others, may be carried aboard an airplane without complying with the passenger-carrying airplane requirements in §§ 121.309(f), 121.310, 121.391, 121.571, and 121.587; the passenger-carrying operation requirements in §§ 121.157(c), 121.161, and 121.291; and the requirements pertaining to passengers in §§ 121.285, 121.313(f), 121.317, and 121.547:

(1) A crewmember.

(2) A company employee.

(3) An FAA air carrier inspector, or an authorized representative of the National Transportation Safety Board, who is performing official duties.

(4) A person necessary for—

(i) The safety of the flight;

(ii) The safe handling of animals;

(iii) The safe handling of radioactive materials (within the meaning of Part 103 of this chapter);

(iv) The security of valuable or confidential cargo;

(v) The preservation of fragile or perishable cargo;

(vi) Experiments on, or testing of, cargo containers or cargo handling devices;

(vii) The operation of special equipment for loading or unloading cargo; or

(viii) The loading or unloading of outsize cargo.

(5) A person described in subparagraph (4) of this paragraph, when traveling to or from his assignment.

(6) A person performing duty as an honor guard accompanying a shipment made by or under the authority of the United States.

(7) A military courier, military route supervisor, military cargo contract coordinator, or a flight crewmember of another military cargo contract air carrier or commercial operator, carried by a military cargo contract air carrier or commercial operator in operations under a military cargo contract, if that carriage is specifically authorized by the appropriate armed forces.

(8) A dependent of an employee of the certificate holder when traveling with the employee on company business to or from outlying stations not served by adequate regular passenger flights.

(b) No person may operate an airplane carrying a person covered by paragraph (a) of this section unless—

(1) Each person has unobstructed access from his seat to the pilot compartment or to a regular or emergency exit;

(2) The airplane has a means of notifying each person when smoking is prohibited and when safety belts should be fastened; and

(3) The aircraft has an approved seat with an approved safety belt for each person. The seat must be located so that the occupant is not in any position to interfere with the flight crewmembers performing their duties.

(c) Each certificate holder operating an airplane carrying persons covered by paragraph (a) of this section shall ensure that, before each takeoff, all such persons are orally briefed by the appropriate crewmember on—

(1) Smoking;

(2) The use of seat belts;

(3) The location and operation of emergency exits;

(4) The use of oxygen and emergency oxygen equipment; and

(5) For extended overwater operations, the location of life rafts, and the location and operation of life preservers including a demonstration of the method of donning and inflating a life preserver.

(d) Each certificate holder operating an airplane carrying persons covered by paragraph (a) of this section shall incorporate procedures for the safe carriage of such persons into the air carrier's or commercial operator's manual.

(e) The pilot in command may authorize a person covered by paragraph (a) of this section to be admitted to the crew compartment of the airplane.

These amendments are proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, and 1424), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 20, 1970.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 70-977; Filed, Jan. 26, 1970; 8:47 a.m.]

[14 CFR Parts 121, 127]

[Docket No. 10079; Notice No. 70-4]

MAINTENANCE MANUALS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Parts 121 and 127 of the Federal Aviation Regulations to permit certificate holders certificated under those parts to prepare, use, and distribute the maintenance part of their required manuals, in whole or in part, in microfilm. In addition, it is proposed to require those certificate holders electing to use the microfilm format to provide a suitable reading device for those persons to whom the certificate holder must distribute the manual.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before April 27, 1970, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Subpart G of Part 121 and Subpart D of Part 127 prescribe the requirements for the preparation, content, and distribution of manuals required for certificate holders certificated under those Parts. Sections 121.135(b) and 127.63(b) permit the certificate holders to divide the manual into parts subject to the requirements of those sections, and this authorization has led to the widespread use of maintenance manuals. In addition, the regulations require that the manual be in a form that is easy to revise and that it be kept current.

Historically, Part 121 and 127 certificate holders have prepared and distributed the maintenance part of the manual as they have the balance of the manual, in looseleaf printed page form. However, with the development of larger and more sophisticated aircraft, the maintenance manual has expanded to the point where it may require many volumes to privide all the data necessary to maintain these aircraft. This situation has made it difficult for the certificate holders and the FAA District Office having jurisdiction over the particular operations to keep the manuals

current and revise them easily, due to the problem of storing such a large accumulation of data and filing revisions thereto. This has also hindered fast and efficient reference to the manual.

In response to these problems, the FAA has recently participated in a trial program initiated by several Part 121 certificate holders to determine the advisability and practicability of adopting the microfilm form as a solution. Under the trial program, the participating certificate holders have distributed microfilm cassettes to those persons specified in § 121.137, each cassette being labeled with the issue date and the maintenance information and instructions contained therein. Revisions and additions are prepared and disrtibuted initially in printed page form pending reproduction in microfilm and distribution of a new cassette. Upon receipt of the new cassette, which bears the appropriate changes and revision dates, those persons to whom a manual or appropriate parts are furnished return the superseded cassette to the certificate holder. The participating certificate holders have provided the reading devices necessary to the utilization of the microfilm maintenance manual.

As a result of the trial program, certain advantages in using the microfilm form have been illustrated which make the microfilm maintenance manual an acceptable form. Whereas the conventional printed form may result in voluminous maintenance manuals, the microfilm form enables this large collection of data to be recorded on a few easily stored units. In addition, use of microfilm eliminates the problem of lost or misplaced pages. Finally, the microfilm manual would permit an easier and faster transmission of information to those using the manual.

While the trial program was initiated by Part 121 certificate holders, the FAA believes that the results of that program indicate that Part 127 certificate could benefit as well from regulations allowing use of microfilm maintenance manuals as proposed herein.

The proposals contained in this notice are the result of, and are based on, the procedures developed in the trial program.

In consideration of the foregoing, it is proposed to amend Parts 121 and 127 of the Federal Aviation Regulations as follows:

1. By adding a new paragraph (c) to § 121.133 to read as follows:

§ 121.133 **Preparation.**

* * * *

(c) For the purposes of this subpart, the certificate holder may prepare that part of the manual containing maintenance information and instructions, in whole or in part, in printed page form or microfilm.

2. By adding a new paragraph (c) to § 121.137 to read as follows:

§ 121.137 **Distribution.**

* * * * *

(c) If, in complying with this section, the certificate holder furnishes those persons listed in paragraph (a) of this section the maintenance part of the manual in microfilm, the certificate holder must also furnish and maintain a reading device that provides a legible facsimile reproduction of the microfilmed maintenance information and instructions.

3. By amending § 127.61 as follows:

(a) By inserting the paragraph designation "a" before the first paragraph.

(b) By adding a new paragraph (b) to read as follows:

§ 127.61 **Preparation.**

* * * * *

(b) For the purposes of this subpart, the certificate holder may prepare that part of the manual containing maintenance information and instructions, in whole or in part, in printed page form or microfilm.

4. By adding a new paragraph (c) to § 127.65 to read as follows:

§ 127.65 **Distribution.**

* * * * *

(c) If, in complying with this section, the certificate holder furnishes those persons listed in paragraph (a) of this section the maintenance part of the manual in microfilm, the certificate holder must also furnish and maintain a reading device that provides a legible facsimile reproduction of the microfilmed maintenance information and instructions.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 20, 1970.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 70-976; Filed, Jan. 26, 1970; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 31]

NONALCOHOLIC BEVERAGES

Soda Water, Identity Standard; Proposed Deletion of Brominated Vegetable Oils From List of Permitted Optional Ingredients

Elsewhere in this issue of the FEDERAL REGISTER, the Commissioner of Food and Drugs has promulgated an order, for specified reasons, removing brominated vegetable oils from the list of substances generally recognized as safe for use in food by deleting it from § 121.101(g) of the food additive regulations (21 CFR 121.101(g)).

Notice is given that the Commissioner of Food and Drugs, on his own initiative and because of the above-mentioned order, proposes that the standard of identity for soda water be amended to remove brominated vegetable oils from the list of emulsifying, stabilizing, or viscosity-producing agents permitted in that beverage.

Accordingly, it is proposed that § 31.1 *Soda water; identity; label statement of optional ingredients* be amended by deleting "brominated vegetable oils" from paragraph (b)(6)(i).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), all interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 30 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: January 22, 1970.

CHARLES C. EDWARDS,
Acting Commissioner
of Food and Drugs.

[F.R. Doc. 70-1063; Filed, Jan. 26, 1970; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Filing Plat of Survey

JANUARY 19, 1970.

1. Plat of survey of the land described below will be officially filed in the Fairbanks District and Land Office, Fairbanks, Alaska, effective 10 a.m., February 25, 1970.

FAIRBANKS MERIDIAN

T. 1 S., R. 4 E. (Group 49),
Sec. 3, all;
Sec. 4, all;
Sec. 5, all;
Sec. 6, all.

The areas described above aggregate 2,437.52 acres.

2. The area surveyed is located about 25 miles east of Fairbanks, Alaska. The terrain embraced in this portion of the township is nearly level river bottom land, with the exception of the southwest portion of section 6, which is hilly. Timber consists of spruce, birch, poplar and some tamarack. Undergrowth consists of willow, alder, young timber, grasses and moss. Soil is alluvial silt mixed with humus to a depth of several feet, then turning to gravel and rocks.

3. This survey was executed to provide a description of valid claims in an area of State Selection.

4. Inquiries concerning the lands should be addressed to the Manager, Fairbanks District and Land Office, Box 1150, Fairbanks, Alaska 99701.

A. M. GUILD,
Acting Manager, Fairbanks District and Land Office.

[F.R. Doc. 70-975; Filed, Jan. 26, 1970; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

GERT HYLEN AND G. HYLEN AB

Order Denying Export Privileges for an Indefinite Period

In the matter of Gert Hylen and G. Hylen AB, Nicoloviusgatan 6B Malmo, Sweden, respondents, File: 23(69)-19.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above respondents all export privileges for an indefinite period because the said respondents, without good cause being shown, failed to furnish answers to interrogatories and failed to furnish certain records and other writings specifically requested. This application was made pursuant to § 388.15 of the Export Control Regulations. (Title 15, Chapter III, Subchapter B, Code of Federal Regulations). A temporary denial order has been in effect against the above parties since October 27, 1969 (34 F.R. 17737 and 35 F.R. 18).

