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Agencies in this issue—

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PART 213—EXCEPTED SERVICE

Office of Emergency Preparedness

Section 213.3326 is amended to show that the headnote of paragraph (p) is changed from "Field Services" to "Field Operations Office". Effective on publication in the FEDERAL REGISTER, paragraph (p) of § 213.3326 is amended as set out below.

§ 213.3326 Office of Emergency Preparedness.

* * * * *

(p) *Field Operations Office.* * * *

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70–4830; Filed, Apr. 20, 1970; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Equal Employment Opportunity Commission

Section 213.3377 is amended to show that one position of Public Information Officer is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (e) is added under § 213.3377 as set out above.

§ 213.3377 Equal Employment Opportunity Commission.

* * * * *

(e) One Public Information Officer.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70–4862; Filed, Apr. 20, 1970; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Soybean Cyst Nematode

REGULATED AREAS

Under the authority of § 301.79–2 of the Soybean Cyst Nematode Quarantine regulations, 7 CFR 301.79–2, as amended, 34 F.R. 304, a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.79–2a, as follows:

§ 301.79–2a Regulated areas.

The civil divisions, parts of civil divisions and premises described below, and all highways abutting thereon, in the quarantined States, are designated as soybean cyst nematode regulated areas within the meaning of the provisions in this subpart:

ARKANSAS

Arkansas County. The entire county.
Chicot County. Secs. 4, 5, 6, 7, 8, and 9, T. 15 S., R. 1 W.; Sec. 26, T. 16 S., R. 1 W.; sec. 24, T. 14 S., R. 2 W.; secs. 1 and 12, T. 15 S., R. 2 W.
Clay County. The entire county.
Conway County. Secs. 20, 27, and 28, T. 6 N., R. 17 W.
Craighead County. The entire county.
Crittenden County. The entire county.
Cross County. The entire county.
Desha County. The entire county.
Greene County. The entire county.
Independence County. All of those portions of Tps. 13 N. and 14 N., Rs. 2 W. and 3 W. lying west of Black River; T. 11 N., R. 4 W.; sec. 1 and the S½, T. 12 N., R. 4 W.; and sec. 14, T. 12 N., R. 5 W.
Jackson County. The entire county.
Jefferson County. That portion of the county lying east of the east line of R. 9 W. and sec. 10, T. 4 S., R. 9 W.
Lawrence County. That portion of the county lying east of the Black River; and secs. 29, 30, 31, 32, and those portions of secs. 28 and 33, west of the Black River in T. 15 N., R. 2 W.; and secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 15 N., R. 3 W.
Lee County. The entire county.
Lincoln County. That portion of the county lying east of the east line of R. 7 W.
Lonoke County. The entire county.
Mississippi County. The entire county.
Monroe County. The entire county.
Phillips County. The entire county.
Poinsett County. The entire county.
Pope County. That portion of the county lying east of the east line of R. 19 W., and south of U.S. Highway 64.
Prairie County. The entire county.
Randolph County. That portion of the county bounded by a line beginning at a point where the Randolph-Clay County line intersects the Missouri State line, thence extending southerly along said county line to its intersection with the Randolph-Greene County line, thence south along said line to its intersection with the Randolph-Lawrence County line, thence west along said line to its intersection with the Black River, thence northeasterly along said river to its intersection with State Highway 90, thence northerly along said highway to its intersection with State Highway 115, thence northerly along said highway to its intersection with State Highway 166, thence northeasterly along said highway to the community of Supply, thence northeast along the county road for 3 miles to its intersection with the west section line of sec. 6, T. 21 N., R. 3 E., thence north along said section line to its intersection with the Missouri State line, thence east along said State line to the point of beginning.
St. Francis County. The entire county.
White County. All of T. 8 and 9 N., R. 3 and 4 W. lying west of the White River; sec. 23, T. 7 N., R. 5 W.; sec. 33, T. 8 N., R. 5 W.
Woodruff County. The entire county.
Yell County. That portion of the county lying east of the east line of R. 20 W.

FLORIDA

Escambia County. The property of J. E. Cunningham located in the SE¼, sec. 13, T. 3 N., R. 3 W., west of State Road 97.
The property of E. C. Godwin located south and north of State Road 164 and east of State Road 99 at Oak Grove.
The property of C. N. Granham located 0.5 mile south of State Road 164 and west of State Road 99.
The property of J. T. Nicholson located 0.5 mile west of U.S. Highway 29 and 0.5 mile south of State Road 182.
The property of D. R. Rigby located south of State Road 164 and 1 mile west of State Road 99 and Oak Grove.
The property of the St. Regis Paper Co. operated by the West Florida Experiment Station located 0.6 mile southeast of Cantonment in the SE¼, sec. 11, T. 1 N., R. 31 W.
The property of the St. Regis Paper Co. operated by W. R. Weaver located in the SW¼, sec. 18, T. 3 N., R. 31 W., east of State Road 97.
Okaloosa County. The property of Glenn Dotson in N½ and SW¼ sec. 30, T. 4 N., R. 24 W., located approximately 1½ miles north of Baker and 1 mile west of State Road 189 on State Road 4A.

ILLINOIS

Alexander County. The entire county.
Franklin County. The property owned and operated by Byford Pierce and Son located in secs. 11, 12, 13, and 14, T. 5 S., R. 3 E.
The property owned and operated by James Wanstreet, located in sec. 35, T. 5 S., R. 3 E.
Jackson County. The property owned and operated by Paul Crane, located in sec. 19, T. 8 S., R. 1 W.
The property owned and operated by Lawrence and Herman Dietz, located in secs. 15 and 22, T. 8 S., R. 1 W.
The property owned and operated by Gene O. Endres located in secs. 19 and 30, T. 7 S., R. 1 W.
The property owned and operated by Milford Morgan, located in secs. 19 and 20, T. 7 S., R. 1 W.
The property owned by Murphysboro Chamber of Commerce and operated by Arthur Tretter, located in sec. 33, T. 8 S., R. 2 W.
The property owned and operated by Russell Reiman located in sec. 24, T. 8 S., R. 3 W.
The farm owned by Walker Schwartz and operated by James Gassett and Son, located in sec. 20, T. 7 S., R. 1 W.
The farm owned and operated by Denzil Shirley, located in secs. 2 and 11, T. 8 S., R. 1 W.
The property owned by Mrs. Wesley Shirley and operated by Cletus Shirley, located in sec. 11, T. 8 S., R. 1 W.
The farm owned by D. Smysor and operated by R. Beckman, located in sec. 9, T. 9 S., R. 5 W.
The farm owned and operated by Robert Whipkey, located in sec. 15, T. 8 S., R 1 W.
Johnson County. The property owned by Armstrong Cork Co. and operated by William Shirley Ames, located in secs. 18 and 19, T. 12 S., R. 2 E.

The property owned by Gerald Cain and operated by Earl Cain located in secs. 11, 12, 13, and 14, T. 14 S., R. 2 E.

The property owned by H. & D. Duenne and operated by J. B. Terrell located in sec. 6, T. 14 S., R. 3 E.

The property owned and operated by C. Harris located in secs. 5, 6, 7, 8, and 18, T. 14 S., R. 2 E.

The property owned by Jesse H. Lowery and operated by William Shirley Ames, located in sec. 30, T. 12 S., R. 2 E.

The property owned by Mert Lowery and operated by William Shirley Ames, located in sec. 30, T. 12 S., R. 2 E.

The property owned by W. R. Peeler and E. L. Peeler and operated by the Mescher Brothers, located in sec. 33, T. 13 S., R. 2 E. and sec. 4, T. 14 S., R. 2 E.

Massac County. Tps. 16 and 17 S., in R. 6 E.

The property owned by John Dennis and operated by James Robbins, located in secs. 1, 2, and 12, T. 14 S., R. 4 E.

The property owned and operated by Landis Newton, located in sec. 30, T. 14 S., R. 3 E.

The property owned and operated by C. Whitelock, located in sec. 22, T. 14 S., R. 3 E.

The property owned and operated by E. Woods, located in sec. 18, T. 14 S., R. 3 E.

Pope County. Tps. 16 and 17 S., R. 7 E.; secs. 26, 29, 30, 31, 32, 33, and 34, T. 15 S., R. 7 E.; and secs. 25, 26, and 36, T. 15 S., R. 6 E.

The property owned by Perry Buchanan and operated by L. Hemphill, located in secs. 23 and 26, T. 14 S., R. 6 E.

Pulaski County. The entire county.

Union County. The property owned by Armstrong Cork Co. and operated by William Shirley Ames, located in secs. 13 and 24, T. 12 S., R. 1 E.

The property owned by Catherine McKenzie and operated by William Shirley Ames, located in sec. 25, T. 12 S., R. 1 E.

INDIANA

Vanderburgh County. The property owned and operated by Louis Carrol, Jr., located in secs. 3, 4, 5, 7, and 8, T. 8 S., R. 11 W.

The property owned by George Crommelin and J. Duggon and operated by Andrew J. Cummings, located in sec. 8, T. 8 S., R. 11 W.

The property owned and operated by Andrew J. Cummings, located in secs. 7, 8, 10, and 15, T. 8 S., R. 11 W.

The property owned and operated by George and Mary Cummings, located in secs. 5, 6, and 8, T. 8 S., R. 11 W.

The property owned by John and Veronica Hendricks and operated by Schnur Brothers, located in sec. 15, T. 8 S., R. 11 W.

The property owned by George L. Hille and operated by Jack Hille, located in secs. 8 and 17, T. 8 S., R. 11 W.

The property owned by Fannie McCregor, and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by Elizabeth L. Miller and operated by Schnur Brothers, located in sec. 35, T. 7 S., R. 11 W., and sec. 2, T. 8 S., R. 11 W.

The property owned by Henry and Dorthea Roman and operated by Schnur Brothers, located in secs. 8, 9, and 17, T. 8 S., R. 11 W.

The property owned by Elmer and Julia Schnur and operated by Schnur Brothers, located in sec. 9, T. 8 S., R. 11 W.

The property owned by George Schnur and operated by Schnur Brothers, located in secs. 10 and 11, T. 8 S., R. 11 W.

The property owned by Beatrice and William Simmons and Arthur Hodges and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by Harry and Hazel Simmons and operated by Schnur Brothers, located in secs. 10 and 15, T. 8 S., R. 11 W.

The property owned by William W. Simmons and operated by Schnur Brothers, located in sec. 35, T. 7 S., R. 11 W.

The property owned by Nellie Stein and operated by Jack Siebeking, located in secs. 7 and 8, T. 8 S., R. 11 W.

The property owned by Union Township School and operated by Andrew J. Cummings, located in E½, sec. 16, T. 8 S., R. 11 W.

KENTUCKY

Ballard County. The entire county.

Carlisle County. The entire county.

Daviess County. That portion of Daviess County bounded by a line beginning at the northwest corner of the White farm, where it junctions with the Ohio River; then following the southwest shore of the Ohio River upstream to the northeast junction of the Ewing farm and the Ohio River; then southwesterly on the southeast Ewing property line to the southwest corner of the Ewing farm at intersection with the White farm; then continuing southwesterly on the southeast property line of the Strehl farm to intersection with the Louisville and Nashville Railroad; then northwesterly on the Strehl property line parallel to the Louisville and Nashville Railroad to the southwest corner of the Strehl farm; then north and east on the Strehl property line to the northwest corner of the Stuart farm; then east on the north property line of the Stuart farm to the southwest corner of the White farm property; then northeasterly on the White property line to the Ohio River—point of beginning.

Fulton County. The entire county.

Graves County. That portion of the county west and south of a line beginning at the intersection of the Tennessee-Kentucky State line and State Highway 381, thence extending north along State Highway 381 to its intersection with State Highway 94 at Lynnville, thence west along State Highway 94 to its intersection with State Highway 303, thence north along State Highway 303 to its intersection with U.S. Highway 45 at Mayfield, thence north along U.S. Highway 45 to the McCracken County line.

Henderson County. That portion of the county lying within the boundaries beginning at the Ohio River and U.S. Highway 41, thence extending south and west along U.S. Highway 41 to the intersection of the Henderson corporate limits, thence south and west along the corporate limits to the Ohio River, thence northeasterly along said river to the point of beginning.

Hickman County. The entire county.

McCracken County. That portion of the county lying west of U.S. Highway 45.

Union County. That portion of the county lying within the boundaries beginning at the Ohio River and Henderson County line; thence southeast on the county line to County Road No. 1574; thence west to the Ohio River; thence northwest along the Ohio River to point of beginning.

LOUISIANA

Madison Parish. The property of W. J. Earl, J. W. Holloway, and R. V. Sanches located in secs. 15 and 22, T. 16 N., R. 10 E.

Morehouse Parish. The property owned and operated by John S. Barr and Duke Barr located in sec. 36, T. 18 N., R. 6 E., and secs. 5, 6, 31, and 33, T. 18 N., R. 7 E.

Richland Parish. The property of Clay Wilson consisting of 421 acres located in sec. 2, T. 17 N., R. 6 E.

Tensas Parish. The property of Peter B. Hays located in secs. 14, 15, 24, and 34, T. 10 N., R. 11 E.

That property, lying east of the west Mississippi River levee, owned by Louis Pries and Robert Manning in sec. 1, T. 9 N., R. 11 E., and in secs. 16 and 17, T. 10 N., R. 11 E., and that portion of T. 10 N., R. 11 E., consisting of 49.2 acres owned by Louis Pries and Robert Manning.

The property of Robert Manning located in secs. 40, 41, and 47, T. 9 N., R. 10 E.

The property owned and operated by G. C. Goldman, Harry Goldman, and J. B. Goldman, known as Goldman Plantation, located in secs. 12 and 13, T. 10 N., R. 10 E., and secs. 10, 11, 12, 13, 14, 32, 33, 34, and 35, T. 10 N., R. 11 E.

MISSISSIPPI

Adams County. The property owned and operated by Isbell Brothers located in secs. 12, 13, 14, and 20, T. 9 N., R. 2 W.

Alcorn County. The property owned by Bill Smith and operated by Bill Smith and Leonard Rinehart located in secs. 25, 34, and 35, T. 3 S., R. 7 E.

Bolivar County. Those portions of secs. 28 and 33, T. 24 N., R. 8 W., lying west of the Mississippi River levee.

The property owned and operated by Carr Planting Co. located in sec. 5, T. 24 N., R. 7 W., and secs. 32, 33, 34, and 35, T. 25 N., R. 7 W., and that adjacent area lying west of the Mississippi River levee located in T. 25 N., R. 7 W.

The property owned and operated by Paul H. Jones, located in secs. 22, 23, 24, 25, 26, 27, 35, and 36, T. 26 N., R. 7 W.

Claiborne County. The property owned and operated by Wiley H. Hatcher located in secs. 5, 6, and 8, T. 12 N., R. 2 E., and secs. 34 and 35, T. 13 N., R. 2 E.

The property owned by Seaman Brothers, and operated by Thomas R. Seaman located in secs. 21 and 31, T. 12 N., R. 4 E.

Coahoma County. That portion of the county lying north of the south line of T. 28 N., and that portion of the county lying west of the west line of R. 4 W., and south of the south line of T. 28 N.

De Soto County. That portion of the county lying west of the east line of R. 9 W., and north of the south line of T. 2 S.

Holmes County. The property owned and operated by J. M. Montgomery located in secs. 24 and 25, T. 14 N., R. 1 W., and secs. 19 and 30, T. 14 N., R. 1 E.

Issaquena County. Secs. 31, 32, and NE¼ of sec. 33, T. 12 N., R. 8 W.; secs. 5, 6, 7, 21, 22, 23, 24, and 25, T. 11 N., R. 9 W.; that portion of sec. 2, T. 12 N., R. 9 W., lying west of the Mississippi River levee; and secs. 3, 4, and 10, T. 12 N., R. 9 W.

Jefferson County. The property owned and operated by Isbell Brothers located in secs. 11, 12, and 20, T. 9 N., R. 2 W.

The property owned by Ashland Limited and operated by Emile Guidon, Randall Cupit, and McCormick Brothers known as the Ashland Plantation, located along the Mississippi River in T. 9 and 10, R. 2 W.

Lee County. The property owned by W. M. Beasley and operated by Albert Ethridge and H. M. Scruggs located in secs. 20 and 29, T. 9 S., R. 6 E.

The property owned and operated by Luther Monaghan located in secs. 26, 32, and 35, T. 9 S., R. 6 E., and secs. 9 and 10, T. 10 S., R. 6 E.

The property owned by Bill Enis and operated by Bud Coley located in sec. 32, T. 10 S., R. 6 E.

The property owned and operated by J. C. Holland located in secs. 34 and 35, T. 10 S., R. 6 E., and secs. 2 and 3, T. 11 S., R. 6 E.

Panola County. The property owned and operated by L. P. Herron located in sec. 6, T. 7 S., R. 7 W., and sec. 36, T. 6 S., R. 8 W.

The property owned and operated by Leon Crigler located in sec. 27, T. 7 S., R. 9 W.

The property owned and operated by Mrs. Otis Fulmer located in sec. 28, T. 7 S., R. 9 W.

The property owned and operated by W. S. Taylor, Jr., located in sec. 32, T. 7 S., R. 9 W.

The property owned and operated by R. M. P. Short located in sec. 9, T. 7 S., R. 8 W.

Prentiss County. The property owned and operated by H. C. Shirley located in secs. 22, 23, 26, 27, 28, and 34, T. 6 S., R. 8 E.

The property owned and operated by E. W. Caviness and Sons located in secs. 26, 27, 34, and 35, T. 6 S., R. 8 E., and sec. 2, T. 7 S., R. 8 E.

Quitman County. The property owned and operated by Mahon Brothers located in sec. 3, T. 8 S., R. 10 W.

Sunflower County. The property owned by J. N. Williams and operated by R. L. Buckley located in sec. 6, T. 21 N., R. 3 W.

The property owned by J. D. Taylor and operated by R. L. Buckley located in sec. 1, T. 21 N., R. 4 W.

The property owned by W. D. Morgan and operated by J. P. Morgan located in sec. 1, T. 21 N., R. 4 W.

Tunica County. That portion of the county lying north of the south line of T. 4 S., and that portion of the county lying west of the east line of R. 12 W., and south of the south line of T. 4 S.

The property owned and operated by R. C. Smith located in sec. 3, T. 6 S., R. 11 W.

Union County. The property owned and operated by Terry Young located in sec. 11, T. 7 S., R. 2 E.

Washington County. The property owned and operated by H. W. Jennings located in sec. 5, T. 15 N., R. 8 W., and in secs. 34 and 35, T. 16 N., R. 8 W.

The property owned and operated by F. M. Wigley located in sec. 6, T. 15 N., R. 8 W.; secs. 35 and 36, T. 16 N., R. 8 W.; sec. 1, T. 15 N., R. 9 W.; and secs. 4 and 5, T. 16 N., R. 9 W.

Wilkinson County. The property owned by John Hewes and operated by Bill Brock located in secs. 1 and 2, T. 2 N., R. 5 W., and secs. 16, 22, and 23, T. 3 N., R. 5 W.

MISSOURI

Bollinger County. That portion of the county lying east and south of a line beginning at the point where the west side of R. 9 E. intersects the Bollinger-Stoddard County line; thence extending due north to where said line intersects the north side of T. 28 N., thence due east to the intersection of the west boundary line of R. 10 E., thence due north to where said line intersects the north boundary line of T. 29 N., thence due east along said line to the Bollinger-Cape Girardeau County line.

Butler County. That portion of the county lying south and east of a line beginning at the point where the north side of T. 22 N. intersects the Ripley-Butler County line, thence extending due east to where said line intersects U.S. Highway 67, thence extending northward to the point where said highway intersects the west line of R. 6 E., thence due north to a point 3 miles north of the north line of T. 24 N., thence due east to the St. Louis and San Francisco Railroad, thence northeastward along said railroad to its intersection with the St. Francis River.

Cape Girardeau County. That portion of the county lying south and east of a line beginning at the point where State Highway 34 intersects the Bollinger-Cape Girardeau County line, thence easterly along State Highway 34 to its junction with Jackson city limit at the west edge of Jackson, thence north and east along the city limit of Jackson to its intersection with U.S. Highway 61 at the north edge of Jackson, thence northerly along U.S. Highway 61 to its junction with State Highway J., thence northeasterly along State Highway J. to Neelys Landing, thence due east to the Mississippi River.

Dunkin County. The entire county.

Lincoln County. The property owned and operated by Hoelscher Brothers consisting of the S½ of Survey No. 1820 lying east of the Lost Creek Diversion Channel in T. 51 N., R. 2 E.

Mississippi County. The entire county.

New Madrid County. The entire county.

Pemiscot County. The entire county.

Ripley County. That portion of the county lying east and south of a line beginning at the point where highway Route E intersects the Missouri-Arkansas State line, thence extending northward along said highway to the point where it intersects the north boundary line to sec. 20, R. 3 E., T. 22 N., thence due east along said line to the point where it intersects highway Route N, thence due north along said highway to the point where it intersects State Highway 142, thence eastward along said highway to the point where it turns due south and intersects the north boundary line of T. 22 N., thence due east along said line to the Ripley-Butler County line.

St. Charles County. Property owned and operated by Erwin Ellenbeck in NW¼, sec. 9, T. 46 N., R. 1 E.

Property of approximately 27 acres owned by Herb Farley located in T. 47 N., R. 8 E., and situated along the north bank of the Missouri River commencing at a point approximately 1,800 feet east of the eastern tip of Cora Island and/or beginning slightly east of Cora Island Chute continuing in an east by southeast direction for approximately 2,300 feet along the north bank of the Missouri River. The mean width of the property is approximately 500 feet measuring generally north to south or more exactly slightly northeast by southwest.

St. Louis County. That portion of the county known as the Columbia Bottoms, bounded by a line beginning at the Missouri River at a point directly north of the north end of Columbia Bottom Road, thence extending down river to its junction with the Mississippi River, thence down the Mississippi River to its junction with Interstate Highway 270, thence westward to the junction of Interstate Highway 270 and Columbia Bottom Road, thence northward along Columbia Bottom Road to its junction with Madison Ferry Road, thence due north to the Missouri River.

Scott County. The entire county.

Stoddard County. The entire county.

NORTH CAROLINA

Beaufort County. That portion of the county bounded by a line beginning at the junction of the Beaufort-Hyde-Washington County line, thence extending southeasterly along Beaufort-Hyde County line to its intersection with U.S. Highway 264, thence southwest along said highway to its junction with State Secondary Road 1700, thence northwest along said road to its junction with U.S. Highway 264, thence in a southwesterly direction along said highway to its intersection with State Secondary Road 1343, thence north along said road to its junction with State Secondary Road 1528, thence north along said road to its intersection with State Highway 32, thence northeast along said highway to its intersection with the Beaufort-Washington County line, thence east along said county line to the point of beginning.