In accordance with the usual practice, the application for an indefinite denial order was referred to the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commisisoner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent Gert Hylen is engaged in the import-export business and also as a dealer in chemicals in Malmo, Sweden; he owns or controls respondent firm G. Hylen AB; during the years 1967 and 1968 one or more suppliers in the United States exported to respondent Hylen or companies owned or controlled by him automotive and engine parts and accessories having a value in excess of $200,000; respondent reexported or caused the reexportation of said commodities or a substantial portion thereof to one or more consignees in Cuba. The Investigations Division is conducting an investigation into the facts and circumstances of these transactions, including the details of respondents' participation therein and their dealings with other parties to the transactions.

It is impracticable to subpoena the respondents, and relevant and material interrogatories were served on them pursuant to § 388.15 of the Export Control Regulations. The respondents, also pursuant to said section, were requested to furnish certain specific documents relating to these transactions. Said respondents have failed to furnish responsive answers to said interrogatories and to furnish the documents requested as required by said section, and they have not shown good cause for such failure. I find that an order denying export privileges to said respondents for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Administration Act of 1969.[1]

Accordingly, it is hereby ordered:

I. This order supersedes the temporary denial order issued against the above respondents on October 27, 1969 (34 F.R. 17737) and extended on December 23, 1969 (34 F.R. 18).

II. The respondents, their assigns, representatives, agents and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondents, but also to their agents and employees and to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith.

IV. This order shall remain in effect until the respondents provide responsive answers, written information, and documents in response to the interrogatories heretofore served upon them or give adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Control Regulations.

V. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with the respondents, or whereby the respondents may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control docu-

[1] This Act is the successor to the Export Control Act of 1949. Section 13(b) of the new Act (Public Law 91-894, approved Dec. 30, 1969), provides, "All outstanding delegations, rules, regulations, orders, licenses, or other forms of administrative action under the Export Control Act of 1949 * * * shall, until amended or revoked, remain in full force and effect, the same as if promulgated under this Act".

ment relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any respondent, or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served on respondents.

VII. In accordance with the provisions of § 388.15 of the Export Control Regulations, the respondents may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested, shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

This order shall become effective forthwith.

Dated: January 22, 1970.

RAUER H. MEYER,
Director, Office of Export Control.

[F.R. Doc. 70-985; Filed, Jan. 26, 1970; 8:47 a.m.]

Business and Defense Services Administration

CEDARS SINAI MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00045-33-43780. Applicant: Cedars Sinai Medical Center, Cedars Division, 4833 Fountain Avenue, Los Angeles, Calif. 90029. Article: Endoscopic examination set and accessories. Manufacturer: Karl Storz Endoskopic-Instrumente, West Germany. Intended use of article: The article will be used at the Clinical and Research Endoscopic Center for the following purposes:

1. To introduce new techniques and instruments and to evaluate their clinical value.

2. To increase diagnostic accuracy by seeing more, and to document the findings on a permanent film record.

3. To establish a teaching center for undergraduate and post graduate students.

4. To initiate new projects in approaching organs heretofore were impossible to see without operating on the patient.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article consists of a custom-built endoscopic set and accessories which has a smaller outside diameter, better light transmission and a wider viewing angle than are provided by comparable domestic instruments. These characteristics are pertinent to the purposes for which the article is intended to be used. We are advised by the Department of Health, Education, and Welfare (HEW) in a memorandum dated November 3, 1969, that it knows of no instrument or apparatus being manufactured in the United States of equivalent scientific value to the foreign article for the purposes for which the foreign article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-955; Filed, Jan. 26, 1970; 8:45 a.m.]

CORNELL UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00511-91-46500. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Ultramicrotome, Model Reichert "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for botanical research concerning the following projects:

a. Ultrastructural studies on the walls of tracheids in plant fossils with special reference to the Devonian plant Psilophyton.

b. Ultrastructural studies on the relationship between photosynthetic lamellar structures and pigment changes in certain blue green algae.

c. Fine structure of differentiating and mature phloem cells in palms. This investigation needs both thick monitor sections as well as routine optimum quality ultrathin sections.

d. Comparative and developmental studies on the ultrastructure of reproductive structures in both living and fossil pteridophytes and gymnosperms.

e. Ultrastructural investigations on chromosome structure with special reference to synaptinemal complex during meiosis.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, April 4, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT-2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 10, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-956; Filed, Jan. 26, 1970; 8:45 a.m.]

CORNELL UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review

during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00512-91-46040. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Electron microscope, Model EM 300. Manufacturer: Philip Electronic Instrument, Inc., The Netherlands. Intended use of article: The article will be used for botanical research concerning the following projects:

a. Ultrastructural studies on the walls of tracheids in plant fossils with special reference to the Devonian plant Psiloghyton.

b. Ultrastructural studies on the relationship between photosynthetic lamellar structure and pigment changes in certain blue-green algae.

c. Fine structure of differentiating and mature phloem cells in palms.

d. Comparative and developmental studies on the ultrastructure of reproductive structures in both living and fossil pteridophytes and gymnosperms.

e. Ultrastructural investigations on chromosome structure with special reference to synaptinemal complex during meiosis.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a magnification suitable for taking good photographs ranging from a magnification of 220 diameters (X) to 500,000X without the need to change pole pieces. The most closely comparable domestic instrument available at the time the application use submitted was the EMU-4B electron microscope which was then being manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forgflo Corp. (Forgflo). The RCA Model EMU-4B can provide magnification for the production of good electron micrographs in the range of 500 to 240,000X but a change of pole pieces is required at magnifications below 1,400X (the lower limit of the magnification range with the standard pole piece). We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated November 10, 1969, that the additional continuous magnification which the foreign article provides without the need to exchange pole pieces is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the RCA Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-950; Filed, Jan. 26, 1970; 8:45 a.m.]

DUKE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00028-33-46500. Applicant: Duke University, Durham, N.C. 27706. Article: Ultramicrotome, LKB 8800 Ultrotome III. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin sections, 50 angstroms to 2 microns, for electron microscopic examination of living cells in tissue culture. Specifically, the investigation concerns chromosome movement in living cells following experimental alteration of individual chromosomes by micromanipulation. Special interest is in seeing one particular chromosome in one particular cell during the examination in the electron microscope. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, July 10, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT-2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 5, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-966; Filed, Jan. 26, 1970; 8:46 a.m.]

MEDICAL COLLEGE OF VIRGINIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00598-33-46500. Applicant: Medical College of Virginia, M.C.V., Post Office Box 902, Richmond, Va. 23219. Article: Ultramicrotome Model "OmU2". Manufacturer: C. Reichart Optische Werke A.G., Austria. Intended use of article: The article will be used in a project in which the origin and function of Langerhans cells in mouse and human skin is to be investigated. These cells are identified by the presence of a distinctive intracellular organelle, not present in all parts of the cell. To identify them and reconstruct their structure in three dimensions, consistent and uniform serial sections of thickness ranging down to 50 angstroms must be obtained. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, May 13, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT-2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 13, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT-2 is not of equivalent

scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-960; Filed, Jan. 26, 1970; 8:45 a.m.]

OAK RIDGE ASSOCIATED UNIVERSITIES

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00050-33-46500. Applicant: Oak Ridge Associated Universities, Post Office Box 117, Oak Ridge, Tenn. 37830. Article: Ultramicrotome, Reichert Model "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for cutting ultrathin serial sections about 50- to 75-angstrom units in thickness from large epoxy-embedded lymphatic tissues for research. Research is part of an investigation concerning the fine structure of lymphatic tissue germinal centers and localization of virus particles in these anatomic areas. This work is essential to the development of a model system to study leukemogenesis using high-leukemia mouse stain AKR lymphoid tissue germinal centers that contain many C-type virus particles associated with specialized reticular cells. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, July 15, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT-2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of October 30, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-967; Filed, Jan. 26, 1970; 8:46 a.m.]

OHIO STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00581-33-46500. Applicant: The Ohio State University, Department of Otolaryngology, 190 North Oval Drive, Columbus, Ohio 43210. Article: Ultramicrotome, Model LKB 8800 Ultrotome III. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin sections of middle and inner ear tissue for electron microscopic examination in an investigation of the morphology and cytochemistry of ear tissue. It will also be used for survey sectioning for light microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, May 6, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT-2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT-2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 13, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT-2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-951; Filed, Jan. 26, 1970; 8:45 a.m.]

SOUTHERN METHODIST UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70-00029-33-46500. Applicant: Southern Methodist University Department of Biology, Dallas, Tex. 75222. Article: Ultramicrotome, LKB 8800A Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for a variety of research projects undertaken by several biologists. The biologists need sections ranging from 50 angstroms to 2 microns for a variety of specimens and materials being studied which include parasites, juxtaglomerular cells, adrenal cortex, hepatoma, and the development of the cyst wall of Hymerolepsis diminuta. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, July 10, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received

was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 5, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–969; Filed, Jan. 26, 1970; 8:46 a.m.]

STATE UNIVERSITY OF NEW YORK

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00635–33–46040. Applicant: State University of New York, Downstate Medical Center, 450 Clarkson Avenue, Brooklyn, N.Y. 11203. Article: Electron Microscope, Model Elmiskop 1A. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used for ultrastructural work on central nervous system tissue; for study of the developing brain in experimental animals and for study of degenerative diseases on human biopsy material. It will also be used to teach students the principles of the electron microscope in order that they clearly understand its operation and use. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article can provide good electron micrographs over a continuous magnification range of 200X to 200,000X without a pole piece change. The most closely comparable domestic instrument available at the time the foreign article was ordered was the EMU–4B electron microscope which was then being manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forgflo Corp. (Forgflo). The RCA Model EMU–4B electron microscope can provide good micrographs over a continuous magnification range of 500X to 240,000X but to cover this range a pole piece change is required. The applicant's research studies require good low power micrographs followed rapidly by photographs at high power. The continuous magnification range over which the foreign article can provide good micrographs without a pole piece change is, therefore, pertinent to the purposes for which the article is intended to be used. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated November 17, 1969, that to cover the range of magnification of the foreign article it would be necessary to change a pole piece in the domestic instrument. We, therefore, find that the RCA Model EMU–4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–965; Filed, Jan. 26, 1970; 8:46 a.m.]

TEMPLE UNIVERSITY MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00537–33–46500. Applicant: Temple University Medical Center, 3400 North Broad Street, Philadelphia, Pa. 19140. Article: Ultramicrotome, Model LKB 8800 Ultrotome III. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examinations. The primary tissue involved will be cells of human malignant melanoma examined directly and at various intervals after tissue culture. Extremely thin sections are required in order to study the melanosome, a cytogenetic structural marker of benign and malignant melanocytes. For purposes of research, it is necessary that long series are cut in serial sections of equal thickness. The thickness required may vary from 50 angstroms to 2 microns. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, April 15, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 12, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–952; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00677–00–46040. Applicant: University of California, College of Engineering, Department of Electrical

Engineering, Davis, Calif. 95616. Article: 1 each ABD–2 high resolution dark field accessory, 1 each AD–2 high resolution diffraction accessory, 1 each AR–3 reflection accessory, 1 each AC–3 transmission cold stage, 1 each AS power control box, 1 each AHT–3 transmission hot stage, 1 each ASM control unit for ALG–1 goniometer stage. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The articles will be used on an existing electron microscope, Model JEM–7A, for graduate level instruction and research in the College of Engineering. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for such purposes as these articles are intended to be used, is being manufactured in the United States. Reasons: The application relates to certain accessories which are intended to be used with an electron microscope that had previously been imported for the use of the applicant institution. These accessories are being furnished by the manufacturer of the electron microscope with which they are intended to be used.

The Department of Commerce knows of no similar accessories being manufactured in the United States, which are interchangeable with the accessories described in the application or which may readily be adapted to the electron microscope with which the foreign articles are intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–957; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00638–33–46040. Applicant: University of California, Davis, School of Medicine, Davis, Calif. 95616. Article: Electron microscope, Model EM 801. Manufacturer: GEC-AEI Electronics, Ltd., United Kingdom. Intended use of article: The article will be used by graduate students, predoctoral and postdoctoral fellows in these laboratories for biological research in the following areas:

a. Changes in the nervous system and liver in response to toxic and physical agents.

b. Mitochondrial membrane changes as related to biochemical enzyme function.

c. Examination of macromolecules to characterize the size and shape and to compare the differences after isolation under diverse metabolic states.

d. Virus isolates and their effects in producing congenital deformities in marmosa monkeys, and rats.

e. Changes in the adrenal cortex of rats under various physiologic states and in the human fetal adrenals at various ages of gestation and in normal and diseased muscle of human, monkey, guinea pig, mouse, rat, and chicken.

f. Three dimensional reconstruction to study relationships and interconnections of cellular organelles in the adrenal cortex of rats and frogs requiring magnifications of X 30,000–X 70,000 on the microscope screen.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is equipped with a tilt stage having a guaranteed resolving power of 5 angstroms. The most closely comparable domestic instrument available at the time the foreign article was ordered was the EMU–4B electron microscope which was then being manufactured by the RCA Corp. of America (RCA), and which is currently being produced by Forgflo Corp. (Forgflo). The RCA Model EMU–4B electron microscope can be equipped with a tilt stage, but the resolving power of this stage is not guaranteed to be as good as 5 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW), in its memorandum dated October 31, 1969, that the guaranteed resolving power of the tilt stage of the foreign article is pertinent to the applicant's stereoscopic studies of cell organelles and viruses. We therefore find that the RCA Model EMU–4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–959; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA SCHOOL OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00668–33–46040. Applicant: University of California School of Medicine at Davis, Davis, Calif. 95616. Article: Electron microscope, Model AEI EM6B. Manufacturer: GEC-AEI Electronics, Ltd., U.K. Intended use of article: The article will be used for biological research which includes the following areas:

a. Changes in the nervous system and liver in response to toxic and physical agents.

b. Mitochondrial membrane changes as related to biochemical enzyme f function.

c. Examination of macromolecules to characterize the size and shape and to compare the differences after isolation under diverse metabolic states.

d. Virus isolates and their effects producing congenital deformities in marmosa monkeys, and rats.

e. Changes in the adrenal cortex of rats under various physiologic states and in the human fetal adrenals at various ages of gestation and in normal and diseased muscle of human, monkey, guinea pig, mouse, rat, and chicken.

f. Three dimensional reconstruction to study relationships and interconnections of cellular organelles in the adrenal cortex of rats and frogs requiring magnifications of X 30,000–X 70,000 on the microscope screen.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a useful magnification range of 300X to 250,000X without changing pole pieces. The most closely comparable domestic instrument available at the time the application was submitted was the EMU–4B electron microscope which was then being manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forgflo Corp. (Forgflo). The RCA Model EMU–4B provides useful magnification ranges of 1,400X to 240,000X and 500X to 70,000X but a pole piece must be changed to switch from

one range to the other. We are informed by the Department of Health, Education, and Welfare (HEW) in its memorandum dated October 22, 1969, that the greater magnification range without pole piece change which the foreign article provides is pertinent to the purposes for which the article is intended to be used. We therefore find that the RCA Model EMU–4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–964; Filed, Jan. 26, 1970; 8:46 a.m.]

UNIVERSITY OF CINCINNATI

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00613–33–46500. Applicant: University of Cincinnati, Department of Biological Sciences, Cincinnati, Ohio 45221. Article: Ultramicrotome, Model 8800 Ultrotome III. Manufacturer: LKB Produkter, Sweden. Intended use of article: The Article will be used to section plastic-embedded tissue for electron microscopy. It will also be used as a research instrument and for teaching a course (advanced undergraduate-graduate level) in electron microscopic techniques. A wide variety of material will be sectioned ranging from very soft tissue such as nervous tissue to very hard tissue such as algae and fungi which have tough cell walls. It is imperative to cut long serial sections of equal thickness and uniformity from 50 angstroms to 2 microns. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes at this article is intended to be used, was being manufactured in the United States at the time the application was received (May 15, 1969). Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received was the Model MT–2 ultramicrotome that was being manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education and Welfare (HEW) in its memorandum dated November 17, 1969 that the applicant's research studies require uniform serial sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instruments or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–961; Filed, Jan. 26, 1970; 8:46 a.m.]

UNIVERSITY OF COLORADO MEDICAL CENTER

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70–00052–33–46500. Applicant: University of Colorado Medical, Center, 4200 East Ninth Avenue, Denver, Colo. 80220. Article: Ultramicrotome, Model LKB 8800A Ultrotome III. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin frozen serial sections of fresh or formalin-fixed pituitary glands for immuno-electron microscopy, using the peroxidase labeled antibody technique. With this approach, functional maps of the human pituitary will be constructed based upon the locations of the six particular trophic hormones of the gland. In addition, hormones will be localized at their effector sites. Because the enzyme labeled antibody technique is capable of localizing molecular amounts of hormone, extremely thin sections are required to obtain adequate resolution and adjacent serial sections are required to prove immunohistologic specificity. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, July 16, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of October 30, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–948; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF MICHIGAN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00678–33–46040. Applicant: The University of Michigan, Dental Research Institute, Laboratory of Cell Biology, 1011 North University, Ann Arbor, Mich. 48104. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for advanced research and research training programs. Research will consist of two major projects which include experimental studies

to establish the immunologic specificity of molecular interaction between small protein antigens and thoracic duct lymphocytes in vitro and in vivo, as well as studies concerned with the isolation of various subcellular structures such as polyribosomes and mitochondrial subfractions. The educational use will be for the advanced research training of postdoctoral fellows who have had some exposure to biological electron microscopy and are in need of advanced training in high resolution electron microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article has a guaranteed resolving power of 3.5 angstroms. The most closely comparable domestic instrument available at the time the foreign article was ordered was the EMU–4B which was then being manufactured by the Radio Corp. of America (RCA) and which is currently being produced by the Forgflo Corp. (Forgflo). The RCA Model EMU–4B electron microscope has a guaranteed resolving power of 5 angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolving power.) We are advised by the Department of Health, Education, and Welfare (HEW) that the additional resolving capability of the foreign article is pertinent to the purposes for which the article is intended to be used. We, therefore, find that the RCA Model EMU–4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–953; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF MICHIGAN

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 70–00044–33–46500. Applicant: University of Michigan, Department of Industrial Health, Ann Arbor, Mich. 48104. Article: Ultramicrotome, Model Reichert "OmU2". Manufacturer: C. Reichert Optische Werke A. G., Austria. Intended use of article: The article will be used to prepare uniform single and serial sections of several tissues from animals exposed to various toxic compounds in the environment such as pesticides. The purpose of the investigation is to characterize the cytological abnormalities associated with the presence of the pesticide in various tissues. Long ribbons of uniform serial sections, 50 angstroms to 100 angstroms, will be required in this aspect of the investigation. Autoradiography, by electron and light microscopy, and various histochemical techniques will be performed on sections prepared with the article. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, July 14, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 6, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–958; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF NORTH CAROLINA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00504–33–46500. Applicant: University of North Carolina, Dental Research Center, Chapel Hill, N.C. 27514. Article: Ultramicrotome, model LKB 8800A Ultrotome III. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used in several electron microscope investigations which form part of a wide study of orofacial development. Investigations directed at determining the factors involved in cleft palate formation in experimental animals require studies of normal palate fusion. In order to analyze this process, it is necessary to cut a long series of equal thickness serial sections after achieving precise orientation of the plane of sectioning relative to the palatal shelves. Such orientation can only be achieved if the microtome has the capability to section transversally, longitudinally, and radially from the same block without its removal from specimen holder or microtome. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, April 1, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of November 10, 1969, that the applicant's research studies require uniform sections of less than one hundred angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–949; Filed, Jan. 26, 1970; 8:45 a.m.]