The Boyd, John T., farm located on the southwest side of the intersection of State Secondary Road 1003 and State Secondary Road 1932.

The Boyd, John T., farm located on the northwest side of State Secondary Road 1003 and 0.1 mile northeast of intersection of said road with Beaufort-Craven County line.

The Harris, G. E., farm located on the north side of State Secondary Road 1926 and 0.7 mile east of junction of said road with State Highway 306.

The Hollowell, Charlie and Henry, farm located on the northwest side of the intersection of State Secondary Road 1003 and State Secondary Road 1932.

The North Carolina Phosphate Corp. property located on the south side of State Secondary Road 1942 and 0.5 mile east of junction of said road with State Secondary Road 1941.

Brunswick County. The McKeithan, V. J., farm located on the southeast side of U.S. Highway 17, and 0.3 mile northeast of the junction of State Secondary Road 1502 and said highway.

The property owned by Medlin, Alma, and operated by Medlin, Leo, Estate, located on the southwest side of State Secondary Road 1419 and 1 mile southeast of the Columbus County line.

The property owned and operated by Medlin, Leo, Estate, located on the southwest side of State Secondary Road 1419 and 1.1 miles southeast of the Columbus County line.

Camden County. The entire county.

Carteret County. That portion of the county bounded by a line beginning at the point where State Highway 101 junctions with State Secondary Road 1155, thence east and southeast along said highway to its junction with State Secondary Road 1163, thence east along said road to its junction with State Secondary Road 1300, thence south along said road to its junction with U.S. Highway 70, thence northeast along said highway to its intersection with the North River, thence south along said river to where it empties into the Back Sound, thence west along Back Sound to its junction with the Newport River, thence north and west along said river to its junction with State Secondary Road 1156, thence north along said road to its junction with State Secondary Road 1154, thence west along said road to its junction with State Secondary Road 1155, thence north along said road to the point of beginning.

The B & T Real Estate farm located on the east side of State Highway 101 at junction of State Secondary Road 1163 with State Highway 101.

The Brown, Clifton, farm located on the south side of State Secondary Road 1154 and 2 miles west of Black Creek.

The Gillikin, Alton, farm located on both sides of State Secondary Road 1325 and 0.4 mile south of the intersection of said road and U.S. Highway 70.

The Gillikin, Hugh, farm located on the west side of State Secondary Road 1332 and 1.5 miles south of the junction of said road and U.S. Highway 70.

The Gillikin, Ruth, farm located on the west side of State Secondary Road 1332 and 1.4 miles south of the junction of said road and U.S. Highway 70.

The Golden, Brady, farm located on the north side of U.S. Highway 70 and 0.1 mile west of Ward Creek.

The Golden, Heber, farm located on the south side of U.S. Highway 70 and 0.7 mile west of Ward Creek.

The Howard, L. W., farm located at the Newport Drag Strip, 0.3 mile west of the junction of State Secondary Road 1127 with State Secondary Road 1124 on the north side of State Secondary Road 1124.

The International Paper Co., farm located on the south side of State Secondary Road 1154 and 0.5 mile west of Black Creek.

The Lawrence, Gordon, farm located on the east side of State Secondary Road 1332 and 1.5 miles south of the junction of said road and U.S. Highway 70.

The Lawrence, Ruhamah, farm located on Ward Creek at the end of State Secondary Road 1329.

The Lewis, D. L., farm located in the northwest corner at intersection of State Secondary Road 1325 with U.S. Highway 70 at Otway, N.C.

The Oglesby, John T., farm located on both sides of State Secondary Road 1179 and the west side of State Secondary Road 1176.

Chowan County. That portion of the county bounded by a line beginning at the junction of the Chowan-Perquimans-Gates County line thence extending south along Chowan-Perquimans County line to its intersection with State Secondary Road 1305, thence west along said road to its junction with State Secondary Road 1231, thence west along said road to its junction with Chowan River, thence northwest along said river shore line to its intersection with Chowan-Gates County line, thence in a northeasterly direction along said county line to the point of beginning.

The Twine, W. A., farm located on the east side of State Secondary Road 1303 and 0.2 mile south of the junction of said road with State Secondary Road 1314.

The Wood, John Gilliam, farm located at the southeast end of State Secondary Road 1100.

The Wood, T. B. H. and George, farm located on north and south sides of State Secondary Road 1109 at junction of said road with State Secondary Road 1100.

Craven County. The Becton, Macon, farm located on the east side of State Secondary Road 1700 and 0.2 mile south of the junction of said road and State Secondary Road 1706.

The Bryan, Col. Charles S., Estate located on the west side of State Secondary Road 1167 and 0.3 mile south of the junction of said road with State Secondary Road 1142.

The Cox, H. L., farm located on both sides of State Highway 55 and 0.1 mile northwest of the junction of said highway and State Secondary Road 1245.

The Ellis, O. R., farm located on the northeast side of State Secondary Road 1762 at junction of said road with State Secondary Road 1711.

The Forms, Abbie, farm located on both sides of State Secondary Road 1643 and 0.2 mile southeast of the intersection of said road and State Secondary Road 1476.

The Gaskins, Mrs. Nellie, farm located 0.2 mile east of the Craven and Jones County line on both sides of State Secondary Road 1144.

The George, Eva, farm located on the north side of State Secondary Road 1712 and 1 mile northeast of the junction of said road and State Secondary Road 1715.

The Hanes, Newton, farm located on both sides of State Secondary Road 1144 and 0.4 mile west of the intersection of said road and State Secondary Road 1004.

The Harris, Haywood, farm located at the west end of State Secondary Road 1707.

The International Paper Co. farm located on the north side of U.S. Highway 70 and 1.5 miles west of intersection of said highway and State Secondary Road 1224.

The Ipock, Bessie, farm located on the northeast side of State Secondary Road 1446 and 0.4 mile east of junction of said road with State Secondary Road 1445.

The Laughinghouse, W. V., farm located on the east side of State Secondary Road 1167 at the junction of said road with State Secondary Road 1111.

The Nelson, Alex, farm located on the southeast side of State Secondary Road 1611 and 0.2 mile northeast of the junction of said road and State Secondary Road 1613.

The Paul, Larry, farm located on the northwest side of State Secondary Road 1700 and 0.8 mile northeast of the junction of said road and State Secondary Road 1701.

The Taylor, E. C., farm located on the east side of Clubfoot Creek and the end of State Secondary Road 1706.

The Taylor, Jack, farm located on the northwest side of State Secondary Road 1443 and 2 miles northeast of the junction of said road with State Secondary Road 1400.

The Temple, R. G., farm located on the west side of Clubfoot Creek and the end of State Secondary Road 1711.

The Wetherington, T. O., farm located on the south side of State Secondary Road 1401 and 0.3 mile east of the junction of said road with State Highway 55.

The Williams, Joseph D., Jr., farm located at the junction of State Secondary Roads 1004 and 1143 on all sides of both roads.

The Wood, W. A., farm located on the north side of State Secondary Road 1422 and 0.2 mile east of junction of said road with State Secondary Road 1423.

Currituck County. That area bounded by a line beginning at a point where Tull Bay enters Currituck Sound, thence in a southeasterly direction along the west shoreline of said sound to the Intracoastal Waterway, thence southwest along said waterway to the Currituck-Camden County line, thence northwest along said county line to its intersection with Tull Creek, thence northeast along said creek to Tull Bay, thence east along the south shoreline of said bay to point of beginning.

That portion of the county bounded by a line beginning at the intersection of the east shore of North Landing River and North Carolina-Virginia State line, thence extending in an easterly direction along said State line to its intersection with the east shore of Knotts Island, thence south along said shoreline to Currituck Sound, thence west along said sound shoreline to North Landing River, including that portion known as MacKay Island, thence north along said river shoreline to the point of beginning.

The Griggs, Pinnel, farm located on east and west sides of State Secondary Road 1137 and 0.7 mile south of the junction of said road and State Secondary Road 1138.

The Markert, Lee, farm located on east side of U.S. Highway 158 and 0.3 mile south of the junction of said highway and State Secondary Road 1140.

Edgecombe County. The Upper Coastal Plain Research Station located on both sides of State Secondary Road 1224 at its junction with State Secondary Road 1208.

Gates County. The entire county.

Hyde County. The McMullen, James, farm located 1 mile northwest of State Secondary Road 1303 and 3 miles northeast of the junction of said road with State Secondary Road 1302.

Johnston County. That area bounded by a line beginning at a point where State Secondary Road 1001 intersects the Wayne-Johnston County line, thence southwest along said county line to its junction with the Sampson-Johnston County line, thence southwest and northwest along said county line to its junction with the Harnett-Johnston County line, thence northwest along said county line to the intersection of U.S. Highway 301, thence northeast along said highway to the junction of State Secondary Road 1330, thence north along said road to the intersection of State Highway 210, thence east along said highway to the junction of State Secondary Road 1501, thence north along said road to the intersection of U.S. Highway 70, thence southeast along said highway to the intersection of Interstate Highway 95, thence northeast along said highway to the intersection of State Secondary Road 1001, thence east along said road to the point of beginning.

The Jordan, W. J., farm located on both sides of State Secondary Road 1914 and 1 mile northeast of the junction of said road and State Secondary Road 1900.

Jones County. The Bell, E. E. and H. C., farm located on both sides of North Carolina Highway 58 and 0.3 mile east of the junction of said highway and State Secondary Road 1119.

The Brown, Carl, farm located on the north side of State Secondary Road 1120 and the southeast side of State Secondary Road 1121.

The Bynum, W. C., farm located on the south side of State Secondary Road 1116 and 1 mile west of the junction of said road and State Secondary Road 1115.

The Griffin, W. V., farm located at the junction of State Secondary Roads 1340 and 1341 and on all sides of both roads.

The Hughes, Eunice, farm located on both sides of U.S. Highway 17 and 0.1 mile north of the intersection of said highway and the Trent River.

The Phillips, Donald, farm located on both sides of State Secondary Road 1341 and 0.3 mile south of the junction of said road and State Secondary Road 1340.

The White, Leslie, farm located on the north side of State Secondary Road 1300 and the northeast side of North Carolina Highway 58.

New Hanover County. That portion of the county bounded by a line beginning at a point where the ACL Railroad Bridge crosses the Northeast Cape Fear River and extending south along said railroad to State Highway 132, thence extending southeast along said highway to Smith Creek, thence west along said creek to the Northeast Cape Fear River, thence in a northwesterly and then easterly direction along said river to the Atlantic Coast Line Railroad Bridge, the point of beginning, excluding all of New Hanover County Airport.

The Canady, Mrs. C. F., farm located on the north side of State Secondary Road 1403 and 1.5 miles east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The Covil, J. H., farm located on the north side of State Secondary Road 1403 and 0.2 mile east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The Horrell, H. H., farm located on the north side of State Secondary Road 1335 and 0.1 mile east of its intersection with State Highway 132.

The property owned and operated by Johnson, H. C., located on the northeast side of State Secondary Road 1327 and 0.6 mile northwest of its junction with U.S. Highway 17.

The Johnson, H. C., farm located on the northeast side of State Secondary Road 1327 and 0.2 mile northwest of its junction with U.S. Highway 17.

The Johnson, H. C., farm located on the south side of State Secondary Road 1403 and 1.7 miles east of its junction with State Secondary Road 1407, said junction being 0.5 mile east of U.S. Highway 17.

The property owned and operated by Leeuwenburg, Mrs. John C., located on the northwest side of U.S. Highway 17 and 0.3 mile southwest of the junction of said highway and State Secondary Road 1327.

The property owned and operated by Leeuwenburg, Mrs. John C., located on the north side of State Secondary Road 1336 and 1 mile northeast of its junction with State Secondary Road 1318.

The property owned and operated by Murray, J. D., located at the end of State Secondary Road 1322 and 2.2 miles from its intersection with State Highway 132.

The Robinson, Paul V., farm located on the west side of State Secondary Road 1402, 1 mile south of the junction of said road and State Secondary Road 1400.

The property owned and operated by Trask, Alex, located on the north side of State Secondary Road 1322 and east of State Highway 132 at the intersection of these two roads.

The Turner, William E., farm located on the north side of U.S. Highway 17 and 0.5 mile west of the intersection of said highway and State Highway 132.

The Yopp, J. A., farm located on the south side of State Secondary Road 1322 and 1.2 miles east of its intersection with State Highway 132.

Onslow County. The Andrews, R. J., farm located on the west side of State Secondary Road 1428 and 1.4 miles north of its junction with North Carolina Highway 24.

The Collins, Leroy, farm located on the southeast side of State Secondary Road 1331, and 0.5 mile east of its junction with State Secondary Road 1333.

The Day, N. E., farm located on the north side of State Secondary Road 1331, and 0.7 mile east of its junction with State Secondary Road 1333.

The Pollock, E. R., farm located on the north side of State Secondary Road 1331, and 0.1 mile west of its junction with State Secondary Road 1333.

The Rowe, Len, farm located on the northeast side of State Secondary Road 1331, and 1.2 miles southeast of its junction with State Secondary Road 1333.

Pamlico County. The entire county.

Pasquotank County. The entire couty.

Pender County. That area bounded by a line beginning at a point where Long Creek junctions with the Northeast Cape Fear River, thence extending northwest along said creek to its junction with Rileys Creek, thence northeast along said creek to its intersection with State Secondary Road 1409, thence north along said road to its junction with State Secondary Road 1400, thence northeast along said road to its junction with State Highway 53, thence northeast along said highway to its junction with State Secondary Road 1509, thence east along said road to its intersection with Burgaw Creek, thence southeast along said creek to its junction with the Northeast Cape Fear River, thence south along said river to its intersection with State Highway 210, thence northeast and thence southeast along said highway to its junction with State Secondary Road 1002, thence southwest along said road to its intersection with Island Creek, thence northeast and thence northwest along said creek to its junction with the Northeast Cape Fear River, thence west along said river to the point of beginning.

The Boryk, M. A., farm located on the west side of State Secondary Road 1400 and 0.2 mile south of the Burgaw city limits.

The Carlton, Graham, farm located on the south side of State Secondary Road 1347 and 0.8 mile west of the junction of said road and U.S. Highway 117.

The Cartwright, Jessie J., farm located on both sides of State Secondary Road 1345 and 0.2 mile southeast of the junction of said road and State Secondary Road 1347.

The Humphry, Milton, farm located on the southeast side of State Secondary Road 1520 and 1 mile northeast of the junction of said road and State Secondary Road 1522.

The Liles, P. H., farm located 0.2 mile northeast of State Secondary Road 1207 and 0.5 mile northwest of the intersection of said road and State Secondary Road 1206.

The Lucus, D. N., farm located on both sides of State Secondary Road 1121 and 0.6 mile east of the intersection of said road and State Secondary Road 1120.

The MS & M Lumber Co., farm located on the northeast side of State Highway 210 and 4.5 miles northwest of the junction of said road and State Secondary Road 1002.

The Oosterwyk, John, farm located 0.8 mile southeast of U.S. Highway 17 and 1.3 miles northeast of Hampstead.

The Walker, H. C., farm located on the south side of State Highway 210 and the east side of State Secondary Road 1115.

The Weapherly, C. H., farm located on the north side of North Carolina Highway 210 and the west side of State Secondary Road 1115.

Perquimans County. That portion of the county bounded by a line beginning at the junction of the Perquimans-Gates-Pasquotank County line, thence extending southeast along Perquimans-Pasquotank County line to its intersection with State Secondary Road 1223, thence along said road to its junction with State Secondary Road 1214, thence northwest along said road to its junction with State Secondary Road 1213, thence west along said road to its junction with State Secondary Road 1200, thence south along said road to its junction with State Highway 37, thence west along said highway to its junction with State Secondary Road 1118, thence west along said road to its intersection with Perquimans-Chowan County line, thence north along said county line to its junction with Perquimans-Gates County line, thence northeast along said county line to the point of beginning.

The Corprew, William, farm located on southwest side of the junction of State Secondary Roads 1339 and 1340.

The Elliott, L. B., farm located on east side of State Secondary Road 1224 and 1.1 miles north of the junction of said road and U.S. Highway 17.

The Godfrey, A. L., farm located on northwest side of the junction of State Secondary Roads 1329 and 1334.

The Lane, Paul, farm located on west side of State Secondary Road 1225 and 1 mile southwest of the junction of said road and State Secondary Road 1224.

The Mallory, Henry, farm located on east side of State Secondary Road 1300 and 0.2 mile south of junction of said road and State Secondary Road 1321.

The Stokely, J. R., farm located on the northeast side of State Secondary Road 1329 and 0.3 mile northwest of the junction of said road with State Secondary Road 1334.

Sampson County. That area bounded by a line beginning at a point where State Secondary Road 1708 intersects the Wayne-Sampson County line and extending southwest along said road to its junction with State Secondary Road 1707, thence southwest along said road to its junction with State Highway 50, 55, thence west along said highway to its intersection with U.S. Highway 701, thence south along said highway to its intersection with State Highway 24, thence west along said highway to its intersection with Cumberland-Sampson County line, thence north along said county line to its junction with the Harnett-Sampson County line, thence northeast along said county line to its junction with the Johnston-Sampson County line, thence southeast and east along said county line to its junction with the Wayne-Sampson County line, thence southeast along said county line to the point of beginning.

The Bass, Joe, farm located on the north side of State Secondary Road 1728 at its intersection with the Duplin-Sampson County line.

The Ezzel, James, farm located on the east side of U.S. Highway 421 and 0.3 mile south of its junction with State Secondary Road 1128.

The Vann, Henry, farm located on the north side of State Highway 50 and 0.3 mile east of the junction of said road and State Secondary Road 1729.

The Williamson, F. E., farm located on the west side of State Secondary Road 1233 and 0.3 mile south of its intersection with State Highway 24.

Tyrrell County. The Basnight, J. A., farm located on the southeast side of the junction of State Secondary Road 1209 and State Secondary Road 1223.

The Cahoon, Herman, farm located on the northwest side of the junction of State Secondary Road 1310 and State Secondary Road 1314.

The Coombs, F. T., farm located on the east side of State Secondary Road 1310 and 1 mile north of the junction of said road and State Secondary Road 1309.

The Cooper, Derwood, farm located on both sides of State Secondary Road 1311 and 0.3 mile west of the junction of said road with State Secondary Road 1310.

The Cooper, Derwood, farm located on the north side of State Secondary Road 1310 and 0.2 mile east of the junction of said road with State Secondary Road 1313.

The Hollis, W. A., farm located on the south side of State Secondary Road 1209 and 1.2 miles southeast of the junction of said road with State Secondary Road 1223.

The Howett, W. A., farm located on the south side of State Secondary Road 1209 and 1 mile southeast of the junction of said road with State Secondary Road 1223.

The Liverman, G. L., farm located on the east side of State Secondary Road 1310 and 0.9 mile north of the junction of said road and State Secondary Road 1309.

The Liverman, Horace, farm located on the southwest side of the junction of State Secondary Road 1310 and State Secondary Road 1312.

The Selby, G. W., farm located on the north side of State Secondary Road 1320 and 0.3 mile east of the junction of said road and State Secondary Road 1315.

The Williams, Sherman, farm located on the southwest side of the junction of State Secondary Road 1310 and State Secondary Road 1313.

Washington County. The Ange, Marvin and Cyril, farm located on the east side of State Highway 32 and 0.1 mile south of its junction with State Secondary Road 1102.

The Beasley, J. G., farm located on the southwest side of State Highway 99 and 0.9 mile northwest of the intersection of said highway and State Secondary Road 1127.

The Jones, G. B., farm located on the southwest side of State Highway 99 and 1.1 miles northwest of the intersection of said highway and State Secondary Road 1127.

Wayne County. The property owned by Best, Mrs. Myrtle, and operated by Altman, Mr. C. L., located on the southwest side of State Secondary Road 1205, 0.1 mile southeast of the Wayne-Johnston County line.

The Jenette, W. A., farm located on the northeast corner of interesection of State Secondary Roads 1105 and 1203.

The Jernigan, Sam, farm located on the west side of State Secondary Road 1201 and 0.7 mile north of its junction with U.S. Highway 13.

The McCarther, N. P., farm located on the east side of State Secondary Road 1353 and at its junction with State Secondary Road 1351.

The Pennington, Milford, farm located on the north side of State Secondary Road 1008 and 0.3 mile west of the junction of said road and State Secondary Road 1212.

The Rose, Mammie, farm located on the south side of State Secondary Road 1203 and 0.2 mile west of its junction with State Secondary Road 1211.

The Smith, Diet, farm located on the south side of State Secondary Road 1002 and 0.1 mile west of the insersection of said road and State Secondary Road 1333.

The Tadlock, Arnold, farm located 3 miles west of Grantham on the north side of State Secondary Road 1207 and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Tadlock, Ezra, farm located 3 miles west of Grantham on the north side of State Secondary Road 1207 and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Tadlock, Lonnie, farm located on the north side of State Secondary Road 1207, and 0.2 mile east of the intersection of said road and State Secondary Road 1105.

The Thornton, F. B., farm located on the west side of State Secondary Road 1200 and 0.7 mile south of the Johnston-Wayne County line.

The Thornton, Kirby, farm located on the east side of State Secondary Road 1200 and 0.5 mile south of the Johnston-Wayne County line.

TENNESSEE

Benton County. All of Civil District 8.

Carroll County. That portion of the county lying west of a line beginning at the point where U.S. Highway 79 intersects the Carroll-Henry County line; thence southwest along said highway to its intersection with State Highway 22; thence southeast along said highway to its intersection with U.S. Highway 70; thence southwest along said highway to its intersection with State Highway 104; thence northwest along said highway to its intersection with the Carroll-Gibson County line.

Chester County. That portion of the county lying west of the drainage canal of the South Fork of the Forked Deer River; and that portion of the county lying south of State Highway 100, and east of State Highway 22 A.

Crockett County. The entire county.

Dyer County. The entire county.

Fayette County. The entire county.

Gibson County. The entire county.

Hardeman County. That portion of Civil Districts 2 and 8 lying north of State Highway 100.

The farm owned by Johnson, Joe, known as the Johnson Farm, consisting of 300 acres located 1½ miles southwest of the intersection of U.S. Highway 64 and the Silerton Road in Civil District 7.

The property owned and operated by Keller, Joe, consisting of 507 acres located on Federal Aid Secondary Road 8054 approximately one-half mile south of State Highway 100 in Civil District 3.

The farm owned and operated by Newman, Guy, consisting of 77 acres located 1 mile south of U.S. Highway 64 on State Road 8081 in Civil District 7, known as the Newman Farm.

The farm owned by Potter, Cecil, known as the Old Sane Place, consisting of 100 acres in Civil District 6, 1 mile southeast of Hebron.

Hardin County. That portion of the county lying west of State Highway 104, and north of State Highway 69.

Haywood County. The entire county.

Henderson County. That portion of the county lying south of State Highway 100, and west of State Highway 104.

Henry County. That portion of Civil District 10, lying south of U.S. Highway 79, and east of the road from Oak Grove, south through Elkhorn to the Holly Fork Drainage Canal (known as Rural Road 8093 from Elkhorn to the Canal); and all of Civil District 14; and that portion of the county lying west of State Highway 69 and Rural Road 8092.

The property owned and operated by Valentine, M. D., consisting of 292 acres located approximately 1.5 miles southeast of the intersection of State Highway 140 and U.S. Highway 641 in Civil District 6.

Humphreys County. That portion of Civil District 2 enclosed by the Tennessee River, Duck River, Briar Creek, and Stribbling Branch.

Lake County. The entire county.

Lauderdale County. The entire county.

Madison County. That portion of the county lying west of a line beginning at the intersection of the Illinois Central Railroad and the Madison-Gibson County line, thence extending south along the Illinois Central Railroad to its intersection with the South Fork of the Forked Deer River, in the city of Jackson, thence southeast along the South Fork of the Forked Deer River to the Madison-Chester County line.

The property owned by Lauthum, Neal, known as the McCallum Farm, consisting of 165 acres located approximately three-fourth mile east of the community of Beech Bluff in Civil District 9.

The farm owned and operated by Taylor, J. T., known as the Taylor Brothers farm, consisting of 120 acres located in Civil District 9, 6 miles east of Jackson on Rural Road 8059.

McNairy County. The property owned by Atkins, Leonard, and operated by Roland, U. P., consisting of 200 acres located approximately 2½ miles east of Selmer on the south side of U.S. Highway 64 in Civil District 5.

The farm owned and operated by Gardner, Orvil, consisting of 340 acres in Civil District 4, 2 miles north, northeast of Gravel Hill on unmarked Rural Road.

The farm owned and operated by Gilbert, Mrs. Daphine, consisting of 215 acres located 2 miles southwest of the intersection of U.S. Highway 45 and State Road 8120 at Bethel Springs, in Civil District 11, known as the Gilbert Farm.

The property owned by McCoy, Ally, and operated by McCoy, Harlan, consisting of 67 acres located approximately 2 miles south of State Highway 57 and approximately 0.5 mile east of U.S. Highway 45 on the Gravel Hill Road in Civil District 9.

The farm owned by Robinson, Vernon, consisting of 1,000 acres in Civil District 2, 1 mile west of Rose Creek on both sides of U.S. Highway 64.

The farm owned by Williams, Troy, consisting of 46 acres located 2.1 miles southwest of the intersection of U.S. Highway 45 and State Road 8120 at Bethel Springs, in Civil District 11, known as the Williams Farm.

Obion County. The entire county.

Shelby County. The entire county.

Tipton County. The entire county.

Weakley County. The entire county.

VIRGINIA

Accomack County. The property owned by Matthews, Carroll C., located on a private road, 0.45 mile west of U.S. Highway 13, said private road junctioning with U.S. Highway 13, 0.2 mile north of the junction of U.S. Highway 13 and State Road 679.

The property owned by Mears, Rooker, W., located on the west side of U.S. Highway 13, 0.1 mile north of the junction of U.S. Highway 13 and State Road 738.

The property owned by Rew, John R., Jr., located on the west side of U.S. Highway 13, 0.1 mile north of the junction of U.S. Highway 13 and State Road 679.

The property owned by Rew, John R., Jr., located on the east and west sides of U.S. Highway 13, 0.1 mile south of the junction of U.S. Highway 13 and State Road 679.

The property owned by Rew, John R., Jr., located on the west side of U.S. Highway 13, 0.2 mile north of the junction of U.S. Highway 13 and State Road 679.

The property owned by Rew, John R., Jr., located on the west side of U.S. Highway 13, 0.1 mile south of the junction of U.S. Highway 13 and State Road 677.

The property owned by Wright, Jean B.; Eggers, Ann Wright; and Widmayer, Joanne W., located on the west side of U.S. Highway 13, 0.1 mile north of the junction of U.S. Highway 13 and State Road 677.

Chesapeake City. That portion of the city bounded by a line beginning where the Nansemond County and city of Chesapeake boundaries intersect with Hampton Roads, thence extending east along the southern shore of Hampton Roads to its junction with the Elizabeth River, thence south along the Elizabeth River, to its junction with the western branch of the Elizabeth River, thence southwest along the western branch of the Elizabeth River to its intersection with State Road 191, thence southeast along State Road 191 to its intersection with U.S. Highway 58, thence along an imaginary line due west to the Nansemond County-city of Chesapeake boundary, thence north along said boundary to the point of beginning.

The property owned by H. W., I. W., and Etheridge, James M., located on the south side of State Road 190, 0.1 mile east of the junction of State Roads 190 and 818.

The property owned by Foster, Johnnie B., located on the south side of State Road 610 at the junction of State Roads 610 and 686.

The property owned by Foster, Nannie Burgess, Life Estate, located on the south side of State Road 610, 0.3 mile west of the junction of State Roads 609 and 610.

The property owned by Killian, Nettie Pritchard, located on the north side of State Road 190, 0.2 mile east of the junction of State Roads 190 and 700.

The property owned by Murden, H. T., located on the west side of State Road 168, 0.4 mile south of the intersection of State Roads 168 and 614.

The property owned by Arthur N. and Alice Kerlin Williamson, located on the south side of State Road 190, 0.2 mile northwest of the junction of State Roads 190 and 818.

The property owned by Wood, Charles Holland, located on the south side of State Road 605, 0.4 mile east of the junction of State Roads 190 and 605.

The property owned by Wood, Charles Holland, located on the south side of State Road 605, 0.6 mile east of the junction of State Roads 190 and 605.

Isle of Wight County. That portion of the county bounded by a line beginning at the intersection of U.S. Highway 58 and State Road 615, thence extending east along U.S. Highway 58 to its junction with State Road 632, thence northeast along State Road 632 to its junction with State Road 612, thence east along State Road 612 to the Isle of Wight-Nansemond County line, thence southwest along said county line to its intersection with State Road 615, thence north along State Road 615 to the point of beginning.

The property owned by Alphin, L. H., Sr., located on the west side of State Road 614, 0.75 mile northwest of the junction of State Road 614 and U.S. Highway 258.

The property owned by Ashby, Grace M., located on the west side of U.S. Highway 17, 0.8 mile south of the junction of U.S. Highway 17 and State Road 32.

The property owned by the Ballard, A. W., Estate, located on the west side of State Road 614, 0.9 mile south of the junction of State Road 614 and U.S. Highway 258.

The property owned by the Ballard, A. W., Estate, located on the west side of State Road 614, 0.1 mile south of the Virginian Railroad right-of-way.

The property owned by Bittle, Claire W., located on the south side of U.S. Highway

58, 0.2 mile southwest of the junction of U.S. Highway 58 and State Road 630.

The property owned by Bracey, James F., Sr., and Bracey, James F., Jr., located on a private road 0.3 mile south of U.S. Highway 58, said private road junctioning with U.S. Highway 58, 1.2 miles east of the junction of U.S. Highways 58 and 258.

The property owned by Bryant, Mary Lee W., located on the east side of U.S. Highway 258, 1 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by DeHart, Frances Sykes, located on the east side of State Road 10, 0.3 mile south of the junction of State Roads 10 and 674.

The property owned by Duck, Alphonso L., located on a private road 0.3 mile south of State Road 648, said private road junctioning with State Road 648 at a point 0.2 mile east of the junction of State Roads 643 and 648.

The property owned by Duck, Alphonso L., Sr., located on the east side of State Road 614, 0.5 mile north of the junction of State Road 614 and U.S. Highway 258.

The property owned by the Eley, Jacob E., Estate, located on the east side of State Road 643 at the junction of State Roads 643 and 603.

The property owned by Fraser, Margaret Ashby Allen, located on the east side of U.S. Highway 17, 0.5 mile south of the intersection of U.S. Highway 17 and State Road 662.

The property owned by Gardner, Thomas A., located on the northeast side of State Road 606, at the junction of State Roads 606 and 690, with a wooded area owned by Thomas A. Gardner on the west side of State Road 690, 0.3 mile south of the junction of 606 and 690.

The property owned by Gibbs, Estelle, located on a private road 0.3 mile west of State Road 10, said private road junctioning with State Road 10 at the junction of State Roads 10 and 32.

The property owned by Gray, Elmon T., and Gray, Horace A., III, located on both sides of U.S. Highway 17, 0.5 mile north of the intersection of U.S. Highways 17 and 258.

The property owned by Alma J. and H. De Witt Griffin, located on the north side of State Road 606 at the junction of State Roads 606 and 700.

The property owned by Griffen, J. Causey, located on the southeast side of State Road 696, 0.5 mile northeast of the junction of State Roads 615 and 696.

The property owned by Holland, Ella H., located on both sides of State Road 644 at the intersection of State Roads 644 and 647.

The property owned by the Holland, Joseph H., Estate, located on both sides of State Road 609 at the junction of State Roads 609 and 640.

The property owned by Holland, Wilson S., located on the east side of U.S. Highway 258, 0.3 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Jenkins, Rufus A., located on the west side of State Road 609, 0.4 mile north of the intersection of State Road 609 and U.S. Highway 258.

The property owned by Johnson, Frank H., located on the east side of State Road 614 and on the north side of State Road 648, at the junction of State Roads 614 and 648.

The property owned by Jordan, W. H., located on the south side of State Road 665 at the junction of State Roads 665 and 695.

The property owned by Lankford, Seth, located at the end of State Road 660, 0.4 mile southeast of the junction of State Roads 620 and 660.

The property owned by Livsie, Alice L., located on the east side of U.S. Highway 258, and south of State Road 630 at the southern junction of said highway and road.

The property owned by Munford, Carr H., located on both sides of State Road 635 at the junction of State Roads 635 and 610.

The property owned by Nelms, Wilbur R., located on the north side of State Road 644, 0.2 mile east of the intersection of State Roads 644 and 647.

The property owned by Nelson, J. Craig, located at the end of State Road 662, 0.6 mile east of the junction of State Roads 662 and 663.

The property owned by Perry, Wayland A., located on the north side of State Road 630 at the junction of State Roads 630 and 631.

The property owned by Picott, W. T., located on the south side of State Road 611, 0.7 mile east of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Selma H. and Frank E. Pulley, located on the west side of State Road 649, 0.6 mile west of the junction of State Roads 637 and 649.

The property owned by Redd, Harrison A., located on the north side of State Road 636, 0.3 mile east of the intersection of State Road 636 and U.S. Highway 460.

The property owned by Rhodes, Loftin, located on the northwest side of State Road 641, 0.7 mile northeast of the junction of State Roads 641 and 648.

The property owned by Rhodes, Mrs. Vergie C., located on the east side of State Road 612 at the intersection of State Roads 611 and 612.

The property owned by Richards, J. Rosser, located on a private road 0.3 mile east of State Road 660, said private road junctioning with State Road 660 at a point 0.4 mile southeast of the junction of State Roads 620 and 660.

The property owned by Richards, J. Rosser, located on the east side of State Road 660, 0.3 mile southeast of the junction of State Roads 620 and 660.

The property owned by the Thacker, Carey H., Estate, located on the east, west, and south sides of the junction of State Roads 626 and 678.

The property owned by Turner, Lizzie G., located on the west side of U.S. Highway 258, 0.2 mile north of the junction of State Roads 258 and 638.

The property owned by James H. and B. A. Vaughn, located on both sides of State Road 612, 0.5 mile north of the junction of State Roads 612 and 633.

The property owned by Vellines, Livy, located on a private road on the east side of State Road 665, 0.8 mile south of the junction of State Roads 665 and 668.

The property owned by Vellines, Ollie R. (Ray), located on a private road on the east side of State Road 665, 0.6 mile south of the junction of State Roads 665 and 668.

The property owned by Whitley, Elvin H., located on the north side of State Road 611, 0.75 mile west of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Williams, E. C., located on the west side of U.S. Highway 258, 0.7 mile south of the intersection of U.S. Highway 258 and State Road 611.

The property owned by Wilson, Ida B., located on a private road 0.4 mile west of State Road 652, said private road junctioning with State Road 652 at a point 0.3 mile south of the junction of State Roads 652 and 692.

Nansemond County. That portion of the county bounded by a line beginning at the intersection of the Nansemond and Isle of Wight County lines and State Road 612, thence extending southeast of State Road 612 to its intersection with the Seaboard Air Line Railroad tracks, thence east along the Seaboard Air Line Railroad tracks to its intersection with State Road 643, thence south along State Road 643 to its junction with U.S. Highway 58, thence northeast on U.S. Highway 58 to its junction with State Road 646, thence southeast on State Road 646 to its intersection with the Atlantic and Danville Railroad tracks, thence east along the Atlantic and Danville Railroad tracks to its intersection with the Virginia Electric Power Co.'s high tension lines near U.S. Highway 13, thence east along VEPCO's high tension lines to VEPCO's Suffolk Substation on State Road 604, thence along an imaginary line due east to its junction with the Jericho Canal of the Dismal Swamp, thence south along the western edge of the Dismal Swamp to the Virginia-North Carolina State line, thence west along the Virginia-North Carolina State line to the Blackwater River, thense north along the Blackwater River to the Nansemond County-Isle of Wight County line, thence northeast along said line to the point of beginning.

That portion of the county bounded by a line beginning at the point where State Road 125 and the Nansemond River intersect, thence extending north along the eastern shore of the Nansemond River to its junction with Hampton Roads, thence east along the southern shore of Hampton Roads to its intersection with the Nansemond County-city of Chesapeake boundary, thence south along said boundary to its intersection with State Road 337, thence west along State Road 337 to its junction with State Road 125, thence west along State Road 125 to the point of beginning.

The property owned by Aston, W. M., Jr., located on the east side of State Road 608, 0.2 mile north of the junction of State Roads 608 and 644.

The property owned by Ellis, Rachel Duke, located on a private road 0.2 mile north of the junction of said road and State Road 634, said junction being 0.5 mile northwest of the junction of State Roads 634 and 644.

The property known as the Mills E. Godwin, Sr., Estate, owned by Mills E. Godwin, Jr., Leah Otelis Godwin, Mildred Elizabeth Godwin Knight, and Mary Lee Godwin Jones Estate, located on the east and west sides of State Road 125 immediately south of the junction of State Roads 620 and 125, and the north side of State Road 620 at the junction of State Roads 620 and 125.

The property owned by the city of Portsmouth, located on the south side of State Road 604, 1 mile southeast of the junction of State Roads 604 and 640.

The property owned by Savage, C. F., located on both sides of State Road 634, 0.4 mile northwest of the junction of State Roads 634 and 644.

The property owned by Smith, Ruth M., located on both sides of State Road 630, 0.7 mile east of the junction of State Roads 628 and 630.

The property owned by Warrington, Frank M., located on both sides of State Road 603, 1.9 miles east of the junction of State Roads 10 and 603.

The property owned by Wilkerson, George F., located on both sides of State Road 628, 0.3 mile east of the junction of State Roads 628 and 692.

The property owned by the Nicholas C. Wright Estate, located on State Road 620, 1.3 miles southeast of the junction of State Roads 620 and 628.

Southampton County. The property owned by Barrett, Harry G., Jr., located on the east and west sides of State Road 673, 0.4 mile west of the junction of State Roads 673 and 708.

The property owned by Barrett, Hugh A., located on the east side of State Road 678, 0.6 mile north of the junction of State Roads 678 and 684.

The property owned by John M. Camp, Jr., Olive Camp Johnson, and Virginia Camp Smith, located on the east side of U.S. Highway 258 at the junction of U.S. Highway 258 and State Road 690.

The property owned by Caroon, Earl N., located on the west side of State Road 678 at the junction of State Roads 678 and 684.

The property owned by James Chesley, Sr., and the Alice Lewis Beale Estate, located on the southeast side of State Road 684 and the northeast side of State Road 680 at the junction of State Roads 680 and 684.

The property owned by Cutler, George T., located on the east side of State Road 663, 0.1 mile north of the junction of State Roads 750 and 663.

The property owned by Everett, B. W., located on the north side of State Road 708 and on the west side of State Road 673, at the junction of State Roads 708 and 673.

The property owned by Everett, C. R., located on the northeast and southwest sides of State Road 678, 0.7 mile southeast of the junction of State Roads 678 and 677.

The property owned by Grant, Herman H., located on the south side of State Road 708, 2 miles west of the junction of State Roads 708 and 673.

The property owned by Greenbrier Farms, Inc., located on the west side of State Road 673, 0.6 miles south of the junction of State Roads 673 and 708.

The property owned by Lawrence, Mrs. Clarys McClenney, located on the west side of State Road 714, 1.5 miles northwest of the junction of State Roads 714 and 189.

The property owned by the Mrs. Lucy C. Myrick Estate, located on the north and south sides of State Road 708, 1.2 miles west of the junction of State Roads 673 and 708.

The property owned by Parker, Sarah O'Berry, located on the south side of State Road 678, 0.8 mile southeast of the junction of State Roads 678 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the east side of State Road 673, 0.2 mile south of the junction of State Roads 708 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the east side of State Road 673, 0.4 mile south of the junction of State Roads 708 and 673.

The property owned by Mrs. Thelma T. Simmons and the L. W. Simmons Estate, located on the north side of State Road 673 at the junction of State Roads 673 and 707.

The property owned by John B. Thorpe, Jr., and Rebecca R. Thorpe, located on the south side of State Road 708 and on the west side of State Road 673, at the junction of State Roads 673 and 708.

The property owned by George R. Whitley and Mildred D. Whitley, located on the northeast and southwest side of State Road 673, 0.5 mile north of the junction of State Roads 673 and 677.

The property owned by Worrell, Mrs. Alice, located on the east side of State Road 673 at the junction of State Roads 673 and 708.

Virginia Beach City. That portion of the city known as Knotts Island, situated in Back Bay on the North Carolina-Virginia State line.

The property owned by Ackiss, H. Clay, located on the west side of State Road 615, 1.3 miles south of the junction of State Roads 615 and 623.

The property owned by Barnes, Jessie L., located on both sides of State Road 615, 0.7 mile south of the junction of State Roads 615 and 670.

The property owned by Bright, Marion G., located on the northwest and southeast sides of State Road 777 at the southwest end of State Road 777.

The property owned by Broad Bay Manor, Inc., located on the north and south sides of State Road 690 at the junction of State Roads 615 and 690.

The property owned by the Fannie S. Brock Estate, located on a private road 0.2 mile east of State Road 615, said private road junctioning with State Road 615 at a point 0.2 mile south of the junction of State Roads 615 and 702.

The property owned by John R. and Fannie S. Brock, located on the east side of State Road 615, 0.1 mile south of the junction of State Roads 615 and 702.

The property owned by Brock, Nelson P., located on the east side of State Road 615 at the south junction of State Roads 615 and 627.

The property owned by Alex C. and Virginia S. Brown, located on the southeast side of State Road 190, 0.3 mile southwest of the intersection of State Roads 190 and 604.

The property owned by Clifton, Claudia May, located on the east and west sides of State Road 615, 0.2 mile north of the junction of State Roads 615 and 671.

The property owned by Craft, Roy A., located on the east side of State Road 615, 0.1 mile south of the south junction of State Roads 615 and 627.

The property owned by Cromwell, Starr W., located on the east side of State Road 615, 0.5 mile south of the junction of State Roads 615 and 702.

The property owned by Dey, John Furman, located on the northeast side of State Road 615, 1.1 miles southeast of the junction of State Roads 615 and 753.

The property owned by Christine E. Dixon, Marie Dixon Kight, Mildred Dixon Brinkley, Barbara Dixon Jones, Charles Joseph Dixon, Evelyn Dixon Kemp, Daniel I. Dixon, and Irving Dixon, located on the east and west sides of State Road 615 immediately south of the junction of State Roads 671 and 615.

The property owned by Dudley, Jesse T., located on the north side of State Road 670 at the junction of State Roads 615 and 670.

The property owned by Clyde O. and J. W. Freeman, located on the north side of State Road 621, 0.1 mile east of the junction of State Roads 615 and 621.

The property owned by Grinstead, Ernest F., located on the north and south sides of State Road 669, 0.2 mile west of Black Bay.

The property owned by James and Maude M. Hoggard, located on the east and west sides of State Road 615, and on the northwest and southeast sides of State Road 777, at the junction of State Roads 615 and 777.

The property owned by Lusk, Betty Salmons, located on the south side of State Road 759 at the junction of State Roads 663 and 759.

The property owned by Lusk, Betty Salmons, located on the east side of State Road 663, 0.3 mile southeast of the junction of State Roads 621 and 663.

The property owned by Lynnhaven Building Supply Corp., located on the south side of State Road 639, 0.9 mile west of the junction of State Roads 615 and 639.

The property owned by Henry E. and Alice E. Mosley, located on the east side of State Road 625, 0.1 mile north of the intersection of State Roads 624 and 625.

The property owned by the Ryland J. Murden Estate, located on the west side of State Road 615 and the south side of State Road 627, at the junction of State Roads 615 and 627.

The property owned by Murphy, L. L., located on the west side of State Road 603, 0.4 mile north of the junction of State Roads 603 and 624.

The property owned by Old, Margarette Hones, located on the northeast side of State Road 615, at the junction of State Roads 615 and 690.

The property owned by Old, Viola Edwards, located on a private road 0.3 mile east of State Road 615, said private road junctioning with State Road 615 at a point 0.3 mile north of the intersection of State Roads 615 and 640.

The property owned by N. Gorham Parks, Ann N. B. Parks, Diana Parks Hill, Dorothy D. Parks, and Diana T. Parks, located on the north side of State Road 649, 0.7 mile west of the junction of State Roads 647 and 649.

The property owned by Petree, J. C., located on the east side of State Road 634, 0.7 mile south of the junction of State Roads 634 and 858.

The property owned by Potter, John W., located on the east side of State Road 615, 0.1 mile south of the intersection of State Roads 615 and 640.

The property owned by the Princess Anne County Board of Supervisors, located on the south side of State Road 618 and on the east side of State Road 621, at the junction of State Roads 621 and 618.

The property owned by W. W. and Lucy F. Reasor, located on the southwest side of State Road 627, 1.4 miles northwest of the junction of State Roads 627 and 645.

The property owned by Salmons, A. Lee, located on the west side of State Road 615, 1 mile south of the south junction of State Roads 615 and 623.

The property owned by Smith, John W., located on the east and west sides of State Road 615 at the intersection of State Road 615 and the Virginia-North Carolina State line.