UNIVERSITY OF VIRGINIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F. R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00623–33–46500. Applicant: University of Virginia, Department of Biology, Gilmer Hall, Charlottesville, Va. 22903. Article: Ultramicrotome, Model "OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used for producing extremely thin sections (50–75 angstroms thick) of uniform thickness in order to permit the resolution of subunits in the walls of microtubles by high resolution electron microscopy. Such techniques are required as a part of a research project concerned with studying the structure and function of cytoplasmic microtubules in the differentiation and motility of animal cells. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received (May 19, 1969). Reasons: The foreign article provides a minimum thickness capability of at least 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received was the Model MT–2 ultramicrotome that was being manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated November 21, 1969 that the applicant's research studies require uniform serial sections of less than 100 angstroms. For this reason we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–962; Filed, Jan. 26, 1970; 8:46 a.m.]

VETERANS ADMINISTRATION HOSPITAL

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00654–33–46500. Applicant: Veterans Administration Hospital, 1201 Broad Rock Road, Richmond, Va. 23219. Article: Ultramicrotome, Model LKB 8800A Ultrotome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopy. Two different projects are planned. The first study planned is of the tight junctions between liver cells using colloidal lanthanus nitrate as a contrast medium. The tight junctions are the areas where the cell membranes of adjacent liver cells appear to fuse. The exact structure of the area is unknown. The second study will be the diagnostic study of surgical specimens, particularly liver, kidney, and small bowel biopsies. These will require the reliable cutting of ultrathin sections, as well as thicker sections for light microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received. Reasons: The foreign article has a guaranteed minimum thickness capability of at least 50 angstroms. The most closely comparable domestic instrument available at the time the application was received was the Model MT–2 ultramicrotome that was being manufactured by Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 11, 1969 that the applicant's research studies require uniform serial sections of less than 100 angstroms. Therefore, the lower minimum thickness capability of the foreign article is pertinent to the purposes for which the article is intended to be used.

For this reason, we find that the Sorvall Model MT–2 ultramicrotome is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instruments or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70–963; Filed, Jan. 26, 1970; 8:46 a.m.]

WABASH COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69–00618–33–46500. Applicant: Wabash College, Crawfordsville, Ind. 47933. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter A.B., Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic examination. The primary uses are for developing egg cells and chambers of Drosophila. Cellular reconstructions of this type require that the sections be cut extremely thin to determine specific intracellular relationships. Equal thickness serial sections are mandatory and the thickness must easily be varied by the operator between 50 angstroms and 2 microns. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the application was received, May 19, 1969. Reasons: The foreign article has a guaranteed minimum thickness capability of 50 angstroms. The most closely comparable domestic instrument being manufactured in the United States at the time the application was received, was the Model MT–2 ultramicrotome that was being manufactured by the Ivan Sorvall, Inc. (Sorvall). The Sorvall Model MT–2 had a guaranteed minimum thickness capability of 100 angstroms. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum of October 15, 1969, that the applicant's research studies require uniform sections of less than 100 angstroms. For this reason, we find that the Sorvall Model MT–2 is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, which was being manufactured in the United States at the time the application was received.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-954; Filed, Jan. 26, 1970; 8:45 a.m.]

WILLIAMS COLLEGE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00694-33-46040. Applicant: Williams College, Office of the Treasurer, Hopkins Hall, Main Street, Williamstown, Mass. 01267. Manufacturer: Philips Electronics, NVD., The Netherlands. Intended use of article: The article will be used for studying biochemical and ultrastructural factors involved in the qualitative change in hemoglobin synthesis that occurs during throxin-induced metamorphosis of tadpoles in the bullfrog, Rana catesbeiana. It will also be used for studying physiological and histological changes related to endocrine control of metamorphosis in lower vertebrates, especially newts and salamanders. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, is being manufactured in the United States. Reasons: The most closely comparable domestic instrument available at the time the application was submitted (June 26, 1969) was the EMU-4B electron microscope which was then being manufactured by the Radio Corp. of America (RCA) and which is currently being produced by Forgflo Corp. (Forgflo). The foreign article has a guaranteed resolving power of 3.5 angstroms whereas the RCA Model EMU-4B has a resolving power of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) For the purposes for which the foreign article is intended to be used the additional resolution of the foreign article is a pertinent characteristic of the foreign article.

For the foregoing reason, we find that the RCA Model EMU-4B is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 70-968; Filed, Jan. 26, 1970; 8:46 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Assistant Regional Administrator for Housing Assistance and the Deputy Assistant Regional Administrator for Housing Assistance, Region II (Philadelphia), each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c), with respect to the College Housing Program:

1. To execute loan and grant agreements.

2. To execute amendments or modifications of such loan and grant agreements.

3. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

SEC. B. *Revocation.* The redelegations of authority to the Assistant Regional Administrator and Deputy Assistant Regional Administrator for Housing Assistance, Region II (Philadelphia), with respect to the College Housing Loan Program, section A, 1, effective November 9, 1966 (32 F.R. 2827, Feb. 11, 1967), as amended effective August 17, 1967 (32 F.R. 11897, Aug. 17, 1967), are hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Redelegation of authority by Assistant Secretary for Renewal and Housing Assistance to Regional Administrators and Deputy Regional Administrators effective July 1, 1969 (34 F.R. 17041, Oct. 18, 1969))

Effective date. Effective upon publication in the FEDERAL REGISTER.

WARREN P. PHELAN,
Regional Administrator, Region II.

[F.R. Doc. 70-988; Filed, Jan. 26, 1970; 8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION III (ATLANTA)

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Assistant Regional Administrator for Housing Assistance and the Deputy Assistant Regional Administrator for Housing Assistance, Region III (Atlanta), each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c), with respect to the College Housing Program:

1. To execute loan and grant agreements.

2. To execute amendments or modifications of such loan and grant agreements.

3. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

SEC. B. *Revocation.* The redelegation of authority to the Assistant Regional Administrator and Deputy Assistant Regional Administrator for Housing Assistance, Region III (Atlanta), with respect to the College Housing Loan Program, section A, 1, published at 32 F.R. 2826, Feb. 11, 1967, as amended at 32 F.R. 11896, Aug. 17, 1967, is hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Redelegation of authority by Assistant Secretary for Renewal and Housing Assistance to Regional Administrators and Deputy Regional Administrators effective July 1, 1969 (34 F.R. 17041, Oct. 18, 1969))

Effective date. Date of publication in FEDERAL REGISTER.

EDWARD H. BAXTER,
Regional Administrator, Region III.

[F.R. Doc. 70-989; Filed, Jan. 26, 1970; 8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION V (FORT WORTH)

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Assistant Regional Administrator for Housing Assistance and the Deputy Assistant Regional Administrator for Housing Assistance, Region V (Fort Worth), each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c), with respect to the College Housing Program:

1. To execute loan and grant agreements.

2. To execute amendments or modifications of such loan and grant agreements.

3. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

SEC. B. *Revocation.* The redelegations of authority to the Assistant Regional Administrator and Deputy Assistant Regional Administrator for Housing Assistance, Region V (Fort Worth), with respect to the College Housing Loan Program, section A, 1, effective November 9, 1966, published at 32 F.R. 2827, February 11, 1967, as amended at 32 F.R. 11896–11897, August 17, 1967, are hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Redelegation of authority by Assistant Secretary for Renewal and Housing Assistance to Regional Administrators and Deputy Regional Administrators effective July 1, 1969 (34 F.R. 17041, Oct. 18, 1969))

Effective date. This redelegation of authority shall be effective as of the date of publication of this notice in the FEDERAL REGISTER.

LEONARD E. CHURCH,
Acting Regional Administrator, Region V.

[F.R. Doc. 70–990; Filed, Jan. 26, 1970; 8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION VI (SAN FRANCISCO)

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Assistant Regional Administrator for Housing Assistance and the Deputy Assistant Regional Administrator for Housing Assistance, Region VI (San Francisco), each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c), with respect to the College Housing Program:

1. To execute loan and grant agreements.

2. To execute amendments or modifications of such loan and grant agreements.

3. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

SEC. B. *Revocation.* The redelegation of authority to the Assistant Regional Administrator and Deputy Assistant Regional Administrator for Housing Assistance, Region VI (San Francisco), with respect to the College Housing Loan Program, section A, 1, published at 33 F.R. 11793, August 20, 1968, is hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Redelegation of authority by Assistant Secretary for Renewal and Housing Assistance to Regional Administrators and Deputy Regional Administrators effective July 1, 1969 (34 F.R. 17041, Oct. 18, 1969))

Effective date. Date of publication in FEDERAL REGISTER.

ROBERT B. PITTS,
Regional Administrator, Region VI.

[F.R. Doc. 70–991; Filed, Jan. 26, 1970; 8:48 a.m.]

DIRECTOR, NORTHWEST AREA OFFICE, SEATTLE, WASH., REGION VI

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Director for Northwest Area Office at Seattle, Wash., Region VI, is hereby authorized within the entire State of Washington, Oregon, Alaska, and Montana, together with the Northern portion of Idaho including the counties of Adams, Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Shoshone, Valley, and Washington, to exercise the power and authority of the Secretary of Housing and Urban Development under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c), with respect to the College Housing Program, except the authority to:

1. Establish the rate of interest on Federal loans.

2. Issue notes and obligations for purchase by the Secretary of the Treasury.

3. Exercise the powers under section 402(a) and under section 402(c) (1)–(7) of the Housing Act of 1950, as amended (12 U.S.C. 1749a(a) and 1749a(c) (1)–1749(c)(7)).

SEC. B. *Revocation.* The redelegation of authority to the Director for Northwest Area Office and Deputy Director for Northwest Area Office at Seattle, Region VI, with respect to the College Housing Loan Program, Section A, 1, effective March 1, 1968, published at 33 F.R. 11793–11794, August 20, 1968, is hereby revoked as of the date of publication of this document in the FEDERAL REGISTER.

(Assistant Secretary for Renewal and Housing Assistance redelegation of authority to Regional Administrators and Deputy Regional Administrators effective July 1, 1969 (34 F.R. 17041, Oct. 18, 1969))

Effective date. Date of publication in FEDERAL REGISTER.