The property owned by Smith, William Crinshaw, located on the east side of State Road 615, 0.2 mile south of the junction of State Roads 615 and 616.

The property owned by Spence, Nettie F., located on the east side of State Road 615, 1.1 miles south of the south junction of State Roads 615 and 623.

The property owned by Virginia Beach Medical Center Inc., located on the east side of State Road 615, 0.3 mile north of the intersection of State Roads 615 and 640.

The property owned by Walke, Isaac T., Jr., located on the north side of State Road 649, 0.6 mile west of the junction of State Roads 647 and 649.

The property owned by Wallace, W. G., located on the west side of State Road 190, 0.4 mile southwest of the intersection of State Roads 190 and 603.

The property owned by Whitehurst, Grayson M., Jr., located on the east and west sides of State Road 615, 0.4 mile north of the intersection of State Roads 615 and 640.

The property owned by Grayson M. Whitehurst, Jr., located on the east side of State Road 615, 0.1 mile north of the intersection of State Roads 615 and 640.

The property owned by Widgeon, Leroy R., located on the east and west sides of State Road 615, 0.2 mile south of the junction of State Roads 630 and 615.

The property owned by Williams, Frank Tullie, located on the east side of State Road 621 and on the north side of State Road 619, at the junction of State Roads 621 and 619.

The property owned by Williams, Melvin M., located on the east side of State Road 625 and the north side of State Road 627 at the junction of State Roads 627 and 625.

The property owned by Williams, Melvin M., located on the east side of State Road 625 and the south side of State Road 627, at the junction of State Roads 627 and 625.

The property owned by Williams, Melvin M., located on the east side of State Road 625, 0.1 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Melvin M., located on the east side of State Road 625, 0.2 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Melvin, M., located on the east side of State Road

625, 0.1 mile up a dirt path 0.1 mile north of the junction of State Roads 625 and 627.

The property owned by Williams, Tilford H. located on the east side of State Road 615, 0.4 mile north of the intersection of State Road 615 and the Virginia-North Carolina State line.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.79–2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.79–2a, effective January 9, 1969.

The Director of the Plant Protection Division has determined that infestations of the soybean cyst nematode exist or are likely to exist in the civil divisions, parts of civil divisions, and premises listed above, or that it is necessary to regulate such areas because of their proximity to soybean cyst nematode infestations or their inseparability for quarantine enforcement purposes from soybean cyst nematode infested localities. The Director has determined that each of the quarantined States is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the soybean cyst nematode. Accordingly, such civil divisions, parts of civil divisions and premises listed above, are designated as soybean cyst nematode regulated areas.

The purpose of this revision is to add for the first time to the regulated areas portions of the following counties or parishes: White and Yell Counties in Arkansas; Okaloosa County in Florida; Union County in Kentucky; Madison and Morehouse Parishes in Louisiana; Adams, Alcorn, Holmes, Lee, Prentiss, Sunflower, Union, and Wilkinson Counties in Mississippi; Hyde County in North Carolina; and Accomack County in Virginia. The regulated areas were also extended in some previously regulated counties and parishes.

This document imposes restrictions which are necessary in order to prevent the dissemination of the soybean cyst nematode, and should be made effective promptly to accomplish its purpose in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 16th day of April 1970.

J. W. GENTRY,
Acting Director,
Plant Protection Division.

[F.R. Doc. 70–4850; Filed, Apr. 20, 1970; 8:49 a.m.]

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

[Navel Orange Reg. 204, Amdt. 1]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

a. *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907, 33 F.R. 15471), regulating the handling of Navel oranges grown in Arizona and designated part of California, 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 and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel 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 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 restriction on the handling of Naval oranges grown in Arizona and designated part of California.

b. *Order, as amended.* The provisions in paragraph (b)(1) (i) and (ii) of § 907.504 (Navel Orange Reg. 204, 35 F.R. 5801) are hereby amended to read as follows:

§ 907.504 Navel Orange Regulation 204.

* * * * *

(b) *Order.* (1) * * *

(i) District 1: 936,000 cartons;

(ii) District 2: 264,000 cartons.

* * * * *

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

Dated: April 15, 1970.

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

[F.R. Doc. 70–4813; Filed, Apr. 20, 1970; 8:46 a.m.]

[Valencia Orange Reg. 308, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

a. *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829) regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia 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 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 restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

b. *Order, as amended.* The provisions in paragraph (b)(1)(iii) of § 908.608 (Valencia Orange Reg. 308, 35 F.R. 5462) are hereby amended to read as follows:

§ 908.608 Valencia Orange Regulation 308.

* * * * *

(b) *Order.* * * *

(iii) District 3: 200,000 cartons.

* * * * *

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

Dated: April 15, 1970.

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

[F.R. Doc. 70–4814; Filed, Apr. 20, 1970; 8:46 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, 134b, 134g), 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 paragraphs (e) and (f) are amended and paragraph (g) is 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, Connecticut, Georgia, Illinois, Maryland, Massachusetts, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, South Carolina, Tennessee, Texas, Virginia, and West 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) *Connecticut.* Windham County.

(3) *Georgia.* (i) Johnson and Walton Counties.

(ii) That portion of Newton County bounded by a line beginning at the junction of the Newton-Rockdale County line and Interstate Highway 20; thence, following Interstate Highway 20 in a generally easterly direction to State Highway 12; thence, following State Highway 12 in a northeasterly direction to the Newton-Walton County line; thence, following the Newton-Walton County line in a generally northwesterly direction to the Newton-Rockdale County line; thence, following the Newton-Rockdale County line in a generally southwesterly direction to its junction with Interstate Highway 20.

(iii) That portion of Laurens County bounded by a line beginning at the junction of the Johnson-Laurens County line and Secondary Road S1473; thence, following Secondary Road S1473 in a generally southwesterly direction to the Blackshear Mill Road; thence, following the Blackshear Mill Road in a generally southwesterly direction to the Oconee River; thence, following the Oconee River in a generally northerly direction to the Johnson-Laurens County line; thence, following the Johnson-Laurens County line in a generally southeasterly direction to its junction with Secondary Road S1473.

(iv) That portion of Marion County bounded by a line beginning at the junction of State Highway 41 and the Juniper Creek; thence, following State Highway 41 in a generally southerly direction to Secondary Road S640; thence, following Secondary Route S640 in a generally southwesterly direction to the Marion-Chattahoochee County line; thence, following the Marion-Chattahoochee County line in a generally northerly direction to the Upatoi Creek; thence, following the south bank of the Upatoi Creek in an easterly direction to the Juniper Lake; thence, following the west bank of the Juniper Lake in a generally southeasterly direction to the Juniper Creek; thence, following the south bank of the Juniper Creek in an easterly direction to its junction with State Highway 41.

(4) *Illinois.* (i) That portion of Jefferson County comprised of Grand Prairie, Rome, Casner, and Shiloh Townships.

(ii) That portion of Jo Daviess County comprised of Warren, Rush, and Nora Townships.

(iii) That portion of Menard County comprised of Road District No. 5 and Road District No. 6.

(iv) That portion of Stephenson County comprised of Winslow and West Point Townships.

(5) *Maryland.* The adjacent portions of Wicomico and Worcester Counties bounded by a line beginning at the junction of U.S. Highway 13 and the Maryland-Delaware State line; thence, following the Maryland-Delaware State line in an easterly direction to the Pocomoke River (also the Wicomico-Worcester County line); thence, following the west bank of the Pocomoke River in a southerly direction to U.S. Highway 50; thence, following U.S. Highway 50 in a southeasterly direction to U.S. Highway 113; thence, following U.S. Highway 113 in a southerly direction to State Highway 376; thence, following State Highway 376 in a southeasterly direction to State Highway 611; thence, following State Highway 611 in a southwesterly direction to the South Point Road; thence, following the South Point Road in a southwesterly direction to Sinepuxent Bay; thence, following the coast line in a generally southwesterly direction along Sinepuxent, Newport, and Chincoteague Bays to State Highway 365 at Public Landing; thence, following State Highway 365 in a northwesterly direction to U.S. Highway 113; thence, following U.S. Highway 113 in a southwesterly direction to State Highway 12; thence, following State Highway 12 in a northwesterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a northeasterly direction to its junction with the Maryland-Delaware State line.

(6) *Massachusetts.* (i) Bristol County.

(ii) That portion of Middlesex County comprised of Lincoln, Concord, and Waltham Townships.

(7) *Minnesota.* That portion of Kandiyohi County bounded by a line beginning at the junction of County Road 85 and U.S. Highway 71; thence, following U.S. Highway 71 in a southerly direction to State Highway 7; thence, following State Highway 7 in a westerly direction to County State Aid Highway 1; thence, following County State Aid Highway 1 in a northerly direction to State Highway 23; thence, following State Highway 23 in a northeasterly direction to County Road 85; thence, following County Road 85 in an easterly direction to its junction with U.S. Highway 71.

(8) *Mississippi.* (i) The adjacent portions of Madison and Hinds Counties bounded by a line beginning at the junction of U.S. Highway 49 and State Road 22; thence, following State Road 22 in a generally easterly direction to State Road 463; thence, following State Road 463 in a southeasterly direction to U.S. Highway 51; thence, following U.S. Highway 51 in a southwesterly direction to the Hinds-Madison County Line Road; thence, following the Hinds-Madison County Line Road in a westerly direction to U.S. Highway 49; thence, following U.S. Highway 49 in a northerly direction to its junction with State Road 22.

(ii) That portion of Monroe County bounded by a line beginning at the junction of U.S. Highway 278 and the Monroe-Lamar County line (Mississippi-Alabama State line); thence, following the Monroe-Lamar County line in a southwesterly direction to the Monroe-Lowndes County line; thence, following the Monroe-Lowndes County line in a westerly direction to the Buttahatchie River; thence, following the north bank of the Buttahatchie River in a southwesterly direction to the Tombigbee River; thence, following the east bank of the Tombigbee River in a northerly direction to U.S. Highway 278; thence following U.S. Highway 278 in a southeasterly direction to its junction with the Monroe-Lamar County line (Mississippi-Alabama State line).

(iii) The adjacent portions of Monroe and Lee Counties bounded by a line beginning at the junction of U.S. Highway 278 and the Tombigbee River; thence, following the west bank of the Tombigbee River in a northeasterly direction to State Highway 6; thence, following State Highway 6 in a northwesterly direction to State Highway 371; thence, following State Highway 371 in a northerly direction to the Monroe-Itawamba County line; thence, following the Monroe-Itawamba County line in a westerly direction to the Itawamba-Lee County line; thence, following the Itawamba-Lee County line in a northerly direction to U.S. Highway 78; thence, following U.S. Highway 78 in a westerly direction to U.S. Highway 45; thence, following U.S. Highway 45 in a southerly direction to State Highway 45W; thence, following State Highway 45W in a southwesterly direction to the Lee-Chickasaw County line; thence, following the Lee-Chickasaw County line in an easterly direction to the Lee-Monroe County line; thence, following the Lee-Monroe County line in a southerly direction to State Highway 41; thence, following State Highway 41 in an easterly direction to U.S. Highway 278; thence, following U.S. Highway 278 in a southeasterly direction to its junction with the Tombigbee River.

(iv) That portion of Rankin County bounded by a line beginning at the junction of U.S. Highway 80 and State Highway 468; thence, following U.S. Highway 80 in an easterly direction to State Highway 18; thence, following State Highway 18 in a southeasterly direction to Tumbaloo Creek; thence, following the north bank of Tumbaloo Creek in a northwesterly direction to Richland Creek; thence, following the north bank of Richland Creek in a northwesterly direction to State Highway 468; thence, following State Highway 468 in a northerly direction to its junction with U.S. Highway 80.

(9) *Missouri.* (i) That portion of Dunklin County bounded by a line beginning at the junction of the Butler-Dunklin County line and State Highway 53; thence, following State Highway 53 in a southeasterly direction to State Highway B; thence, following State Highway B in a generally westerly direction to State Highway BB; thence, following State Highway BB in a westerly direction to the Arkansas-Missouri State line; thence, following the Arkansas-Missouri State line in a generally northwesterly direction to the Butler-Dunklin County line; thence, following the Butler-Dunklin County line in a northeasterly direction to its junction with State Highway 53.

(ii) The adjacent portions of Chariton, Macon, and Randolph Counties bounded by a line beginning at the junction of County Road W and State Highway 129; thence, following County Road W in a generally easterly direction to State Highway 3; thence, following State Highway 3 in a southeasterly direction to the Middle Fork of the Chariton River; thence, following the west bank of the Middle Fork of the Chariton River in a generally northerly direction to Concord Church Gravel Road; thence, following Concord Church Gravel Road in a generally westerly direction to the Chariton River; thence, following the east bank of the Chariton River in a southwesterly direction to State Highway 129; thence, following State Highway 129 in a southeasterly direction to its junction with County Road W.

(10) *New Hampshire.* That portion of Rockingham County comprised of Brentwood, Epping, and Exeter Townships.

(11) *New Jersey.* That portion of Gloucester County bounded by a line beginning at the junction of Bark Bridge Road and Tanyard Road; thence, following Tanyard Road in a northerly direction to State Highway 47; thence, following State Highway 47 in a northerly direction to the New Jersey Turnpike; thence, following the New Jersey Turnpike in a southwesterly direction to Egg Harbor Road; thence, following Egg Harbor Road in a southeasterly direction to Boundary Lane Road; thence, following Boundary Lane Road in a southerly direction to Mail Avenue; thence, following Mail Avenue in a southwesterly direction to Glassboro-Woodbury Road; thence, following Glassboro-Woodbury Road in a southeasterly direction to Bark Bridge Road; thence, following Bark Bridge Road in a northeasterly direction to its junction with Tanyard Road.

(12) *New Mexico.* That portion of Dona Ana County bounded by a line beginning at the junction of County Road 110 and State Road 273; thence, following State Road 273 in a generally northerly direction to La Union; thence, following State Highway 273 in an easterly direction to State Highway 28; thence, following State Highway 28 in a generally northerly direction to the Gadsden-Anthony Highway; thence, following the Gadsden-Anthony Highway in an easterly direction to the New Mexico-Texas State line; thence, following the New Mexico-Texas State line in a generally southeasterly direction to the United States-Mexico international boundary; thence, following the United States-Mexico international boundary in a westerly direction to Range Line 2–3 East; thence, following Range Line 2–3 East in a northerly direction to County Road 110; thence, following County Road 110 in an easterly direction to its junction with State Road 273.

(13) *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.

(14) *North Carolina.* (i) That portion of Nash County bounded by a line beginning at the junction of U.S. Highway 64 and State Highway 231; thence, following U.S. Highway 64 in a generally northeasterly direction to State Highway 581; thence, following State Highway 581 in a generally southeasterly direction to Secondary Road 1915; thence, following Secondary Road 1915 in a generally easterly direction to Secondary Road 1306; thence, following Secondary Road 1306 in a generally southeasterly direction to Secondary Road 1001; thence, following Secondary Road 1001 in a generally southwesterly direction to State Highway 97; thence, following State Highway 97 in a northwesterly direction to Secondary Road 1949; thence, following Secondary Road 1949 in a generally southwesterly direction to Secondary Road 1134; thence, following Secondary Road 1134 in a generally northwesterly direction to Secondary Road 1145; thence, following Secondary Road 1145 in a northerly direction to Secondary Road 1141; thence, following Secondary Road 1141 in a northerly direction to Secondary Road 1158; thence, following Secondary Road 1158 in a generally westerly direction to Secondary Road 1157; thence, following Secondary Road 1157 in a generally northerly direction to State Highway 231; thence, following State Highway 231 in a generally northeasterly direction to its junction with U.S. Highway 64.

(ii) That portion of Robeson County bounded by a line beginning at the junction of State Highway 41 and Secondary Road 1955; thence, following Secondary Road 1955 in a generally northeasterly direction to Secondary Road 1935; thence, following Secondary Road 1935 in a generally southeasterly direction to Secondary Road 1004; thence, following Secondary Road 1004 in a generally northeasterly direction to the Robeson-Bladen County line; thence, following the Robeson-Bladen County line in a generally southwesterly direction to State Highway 211; thence, following State Highway 211 in a generally northwesterly direction to Secondary Road 2100; thence, following Secondary Road 2100 in a southwesterly direction to Secondary Road 1002; thence, following Secondary Road 1002 in a southeasterly direction to Secondary Road 2121; thence, following Secondary Road 2121 in a southwesterly direction to Secondary Road 2116; thence, following Secondary Road 2116 in a northwesterly direction to Secondary Road 2123; thence, following Secondary Road 2123 in a westerly direction to U.S. Highway 74; thence, following U.S. Highway 74 in a northwesterly direction to Secondary Road 2207; thence, following Secondary Road 2207 in a northwesterly direction to Secondary Road 2208; thence, following Secondary Road 2208 in a northwesterly direction to Interstate Highway 95; thence, following Interstate Highway 95 in a northeasterly direction to State Highway 211; thence, following State Highway 211 in a southeasterly direction to State Highway 41; thence, following State Highway 41 in a northeasterly direction to its junction with Secondary Road 1955.

(iii) That portion of Robeson County bounded by a line beginning at the junction of State Highway 72 and Secondary Road 1003; thence, following Secondary Road 1003 in a southwesterly direction to U.S. Highway 74; thence, following

U.S. Highway 74 in a northwesterly direction to Secondary Road 1153; thence, following Secondary Road 1153 in a northeasterly direction to Secondary Road 1312; thence, following Secondary Road 1312 in a southeasterly direction to Secondary Road 1352; thence, following Secondary Road 1352 in a northeasterly direction to Secondary Road 1339; thence, following Secondary Road 1339 in a northeasterly direction to Secondary Road 1303; thence, following Secondary Road 1303 in a northeasterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a southeasterly direction to State Highway 72; thence, following State Highway 72 in a southeasterly direction to its junction with Secondary Road 1003.

(15) *Oklahoma.* That portion of the city of Enid in Garfield County bounded by a line beginning at the junction of U.S. Highway 81 and Chestnut Street; thence, following Chestnut Street in an easterly direction to 30th Street; thence, following 30th Street in a southerly direction to South Gate Road; thence, following South Gate Road in a westerly direction to U.S. Highway 81; thence, following U.S. Highway 81 in a northerly direction to its junction with Chestnut Street.

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

(17) *South Carolina.* (i) That portion of Hampton County bounded by a line beginning at the junction of Primary Highway 68 and U.S. Highway 278; thence, following U.S. Highway 278 in a southerly direction to the Coosawhatchie River; thence, following the east bank of the Coosawhatchie River in a southeasterly direction to Secondary Highway 36; thence, following Secondary Highway 36 in a northeasterly direction to Primary Highway 68; thence, following Primary Highway 68 in a northwesterly direction to its junction with U.S. Highway 278.

(ii) That portion of Kershaw County bounded by a line beginning at the junction of U.S. Highway 601 and the west bank of the Wateree River; thence, following U.S. Highway 601 in a generally southerly direction to Gillies Ditch; thence, following the north bank of Gillies Ditch in a southeasterly direction to the west bank of the Wateree River; thence, following the west bank of the Wateree River in a generally northwesterly direction to its junction with U.S. Highway 601.

(iii) That portion of Marion County bounded by a line beginning at the junction of the Lumber River and the Little Pee Dee River; thence, following the north bank of the Little Pee Dee River in a northwesterly direction to the Marion-Dillon County line; thence, following the Marion-Dillon County line in a northeasterly and southeasterly direction to the Lumber River; thence, following the west bank of the Lumber River in a southwesterly direction to its junction with the Little Pee Dee River.

(iv) That portion of Williamsburg County bounded by a line beginning at the junction of State Highway 512 and the Seaboard Coast Line Railroad; thence, following the Seaboard Coast Line Railroad in a southwesterly direction to Secondary Highway 74; thence, following Secondary Highway 74 in a northwesterly direction to the Pine Island Bay Road; thence, following the Pine Island Bay Road in a northwesterly direction to Secondary Highway 218; thence, following Secondary Highway 218 in a northeasterly direction to Secondary Highway 24; thence, following Secondary Highway 24 in a southeasterly direction to Secondary Highway 86; thence, following Secondary Highway 86 in a northeasterly direction to Secondary Highway 51; thence, following Secondary Highway 51 in a generally northerly direction to State Highway 512; thence, following State Highway 512 in a southeasterly direction to its junction with the Seaboard Coast Line Railroad.

(18) *Tennessee.* That portion of Dyer County bounded by a line beginning at the junction of State Highway 77 and the Dyer-Gibson County line; thence, following the Dyer-Gibson County line in a generally southerly direction to the Dyer-Crockett County line; thence, following the Dyer-Crockett County line in a southwesterly direction to the Dyer-Lauderdale County line; thence, following the Dyer-Lauderdale County line in a northwesterly direction to U.S. Highway 51; thence, following U.S. Highway 51 in a generally northeasterly direction to State Highway 77; thence, following State Highway 77 in an easterly direction to its junction with the Dyer-Gibson County line.

(19) *Texas.* (i) Dallas, Falls, Fayette, Henderson, and Lee Counties.

(ii) The adjacent portions of Bosque and McLennan Counties bounded by a line beginning at the junction of State Highway 6 and Farm to Market Road 219; thence, following Farm to Market Road 219 in a northeasterly direction to Farm to Market Road 708; thence, following Farm to Market Road 708 in a generally southeasterly direction to Farm to Market Road 56; thence, following Farm to Market Road 56 in a northeasterly direction to Farm to Market Road 2114; thence, following Farm to Market Road 2114 in a generally southeasterly direction to Brazos River; thence, following the west bank of the Brazos River in a generally southerly direction to the Bosque-McLennan County line; thence, following the Bosque-McLennan County line in a southwesterly direction to Farm to Market Road 2490; thence, following Farm to Market Road 2490 in a southeasterly direction to Farm to Market Road 1637; thence, following Farm to Market Road 1637 in a northwesterly direction to Farm to Market Road 185; thence, following Farm to Market Road 185 in a generally southwesterly direction to the McLennan-Coryell County line; thence, following the McLennan-Coryell County line in a northwesterly direction to the Bosque-Coryell County line; thence, following the Bosque-Coryell County line in a northwesterly direction to Farm to Market Road 217; thence, following Farm to Market 217 in a northeasterly direction to Farm to Market Road 2602; thence, following Farm to Market Road 2602 in a generally northeasterly direction to State Highway 6; thence, following State Highway 6 in a northwesterly direction to its junction with Farm to Market Road 219.