ROBERT B. PITTS
Regional Administrator, Region VI.

[F.R. Doc. 70–992; Filed, Jan. 26, 1970; 8:48 a.m.]

ASSISTANT REGIONAL ADMINISTRATOR AND DEPUTY ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION VII (SAN JUAN, P.R.)

Redelegation of Authority With Respect to College Housing Program

SECTION A. *Authority redelegated.* The Assistant Regional Administrator for Housing Assistance and the Deputy Assistant Regional Administrator for Housing Assistance, Region VII (San Juan, P.R.), each is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749–1749c), with respect to the College Housing Program:

1. To execute loan and grant agreements.

2. To execute amendments or modifications of such loan and grant agreements.

3. To execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

SEC. B. *Revocation.* The redelegation of authority to the Assistant Regional Administrator and Deputy Assistant Regional Administrator for Housing Assistance, Region VII (San Juan, P.R.), with respect to the College Housing Loan Program, section A, 1, published at 32 F.R. 2827, February 11, 1967, as amended at 32 F.R. 11897, August 17, 1967.

(Redelegation of authority by Assistant Secretary for Renewal and Housing Assistance to Regional Administrators and Deputy Regional Administrators effective July 1, 1969, 34 F.R. 17041, Oct. 18, 1969).

Effective date. Date of publication in FEDERAL REGISTER.

JOSE E. FEBRES SILVA,
Regional Administrator, Region VII.

[F.R. Doc. 70–993; Filed, Jan. 26, 1970; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 70–5]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR, Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from December 4, 1969 to December 12, 1969 (List No. 34–69). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75–1 to 2.75–50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and

1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.4 (a)(2) and (g)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction and materials are set forth in 46 CFR, Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner cancelled or suspended by proper authority.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE), MODELS 3 AND 5

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.002/78/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Style-Crafters, Inc., Post Office Box 8277, Station A, Greenville, S.C. 29604, effective December 11, 1969. (It is an extension of Approval No. 160.002/78/0, dated Dec. 17, 1964.)

Approval No. 160.002/79/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Style-Crafters, Inc., Post Office Box 8277, Station A, Greenville, S.C. 29604, effective December 11, 1969. (It is an extension of Approval No. 160.002/79/0, dated Dec. 17, 1964.)

Approval No. 160.002/102/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Buddy Schoellkopf Products, Inc., 148 Fordyce Street, Dallas, Tex. 75207 and Mineola, Tex. 75773, effective December 11, 1969. (It is an extension of Approval No. 160.002/102/0, dated Feb. 19, 1965.)

Approval No. 160.002/103/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Buddy Schoellkopf Products, Inc., 148 Fordyce Street, Dallas, Tex. 75207 and Mineola, Tex. 75773, effective December 11, 1969. (It is an extension of Approval No. 160.002/103/0, dated Feb. 19, 1965.)

LIFEBOATS FOR MERCHANT VESSELS

Approval No. 160.035/449/2, 26.0' x 9.0' x 3.83' aluminum, motor-propelled lifeboat without radio cabin or searchlight (Class 1), 48-person capacity, identified by general arrangement dwg. No. 26–15 Rev. D dated November 20, 1969, or motor-propelled lifeboat with a searchlight and without radio cabin (Class 2), identified by general arrangement dwg. No. 26–18 dated October 16, 1969, to be fitted with Rottmer Type S–1 Release Gear 160.033/39/3 or Rottmer Type B–1 Release Gear 160.033/52/0. 46 CFR 160.035–13(c) Marking. Weights: Class 1 Condition "A"=3,765 pounds; Condition "B"=12,881 pounds. Class 2 Condition "A" =3,365 pounds; Condition "B"=13,050 pounds, manufactured by Marine Safety Equipment Corp., Foot of Wycoff Road, Farmingdale, N.J. 07727, effective December 4, 1969. (It supersedes Approval No. 160.035/449/1, dated Mar. 21, 1967 to show additional classification and change of address.)

BUOYS, LIFE RING, UNICELLULAR PLASTIC

Approval No. 160.050/71/0, 20-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, dwg. No. 12988, revision 3 dated November 30, 1959, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn. 06418, effective December 5, 1969.

Approval No. 160.050/72/0, 24-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, dwg. No. 12988, revision 3 dated November 30, 1959, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn. 06418, effective December 5, 1969.

Approval No. 160.050/73/0, 30-inch unicellular plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, dwg. No. 12988, revision 3 dated November 30, 1959, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn. 06418, effective December 5, 1969.

BACKFIRE FLAME CONTROL, GASOLINE ENGINES; FLAME ARRESTERS; FOR MERCHANT VESSELS AND MOTORBOATS

Approval No. 162.041/113/0, Volvo-Penta flame control device, stainless steel cover, brass elements 0.016'' thick, Model No. 886601, show on Volvo-Penta drawings 886600, 886601, 824663, 824699, and 827004, this approval is for flame arresting elements and housing only, carburetor assembly is not included, identical to U.S.C.G. Approval No. 162.041/107/0, manufactured by Volvo, Inc., Rockleigh, N.J. 07647, effective December 12, 1969.

Dated: January 22, 1970.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70–1015; Filed, Jan. 26, 1970; 8:49 a.m.]

[CGFR 70–2]

EQUIPMENT, CONSTRUCTION, AND MATERIALS

Approval Notice

1. Certain laws and regulations (46 CFR, Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been granted as herein described during the period from November 12, 1969 to December 3, 1969 (List No. 33–69). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75–1 to 2.75–50.

2. The statutory authority for equipment, construction, and material approvals is generally set forth in sections 367, 375, 390b, 416, 481, 489, 526p, and 1333 of title 46, United States Code, section 1333 of title 43, United States Code, and section 198 of title 50, United States Code. The Secretary of Transportation has delegated authority to the Commandant, U.S. Coast Guard with respect to these approvals (49 CFR 1.4 (a)(2) and (g)). The specifications prescribed by the Commandant, U.S. Coast Guard for certain types of equipment, construction and materials are set forth in 46 CFR, Parts 160 to 164.

3. The approvals listed in this document shall be in effect for a period of 5 years from the date of issuance, unless sooner canceled or suspended by proper authority.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE), MODELS 3 AND 5

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.002/122/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Outdoor Supply Co., Inc., Marine Division, 1648 Lawson Street, Durham, N.C. 27701, effective November 12, 1969.

Approval No. 160.002/123/0, Model 5, child kopak life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Outdoor Supply Co., Inc., Marine Division, 1648 Lawson Street, Durham, N.C. 27701, effective November 12, 1969.

TELEPHONE SYSTEMS, SOUND-POWERED

Approval No. 161.005/62/0, sound-powered telephone stations, selective ringing, common talking, drip proof, bulkhead mounting, with internal relay, types 1R and 2R, dwg. No. 70–538, Alt. 2 dated October 12, 1959, for use in locations not exposed to the weather, relay and pilot light to indicate station called, manufactured by Henschel Corp., Amesbury, Mass. 01913, effective December 3, 1969. (It is an extension of Approval No. 161.005/62/0, dated Feb. 5, 1965.)

FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/11/2, Eveready Model No. 304 flashlight, waterproof, Type I, size 2 (2-cell), identified by Bright Star Industries assembly dwg. No. 3F–1788–B dated May 27, 1963, and revised January 4, 1965, each flashlight shall be plainly marked with the name of the manufacturer and above model number, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. 07011, for Union Carbide Consumers Products Co., 270 Park Avenue, New York, N.Y. 10017, effective December 3, 1969. (It is an extension of Approval No. 161.008/11/2, dated Jan. 26, 1965.)

Approval No. 161.008/12/2, Eveready Model No. 305 flashlight, waterproof, Type I, size 3 (3-cell), identified by Bright Star Industries assembly dwg. No. 3F–1787–B dated May 27, 1963, and revised January 4, 1965, each flashlight shall be plainly marked with the name of the manufacturer and above model

number, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, N.J. 07011, for Union Carbide Consumers Products Co., 270 Park Avenue, New York, N.Y. 10017, effective December 3, 1969. (It is an extension of Approval No. 161.008/12/2, dated Jan. 26, 1965.)

INCOMBUSTIBLE MATERIALS FOR MERCHANT VESSELS

Approval No. 164.009/26/0, "J–M 32-lb. Commercial Grade Asbestos Paper," asbestos paper type incombustible material identical to that described in National Bureau of Standards Test Report No. TG10210–1660:FP2861, dated December 21, 1949, approved in a weight of 32 pounds per 100 square feet, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York, N.Y. 10016, effective December 3, 1969. (It is an extension of Approval No. 164.009/-26/0 dated Feb. 5, 1965.)

Approval No. 164.009/60/0, "Asbestocite A" and "Asbestocite B" asbestos cement board type incombustible material identical to that described in Johns-Manville letter of November 17, 1959, approved in a density of 105 pounds per cubic foot, manufactured by Johns-Manville Sales Corp., 22 East 40th Street, New York, N.Y. 10016, effective December 3, 1969. (It is an extension of Approval No. 164.009/60/0, dated Feb. 5, 1965.)

Dated: January 21, 1970.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 70–1016; Filed, Jan. 26, 1970; 8:49 a.m.]

Federal Aviation Administration

AIR TRAFFIC CONTROL TOWER, REPUBLIC AIRPORT, FARMINGDALE, N.Y.

Notice of Commissioning

Notice is hereby given that an Air Traffic Control Tower will be commissioned at Republic Airport, Farmingdale, N.Y., on or about January 18, 1970. It will provide for the safe and expeditious movement of terminal traffic consisting predominantly of general aviation aircraft. Communications to the Air Traffic Control Tower should be addressed as follows:

Air Traffic Control Tower, Department of Transportation, Federal Aviation Administration, Republic Airport, Farmingdale, N.Y. 11735.