(iii) That portion of Brown County bounded by a line beginning at the junction of Brown-Coleman County line and the Jim Ned Creek; thence, following the west bank of the Jim Ned Creek in a southeasterly direction to Farm to Market Road 585; thence, following Farm to Market Road 585 in a southeasterly direction to Farm to Market Road 2492; thence, following Farm to Market Road 2492 in a southeasterly direction to State Highway 279; thence, following State Highway 279 in a southeasterly direction to Farm to Market Road 2524; thence, following Farm to Market Road 2524 in a southeasterly direction to U.S. Highway 377; thence, following U.S. Highway 377 in a southwesterly direction to Farm to Market Road 1176; thence, following Farm to Market Road 1176 in a southwesterly direction to the Brown-Coleman County line; thence, following the Brown-Coleman County line in a northerly direction to its junction with the Jim Ned Creek.

(iv) The 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 the west bank of the Leon River; thence, following the west bank of the Leon River in a generally southeasterly direction to State Highway 22; thence, following State Highway 22 in a southwesterly direction to State Highway 36; thence, following State Highway 36 in a northwesterly direction to the Hamilton-Comanche County line; thence, following the Hamilton-Comanche County line in a southwesterly direction to the Comanche-Mills County line; thence, following the Comanche-Mills County line in a northwesterly direction to State Highway 16; thence, following State Highway 16 in a northwesterly direction to U.S. Highway 377; thence, following U.S. Highway 377 in a northeasterly direction to the Comanche-Erath County line; thence, following the Comanche-Erath County line in a southeasterly direction to Farm to Market Road 1702; thence, following Farm to Market Road 1702 in a northerly direction to its junction with State Highway 6.

(v) 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.

(vi) That portion of Hale County bounded by a line beginning at the junction of Farm or Ranch to Market Road 1424 and the Hale-Swisher County line; thence, following the Hale-Swisher County line in an easterly direction to the Hale-Floyd County line; thence, following the Hale-Floyd County line in a southerly direction to Farm or Ranch to Market Road 784; thence, following Farm or Ranch to Market Road 784 in a generally westerly direction to Farm or Ranch to Market Road 400; thence, following Farm or Ranch to Market Road 400 in a northerly direction to Farm or Ranch to Market Road 1914; thence, following Farm or Ranch to Market Road 1914 in a westerly direction to Farm or Ranch to Market Road 1424; thence, following Farm or Ranch to Market Road 1424 in a generally northerly direction to its junction with the Hale-Swisher County line.

(vii) That portion of Hidalgo County bounded by a line beginning at the junction of U.S. Highway 281 and Farm to Market Road 490; thence, following Farm to Market Road 490 in a generally easterly direction to Farm to Market Road 493; thence, following Farm to Market Road 493 in a generally northerly direction to State Highway 186; thence, following State Highway 186 in a generally northwesterly direction to U.S. Highway 281; thence, following U.S. Highway 281 in a generally southerly direction to its junction with Farm to Market Road 490.

(ix) That portion of Jones County bounded by a line beginning at the junction of Farm to Market Roads 1636 and 1226; thence, following Farm to Market Road 1226 in a generally southerly direction to U.S. Highway 83; thence, following U.S. Highway 83 in a southeasterly direction to Farm to Market Road 605; thence, following Farm to Market Road 605 in a westerly direction to Farm to Market Road 707; thence, following Farm to Market Road 707 in a northwesterly direction to Farm to Market Road 1812; thence, following Farm to Market Road 1812 in a southwesterly direction to Farm to Market Road 126; thence, following Farm to Market Road 126 in a northwesterly direction to U.S. Highway 83; thence, following U.S. Highway 83 in a southeasterly direction to Farm to Market Road 1636; thence, following Farm to Market Road 1636 in a generally easterly direction to its junction with Farm to Market Road 1226.

(x) That portion of Lavaca County bounded by a line beginning at the junction of Farm to Market Road 530 and the Lavaca-Jackson County line; thence, following the Lavaca-Jackson County line in a southwesterly direction to the Lavaca-Victoria County line; thence, following the Lavaca-Victoria County line in a northwesterly direction to the Lavaca-DeWitt County line; thence, following the Lavaca-DeWitt County line in a northwesterly direction to U.S. Highway 77A; thence, following U.S. Highway 77A in a northeasterly direction to U.S. Highway 90A; thence, following U.S. Highway 90A in a northeasterly direction to Farm to Market Road 530; thence, following Farm to Market Road 530 in a generally southeasterly direction to its junction with the Lavaca-Jackson County line.

(xi) The adjacent portions of Limestone, Navarro, and Freestone Counties bounded by a line beginning at the junction of the Limestone-Freestone County line and U.S. Highway 84; thence, following U.S. Highway 84 in a southwesterly direction to Farm to Market Road 2310; thence, following Farm to Market Road 2310 in a northwesterly direction to Federal Aid Secondary Road 73; thence, following Federal Aid Secondary Road 73 in a northeasterly direction to Federal Aid Secondary Road 171; thence, following Federal Aid Secondary Road 171 in a northwesterly direction to Pin Oak Creek; thence, following the south bank of Pin Oak Creek in a generally northeasterly direction to Richland Creek; thence, following the south bank of Richland Creek in a southeasterly direction to U.S. Highway 75; thence, following U.S. Highway 75 in a southeasterly direction to Farm to Market Road 80; thence, following Farm to Market Road 80 in a southerly direction to U.S. Highway 84; thence, following U.S. Highway 84 in a northwesterly direction to its junction with the Limestone-Freestone County line.

(xii) That portion of Smith County bounded by a line beginning at the junction of State Highway 31 and the Smith-Henderson County line; thence, following State Highway 31 in a northeasterly direction to U.S. Highway 69; thence, following U.S. Highway 69 in a southerly direction to the Smith-Cherokee County line; thence, following the Smith-Cherokee County line in a westerly direction to the Smith-Henderson County line; thence, following the Smith-Henderson County line in a northerly direction to its junction with State Highway 31.

(xiii) That portion of Tom Green County bounded by a line beginning at the junction of U.S. Highway 67 and the Tom Green-Runnels County line; thence, following U.S. Highway 67 in a southwesterly direction to State Highway 306; thence, following State Highway 306 in a southerly direction to U.S. Highway 87; thence, following U.S. Highway 87 in a generally easterly direction to Farm to Market Road 2334; thence, following Farm to Market Road 2334 in a northerly direction to Secondary Road 380; thence, following Secondary Road 380 in an easterly direction to Secondary Road 1692; thence, following Secondary Road 1692 in a northerly direction to the Tom Green-Runnels County line; thence, following the Tom Green-Runnels County line in a westerly direction to its junction with U.S. Highway 67.

(xiv) 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.

(20) *Virginia.* (i) That portion of Augusta County bounded by a line beginning at the junction of U.S. Highways 250 and 340; thence, following U.S. Highway 250 in a southeasterly direction to Secondary Highway 610; thence, following Secondary Highway 610 in a southwesterly direction to Secondary Highway 634; thence, following Secondary Highway 634 in a northerly direction to Secondary Highway 635; thence, following Secondary Highway 635 in a northerly direction to U.S. Highway 340; thence, following U.S. Highway 340 in a northeasterly direction to its junction with U.S. Highway 250.

(ii) The adjacent portions of Essex and King and Queen Counties bounded by a line beginning at the junction of U.S. Highway 17 and Secondary Highway 607; thence, following Secondary Highway 607 in a southwesterly direction to Secondary Highway 612; thence, following Secondary Highway 612 in a southeasterly direction to Secondary Highway 617; thence, following Secondary Highway 617 in a southeasterly direction to Secondary Highway 614; thence, following Secondary Highway 614 in a generally easterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a northeasterly direction to Secondary Highway 719; thence, following Secondary Highway 719 in a southeasterly direction to U.S. Highway 17; thence, following U.S. Highway 17 in a northwesterly direction to its junction with Secondary Highway 607.

(iii) The adjacent portions of King William and Hanover Counties bounded by a line beginning at the junction of Secondary Highway 605 and U.S. Highway 360; thence, following U.S. Highway 360 in a southwesterly direction to Secondary Highway 605; thence, following Secondary Highway 605 in a northwesterly direction to Secondary Highway 615; thence, following Secondary Highway 615 in a northeasterly direction to Secondary Highway 614; thence, following Secondary Highway 614 in an easterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a northwesterly direction to State Highway 30; thence, following State Highway 30 in a southeasterly direction to Secondary Highway 610; thence, following Secondary Highway

610 in a southerly direction to Secondary Highway 605; thence, following Secondary Highway 605 in a southeasterly direction to its junction with U.S. Highway 360.

(iv) That portion of Nansemond County bounded by a line beginning at the junction of Primary Highway 32, 10 and Secondary Highway 603; thence, following Secondary Highway 603 in a southeasterly direction to the Nansemond River; thence, following the west bank of the Nansemond River in a generally southwesterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a northwesterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a generally northerly direction to Secondary Highway 603; thence, following Second Highway 603 in a northeasterly direction to Secondary Highway 601; thence, following Secondary Highway 601 in a southeasterly direction to Primary Highway 32, 10; thence, following Primary Highway 32, 10, in a northerly direction to its junction with Secondary Highway 603.

(v) That portion of Rockbridge County bounded by a line beginning at the junction of Secondary Road 608 and Secondary Road 714; thence, following Secondary Road 714 in a northwesterly direction to Secondary Road 713; thence, following Secondary Road 713 in a generally northerly direction to Secondary Road 706; thence, following Secondary Road 706 in a northeasterly direction to Secondary Road 712; thence, following Secondary Road 712 in a northwesterly direction to U.S. Highway 11; thence, following U.S. Highway 11 in a northeasterly direction to Secondary Road 706; thence, following Secondary Road 706 in a southerly direction to Secondary Road 707; thence, following Secondary Road 707 in a generally easterly direction to Secondary Road 608; thence, following Secondary Road 608 in a southwesterly direction to its junction with Secondary Road 714.

(vi) That portion of Southampton County bounded by a line beginning at the junction of State Primary Highway 35 and State Secondary Highway 658; thence, following State Secondary Highway 658 in a southerly direction to State Secondary Highway 675; thence, following State Secondary Highway 675 in a northeasterly direction to State Secondary Highway 731; thence, following State Secondary Highway 731 in a southeasterly direction to the Swamp Creek; thence, following the south bank of the Swamp Creek in a northeasterly direction to the Nottoway River; thence, following the west bank of the Nottoway River in a southeasterly direction to State Secondary Highway 671; thence, following State Secondary Highway 671 in a southwesterly direction to State Secondary Highway 681; thence, following State Secondary Highway 681 in a southerly direction to State Secondary Highway 672; thence, following State Secondary Highway 672 in a generally westerly direction to State Secondary Highway 673; thence, following State Secondary Highway 673 in a northwesterly direction to State Secondary Highway 671; thence, following State Secondary Highway 671 in a southwesterly direction to State Secondary Highway 665; thence, following State Secondary Highway 665 in a northwesterly direction to State Secondary Highway 668; thence, following State Secondary Highway 668 in a northwesterly direction to State Secondary Highway 669; thence, following State Secondary Highway 669 in a northeasterly direction to State Secondary Highway 658; thence, following State Secondary Highway 658 in a northeasterly direction to State Secondary Highway 696; thence, following State Secondary Highway 696 in a southeasterly direction to State Primary Highway 35; thence, following State Primary Highway 35 in a northeasterly direction to its junction with State Secondary Highway 658.

(vii) The adjacent portions of Surry, Isle of Wight, Southampton, and Sussex Counties bounded by a line beginning at the junction of Secondary Highways 612 and 611; thence, following Secondary Highway 611 in a southeasterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a southwesterly direction to Secondary Highway 615; thence, following Secondary Highway 615 in a generally southeasterly direction to Primary State Highway 31; thence, following Primary State Highway 31 in a northeasterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a generally northeasterly direction to Secondary Highway 626; thence, following Secondary Highway 626 in a generally southeasterly direction to Secondary Highway 621; thence, following Secondary Highway 621 in a southwesterly direction to Secondary Highway 680; thence, following Secondary Highway 680 in a southeasterly direction to Secondary Highway 683; thence, following Secondary Highway 683 in a southerly direction to Secondary Highway 623; thence, following Secondary Highway 623 in a westerly direction to Secondary Highway 621; thence, following Secondary Highway 621 in a generally southwesterly direction to Secondary Highway 618; thence, following Secondary Highway 618 in a southwesterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a generally northwesterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a generally northerly direction to Secondary Highway 614; thence, following Secondary Highway 614 in a generally southwesterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a northwesterly direction to Primary State Highway 40; thence, following Primary State Highway 40 in a southwesterly direction to Secondary Highway 651; thence, following Secondary Highway 651 in a generally northwesterly direction to Secondary Highway 626; thence, following Secondary Highway 626 in a generally northwesterly direction to Secondary Highway 602; thence, following Secondary Highway 602 in a generally northeasterly direction to Secondary Highway 601; thence, following Secondary Highway 601 in a generally southeasterly direction to Primary State Highway 40; thence, following Primary State Highway 40 in a northeasterly direction to Secondary Highway 615; thence, following Secondary Highway 615 in a southeasterly direction to Secondary Highway 612; thence, following Secondary Highway 612 in a generally northeasterly direction to its junction with Secondary Highway 611.

(viii) That portion of Orange County bounded by a line beginning at the junction of U.S. Highway 522 and Secondary Highway 663; thence, following Secondary Highway 663 in a generally northeasterly direction to Secondary Highway 622; thence, following Secondary Highway 622 in a generally southeasterly direction to Secondary Highway 602; thence, following Secondary Highway 602 in a generally easterly direction to Secondary Highway 611; thence, following Secondary Highway 611 in a generally southeasterly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a generally southwesterly direction to Secondary Highway 621; thence, following Secondary Highway 621 in a generally southwesterly direction to Secondary Highway 608; thence, following Secondary Highway 608 in a generally southerly direction to the Orange-Spotsylvania County line; thence, following the Orange-Spotsylvania County line in a southwesterly direction to Secondary Highway 651; thence, following Secondary Highway 651 in a generally southwesterly direction to Secondary Highway 629; thence, following Secondary Highway 629 in a generally northwesterly direction to U.S. Highway 522; thence, following U.S. Highway 522 in a generally northerly direction to its junction with Secondary Highway 663.

(21) *West Virginia.* That portion of Pendleton County bounded by a line beginning at the junction of Secondary Road 24 and Secondary Road 25; thence, following Secondary Road 24 in a generally northerly direction to Secondary Road 21; thence, following Secondary Road 21 in a northeasterly direction to Secondary Road 21, 2; thence, following Secondary Road 21, 2 in a generally northwesterly direction to Secondary Road 220, 7; thence, following Secondary Road 220, 7 in a generally northwesterly direction to U.S. Highway 220; thence, following U.S. Highway 220 in a southwesterly direction to Secondary Road 23; thence, following Secondary Road 23 in a generally southerly direction to Secondary Road 25; thence, following Secondary Road 25 in a generally southeasterly direction to its junction with Secondary Road 24.

(22) *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. Florida.
Delaware.

(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.	Oregon.
Idaho.	Utah.
Michigan.	Vermont.
Montana.	Washington.
Nevada.	Wisconsin.
North Dakota.	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 a portion of Kandiyohi County in Minnesota 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 the area quarantined. Further, the amendments delete the State of Minnesota from the list of hog cholera eradication States as set forth in § 76.2(f).

The amendments also exclude a portion of Maricopa County, Ariz., 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 area. However, the restrictions pertaining to the interstate movement from nonquarantined areas contained in said Part 76 will apply to the excluded area.

The provisions also include without amendment 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 15th day of April 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-4811; Filed, Apr. 20, 1970; 8:46 a.m.]

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, 134b, 134f), 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:

1. In § 76.2, in paragraph (e)(4) relating to the State of Illinois, new subdivisions (v) relating to Franklin County and (vi) relating to Monroe and St. Clair Counties are added to read:

(4) *Illinois.* * * *

(v) That portion of Franklin County comprised of Barren, Benton, Browning, and Ewing Townships.

(vi) The adjacent portions of Monroe County comprised of Road Districts No. 1, 2, and 3 and of St. Claim County comprised of Millstadt and Prairie Dulong Townships.

2. In § 76.2, in paragraph (e)(19) relating to the State of Texas, subdivision (x) relating to Lavaca County is deleted, and a new subdivision (x) relating to Tarrant County is added to read:

(19) *Texas.* * * *

(x) That portion of Tarrant County bounded by a line beginning at the junction of U.S. Highway 287 and the Tarrant-Johnson County line; thence, following the Tarrant-Johnson County line in a westerly direction to Interstate Highway 35W; thence, following Interstate Highway 35W in a northerly direction to Interstate Highway 820; thence, following Interstate Highway 820 in an easterly direction to U.S. Highway 287; thence, following U.S. Highway 287 in a southeasterly direction to its junction with the Tarrant-Johnson County line.

3. In § 76.2 in paargraph (e)(9) relating to the State of Missouri, subdivision (ii) relating to Chariton, Macon, and Randolph Counties is deleted.

4. In § 76.2, in paragraph (e)(17) relating to the State of South Carolina, subdivision (ii) relating to Kershaw County is deleted.

(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 shall become effective upon issuance.

The amendments quarantine portions of Franklin, Monroe, and St. Clair Counties in Illinois, and a portion of Tarrant County in Texas 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 portions of Chariton, Macon, and Randolph Counties in Missouri; a portion of Kershaw County in South Carolina; and a portion of Lavaca County in Texas 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.

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 16th day of April 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-4847; Filed, Apr. 20, 1970; 8:48 a.m.]

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, 134b, 134f), 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:

1. In § 76.2, the State of Tennessee is deleted from the introductory portion of paragraph (e); paragraph (e)(18) relating to the State of Tennessee is deleted; and the State of Tennessee is added to the list of hog cholera eradication States contained in § 76.2(f).

2. In § 76.2, in paragraph (e)(20) relating to the State of Virginia, a new subdivision (ix) relating to Southampton County is added to read:

(20) *Virginia.* * * *

(ix) That portion of Southampton County bounded by a line beginning at the junction of Secondary Highway 701 and the Virginia-North Carolina State line; thence, following the Virginia-North Carolina State line in a westerly direction to the Southampton-Greensville County line; thence, following the Southampton-Greensville County line in a northwesterly direction to Secondary Highway 730; thence, following Secondary Highway 730 in a northeasterly direction to Secondary Highway 653; thence, following Secondary Highway 653 in a northeasterly direction to Secondary Highway 659; thence, following Secondary Highway 659 in a southeasterly direction to Secondary Highway 666; thence, following Secondary Highway 666 in a southwesterly direction to Secondary Highway 701; thence, following Secondary Highway 701 in a southerly direction to its junction with the Virginia-North Carolina State line.

3. In § 76.2, in paragraph (e)(19) relating to the State of Texas, subdivision (ii) relating to Bosque and McLennan Counties, subdivision (iii) relating to Brown County, and subdivision (xiii) relating to Tom Green County are deleted; and subdivision (i) is amended to read:

(19) *Texas.* (i) Dallas, Fayette, and Henderson Counties.

4. In § 76.2, in paragraph (e)(8) relating to the State of Mississippi, subdivision (ii) relating to Monroe County is amended, and a new subdivision (v) relating to Tishomingo and Itawamba Counties is added to read:

(8) *Mississippi.* * * *

(ii) That portion of Monroe County bounded by a line beginning at the junction of U.S. Highway 278 and State Highway 8; thence, following State Highway 8 in a generally southwesterly direction to the Tombigbee River; thence, following the east bank of the Tombigbee River in a northerly direction to U.S. Highway 278; thence, following U.S. Highway 278 in a southeasterly direction to its junction with State Highway 8.

* * * * *

(v) The adjacent portions of Tishomingo and Itawamba Counties bounded by a line beginning at the junction of the proposed Natchez Trace Parkway and the Mississippi-Alabama State line; thence, following the Mississippi-Alabama State line in a southwesterly direction to U.S. Highway 78; thence, following U.S. Highway 78 in a generally northwesterly direction to the East Fork Tombigbee River; thence, following the east bank of the East Fork Tombigbee River in a northerly direction to the Itawamba-Prentiss County line; thence, following the Itawamba-Prentiss County line in an easterly direction to the Tishomingo-Prentiss County line; thence, following the Tishomingo-Prentiss County line in a northerly direction to the proposed Natchez Trace Parkway; thence, following the proposed Natchez Trace Parkway in a northeasterly direction to its junction with the Mississippi-Alabama State line.

(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 shall become effective upon issuance.

The amendments quarantine a portion of Southampton County in Virginia, and portions of Tishomingo and Itawamba Counties in Mississippi 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 portions of Monroe County in Mississippi and Dyer County in Tennessee, and all of Falls and Lee Counties and portions of Bosque, McLennan, Brown, and Tom Green Counties in Texas 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 State of Tennessee to the list of hog cholera eradication States in § 76.2(f).

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 16th day of April 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-4848; Filed, Apr. 20, 1970; 8:48 a.m.]

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, 134b, 134f), 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:

1. In § 76.2, in paragraph (e)(19) relating to the State of Texas, a new subdivision (xv) relating to Montgomery County is added to read:

(19) *Texas.* * * *

(xv) That portion of Montgomery County bounded by a line beginning at the junction of Farm to Market Road 2090 and the Montgomery-Liberty County line; thence, following the Montgomery-Liberty County line in a southeasterly direction to the Montgomery-Harris County line; thence, following the Montgomery-Harris County line in a generally southwesterly direction to Interstate Highway 45; thence, following Interstate Highway 45 in a northerly direction to State Highway 105; thence, following State Highway 105 in an easterly direction to Farm to Market Road 1485; thence, following Farm to Market Road 1485 in a southeasterly direction to Farm to Market Road 2090; thence, following Farm to Market Road 2090 in a southeasterly direction to its junction with the Montgomery-Liberty County line.

2. In § 76.2, in paragraph (e)(14) relating to the State of North Carolina, subdivision (ii) relating to Robeson County is deleted.

3. In § 76.2, in paragraph (e)(3) relating to the State of Georgia, subdivision (ii) relating to Newton County is deleted, and subdivision (i) relating to Johnson and Walton Counties is amended to read:

(3) *Georgia.* (i) Johnson County.

(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 shall become effective upon issuance.

The amendments quarantine a portion of Montgomery County in Texas 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 county.

The amendments also exclude a portion of Robeson County, N.C.; all of Walton and a portion of Newton Counties in Georgia 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.

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 16th day of April 1970.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 70-4849; Filed, Apr. 20, 1970; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8281; Amdts. Nos. 23-9; 91-75]

PART 23—AIRWORTHINESS STANDARDS: NORMAL UTILITY AND ACROBATIC CATEGORY AIRPLANES

PART 91—GENERAL OPERATING AND FLIGHT RULES

Installation and Operating Requirements for Oxygen Equipment and Supply

The purpose of these amendments to Parts 23 and 91 of the Federal Aviation Regulations is to provide standards for the installation of oxygen equipment on airplanes certificated under Part 23 and to provide operating requirements for the use of oxygen in aircraft governed by the general operating and flight rules of Part 91.

These amendments are based on, and reflect comments received in response to the notice of proposed rule making published in the FEDERAL REGISTER (32 F.R. 10602) on July 18, 1967, and circulated as Notice 67-30.

Numerous comments were received in response to Notice 67-30. A number of changes have been made to the proposed rules on the basis of the comments received and further review within the FAA. These changes and the FAA's disposition of the public comments are discussed hereinafter. Editorial revisions have also been made to a number of the proposals for the purpose of clarification. Insofar as these changes are concerned, no substantive change to the proposals is intended. Interested persons have been afforded an opportunity to participate in the making of these amendments, and due consideration has been given to all matters presented. Except as modified by the following discussions, the reasons for these amendments are those contained in the notice.

Several commentators objected to the proposal on the basis that it would require the owners of small airplanes that are not designed to operate at altitudes where oxygen is required to purchase expensive oxygen equipment for their airplanes. This, however, is not the case. The proposal would not require the installation of oxygen equipment on all small airplanes. Oxygen equipment would have to be installed only on small airplanes that are to be used in operations conducted at the altitudes for which supplemental oxygen must be provided and used in accordance with the requirements of Part 91. The need for oxygen in such operations far outweighs any economic burden that may be involved in the installation and maintenance of the oxygen equipment.

One commentator recommended that the dissemination of educational material describing conditions leading to hypoxia and its affects would be more appropriate or more effective than imposition of the proposed rules. The FAA has already taken steps, through the following publications and programs, to indoctrinate pilots on the subject: (1) Advisory Circular 91-8, "Use of Oxygen by General Aviation Pilots/Passengers," (2) Office of Aviation Medicine Report AM 66-28, "Oxygen in General Aviation," (3) Aviation Medical Education Series No. 4.1, "Oxygen and the Potent Pint," and (4), an oxygen indoctrination program at the Civil Aeromedical Institute, available to all civil aviation pilots and widely publicized in civil aviation magazines and other publications. While the FAA agrees that such educational material is a factor in improving safety, it is not a substitute for the proposed regulations.

Several commentators suggested revising proposed § 23.1441(a) which states that there must be a means to allow the crew to readily determine during flight the quantity of oxygen available in each source of supply. It was recommended that the proposal be changed to specify a means for determining the remaining number of hours of available oxygen. These commentators are primarily concerned with the pressure gauges being furnished with oxygen systems. They believe that a pressure gauge is not an adequate instrument for determining the quantity of oxygen available. The FAA does not agree. In most instances, a pressure gauge in the oxygen system will indicate the quantity of oxygen available in the source of supply. If, in any particular installation, it is determined that a pressure gauge would not satisfy the requirement, then some other means to allow the crew to determine, during flight, the quantity of oxygen available in each source of supply would have to be provided. In any event, the remaining number of hours of available oxygen can be readily obtained once the quantity of oxygen available in each source of supply is known.

In response to numerous comments, § 23.1441 has been revised to make it clear that portable oxygen equipment may be used to meet the supplemental oxygen requirements.

One commentator suggested incorporating a provision in § 23.1443 which would require compliance with the proposed graph (depicting oxygen mass flow rates) only up to the cruising altitude for which type certification of the airplane is desired. The recommendation is premised on the contention that it is unnecessary and economically unreasonable to install oxygen equipment capable of a specified mass flow rate at 40,000 feet if the airplane will be operated at a much lower altitude. The purpose of § 23.1443 is to show the minimum oxygen mass flow rates which would be required for each occupant of an airplane at the corresponding cabin pressure altitudes. The applicant for a type certificate would not be required to install oxygen equipment capable of supplying the minimum oxygen mass flow rates for the entire range of cabin pressure altitudes shown in the graph unless his airplane is capable of operating through the entire range. Accordingly, § 23.1443 is revised to state that the oxygen equipment installed in the airplane must be capable of supplying to each occupant the appropriate flow of oxygen for all altitudes up to and including the maximum operating altitude of the airplane.

One commentator recommended that the altitude limit of 12,000 feet specified in proposed § 91.32(a)(1) be increased to 12,500 feet to provide an additional westbound VFR cruising altitude. This recommendation has merit. The Federal Aviation Regulations require that an operator must maintain a level cruise flight at any even thousand feet MSL altitude plus 500 feet when operating below 18,000 feet MSL and on a magnetic course 180° through 359°. Accordingly, an increase in the proposed minimum

altitude of 12,000 feet to 12,500 feet would provide an additional westbound VFR cruising altitude level without the need for oxygen equipment. The addition of 500 feet to the proposed minimum altitude limit would not have any significant effect on safety. Consistent with that change, it is appropriate to increase the minimum cabin pressure altitude limit for which oxygen mass flow rate is prescribed in § 23.1443 to show 0.8 LPM at 12,500 feet.

It was recommended that paragraphs (b) and (c) of proposed § 23.1447 be revised to specify that they are applicable only to pressurized airplanes. The commentator asserts that these proposals should not apply to nonpressurized airplanes which are not subject to sudden-decompression occurrences. The FAA agrees and this has been made clear in the final rule. In addition, further FAA studies have shown that for those pressurized aircraft designed to operate at 25,000 feet (MSL) or below, the pilot will have sufficient time to descend to safer altitudes prior to the onset of any symptoms of hypoxia in the event of a sudden decompression. For this reason, the proposal in paragraph (b) of § 23.1447, requiring an oxygen supply terminal and unit of oxygen dispensing equipment within reach of each member of the required minimum flight crew for those airplanes designed to operate at flight altitudes up to and including 25,000 feet, is unnecessary and has not been adopted.

Several commentators recommended that the proposed altitude limits of § 91.32(a), at which supplemental oxygen must be provided and used by the flight crew, be lowered to conform with the requirements of FAR Part 121. In support of the recommendation, it is stated that the change is in the interest of uniformity. Under this recommendation, the proposed cabin pressure altitude values in § 91.32(a) at which oxygen must be used by the flight crew of 12,000 feet and 14,000 feet would be reduced to 10,000 feet and 12,000 feet, respectively. However, the FAA is not persuaded that uniformity in the oxygen requirements of Parts 91 and 121 is either necessary or appropriate. Moreover, a change based on this recommendation would constitute a substantive change in the proposal outside the scope of Notice 67-30. At the present time, there are no oxygen requirements whatever in Part 91 for general aviation operations and the proposed requirements constitute an important step forward in this key regulatory area. The FAA does not, therefore, consider that it would be appropriate to delay the issuance of these proposed rules. Nevertheless, the FAA will continue to monitor general aviation operations insofar as these oxygen requirements are concerned and if it is determined that the altitudes in § 91.32(a) should be lowered, additional rule making will be undertaken.

In contrast to the previous comments, a number of commentators recommended that the proposed altitudes in § 91.32(a) be raised by several thousand feet and that pilots be permitted optional use of oxygen equipment at lower altitudes. The FAA disagrees. Studies have indicated that hypoxia symptoms can develop within 30 minutes at altitudes between 15,000 feet and 18,000 feet. These symptoms include impairment of judgment and vision, excessive self-confidence, disregard for sensory perceptions, poor coordination, sleepiness, dizziness, personality changes, and cyanosis (blueing). The FAA does not believe that a pilot can predict, with any certainty, that he or his passengers would not develop such symptoms during any flight at those altitudes, notwithstanding previous operations which may have been conducted without adverse physical effects.

There were a large number of comments recommending that the proposal be revised to permit the use of quick donning masks. The recommendations generally followed the requirements currently set forth in Part 121 of the FARs. On the basis of the comments received, the FAA is persuaded that on any aircraft having more than one pilot at the controls, it is not necessary that one pilot breathe oxygen at all times at flight levels below flight level 410 if each flight crewmember at the controls has a quick donning type oxygen mask.

However, since safety in flight, in the event of a sudden decompression, is dependent upon the rapidity with which the pilot can place the quick donning mask on his face from its ready position, the quick donning mask should be permitted only on the condition that it can be positioned, with one hand, properly secured, sealed, and supplying oxygen, and within 5 seconds. Safety considerations require, however, that one pilot wear and use his oxygen mask when the other flight crewmember leaves his duty station at an altitude above flight level 350.

Several commentators were concerned about the quantity of supplemental oxygen that would be required for their operations in order to comply with the proposal of Part 91. It was indicated that compliance with the regulations as proposed might mean that the amount of oxygen employable in the event of an emergency would be insufficient and requested a rule change to permi. the conservation of the quantity of available oxygen. In support of their request, it was also noted that relatively few airports are equipped for servicing oxygen equipment. In this connection, it was recommended that the proposal be changed to allow the use of oxygen equipment that would be automatically turned on in the event of decompression when the cabin altitude reached 14,000 feet. The FAA considers that this proposal has merit and proposed § 91.32 has been revised accordingly. Such a requirement would permit conservation of oxygen supply until actually needed and would have no adverse effect on safety.

One commentator suggested that it would be more practicable to use the term "flight level" instead of "mean sea level" in the proposals. The recommendation of the commentator is valid with respect to the relatively high altitudes. FAR § 91.81 prescribes altimeter settings for cruising altitude or flight level of the aircraft, as the case may be. The demarcation limit is 18,000 feet, at and above which the lowest usable flight level is determined by atmospheric pressure in the area of operation. In view of the foregoing, the assigned values for the flight altitudes at and above 18,000 feet are provided in terms of "flight levels" in the final rule. All other references to altitudes in the regulation are provided in terms of MSL (mean sea level).

Finally, proposed § 91.32 has been revised to make it clear that it applies only to aircraft registered in the United States. It was not the intent of the notice and the FAA does not consider it necessary or appropriate to apply this rule to foreign aircraft.

In consideration of the foregoing, Parts 23 and 91 of the Federal Aviation Regulations are amended, effective June 17, 1970, as follows:

1. Subpart F of Part 23 is amended by adding new §§ 23.1441, 23.1443, 23.1447, and 23.1449 to read as follows:

§ 23.1441 Oxygen equipment and supply.

(a) If certification with supplemental oxygen equipment is requested, the equipment must meet the requirements of this section and §§ 23.1443 through 23.1449. Portable oxygen equipment may be used to meet the requirements.

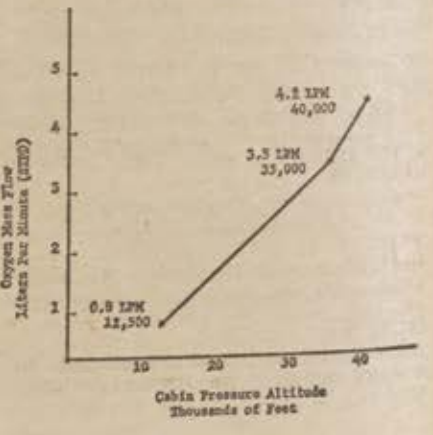
(b) The oxygen system must be free from hazards in itself, in its method of operation, and its effect upon other components.

(c) There must be a means to allow the crew to readily determine, during the flight, the quantity of oxygen available in each source of supply.

(d) Demand flow oxygen equipment, and oxygen equipment for use above 40,000 feet (MSL), must be approved.

§ 23.1443 Minimum mass flow of supplemental oxygen.

If continuous flow oxygen equipment is installed for use by occupants of the airplane, the mass flow of supplemental oxygen supplied for each user must be at a rate not less than that shown in the following figure for each altitude up to and including the maximum operating altitude of the airplane:



§ 23.1447 Equipment standards for oxygen dispensing units.

If oxygen dispensing units are installed, the following apply:

(a) There must be an individual dispensing unit for each occupant for whom supplemental oxygen is to be supplied. Each dispensing unit must:

(1) Provide for effective utilization of the oxygen being delivered to the unit.

(2) Cover the nose and mouth of the user.

(3) Be capable of being readily placed into position on the face of the user.

(4) Be equipped with a suitable means to retain the unit in position on the face.

(b) For a pressurized airplane designed to operate at flight altitudes above 25,000 feet (MSL), an oxygen dispensing unit connected to an oxygen supply terminal must be immediately available to each occupant, wherever seated.

§ 23.1449 Means for determining use of oxygen.

There must be a means to allow the crew to determine whether oxygen is being delivered to the dispensing equipment.

2. Part 91 is amended by adding a new § 91.32 to read as follows:

§ 91.32 Supplemental oxygen.

(a) *General.* No person may operate a civil aircraft of U.S. registry—

(1) At cabin pressure altitudes above 12,500 feet (MSL) up to and including 14,000 feet (MSL), unless the required minimum flight crew is provided with and uses supplemental oxygen for that part of the flight at those altitudes that is of more than 30 minutes duration;

(2) At cabin pressure altitudes above 14,000 feet (MSL), unless the required minimum flight crew is provided with and uses supplemental oxygen during the entire flight time at those altitudes; and

(3) At cabin pressure altitudes above 15,000 feet (MSL), unless each occupant of the aircraft is provided with supplemental oxygen.

(b) *Pressurized cabin aircraft.* (1) No person may operate a civil aircraft of U.S. registry with a pressurized cabin—

(i) At flight altitudes above flight level 250, unless at least a 10-minute supply of supplemental oxygen in addition to any oxygen required to satisfy paragraph (a) of this section, is available for each occupant of the aircraft for use in the event that a descent is necessitated by loss of cabin pressurization; and

(ii) At flight altitudes above flight level 350, unless one pilot at the controls of the airplane is wearing and using an oxygen mask that is secured and sealed, and that either supplies oxygen at all times or automatically supplies oxygen whenever the cabin pressure altitude of the airplane exceeds 14,000 feet (MSL), except that the one pilot need not wear and use an oxygen mask while at or below flight level 410 if there are two pilots at the controls and each pilot has a quick-donning type of oxygen mask that can be placed on the face with one hand from the ready position within five seconds, supplying oxygen and properly secured and sealed.

(2) Notwithstanding subparagraph (1)(ii) of this paragraph, if for any reason at any time it is necessary for one pilot to leave his station at the controls of the aircraft when operating at flight altitudes above flight level 350, the remaining pilot at the controls shall put on and use his oxygen mask until the other pilot has returned to his station.

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

Issued in Washington, D.C., on April 13, 1970.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 70-4758; Filed, Apr. 20, 1970; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8681]

PART 13—PROHIBITED TRADE PRACTICES

Joseph L. Portwood et al.

Subpart—Coercing and intimidating: § 13.350 *Customers or prospective customers.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1675 *Law or legal requirements.* Subpart—Shipping, for payment demand, goods in excess of or without order: § 13.2195 *Shipping, for payment demand, goods in excess of or without order.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modified order to cease and desist, Joseph L. Portwood et al., Albuquerque, N. Mex., Docket No. 8681, Mar. 27, 1970]

In the Matter of Joseph L. Portwood and Betty Portwood, Individuals, Trading and Doing Business as The Portwood Co.

Order modifying, pursuant to a decision of the U.S. Court of Appeals, Tenth Circuit, dated November 14, 1969, 418 F.2d 419, an earlier order dated January 19, 1968, 33 F.R. 3275, which prohibited an Albuquerque, N. Mex., mail-order philatelic stamp business from sending unordered stamps to prospective customers and using coercive tactics to collect for such merchandise, by deleting from paragraph (5) of the order the affirmative statement that the recipient need not preserve the stamps, and adding the provision that payment for used merchandise is required, unless the law of recipient's State permits use of unsolicited articles without payment.

The modified order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Joseph L. Portwood and Betty Portwood, individually and trading and doing business as The Portwood Co., or under any other trade name or names, or through any corporate or other device, their agents, representatives, or employees, in connection with stamps, philatelic supplies, or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Misrepresenting, directly or by implication, the legal relationship, if any, that exists between respondents and the mailees to whom respondents send their philatelic stamps, philatelic supplies, or other merchandise;

(2) Misrepresenting, directly or by implication, the legal obligation, if any, that exists between respondents and the mailees to whom respondents send their philatelic stamps, philatelic supplies, or other merchandise;

(3) Using threats, intimidation, or coercion (including the threat of legal action) to compel respondents' mailees to perform any act or to refrain from any that such mailees are under no legal obligation to perform or to forego;

(4) Resorting to any subterfuge or coercion to sell their merchandise;

(5) Sending any communication (including bills, invoices, reminders, letters, or notices) to, or making any demands or requests of, any person that seeks to obtain payment for or the return of merchandise sent without a prior express written request by the recipient, unless such communication clearly and conspicuously states all of the following:

(a) That the merchandise is being sent to the recipient unsolicited,

(b) That the recipient is not obligated to return the merchandise, and

(c) That he is required to pay for the merchandise only if he decides to purchase it or uses it, and not then if the law of the recipient's State permits him to use unsolicited merchandise without payment.

(6) Representing, directly or by implication, contrary to the fact, that respondents will refer "accounts" to any other organization, attorney, or firm of attorneys for collection or for legal action;

(7) Misrepresenting in any manner the legal consequences of their mailees' failure to pay for or return merchandise that has been sent to said mailees without a prior order therefor or in spite of specific directions from said mailees not to send such mechandise; and

(8) Sending merchandise without first obtaining a specific order therefor after respondents have been notified by the mailees that shipments of unordered merchandise are to be discontinued.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

Issued: March 27, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 70-4823; Filed, Apr. 20, 1970; 8:46 a.m.]

[Docket No. C-1715]

PART 13—PROHIBITED TRADE PRACTICES

Royal Mist, Ltd., and Philip Epstein

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties:* 13.1053–90 Wool Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185–90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212–90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.-1845–80 Wool Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852–80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130; 15 U.S.C. 45, 68) [Cease and desist order, Royal Mist, Ltd., et al., New York, N.Y., Docket C–1715, Mar. 26, 1970]

In the Matter of Royal Mist, Ltd., a Corporation, and Philip Epstein, Individually and as an Officer of Said Corporation

Consent order requiring a New York City manufacturer of women's and misses' apparel to cease misbranding and falsely guaranteeing its wool products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Royal Mist, Ltd., a corporation, and its officers, and Philip Epstein, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from:

A. Misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

3. Failing to affix labels to samples, swatches or specimens of wool products used to promote or effect the sale of wool products, showing in words and figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(a)(2) of the Wool Products Labeling Act of 1939.

4. Failing to set forth the respective percentages of fibers contained in the face and back of pile fabrics in such a manner as to give the ratio between the face and back of each such fabric where an election is made to separately set out the fiber content of the face and back of such pile fabrics.

It is further ordered, That respondents, Royal Mist, Ltd., a corporation, and its officers, and Philip Epstein, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that their wool products are not misbranded under the Wool Products Labeling Act of 1939 and the rules and regulations promulgated thereunder when there is reason to believe that any wool product so guaranteed may be introduced, sold, transported or distributed in commerce as the term "commerce" is defined in the aforesaid Act.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 26, 1970.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 70-4822; Filed, Apr. 20, 1970; 8:46 a.m.]

PART 170—TRADE PRACTICE RULES RESPECTING THE TERMS "WATERPROOF", "SHOCKPROOF", "NONMAGNETIC", AND RELATED DESIGNATIONS, AS APPLIED TO WATCHES, WATCHCASES, AND WATCH MOVEMENTS

PART 174—WATCH CASE INDUSTRY

Supersedure of Rules

The Guides for the Watch Industry (Title 16, Part 245) having become effective in all provisions on or before September 30, 1969, have superseded the above-entitled Trade Practice Rules in Parts 170 and 174.

Issued: April 20, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 70-4782; Filed, Apr. 20, 1970; 8:45 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

SUBCHAPTER B—HOUSING RENOVATION AND MOBILE HOME FINANCING

PART 201—PROPERTY IMPROVEMENT AND MOBILE HOME LOANS

Subpart A—Property Improvement Loans

CLAIMS AND INSURANCE CHARGE

In § 201.11 paragraph (e)(2) is amended to read as follows:

§ 201.11 Claims.

* * * * *

(e) *Claim amount.* * * *

(2) 90 percent of the uncollected interest earned up to the date of default plus 90 percent of the interest, computed at 7 percent per annum (5 percent per annum with respect to claims filed with the Commissioner prior to May 1, 1970) on the outstanding balance, computed from the date of default:

(i) To either the date of the claim application or for a period of 9 months and 31 days following such default date, whichever period of time is the lesser, or

(ii) To the date of certification of the claim for payment, in a case where an otherwise eligible claim has been held in suspense by the Commissioner pending a determination of the eligibility for insurance of other claims or loans, or by an investigation of the insured's loan or claim activities.

* * * * *

In § 201.13 paragraph (b) is amended to read as follows:

§ 201.13 Insurance charge.

* * * * *

(b) *When payable*—(1) *Loan reports acknowledged prior to May 1, 1970.* Where the Commissioner acknowledges to the insured institution, prior to May 1, 1970, the receipt of a loan report, the insurance charge shall be paid as follows:

(i) If the loan has a maturity of 3 years and 32 days or less, the charge for the entire term shall be paid within 25 days after the Commissioner's acknowledgment of the loan report.

(ii) If the loan has a maturity of more than 3 years and 32 days, the charge shall be paid in installments. The first installment, equal to the charge for 3 years shall be paid within 25 days after the Commissioner's acknowledgment of the loan report. The second and succeeding installments, each equal to the charge for 1 year, shall be paid on the first and each succeeding anniversary of the first day of the month following the date of the note.

(2) *Loan reports acknowledged on or after May 1, 1970.* Where the Commissioner acknowledges to the insured institution, on or after May 1, 1970, the receipt of a loan report, the insurance charge shall be paid as follows:

(i) If the loan has a maturity of 25 months or less, the charge for the entire term shall be paid within 25 days after the Commissioner's acknowledgment of the loan report.

(ii) If the loan has a maturity of more than 25 months, the insurance charge shall be payable in installments. The first installment shall be equal to the charge for 1 year and be paid within 25 days of the Commissioner's acknowledgement of the loan report. The second and succeeding installments, each equal to the charge for 1 year, shall be paid on the first and each succeeding anniversary of the first day of the month following the date of the loan.

* * * * *

(Sec. 2, 48 Stat. 1246, as amended; 12 U.S.C. 1703)

Issued at Washington, D.C., April 14, 1970.

EUGENE A. GULLEDGE,
Federal Housing Commissioner.

[F.R. Doc. 70-4810; Filed, Apr. 20, 1970; 8:45 a.m.]

Title 29—LABOR

Chapter XII—Federal Mediation and Conciliation Service

PART 1425—MEDIATION ASSISTANCE IN THE FEDERAL SERVICE

In order to implement the provisions of section 16 of Executive Order 11491, the Federal Mediation and Conciliation Service issued a notice of proposed rule making which was published in the FEDERAL REGISTER of March 3, 1970 (35 F.R. 4007). In this notice, the Federal Mediation and Conciliation Service set forth the manner and circumstances under which it proposed to make its services and assistance available to Federal agencies and labor organizations under the Federal Labor-Management Relations Program. Interested persons were invited to submit written comments, suggestions or objections regarding the proposed regulations. All relevant matter presented within 30 days of publication of the proposed rule in the FEDERAL REGISTER has been studied; and after careful consideration, I have decided to adopt the proposed regulations with extensive changes.