(Sec. 313 (a), 72 Stat. 752; 40 U.S.C. 1354)

Issued in New York, N.Y., on January 14, 1970.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 70–978; Filed, Jan. 26, 1970; 8:47 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, January 28, 1970. The hearing will take place in Room 603, City Hall Annex, Juniper and Filbert Streets in Philadelphia, beginning at 2 p.m. The subjects of the hearing will be as follows:

A. Proposals to amend the Comprehensive Plan so as to include therein the following projects.

1. National Park Service: A ground water supply and sewage disposal project to serve a section of the Delaware Water Gap National Recreation Area. The facilities will be located at the southern end of Hidden Lake, Middle Smithfield Township, Monroe County, Pa.

2. Bristol Borough Marina Authority: A small craft marina on the Delaware River immediately south of the Borough of Bristol, Bucks County, Pa. The facility will accommodate 316 recreation boats and provide a harbor depth of 7 feet at mean low water.

3. Radnor-Haverford-Marple Sewer Authority: A project to modify the Authority's existing sewage treatment plant located in Haverford Township, Delaware County, Pa. The project represents an interim step to increase the waste treatment efficiency of the existing plant through a variety of chemical treatment measures.

4. Chester County Board of Commissioners: A project to increase the capacity and efficiency of the Pocopson Home sewage treatment plant in Pocopson Township, Chester County, Pa. Secondary treatment will be given to a design flow of 66,500 gallons per day. Effluent will discharge to Pocopson Creek, a tributary of Brandywine Creek.

5. Cape May County Board of Chosen Freeholders: A well water supply project to serve the Cape May County Airport and adjacent industrial park area located in the Township of Lower, Cape May County, N.J. Designated as Wells No. 1 and No. 2, the new facilities will be limited to a maximum pumping rate of 1,000 gallons per minute.

6. Borough of West Chester: A surface water supply project to meet emergency needs in the Borough of West Chester, Chester County, Pa. An average of 3.3 million gallons per day will be drawn from the East Branch Brandywine Creek above Downingtown. The project will draw upon water released from the Marsh Creek Reservoir upon completion of that project.

7. Oley Water Co.: A well water supply project to augment public water supplies in the Village of Oley, Oley Township, Berks County, Pa. Designated as Well No. 3, the new facility is expected to yield 100,000 gallons per day.

8. Village II at New Hope, Inc.: A well water supply project to provide service for the housing units comprising Village II at New Hope in the Borough of New Hope, Bucks County, Pa. Designated as Well No. 2, the new facility is expected to yield 115,000 gallons per day.

9. North Penn Water Authority: A well water supply project to augment public water supplies in the North Penn area of Hatfield Township, Montgomery County, Pa. Designated as Well No. NP 21, the new facility is expected to yield 600 gallons per minute.

B. A proposal to amend the Comprehensive Plan, Section X, and Basin Regulations—Water Quality.[1]

Documents relating to any of the items listed for hearing may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary to the Commission. Telephone: (609) 883–9500.

W. B. WHITALL,
Secretary.

JANUARY 16, 1970.

[F.R. Doc. 70–973; Filed, Jan. 26, 1970; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

ITALY, SOUTH FRANCE, SOUTH SPAIN, PORTUGAL/U.S. GULF AND PUERTO RICO CONFERENCE

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202, or may inspect the agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or

[1] Proposed amendments filed as part of the original document. Copies may be obtained from the Commission.

unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. G. Ravera, Secretary, Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference, Vico San Luca 4, 16123 Genova, Italy.

Agreement No. 9522–14, between the member lines of the Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference, amends Article 9 of the basic agreement to provide for a Puerto Rican Advisory Committee to meet at Marseilles and to be formed by representatives of the lines serving Puerto Rican ports for the purpose of putting forward recommendations to the Puerto Rican Rate Committee.

Dated: January 21, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70–986; Filed, Jan. 26, 1970; 8:47 a.m.]

ITALY, SOUTH FRANCE, SOUTH SPAIN, PORTUGAL/U.S. GULF AND PUERTO RICO CONFERENCE

Notice of Petition Filed

Notice is hereby given that the following petition has been filed with the Commission for approval pursuant to section 14b of the Shipping Act, 1916, as amended (75 Stat. 762, 46 U.S.C. 814).

Interested parties may inspect a copy of the current contract form and of the petition, reflecting the changes proposed to be made in the language of said contract, at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to the proposed changes and the petition, including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, 1405 I Street NW., Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed modification of the contract form and/or the approved contract system shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the petition (as indicated hereinafter), and the statement should indicate that this has been done.

Notice of application to extend the geographic scope of the exclusive patronage (dual rate) contract system filed by:

Mr. G. Ravera, Secretary, Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference, Vico San Luca 4, 16123 Genova, Italy.

The Italy, South France, South Spain, Portugal/U.S. Gulf and Puerto Rico Conference has filed an application pursuant to section 14b of the Shipping Act, 1916, for permission to extend the present geographic scope of its existing Exclusive Patronage (Dual Rate) System to include the Island of Puerto Rico and to modify its form of merchant's contract accordingly.

Dated: January 21, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70–987; Filed, Jan. 26, 1970; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI70–1059]

AMERADA HESS CORP.

Order Accepting Rate Schedule and Supplements, Providing for Hearing on and Suspension of Proposed Changes in Rates

JANUARY 15, 1970.

On December 16, 1969, Amerada Hess Corp. (Amerada) tendered for filing proposed changes for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are set forth in appendix "A" hereof.

Amerada requests that its proposed rate increases be permitted to become effective as of December 15, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided by section 4(d) of the Natural Gas Act to permit an earlier effective date for Amerada's rate filing and such request is denied.

Amerada's rate schedule has not as yet been accepted for filing inasmuch as the related certificate application in Docket No. CI67–1375 is involved in consolidated show cause proceedings concerning "Lo-Vaca" type cases. In these circumstances we shall accept for filing Amerada's FPC Gas Rate Schedule No. 143, with Supplements Nos. 1, 2, and 3 thereto, subject to the express condition that the total initial rates for the proposed service shall be 16.56 cents (Laird Unit) and 16.455 cents (Busby Unit) per Mcf at 14.65 p.s.i.a., subject to Amerada refunding to the buyer at 7 percent per annum any amounts collected in excess of the rate levels ultimately determined in the related certificate proceeding in Docket No. CI67–1375.

Amerada's proposed rates exceed the applicable area price level for increased rates as set forth in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56). We shall therefore suspend the proposed increases, designated as Supplement No. 4 to Amerada's FPC Gas Rate Schedule No. 143 for 5 months from January 16, 1970, the expiration date of the statutory notice.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed changes, and that Supplement No. 4 to Amerada's FPC Gas Rate Schedule No. 143 be suspended and its use be deferred as ordered herein.

(2) Good cause exists for accepting for filing Amerada's FPC Gas Rate Schedule No. 143, and Supplement Nos. 1, 2, and 3 thereto, subject to the condition hereinafter attached.

The Commission orders:

(A) Amerada's FPC Gas Rate Schedule No. 143, and Supplement Nos. 1, 2, and 3 thereto, are accepted for filing subject to Amerada refunding at 7 percent per annum any amounts collected in excess of the rate levels ultimately determined in the related certificate proceeding in Docket No. CI67–1375.

(B) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I) and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed changes contained in Supplement No. 4 to Amerada's FPC Gas Rate Schedule No. 143.

(C) Pending a hearing and decision thereon, Supplement No. 4 to Amerada's FPC Gas Rate Schedule No. 143 is suspended and its use deferred until June 16, 1970, and thereafter until made effective as prescribed by the Natural Gas Act.

(D) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 4, 1970.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1059..	Amerada Hess Corp., Post Office Box 2040, Tulsa, Okla. 74102.	143	(1)	Lone Star Gas Co. (North Henderson Field, Rusk County, Tex.) (RR. District No. 6).	(2)	3-31-67	.....	Accepted	.....	.....	
		143	2 1		.....	3-31-67	.....	Accepted	.....	.....	
		143	4 2		(3)	3-31-67	.....	Accepted	.....	.....	
		143	4 3		.....	3-31-67	.....	Accepted	.....	.....	
		143	4		$27	12-16-69	5 1-16-70	6-16-70	5 16.56 10 16.455	7 8 9 17.62 7 8 10 17.505	

1 Ratification (undated). Ratifies contract dated Jan. 11, 1960, between Phillips Petroleum Co. and buyer. Ratification executed to become effective as of Jan. 11, 1960.
2 Contract dated Jan. 11, 1960.
3 Estimated monthly volumes: Laird Unit—214 Mcf, Busby Unit—311 Mcf.
4 Letter agreement dated Feb. 2, 1960.
5 Amendment dated Mar. 17, 1967.
6 The stated effective date is the first day after expiration of the statutory notice.
7 Periodic rate increase.
8 Pressure base is 14.65 p.s.i.a.
9 Laird Unit (high pressure gas).
10 Busby Unit (low pressure gas).

[F.R. Doc. 70-906; Filed, Jan. 26, 1970; 8:45 a.m.]

[Dockets Nos. RI70-1055 etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JANUARY 14, 1970.

The respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.[2]

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 4, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

[2] If an acceptable general undertaking, as provided in Order No. 377, has previously been filed by a producer, then it will not be necessary for that producer to file an agreement and undertaking as provided herein. In such circumstances the producer's proposed increased rate will become effective as of the expiration of the suspension period without any further action by the producer.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1055..	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	3 433	4 5	Arkansas Louisiana Gas Co. (Ames Area, Major County, Okla.) (Oklahoma "Other" Area).	$623	12-15-69	6 1-15-70	8 1-16-70	13.5	7 8 14.5	
RI70-1056..	Sierra Petroleum Co., Inc., 211 North Broadway, Wichita, Kans. 67202.	3 7	1	Cities Service Gas Co. (Palmer Mississippi Oil & Gas Pool, Barber County, Kans.).	480	12-15-69	6 1-15-70	8 1-16-70	9 14.0	7 8 9 15.0	
RI70-1057..	Leonard J. Achenbach, Rural Route 1, Hardtner, Kans.	3 1	1	Cities Service Gas Co. (Hartner Field, Barber County, Kans.).	450	12-15-69	10 1-15-70	8 1-16-70	9 14.0	7 8 9 15.0	
RI70-1058..	R. James Gear, 211 North Broadway, Wichita, Kans. 67202.	3 2	2	Cities Service Gas Co. (West Whelan Gas Field, Barber County, Kans.).	300	12-18-69	6 1-18-70	8 1-19-70	9 14.0	7 8 9 15.0	RI65-440.