Accordingly, I hereby amend Chapter XII of Title 29 of the Code of Federal Regulations by adding thereto a new Part 1425.

Sec.

AUTHORITY: The provisions of this Part 1425 issued under secs. 202, 203, 61 Stat. 153; 29 U.S.C. 172, 173; sec. 16, E.O. 11491, 34 F.R. 17605, 3 CFR 1969 Comp.

§ 1425.1 Definitions.

As used in this part:

(a) "The Service" means the Federal Mediation and Conciliation Service.

(b) "Party" or "parties" means (1) any appropriate activity, facility, geographical subdivision, or combination thereof, of any agency as that term is defined in section 2(a) of Executive Order 11491, or (2) a labor organization as that term is defined in section 2(e) of Executive Order 11491.

(c) "Third-party mediation assistance" means mediation by persons other than Federal Mediation and Conciliation Service commissioners.

(d) "Proffer its services" means to make the services and facilities of the Federal Mediation and Conciliation Service available either on its own motion or upon the specific request of one or both of the parties.

§ 1425.2 Functions of the Service under Executive Order 11491.

The Service will extend its full assistance to the Federal Labor-Management Relations Program prescribed by Executive Order 11491. The following types of assistance are available:

(a) *Dispute mediation.* The Service may proffer its assistance in any negotiation dispute, except as provided in section 11(c) of Executive Order 11491, when earnest efforts by the parties to reach agreement through direct negotiation, including referral to higher authority within the agency or the national office of the labor organization, have failed to resolve the dispute. When the existence of a negotiation dispute comes to the attention of the Service through a specific request for mediation from one or both of the parties, through notification under the provisions of § 1425.3, or otherwise, the Service will examine the information concerning the dispute and if, in its opinion, the need for mediation exists, the Service will use its best efforts to assist the parties to reach agreement.

(b) *Preventive mediation.* The Service may make available educational and other preventive mediation services in order to build constructive and cooperative relationships between the parties and to handle specific labor-management problems apart from formal agreement negotiations.

(c) *Arbitration.* The Service will, on request, provide a panel of arbitrators from its roster, under rules and regulations set forth in Part 1404 of this chapter, for the resolution of employee grievances or disputes involving the interpretation or application of an existing agreement.[1] Except in unusual circumstances, the Service will not proffer mediation assistance in grievances.

§ 1425.3 Notice to Service of agreement negotiations.

In order that the Service may provide assistance to the parties, notice of the desire to amend, modify or terminate an existing agreement shall be given to the appropriate regional office of the Service. This notice shall be filed with the regional director of the region in which the negotiations will take place. The notice shall be filed by the party initiating the negotiations at least thirty (30) days prior to the expiration of an existing agreement. Parties entering initial agreement negotiations may also request the assistance of the Service by filing such notice. The following form, FMCS Form F-53,[2] has been prepared by the Service for use by the parties in filing such notice.

§ 1425.4 Duty of parties.

It shall be the duty of the parties to participate fully and promptly in any meetings arranged by the Service for the purpose of assisting in the settlement of a negotiation dispute.

§ 1425.5 Use of third-party mediation assistance.

If the parties should mutually agree to third-party mediation assistance other than that of the Service, both parties shall immediately inform the Service in writing of this agreement. Such written communication shall be filed with the regional director of the region in which the negotiation is scheduled, and shall state what alternate assistance the parties have agreed to use.

Effective date. In accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), the regulations in this part shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Issued: April 15, 1970.

J. CURTIS COUNTS,
Director.

[F.R. Doc. 70-4809; Filed, Apr. 20, 1970; 8:45 a.m.]

[1] Such arbitrators are not employed by the Service. Section 14 of E.O. 11491 states that the cost of the arbitrator shall be shared equally by the parties.

[2] Filed as part of the original document. Copies of this form are available upon request to any office of the Service.

Title 30—MINERAL RESOURCES

Chapter V—Interim Compliance Panel (Coal Mine Health and Safety)

SUBCHAPTER A—COAL MINE HEALTH

PART 501—PERMITS FOR NONCOMPLIANCE

Miscellaneous Amendments

The Interim Compliance Panel has determined that the establishment of June 30, 1970, as the last day for filing information necessary to complete applications for initial permits for noncompliance pursuant to section 202(b) of the Federal Coal Mine Health and Safety Act of 1969, will allow applicants reasonable time to procure such information. Accordingly, the Panel is amending §§ 501.4 (d) and 501.5(b) of Part 501 so as to require that applications be filed by that

date. The need for the immediate establishment of the date for the guidance of applicants constitutes good cause for failure either to give notice of proposed rule-making, or to delay the effective date of the amendments. The amendments are effective on publication.

Section 501.4(d) is revised to read as follows:

* * * * *

§ 501.4 Contents of applications for permits.

* * * * *

(d) Where an applicant is unable to comply with all of the requirements set forth in paragraph (c) (4) and (10) of this section on or before May 1, 1970, with respect to any working place for which a permit for noncompliance has been requested, he shall specifically state the reasons for his failure to comply and indicate the date on which he expects to meet such requirements and complete his application.

Section 501.5(b) is revised to read as follows:

§ 501.5 Issuance of initial permits.

* * * * *

(b) No initial permit will be issued for working places in a working section, (1) that is not in existence on June 30, 1970, and (2) for which a completed application has not been filed on or before June 30, 1970.

* * * * *

(Sec. 508, Pub. Law 91-173, 83 Stat. 803)

Dated: April 17, 1970.

CHARLES F. BROWN,
Chairman,
Interim Compliance Panel.

[F.R. Doc. 70-4893; Filed, Apr. 20, 1970; 8:49 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 54—GOLD REGULATIONS

PART 93—OFFICE OF DOMESTIC GOLD AND SILVER OPERATIONS PROCEDURES AND DESCRIPTIONS OF FORMS

Exports of Gold

The Gold Regulations (31 CFR Part 54) and the Regulations governing the procedures and required forms and statements of the Office of Domestic Gold and Silver Operations (31 CFR Part 93) are being amended to provide that the Director, Office of Domestic Gold and Silver Operations may issue licenses authorizing holders of Treasury Gold Licenses to export gold bullion for sale in foreign countries. Export licenses may be granted to persons who hold licenses issued under 31 CFR 54.25(a) authorizing them to acquire and hold gold in the United States for use in industry, profession or art and to dispose of gold in the form and amount for which the export license is requested. They shall be subject to all restrictions in the Gold Regulations governing the acquisition of gold by persons subject to the jurisdiction of the United States and transactions in gold with foreign monetary authorities and to such other terms and conditions as the Director shall prescribe.

Because the amendments relieve existing restrictions, it is found that notice and public procedure theron are unnecessary.

1. Section 54.25(b)(1) is amended to read as follows and (b)(4) is revoked:

§ 54.25 Licenses.

* * * * *

(b) *Licenses and authorizations for the exporting of gold.* (1) Except as provided in subparagraph (5) of this paragraph, gold bullion as defined in § 54.4 may be exported or transported from the States of the United States, to the possessions of the United States, to Puerto Rico, to the Canal Zone, or to places not subject to the jurisdiction of the United States, and from the possessions of the United States, from Puerto Rico or from the Canal Zone to places not subject to the jurisdiction of the United States, only pursuant to a separate export license. Such licenses shall be issued by the Director, Office of Domestic Gold and Silver Operations upon application made on Form TG-15. Export licenses issued under this subparagraph may authorize the export of gold for sale or for refining or processing and return of the refined or processed gold (or the equivalent in refined or processed gold) to the United States. No such license shall authorize the export of gold for sale in an amount or form in which the licensee is not authorized to hold or dispose of gold in the United States or the participation in any transaction prohibited by § 54.14 or paragraph (d) of this section.

* * * * *

(4) [Revoked]

* * * * *

2. Section 93.46 is amended to read:

§ 93.46 Form TG-15: Application for license to export or transport gold bullion from the continental United States.

(See § 54.25(b)(1) of this chapter.) Information is required concerning the amount and invoiced sales price of the gold which it is desired to export, the description of the gold, the port of export, the consignee, and the purposes for which the gold will be used abroad.

§ 93.47 [Revoked]

3. Section 93.47 is revoked.

4. Section 93.48 is amended to read:

§ 93.48 Form TG-15 (General): Application for general license to export gold bullion from the United States.

(See § 54.25(b)(1) of this chapter.) Application is submitted on this form instead of Form TG-15 if the applicant desires to obtain a license to cover recurring shipments to regular customers for specified amounts and types of gold. This application is required to be submitted on a semiannual basis, and information is required with respect to each consignee.

§§ 93.49, 93.50, 93.51 [Revoked]

5. Sections 93.49, 93.50, and 93.51 are revoked.

(Sec. 5(b), 40 Stat. 415, as amended, secs. 3, 8, 9, 11, 48 Stat. 340, 341, 342; 12 U.S.C. 95a, 31 U.S.C. 442, 733, 734, 822b, E.O. 6260, Aug. 28, 1933, as amended by E.O. 10896, 25 F.R. 12281, E.O. 10905, 26 F.R. 321, E.O. 11037, 27 F.R. 6967; 3 CFR, 1959-63 Comp. and E.O. 6359, Oct. 25, 1933, E.O. 9193, as amended, 7 F.R. 5205; 3 CFR, 1943 Cum Supp., E.O. 10289, 16 F.R. 9499, 3 CFR, 1949-53 Comp.)

Effective date. These amendments shall become effective on publication in the FEDERAL REGISTER.

Dated: April 15, 1970.

[SEAL] PAUL A. VOLCKER,
Under Secretary of the Treasury for Monetary Affairs.

[F.R. Doc. 70-4815; Filed, Apr. 20, 1970; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER I—MILITARY PERSONNEL

PART 880—MEDICAL, DENTAL AND VETERINARY CARE FROM CIVILIAN SOURCES

Part 880 of Chapter VII of Title 32—Code of Federal Regulations is revised to read as follows:

Sec.

AUTHORITY: The provisions of this Part 880 issued under 10 U.S.C. 8012.

§ 880.0 Purpose.

This part tells how to authorize and reimburse for at Air Force expense:

(a) Essential medical and dental care from civilian sources when care from a Government facility is unavailable for (1) Air Force members on active duty; (2) NATO Air Force military personnel stationed in or passing through the United States in connection with official duties.

(b) Necessary supplemental medical supplies and services procured by Air Force medical facilities from civilian or other Government sources for active

duty and retired uniformed service members and NATO Air Force members who are under treatment in Air Force medical facilities.

(c) Civilian veterinary services for Air Force-owned animals and prospective military dogs when Government veterinary services is unavailable.

§ 880.2 Definitions.

For the purpose of this part, the following terms will apply:

(a) *Civilian physician.* A doctor of medicine or doctor of osteopathy who is legally qualified and licensed without limitation to administer drugs and to perform surgical procedures in the geographic area where such service is provided.

(b) *Civilian dentist.* Any person legally qualified and licensed without limitation in the geographic area concerned to administer drugs and to perform all procedures related to the teeth, jaws, and structures contiguous to them.

(c) *Civilian veterinarian.* Any person legaly qualified and licensed without limitation to practice veterinary medicine where the veterinary service is performed.

(d) *Civilian medical care.* Physical examination, professional advice, and treatment provided by a civilian physician or civilian medical agency to sick or injured military personnel. The term includes nursing, hospital care, medicine, whole blood or blood derivatives, laboratory and X-ray services, physical therapy, etc.

(e) *Civilian dental care.* Dental examination, advice, diagnosis, consultation, and treatment provided to military personnel by a civilian dentist.

(f) *Emergency care.* Immediate medical or dental care required to save life, limb, sight, or to prevent undue suffering.

(g) *Elective care.* Medical, surgical, or dental care which is desired or requested by the individual or recommended by the physician or dentist and which, in the opinion of professional authority, can be performed at another time or place without jeopardizing life, limb, health, or well-being of the patient. Examples are surgery for cosmetic purposes, vitamins without a therapeutic basis, hemorrhoidectomies, procedures for dental prosthesis, prosthetic appliances, etc.

(h) *Civilian veterinary service.* Physical examinations, treatment, surgery, or hospitalization by a civilian veterinarian. This term includes X-ray, professional services, surgical appliances, materials, and medicine where indicated.

(i) *Uniformed services.* The Army, Air Force, Navy, Marine Corps, Coast Guard, the Commissioned Corps of the Public Mental Science Services Administration, and the Commissioned Corps of the Public Health Service.

(j) *Member of a uniformed service.* A person who is serving in a uniformed service on active duty or on inactive duty for training.

(k) *NATO Forces.* Military personnel belonging to land, sea, or air armed services of any nation which is a party to the North Atlantic Treaty. These nations are Belgium, Canada, Denmark, Federal Republic of Germany, France, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Turkey, and the United Kingdom.

(l) *Retired member of a uniformed service.* A person who is entitled to retired or retainer pay, or equivalent pay, as a result of service in a uniformed service.

§ 880.4 Policy.

(a) *When treatment is authorized.* Civilian medical and dental care for active duty Air Force military personnel and Air Force NATO military personnel at U.S. Government expense is authorized only when the required treatment cannot be obtained from uniformed services medical facilities, which include the Air Force, Army, Navy, and U.S. Public Health Service, or from other Government medical facilities such as Veterans Administration hospitals.

(b) *NATO Military personnel in the United States.* NATO Forces military personnel designated in paragraph (j) of § 880.2, stationed in or passing through the United States in connection with their official duties, may be provided civilian medical and dental care under the same conditions and comparable to that authorized active duty U.S. military personnel. All procedures prescribed in this part for active duty U.S. Air Force personnel are applicable to eligible NATO Air Force military personnel.

(c) *Retired members of the Air Force.* Retired members of the Air Force are authorized medical care from civilian sources at Air Force expense under the provisions of AFR 168–9 (Uniformed Services Health Benefits Program) and AFR 168–4 (Uniformed Services Health Benefits Program in Areas Other Than the United States, Puerto Rico, Canada, Mexico, and Countries Within the U.S. European Command).

(d) *Paying civilian agencies.* Statements of charges for medical and dental care from civilian agencies will normally be received by the director of base medical services of the Air Force installation nearest the civilian agency providing the medical or dental care, and will be processed for payment through the local accounting and finance officer. However, if the statement of charges is received by the member's assigned base and sufficient information to process the account is available or readily obtainable, the account will be processed for payment there. When sufficient information is not available at the member's assigned base to accomplish payment, the statement of charges, together with an authorization for the medical or dental care, will be forwarded to the Air Force facility nearest the civilian agency for payment.

(e) *Excessive charges.* When charges appear excessive, an itemized statement will be obtained from the doctor or hospital before payment is made. The itemized statement will be submitted to the local medical or dental society, or referred to the next Air Force echelon of command for evaluation. This will avoid placing the Air Force medical facility commander in a position of controversy with the civilian doctors or hospitals.

(f) *Unsatisfactory identification.* If a statement of charges for medical or dental care is received with insufficient information to identify the individual as a U.S. or NATO Air Force member, or his unit of assignment, the required information may be obtained from the following organizations:

(1) USAF Airmen—USAFMPC (AFP MDRA), Randolph AFB, TX 78148.

(2) USAF Officers—USAFMPC (AFP MDRO), Randolph AFB, TX 78148.

(3) Military Representative to NATO, c/o Embassy of (insert the respective NATO country), Washington, D.C.

§ 880.6 Care authorized from civilian sources.

Medical and dental care for active duty Air Force and NATO members from civilian sources at Air Force expense, is limited to that which would normally be provided by Air Force medical or dental facilities, if available. Such care is authorized at Air Force expense as follows:

(a) When Air Force personnel within the meaning of § 880.8 require essential medical or dental care and there is no Air Force or other Government medical or dental facility available, and the available facility does not have the capability of providing the required care.

(b) When a uniformed service member is receiving either inpatient or outpatient care in an Air Force medical facility and requires certain medical or dental care which cannot be provided by the Air Force facility due to a limitation of the facility or its staff.

(c) Civilian ambulance service at Air Force expense is authorized to move eligible active duty U.S. and NATO Air Force members to a medical facility. An Air Force member who is in absent without leave or in desertion status is authorized the same service, provided he is returned to military control or custody during or directly following such transportation for treatment. Return to military control is explained in § 880.12. Funds under the open allotment for medical care in non-Air Force medical facilities will be used to pay for civilian ambulance service.

§ 880.8 For whom authorized.

Medical and dental care from civilian sources, when uniformed services or other Government medical care is not available, is authorized at Air Force expense for the following Air Force personnel:

(a) Active duty military personnel, including Air Force Academy cadets and aviation cadets, on a duty status or in authorized absence, i.e., leave, pass, or authorized travel, and NATO Air Force personnel.

(b) Members of the Air Force Reserve who are injured or contract a disease in line of duty while on active duty or who are injured in line of duty while performing inactive duty training or while voluntarily participating in an aerial flight in a Government-owned aircraft under proper authority and as an incident of training. Rehospitalization may be authorized under the provisions of this section for the same condition for which

hospitalization at Air Force expense was initially required until no improvement will derive from further treatment.

(c) Members of the Air National Guard who are injured or become ill in line of duty when on active duty performing Air Force directed missions such as ferrying aircraft, runway alert, or such other duties as the Secretary of the Air Force may direct on competent Air Force orders. (Air National Guard members who are on active duty for training or inactive duty training are also eligible for medical and dental care from civilian sources in accordance with ANG directives at Air National Guard expense. Such medical care may be authorized by the Air National Guard organization or Air Force base commander. This does not preclude admission and treatment of Air National Guard members at Air Force medical facilities under Part 815 of this chapter.)

(d) Members of Air Force Reserve Officers Training Corps (AFROTC) who are injured or become ill in line of duty while en route to or from or while participating in summer encampments. An AFROTC member is not entitled to medical service from civilian sources at Air Force expense beyond the training period specified in his training orders.

(e) Female applicants for enlistment, commission, and for the Officers Training School program may be provided physical examinations by qualified civilian physicians where there is no adequate military examining facility. Payment will be made from funds available to the local USAF Recruiting Service.

§ 880.10 Who authorizes.

Authority to approve civilian medical and dental attendance at Air Force expense is the responsibility of:

(a) *In emergencies.* The commander of the Air Force base, or his authorized representative, nearest the civilian medical facility providing the care. Emergency care will not be delayed pending approval.

(b) *In other than emergencies.* The Air Force base commander, or his authorized representative, under whose jurisdiction the member requiring medical or dental care is assigned; or the commander of the unit to which a member is assigned in cases where the member's organization is not at an Air Force base.

(c) *Supplemental care.* The director of base medical services.

§ 880.12 When not authorized.

Civilian medical or dental care at Air Force expense is not authorized for:

(a) Persons other than those stated in § 880.8. (For dependents and retired members see AFR's 168–9 and 168–4.)

(b) Elective treatment.

(c) Treatment when adequate medical or dental service is available from an Air Force or other Government medical or dental facility in the vicinity.

(d) Discharged members of the Air Force.

(e) Air Force military personnel absent without leave or in desertion.

NOTE: Charges incurred for civilian medical care when absent without authority are the sole responsibility of the individual concerned. Payment of charges for civilian medical and dental code obtained after return of the individual to military control may be made from Air Force funds. For the purpose of this part, return to military control may be actual (see Part 889 of this chapter) or constructive. Constructive return is effected when military authorities are notified of the presence of the individual in a civilian medical facility and action is taken regarding the disposition of the member, such an investigation of his condition or making a medical decision regarding disposition and treatment. (For ambulance service see paragraph (c) of § 880.6.)

§ 880.14 Emergencies.

Emergency civilian medical or dental care at Air Force expense may be obtained without prior authority by or in behalf of Air Force members authorized in § 880.8. Emergency dental care is limited to relief of pain, treatment of acute septic conditions, or essential correction of dental injuries requiring immediate correction.

§ 880.16 Special examinations and appliances.

(a) *Eye refractions obtained by individuals.* In the absence of an Air Force medical facility, and when an eye refraction cannot be obtained from another Government agency, a refractive examination necessary under AFR 167–3 (Spectacles) for the fitting of spectacles may be obtained from a civilian physician or licensed optometrist at Air Force expense by Air Force personnel on active duty, NATO personnel, and Air Force reserve personnel who obtained authority under AFR 160–19 (Physical Certification and Medical Examination of Reservists not on EAD).

(1) *Authority.* Eye refraction under this part will be approved by the authority in § 880.10. Exception: Prior authority will not be required for refractions for active duty Air Force personnel in foreign countries when on duty away from a uniformed service unit.

(b) *Prescribing lenses.* Civilian physicians or optometrists performing refractions will be requested to prescribe lenses to the closest one-fourth diopter.

(c) *Costs.* The charge for refraction should be at local rates and must include the adjustment of frames and fitting of spectacles when delivered.

(d) *Procuring spectacles.* Procurement of spectacles from civilian physician or optometrist who perform refractions is not authorized at Government expense except under certain conditions. AFR 167–3 provides the policy on procurement of spectacles.

(e) *Surgical and orthopedic appliances.* Items authorized for base procurement may be provided by the civilian medical facility in connection with treatment and services otherwise authorized by this part.

§ 880.18 Information required on statements and bills from civilian hospitals, physicians, dentists, and nurses.

(a) *Hospitals and physicians.* Completed SF 1034, "Public Vouchers for Purchases and Services Other Than Personal." Also, when applicable, the following will be required:

(1) The exact nature of first aid or emergency treatment.

(2) Official long distance telephone or telegram charges must be accompanied by certificate or copy of telegram, as required by Chapter 8, Part One, AFM 177–102. The date and amount paid for each service should be shown.

(3) If a hospital or clinic has paid a physician, nurse, or anesthetist who is not a member of its staff, such charges may be included in the hospital bill but must be accompanied by receipted bill showing payment by the hospital. If the physicians, nurses, or anesthetists are employed on a salary basis by the hospital and payments are due the hospital for their services, the bill should state the physician, nurse, or anesthetist is a salaried member of the hospital staff.

(4) Required items incident to treatment, such as crutches, special therapy, etc., will be listed and itemized separately.

(5) Charges for personal items for patients such as cigarettes, rental of radio or television, meals for guests, personal phone calls, etc., are not payable from Air Force funds.

(b) *Special nursing service.* Indicate place where service was rendered, the hour it began and ended, the number of hours served each day or night, and the number of days or nights served.

NOTE: If a nurse went to duty at 11 p.m. on 1 day and went off duty at 7 a.m. the next day, only one night will be counted, although 2 days are involved.