3 Basic contract dated after Sept. 28, 1960, the date of issuance of general policy statement No. 61-1 and proposed rate does not exceed area initial rate ceiling.
4 The stated effective date is the effective date requested by Respondent.
5 The suspension period is limited to 1 day.
6 Applicable to production added by Supplement No. 4.
7 Periodic rate increase.
8 Pressure base is 14.65 p.s.i.a.
9 Subject to a downward B.t.u. adjustment.
10 The stated effective date is the first day after expiration of the statutory notice.

Leonard J. Achenbach (Achenbach) requested that his proposed rate increase be permitted to become effective as of December 23, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Achenbach's rate filing and such request is denied.

The basic contracts related to the proposed rate increases filed by Mobil Oil Corp. (Mobil), Sierra Petroleum Co., Inc. (Sierra), Achenbach and R. James Gear (Gear) were executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61–1, as amended, and the proposed increased rates are above the applicable ceilings for increased rates but below the initial ceilings for the areas involved. We believe, in this situation, that these producers' rate filings should be suspended for one day from January 15, 1970 (Mobil and Sierra), the requested effective date; January 15, 1970 (Achenbach), the expiration date of the statutory notice, and January 19, 1970 (Gear) the requested effective date.

[F.R. Doc. 70–907; Filed, Jan. 26, 1970; 8:45 a.m.]

[Dockets Nos. RI70–1048 etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JANUARY 14, 1970.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 4, 1970.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1048	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	233	5	Colorado Interstate Gas Co. (Hugoton Field, Haskell County, Kans.).	$420	12-15-69	[2] 1-15-70	6-15-70	[3] 13.5	[2] [4] 14.5	RI67-272.
	----do----	325	5	Panhandle Eastern Pipe Line Co. (Seiling Field, Major County, Okla.) (Oklahoma "Other" Area).	423	12-15-69	[2] 1-15-70	6-15-70	[3] 17.0	[2] [4] [5] 19.515	RI67-272.
RI70-1049	Phillips Petroleum Co., Bartlesville, Okla. 74003.	353	6	Panhandle Eastern Pipe Line Co. (Hugoton (Deep) Field, Texas County, Okla. (Panhandle Area) and Hansford County, Tex.) (RR. District No. 10).	95,897	12-15-69	[2] 2-1-70	7-1-70	[3] 17.0	[2] [4] [5] 18.015	RI65-449.
					2,530	----------	----------	----------	[3] 17.0638	[2] [4] [5] 18.0675	RI65-449.
RI70-1050	A. L. Phillips (Operator) et al., Rural Route No. 1, Cleveland, Okla. 74020.	1	6	Cities Service Gas Co. (Harper County, Okla.) (Panhandle Area).	2,000	12-16-69	[2] 1-16-70	6-16-70	[3] 17.0	[2] [4] [5] 18.0	
RI70-1051	Shell Oil Co. (Operator) et al., 50 West 50th St., New York, N.Y. 10020.	335	[7] 8	Panhandle Eastern Pipe Line Co. (Northeast Gage and Tangier Fields, Ellis and Woodward Counties, Okla.) (Panhandle Area).	12	12-18-69	[2] 1-18-70	6-18-70	17.0	[2] [4] 18.015	
RI70-1052	Mobil Oil Corp. (Operator) et al.	409	1	Michigan Wisconsin Pipe Line Co. (Northwest Quinlan, Woodward County, Okla.) (Panhandle Area).	312	12-18-69	[2] 1-18-70	6-18-70	[3] 17.0	[4] [5] 19.5	
RI70-1053	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052.	133	43	Natural Gas Pipeline Co. of America (Southeast Camrick Field, Texas County, Okla. (Panhandle Area) and Blakemore Area, Hansford County, Tex.) (RR. District No. 10).	8,200	12-16-69	[2] 1-23-70	6-23-70	[5] [8] 18.6	[4] [5] [9] 18.8	RI69-678.
					1,622	----------	----------	----------	[5] [10] 18.84830	[4] [5] [10] 19.05098	RI69-678.
RI70-1054	Amerada Hess Corp., Post Office Box 2040, Tulsa, Okla. 74102.	141	3	Lone Star Gas Co. (Peatown Field, Gregg County, Tex.) (RR. District No. 6).	458	12-16-69	[11] 1-16-70	6-16-70	16.62	[4] 17.6238	RI63-476.
	----do----	142	3	Lone Star Gas Co. (Danville Field, Gregg County, Tex.) (RR. District No. 6).	1,089	12-16-69	[11] 1-16-70	6-16-70	16.62	[4] 17.6238	RI63-476.

[2] The stated effective date is the effective date requested by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Subject to a downward B.t.u. adjustment.
[6] Subject to upward and downward B.t.u. adjustment.
[7] Applies to acreage added by Supplement No. 7.
[8] Filing from initial certificated rate to initial contract rate.
[9] Oklahoma production.
[10] Texas production.
[11] The stated effective date is the first day after expiration of the statutory notice.

Amerada Hess Corp. (Amerada) requests that its proposed rate increases be permitted to become effective as of December 15, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided by section 4(d) of the Natural Gas Act to permit an earlier effective date for Amerada's rate filings and such request is denied.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56).

[F.R. Doc. 70–908; Filed, Jan. 26, 1970; 8:45 a.m.]

[Project 77]

PACIFIC GAS AND ELECTRIC CO.

Notice of Application for Amendment of License for Constructed Project

JANUARY 19, 1970.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Pacific Gas and Electric Co. (correspondence to: J. F. Roberts, Jr., Vice President, Pacific Gas and Electric Co., 245 Market Street, San Francisco, Calif. 94106), for amendment of license for constructed Project No. 77, known as Potter Valley Project, located on Eel River in Lake and Mendocino Counties, Calif., and affecting lands of the United States within the Mendocino National Forest.

The application seeks to include in the license a fish screen facility to be constructed at the Van Arsdale reservoir involving modification of the diversion tunnel intake structure to provide a channel to accommodate a 70-foot traveling screen and the existing trash rack would be relocated to the new structures. Fish are expected to enter the channel through the trash rack, travel in front of the fish screen to a fish bypass from which they would be pumped by three 2,000-g.p.m., 15-foot head pumps into and through an 18-inch discharge pipe to a point where the California Department of Fish and Game would receive them.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 11, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to the proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 70–1002; Filed, Jan. 26, 1970; 8:49 a.m.]

FEDERAL RESERVE SYSTEM

PEOPLES TRUST OF NEW JERSEY

Order Approving Merger of Banks

In the matter of the application of Peoples Trust of New Jersey for approval of merger with Fort Lee Trust Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Peoples Trust of New Jersey, Hackensack, N.J., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Fort Lee Trust Co., Fort Lee, N.J., under the charter and name of Peoples Trust of New Jersey. As an incident to the merger, the two offices of Fort Lee Trust Co. would become branches of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided,* That said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of New York pursuant to delegated authority.

Dated at Washington, D.C., this 19th day of January 1970.

By order of the Board of Governors.[2]

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70–982; Filed, Jan. 26, 1970; 8:47 a.m.]

UNION BANK AND SAVINGS CO.

Order Approving Acquisition of Bank's Assets

In the matter of the application of The Union Bank and Savings Co. for approval of acquisition of assets of The Farmers and Citizens Banking Co.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by The Union Bank and Savings Co., Bellevue, Ohio, a State member bank of the Federal Reserve System, for the Board's prior approval of its acquisition of assets and assumption of deposit liabilities of The Farmers and Citizens Banking Co., Monroeville, Ohio, and, as an incident thereto, The Union Bank and Savings Co. has applied, under section 9 of the Federal Reserve Act (12 U.S.C. 321), for the Board's prior approval of the establishment by that bank of a branch at the location of the sole office of The Farmers and Citizens Banking Co. Notice of the proposed acquisition of assets and assumption of deposit liabilities, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed transaction.

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided,* That said acquisition of assets and assumption of deposit liabilities and establishment of the branch shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

Dated at Washington, D.C., this 19th day of January 1970.

By order of the Board of Governors.[2]

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70–983; Filed, Jan. 26, 1970; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 749]

ALABAMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of December 1969, because of the effects of certain disasters,

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York. Dissenting Statement of Governor Robertson also filed as part of the original document and availabe upon request.

[2] Voting for this action: Chairman Martin and Governors Mitchell, Maisel, Brimmer, and Sherrill. Voting against this action: Governor Robertson. Absent and not voting: Governor Daane.

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Cleveland. Dissenting Statement of Governor Robertson also filed as part of the original document and available upon request.

[2] Voting for this action: Chairman Martin and Governors Mitchell, Maisel, Brimmer, and Sherrill. Voting against this action: Governor Robertson. Absent and not voting: Governor Daane.

damage resulted to residences and business property located in Colbert County, Ala.;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on or about December 29, 1969.

OFFICE

Small Business Administration Regional Office, 908 South 20th Street, Birmingham, Ala. 35205.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1970.

Dated: January 16, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-998; Filed, Jan. 26, 1970; 8:48 a.m.]

[Declaration of Disaster Loan Area 748]

CALIFORNIA

Declaration of Disaster Loan Area

Whereas, it has been reported that because of the effects of certain disasters, damage resulted to residences and business property located in the San Pedro section of the City of Los Angeles, California;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid section of the City of Los Angeles, suffered damage or destruction resulting from floods caused by accumulation of water from approximately October 26, 1969, to January 16, 1970, and continuing.

OFFICE

Small Business Administration District Office, 849 South Broadway, Los Angeles, Calif. 90014.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1970.

Dated: January 16, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-996; Filed, Jan. 26, 1970; 8:48 a.m.]

[Declaration of Disaster Loan Area 744, Amdt. 1]

CALIFORNIA

Amendment to Declaration of Disaster Loan Area

Declaration of Disaster Loan Area 744, dated December 30, 1969, for the State of California, is hereby amended as follows:

By changing the period in paragraph 1 thereof to a comma, and adding "January 9 and 10, 1970, and continuing thereafter."

Dated: January 16, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-997; Filed, Jan. 26, 1970; 8:48 a.m.]

[Delegation of Authority 30-B, Amdt. 1]

REGIONAL DIRECTOR, REGION V

Delegation of Authority To Conduct Program Activities in the Field Offices

Delegation of Authority No. 30-B (34 F.R. 19842), published December 18, 1969, is hereby amended by revising Item I.A.2, to read as follows:

I. *Regional Director, Region V*—A. *Financing Program.* * * *

2. a. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (b) $500,000 on disaster business loans (excluding displaced business loans), except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $1 million, and to decline them in any amount.

b. To approve displaced business loans not exceeding $1 million (SBA share) and to decline them in any amount.

Effective date: December 30, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-999; Filed, Jan. 26, 1970; 8:48 a.m.]

[Delegation of Authority 30-A, Amdt. 2]

REGIONAL DIRECTOR, REGION IX

Delegation of Authority To Conduct Program Activities in the Field Offices

Delegation of Authority No. 30-A (34 F.R. 18836), as amended (34 F.R. 20076), is hereby further amended by revising Item I.A.2, to read as follows:

I. *Regional Director, Region IX*—A. *Financing Program.* * * *

2. a. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (b) $500,000 on disaster business loans (excluding displaced business loans), except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $1 million and to decline them in any amount.

b. To approve displaced business loans not exceeding $1 million (SBA share) and to decline them in any amount.

Effective date: December 30, 1969.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-1000; Filed, Jan. 26, 1970; 8:48 a.m.]

[Delegation of Authority 30 (Rev. 12), Amdt. 10]

AREA ADMINISTRATORS

Delegation of Authority To Conduct Program Activities in Field Offices

Delegation of Authority No. 30 (Revision 12) (32 F.R. 179), as amended (32 F.R. 8113, 33 F.R. 8793, 33 F.R. 17217, 33 F.R. 19097, 34 F.R. 5134, 34 F.R. 11165, 34 F.R. 12651, 34 F.R. 14712, and 34 F.R. 17464), is hereby further amended by revising Item I.A.2, to read as follows:

I. *Area Administrators*—A. *Financial Assistance Program.* * * *

2. a. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) $50,000 per household for repairs or replacement of the home and/or not to exceed an additional $10,000 allowable for household goods and personal items, but in no event may the money loaned for physical loss or damage exceed $55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to $50,000; and (b) $500,000 on disaster business loans (excluding displaced business loans), except to the extent of refinancing of a previous SBA disaster loan; and to approve disaster guaranteed loans up to $1 million, and to decline them in any amount.

b. To approve displaced business loans not exceeding $1 million (SBA share) and to decline them in any amount.

Effective date: December 30, 1969.

HILARY SANDOVAL, JR.,
Administrator.

[F.R. Doc. 70-1001; Filed, Jan. 26, 1970; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 22, 1970.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41868—*Chlorine to points in southern territory.* Filed by O. W. South, Jr., agent (No. A6152), for interested rail carriers. Rates on chlorine, in tank carloads, as described in the application, from McIntosh, Ala., Nixon, Ga., and Charleston, Tenn., to specified points in southern territory.

Grounds for relief—Rate relationship.

Tariffs—Supplements 198 and 264 to Southern Freight Association, agent, tariffs ICC S-600 and S-484, respectively.

FSA No. 41869—*Newsprint paper to Chicago, Ill.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2967), for interested rail carriers. Rates on newsprint paper, in carloads, as described in the application, from Quebec (Limoilou), Quebec, Canada, to Chicago, Ill.

Grounds for relief—Water competition.

Tariff—Supplement 55 to Canadian National Railways tariff ICC E.543.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-1012; Filed, Jan. 26, 1970; 8:49 a.m.]

[Notice 481]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 21, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71693. By order of January 16, 1970, the Motor Carrier Board approved the transfer to LeWinter Transfer Co., a corporation, East Pittsburgh, Pa., of certificate in No. MC-65279, issued April 24, 1953, to Martin LeWinter and Edward LeWinter, a partnership, doing business as LeWinter Trucking Co., East Pittsburgh, Pa., authorizing the transportation of: Household goods, between points in Allegheny County, Pa., on the one hand, and, on the other, points in Ohio, Michigan, New Jersey, New York, West Virginia, and Virginia. Robert F. Stone, 1008 Law & Finance Building, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC-FC-71747. By order of January 16, 1970, the Motor Carrier Board approved the transfer to Robert J. Stephens, Herbert J. Crowell, and Jay C. Stephens, a partnership, doing business as S & S Auto Sales, South Lake Tahoe, Calif., of the operating rights in certificate No. MC-124970 issued February 19, 1964, to Albert J. Serpa and Jay C. Stephens, a partnership, doing business as S & S Auto Sales, South Lake Tahoe, Calif., authorizing the transportation over irregular routes, of wrecked and disabled automobiles, trucks, and trailers (except trailers designed to be drawn by passenger automobiles), by truck-away method using wrecker-type tow trucks, between points in Eldorado and Alpine Counties, Calif., and Douglas County, Nev., and from points in Eldorado and Alpine Counties, Calif., to Reno, Nev. Jay C. Stephens, Post Office Box 9045, South Lake Tahoe, Calif. 95705, representative for applicants.

No. MC-FC-71789. By order of January 15, 1970, the Motor Carrier Board approved the transfer to Long Island Bus Company, Inc., East Farmingdale, N.Y., of the operating rights in certificate No. MC-877 issued November 17, 1954, to Peter Lubrano, Plainfield, N.J., authorizing the transportation of passengers and their baggage, in one-way or round trip charter operations, (a) between New York, N.Y., and points in Sullivan County, N.Y.; (b) from New York, N.Y., and points in Sullivan County, N.Y., to points in New Jersey, Pennsylvania, Connecticut, and the District of Columbia, and return, restricted to traffic originating at the point indicated; and (c) from New York, N.Y., to points in New York, Maryland, Ohio, Michigan, Indiana, Illinois, and Missouri, and return, restricted to traffic originating at the point indicated. Robert E. Goldstein, Esq., 8 West 40th Street, New York, N.Y. 10018, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-1013; Filed, Jan. 26, 1970; 8:49 a.m.]

[Notice 481A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 22, 1970.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71778. By order of January 22, 1970, the Motor Carrier Board approved the transfer to Patton's Movers, Inc., 419 North Cameron Street, Winchester, Va. 22601, of the operating rights in certificate No. MC-8736 issued July 3, 1969, to Harold D. Patton, doing business as Patton's Transfer, 29 South Loudoun Street, Winchester, Va. 22601, authorizing the transportation of marble, granite, and tombstones, and materials used in the construction of foundations for tombstones, from Winchester, Va., to points in Maryland and West Virginia within 75 miles of Winchester, Va.; soap, soap powder, and soda, from Winchester, Va., to Charles Town, and Martinsburg, W. Va., and Front Royal, Woodstock, and Berryville, Va.; fruit containers, pipe, electric stoves, electric washing machines, electric refrigerators, electric ironing machines, and electrical appliances, from Winchester, Va., to points in Virginia, West Virginia, and Maryland within 50 miles of Winchester; household goods, as defined by the Commission, between Winchester, Va., and points in Virginia within 15 miles thereof, on the one hand, and, on the other, points in Maryland, West Virginia, and the District of Columbia within 100 miles of Winchester; and woolen mill machinery and equipment, between Winchester, Va., and Martinsburg, W. Va.

No. MC-FC-71792. Republication: By the order of December 2, 1969, The Motor Carrier Board approved the transfer to Milk Producers Marketing Co., a corporation, doing business as All-Star Transportation, Lawrence, Kans., of certificate No. MC-123393 (Sub-No. 163), issued August 23, 1968, to Bilyeu Refrigerated Transportation Corp., Marshall, Mo. The prior synopsis published in the FEDERAL REGISTER issue of December 6, 1969 incorrectly showed the name of transferee. The transferee's trade name is correctly shown above. Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-1014; Filed, Jan. 26, 1970; 8:49 a.m.]

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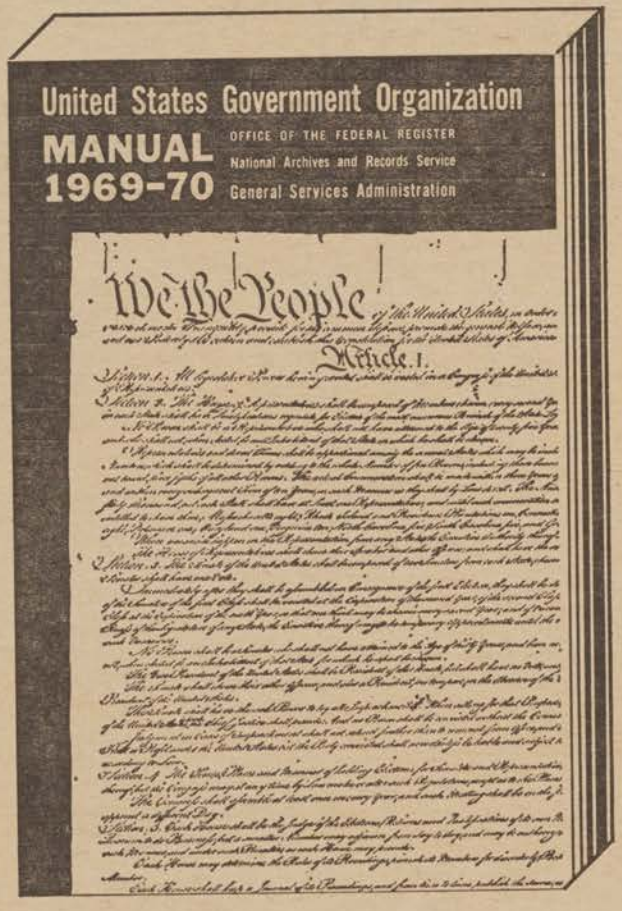

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