(c) *Dental services.* (1) Show each service rendered, such as extraction, restoration, etc., and the charge for each. Identify each tooth involved. Show the number of tooth surfaces involved and filling material used.

(2) Any nonemergency dental care requires prior approval of the authority cited in § 880.10.

(d) *Ambulance service.* Mileage involved and the flat rate per mile, as the case may be.

§ 880.20 Veterinary care authorized.

Civilian veterinary care for Air Force-owned animals and prospective military dogs is authorized at Air Force expense when:

(a) A military veterinarian is not available.

(b) Necessary equipment or facilities are not available for an Air Force veterinarian to provide the required professional services or to perform a complete physical examination.

§ 880.22 Who authorizes veterinary care.

The commander or designated representative of the Air Force base or unit to which Government-owned animals, military dogs, or prospective military dogs are attached, assigned, or offered is authorized to approve civilian care for these animals.

§ 880.24 Bills for veterinary services.

Each service rendered, such as X-rays, laboratory, service, hospitalization, medical treatment, splints, pins, etc., should

be listed separately and the charge shown for each item.

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. 70-4803; Filed, Apr. 20, 1970; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 69-145A to 148A]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Certain Bridges in New York City

1. The City of New York by letter dated September 22, 1969, requested the Commander, 3d Coast Guard District to revise the operation regulations for its highway bridges across the arm of Eastchester Bay between Rodman Neck and City Island, the Bronx River at Westchester Avenue, Coney Island Creek at Harway (Cropsey) Avenue, and Richmond Creek at Richmond Avenue, Staten Island. A public notice dated October 9, 1969, setting forth the proposed revision of the regulations governing these drawbridges was issued by the Commander, 3d Coast Guard District and was made available to all persons known to have an interest in this subject. The Commandant also published these proposals in the FEDERAL REGISTER of February 20, 1970 (35 F.R. 3234).

2. No adverse comments were received and after consideration of all other comments submitted in response to this proposal the revision is accepted.

3. Accordingly § 117.190(f) (1), (2), (5), and (8) is amended to read as follows:

§ 117.190 Navigable waters in the State of New York and their tributaries; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(1) Arm of Eastchester Bay; city of New York highway bridge between Rodman Neck and City Island. The draw need not be opened for the passage of vessels and the provisions of paragraphs (b) through (e) of this section shall not apply to this bridge.

(2) Bronx River; city of New York highway bridge at Westchester Avenue. The draw need not be opened for the passage of vessels and the provisions of paragraphs (b) through (e) of this section shall not apply to this bridge.

* * * * *

(5) Coney Island Creek; city of New York highway bridge at Harway (Cropsey) Avenue. The draw need not be opened for the passage of vessels and the provisions of paragraphs (b) through (e) of this section shall not apply to this bridge. This bridge shall be restored to an operable condition within 6 months after notification by the Commandant that such action is required.

* * * * *

(8) Richmond Creek; city of New York highway bridge at Richmond Avenue, Staten Island. The draw need not be opened for the passage of vessels and the provisions of paragraphs (b) through (e) of this section shall not apply to this bridge.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5))

Effective date. This revision shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: April 15, 1970.

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

[F.R. Doc. 70-4820; Filed, Apr. 20, 1970; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4796]

[Sacramento 079880]

CALIFORNIA

Revocation of Public Land Order 511 of August 4, 1948

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order 511 of August 4, 1948, withdrawing lands for use of the Department of the Army, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 29 S., R. 12 E.,
Sec. 31, lot 3;
Sec. 32, E½NE¼;
Sec. 33, NE¼NW¼.

The area described, including both public and nonpublic lands, aggregate 125.21 acres of which approximately 103 acres are public lands, in San Luis Obispo County.

2. At 10 a.m. on May 20, 1970, the public lands shall be open to the operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on May 20, 1970, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, Calif.

HARRISON LOESCH,
Assistant Secretary of the Interior.

APRIL 14, 1970.

[F.R. Doc. 70-4805; Filed, Apr. 20, 1970; 8:45 a.m.]

[Public Land Order 4797]

[Arizona 010798-B]

ARIZONA

Revocation of Withdrawal for National Forest Recreation Area; Partial Revocation of Public Land Order No. 4754 of December 30, 1969

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1545 of November 6, 1957, withdrawing national forest lands as recreation areas, is hereby revoked so far as it affects the following described lands:

SITGREAVES NATIONAL FOREST

GILA AND SALT RIVER MERIDIAN

Fool Hollow Lake Recreation Area

T. 10 N., R. 21 E.,
Sec. 14, N½NE¼SE¼, SE¼NE¼SE¼.

The area described aggregates approximately 30 acres in Navajo County.

2. At 10 a.m. on May 20, 1970, the lands described in paragraph 1 will be open to such forms of disposal as may by law be made of national forest lands.

3. Public Land Order No. 4754 of December 30, 1969, was issued in error and without authority, as to the following described lands, and is ineffective so far as it restored the lands from the withdrawal made by Public Land Order No. 1545 of November 6, 1957, and these lands remain withdrawn for a national forest recreation area:

GILA AND SALT RIVER MERIDIAN

T. 10 N., R. 21 E.,
Sec. 14, E½NE¼NE¼, SW¼NE¼NE¼.

The area described aggregates approximately 30 acres in Navajo County.

HARRISON LOESCH,
Assistant Secretary of the Interior.

APRIL 14, 1970.

[F.R. Doc. 70-4806; Filed, Apr. 20, 1970; 8:45 a.m.]

[Public Land Order 4798]

[New Mexico 6266]

NEW MEXICO

Withdrawal for Tucumcari Project

By virtue of the authority contained in the Act of June 17, 1902, 32 Stat. 338,

43 U.S.C. section 416 (1964), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public land, which is under the jurisdiction of the Secretary of the Interior, is hereby withdrawn from all forms of appropriation under the public land laws and reserved for the Tucumcari Reclamation Project:

NEW MEXICO PRINCIPAL MERIDIAN

T. 10 N., R. 31 E.,
Sec. 16, E½E½.

The area described aggregates 160 acres in Quay County.

All of the mineral rights in the described lands belong to the State of New Mexico.

HARRISON LOESCH,
Assistant Secretary of the Interior.

APRIL 14, 1970.

[F.R. Doc. 70-4807; Filed, Apr. 20, 1970; 8:45 a.m.]

[Public Land Order 4799]

[New Mexico 10388]

NEW MEXICO

Withdrawal for National Forest Administrative Sites and Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

NEW MEXICO PRINCIPAL MERIDIAN

LINCOLN NATIONAL FOREST

Skyline Recreation Area

T. 10 S., R. 12 E.,
Sec. 24, W½SE¼.

Capitan Heliport Administrative Site

T. 9 S., R. 13 E.,
Sec. 13, N½SE¼SE¼.

Padilla Point Observation Site

T. 8 S., R. 16 E.,
Sec. 18, E½ of lot 4.

Baca Recreation Area

T. 9 S., R. 16 E.,
Sec. 10, SW¼NE¼ and N½NW¼SE¼.

The areas described aggregate 179.83 acres in Lincoln County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,
Assistant Secretary of the Interior.

APRIL 15, 1970.

[F.R. Doc. 70-4808; Filed, Apr. 20, 1970; 8:45 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 13, Amdt. 4; Docket No. 69-53]

PART 536—FILING OF TARIFFS BY COMMON CARRIERS BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES AND BY CONFERENCES OF SUCH CARRIERS

Filing of Through Rates and Through Routes

On October 18, 1969, the Federal Maritime Commission, by notice of proposed rule making published in the FEDERAL REGISTER, instituted its Docket No. 69-53, Filing of Through Rates and Through Routes, directed toward an amendment in its tariff filing regulations specifically to require that tariffs be filed by the carriers subject to its jurisdiction for any through rates for the through transportation of freight between ports or points in the United States and ports or points in a foreign country in which such carriers participate. The Commission invited comments in such notice with respect to the following proposed rule:

Filing of through rates and through routes. Every common carrier by water in the foreign commerce of the United States, as defined in the Shipping Act, 1916, or conference of such carriers, shall file with the Commission tariffs of any through rates, charges, rules, and regulations governing the through transportation of freight between ports or points in the United States and ports or points in a foreign country in which such carrier or conference participates. Such tariffs shall include the names of all participating carriers, the established through route, a description of the service to be performed by each participating carrier, and shall clearly indicate the division, rate, or charge that is to be collected by the water carrier subject to the Shipping Act, 1916, for its port-to-port portion of the through service, which division, rate, or charge shall constitute a proportional rate subject to the provisions of the Shipping Act, 1916. Such tariffs will be filed and maintained in the manner provided in section 18(b) of the Shipping Act, 1916, and this part. A memorandum of every arrangement to which a carrier or conference of carriers subject to the jurisdiction of the Shipping Act, 1916, is or becomes a party, for transportation between a port or point in the United States and a port or point in a foreign country, establishing any joint rate which is offered in connection with any other carrier, shall be filed with this Commission concurrently with the filing of the through rate tariffs.[1]

Comments were received from 24 parties, including water carriers, water carrier conferences, Federal and State governmental agencies, port authorities and related interests, freight forwarders and brokers associations, and a private shipper. Replies to these comments were filed by the Commission's Hearing Counsel, and four parties filed answers to Hearing Counsel's replies.

The Commission has carefully considered these comments, replies and answers, and in light thereof herewith promulgates its final rule. Arguments not discussed or reflected herein have been considered and found not justified or not material.

The positions of the parties objecting to the promulgation of the proposed rule herein fall generally into two categories: (1) Contentions that we should not promulgate any rule with respect to the filing of through rates and through routes at the present time; and (2) arguments that the Commission should promulgate a rule with respect to through rates and through routes, but in a modified and/or clarified form of the rule originally proposed.

The need for the rule. The parties which maintain that the Commission should not promulgate any rule with respect to the filing of through rates and through routes at the present time assert that such a rule is unnecessary for the development of intermodal transportation, detrimental to smaller ports as well as shippers who wish their goods routed through such ports, would result in confusion with respect to the regulatory authority of the various governmental agencies over the carriers participating in and the charges relating to the different segments of intermodal movements, would mislead carriers with respect to the availability of antitrust immunity with respect to arrangements for through movements, should be deferred pending action by the Congress on the Trade Simplification Act of 1969 proposed by the Department of Transportation (DOT), or should be deferred pending further fact finding by the Commission, either alone or in conjunction with the ICC, directed toward recommendations for legislation.

The Commission believes that a rule requiring the filing of all through rates in foreign commerce in which carriers subject to its jurisdiction participate is both necessary and proper at the present time. Several conferences have announced their intentions in their comments to establish through rates, and we have recently permitted the filing of a single factor through rate for transportation to and from inland points in the United Kingdom,[1] and authorized a water carrier conference to negotiate with inland carriers for through intermodal services looking toward the establishment of all varieties of through rates.[2] As we indicated in our notice of proposed rulemaking herein, we have no jurisdiction over the rates and charges imposed by carriers not subject to the Shipping Act, 1916, and nothing herein is to be construed as expanding our

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[1] Arrangements subject to section 15 of the Act must also be filed and approved in accordance with the requirements of General Order 24 (46 CFR Part 522).

[1] Disposition of Container Marine Lines, 11 F.M.C. 476 (1968).

[2] Docket No. 69-33, Atlantic & Gulf/West Coast of South America Conference Agreement No. 2744-30, served Dec. 16, 1969.

jurisdiction to cover such carriers or their operations. However, the effective exercise of our regulatory authority requires that the carriers subject to the Shipping Act, 1916, file with us any through rate and route in which they participate for transportation between ports or points in the United States and ports or points in a foreign country, including the names of all carriers participating therein and a description of the services they perform. Such filings are necessary to enable us to insure that no unlawful concessions are granted or discriminatory or prejudicial devices employed with respect to privileges offered by ocean carriers in regard to inland transportation. Moreover, the informed exercise of the Commission's duty to disapprove any rate that it finds to be so high or low as to be detrimental to the commerce of the United States requires that the through rate be filed here since a realistic evaluation of the port-to-port portion of the through rate is impossible unless the total rate of which it is a part is known. In fact, section 18(b)(1) specifically requires the filing of all rate and route "regulations which in anywise change, affect, or determine any part or the aggregate of * * * rates or charges * * * for transportation to and from United States ports and foreign ports." Comments filed herein also indicate that our establishment of a through rate and through route rule at the present time is also felt to be beneficial to the development of intermodal transportation by the Department of Defense and freight forwarders.

The fear that the proposed rule will be detrimental to smaller ports and shippers through those ports is unfounded since it misconceives the basic purpose of the rule. While the rule is designed to encourage the development of through intermodal transportation, it does not require the establishment of any through routes or rates. It simply requires that once such rates or routes are established, they be filed with the Commission. Shippers thus will be fully informed of their total charges, and the requirements that all participating carriers and the services they perform be identified and that the charges applicable to the water segment and under the control of the carrier subject to our jurisdiction be separately stated will insure that relief may be sought here with respect to matters falling within our authority. Lastly, the provisions of the Shipping Act prohibiting unjust discrimination and undue and unreasonable prejudice or disadvantage to persons, localities or descriptions of traffic will apply to all through routes and through rates filed.

Insofar as jurisdictional problems with respect to the various governmental agencies and the various different types of carriers and transportation are concerned, the form of the proposed rule is specifically designed to eliminate jurisdictional conflicts. The separate statement of the port-to-port segment of the transportation will enable this agency fully to regulate the carriers and rates subject to its jurisdiction while at the same time avoiding the unintentional and improper regulation of rates and carriers not so subject. Problems relating to transportation involving the jurisdictions of several agencies and several modes of carriage have been resolved in the past without duplication or conflict of regulatory agency authority. The Interstate Commerce Commission, in its comments herein, agrees that no conflict or duplication of agency jurisdiction need arise under our rule.

We do not believe that carriers will be misled with respect to the availability of antitrust immunity with respect to arrangements for through routes and through rates since the rule plainly indicates that it relates to the filing of such arrangements and does not purport to grant any immunity from the antitrust laws. Only agreements approved under section 15 of the Act will receive antitrust immunity. However, the problem of the possible absence of antitrust immunity for some through rate and through route arrangements, because they are beyond this agency's present jurisdiction and authority, will not be solved by delaying issuance of the rule, and the promulgation of the rule now will enable the filing of such through rates and through routes which the carriers may presently establish in compliance with the Shipping Act and the antitrust laws.

Admittedly, the Trade Simplification Act of 1969 will, if enacted into law, provide the machinery for many objectives in the encouragement of through intermodal service which are beyond the scope of the rule promulgated herein, including the establishment of uniform tariffs, through bills of lading, equipment interchange agreements, and the antitrust immunity referred to above. However, nothing in this rule prevents enactment of the Trade Simplification Act, and the failure to promulgate the rule will neither accomplish these objectives nor improve the likelihood of passage of the Trade Simplification Act. Furthermore, to the extent the Trade Simplification Act and the rule here promulgated deal with the same subject matter, i.e., the filing and regulation relating to through rates and through routes, they are consistent. Both require the filing of the through rate, restrict the authority of each federal regulatory agency to that which it possesses under present law, and allow for the separate statement of the revenue accruing to participating carriers at each agency's option. If and when the Trade Simplification Act becomes law, the adoption of uniform tariff rules by the FMC, ICC, and CAB would not be hindered by the rule, but it would merely be superseded by the rules these three agencies adopt. The rule, moreover, accomplishes objectives beyond the scope of the Trade Simplification Act, since the proposed legislation, unlike the rule, is limited to "joint rates" only, and makes no requirement regarding a through rate published by a single carrier.

Insofar as fact finding as a necessary antecedent for a rule is concerned, the need has already amply been demonstrated for a rule with respect to the filing of through routes and through rates by the expressed intentions and desires of many of the parties herein and the Commission's experience in the recent docketed proceedings alluded to above.

Suggested modifications and clarifications of the rule—A. *Inclusion of definitions.* Several parties have indicated that problems may arise under the rule because of its failure to contain definitions. We feel that such criticism is to some extent valid. Although no useful purpose would be served by defining each and every word used in the rule, we believe that it is appropriate to define certain essential terms inasmuch as they are critical for the proper functioning of the rule: Viz., "through route," "through rate," "joint rate," and "participating carrier." The definitions adopted herein differ somewhat from those which have been given by the maritime regulatory agency in the past. They are appropriate, however, for the purpose of the rule since, unlike the past definitions, they are designed to apply specifically to through movements beyond port areas, which is the subject matter of the rule.

B. *Exclusion of inclusion of NVOs.* The rule as proposed neither specifically included nor excluded nonvessel operating common carriers by water (NVOs) from its scope. The parties representing freight forwarders and brokers associations in this proceeding urge that the rule be modified to explicitly include NVOs, or at least, be prefaced by explanatory language to indicate that they fall within its provisions. The forwarders contend that they can offer a valuable service in connection with intermodal movements and should be allowed to participate in and file through rates and routes. Several carrier conferences assert that NVOs should not be allowed to participate in through routes and rates.

The rule promulgated herein does not exclude NVOs, and no modification is necessary to allow them to file through rates and routes. There is nothing in our statutes or regulations which prohibits NVOs from entering into through route and through rate arrangements, and nothing has been advanced herein which requires their exclusion from the provisions of our through rate and through route rule.

C. *Removal of requirement of separate statement for port-to-port charge.* Several carrier conferences object to the requirement in the proposed rule that the portion of the rate applicable to the water carrier's port-to-port portion of the through rate be separately stated. These conferences assert that the legislative history of the Shipping Act, 1916, and the cases interpreting it shortly after its enactment clearly show that the authority of the maritime regulatory agency was intended to extend to the whole of through rates in foreign commerce, and there thus is no necessity for a separate statement of the port-to-port portion. Additionally, they contend that

the separate statement will confuse the public and lead to jurisdictional conflicts with the ICC.

The legislative history and early regulatory experience under the Shipping Act indicate that Congress was aware of the existence of through rate arrangements and that such arrangements were to be subjected to scrutiny to insure that they were not unlawfully discriminatory or prejudicial. There is no indication, however, that the charges for inland transportation beyond port areas were to be subject to our jurisdiction. There was no statutory requirement for the filing of any rates in foreign commerce until the passage of section 18(b) of the Shipping Act in 1961, and that section was intended to require that all rates for transportation between United States and foreign ports be filed with the Commission. Therefore, the separate statement of the charge applicable to the port-to-port transportation is necessary to comply with the mandate of section 18(b). The separate statement of the charge applicable to the port-to-port transportation, moreover, serves several useful purposes as indicated by the comments filed in this proceeding. The port and terminal interests at Philadelphia, Pa., although opposing the promulgation of a rule at this time, maintain that the port-to-port breakout will help prevent unlawful diversion of cargo from ports. The State of Illinois favors the breakout as a means to assist shippers in seeking rate reductions, and Sea-Land Service, Inc., although contending that a rule is unnecessary, maintains that any rule issued should require the separate statement of rates for the port-to-port service and the identification of participating carriers and the services they perform to adequately inform shippers exactly what services they are paying for and to what Government agency they can turn if a part of the total freight charge appears unreasonable or otherwise unlawful. Such breakout, rather than aggravate the possibility of conflict with the ICC, will serve to allow each agency to control those carriers and rates subject to its jurisdiction without infringing upon the regulatory authority of the other agency.

D. *Separate statement of port terminal charges.* Several port interests participating herein object to the failure of our rule to require a separate statement of port terminal charges. Such separate statement, they contend, is necessary to allow ports to know what charges to assess for the use of terminal facilities and services to remain competitive with other ports and to protect the public against unlawful practices with respect to such charges.

The Commission does not interpret its tariff filing provisions to require a separate statement of port and terminal charges where such charges do not change the ultimate cost of transportation to the shipper as published in tariffs.[3]

To the extent that terminal facilities are furnished by terminal operators subject to our jurisdiction, all rates, charges, rules and regulations (including any special privileges extended to carriers) relating to these services are matters of public notice since they are required to be filed with us under our General Order 15 (46 CFR Part 533). Moreover, equal treatment of shippers should be insured by the requirement of the rule promulgated herein for a description of the services performed by participating carriers which would include a description of absorptions or incidental services included in the through rate.

E. *Removal of requirement of filing of memorandum of agreement for joint rates.* Several parties oppose the requirement of the filing of memoranda of agreements for joint rates, contending that the requirements of the proposed rule which provide for the filing of such rates in the tariff and the identification of all participating carriers and the services which they perform will generally provide the Commission with all the relevant information necessary concerning the transportation under these rates. They further maintain that to the extent agreements within the authority of the Commission are actually entered into between carriers or other persons subject to the Act, they are already required to be filed by section 15 of the Shipping Act, and that the requirement for the filing of memoranda is superfluous and burdensome.

Section 15 of the Shipping Act, 1916, requires filing and approval prior to effectuation of arrangements between parties regulated by this Commission, and section 21 of that statute authorizes us to require the filing of "any memorandum of any facts and transactions appertaining to the business * * *" of anyone subject to the Act. The requirement of the filing of the memoranda of joint rate agreements will achieve two necessary objectives not accomplished by the tariff filing provisions. It will insure that the Commission is made aware of persons who would not otherwise be subject to the Commission's jurisdiction but who might become so by entering into joint rate arrangements, and that arrangements between such parties not relating to rates (e.g., exclusive of preferential arrangements), will be submitted for section 15 determination. The requirement that memoranda for joint rate agreements be filed is not unduly burdensome or unclear. Only those carriers actually participating by agreement in offering the same through rate in the same tariff (i.e., those participating in joint rates as defined in the rule promulgated herein), are required to file memoranda. A single carrier offering a single factor through rate in a single tariff and assuming through responsibility to the shipper for such service, for example, would not be required to file any memoranda of its arrangements with underlying carriers under the rule. Furthermore, inland foreign or inland U.S. carriers, or water carriers in foreign commerce who do not hold themselves out to offer a single rate for transportation over the through route, but who merely offer port-to-port or inland transportation services, or provide part of a through service as shipper's agent or agent or subcontractor for a carrier offering a through service (i.e. who are not participating carriers as defined in the rule), would not only not be subject to the memoranda requirement, but would not even be subject to the basic through route and through rate filing requirement.[4] Finally, only the basic joint rate agreement need be filed, not a separate memorandum for each rate. What is contemplated is "a specimen" memorandum similar to the type of specimen bill of lading which must be filed with the carriers' tariffs pursuant to section 18(b).

Several other suggestions have been made for further alterations in the proposed filing requirements. Matson Navigation Co. suggests the insertion of language to provide that the port-to-port portion of rates including pickup and delivery services within terminal areas need not be separated into their component parts. One carrier conference suggests that the filing of through routes and through rates be made discretionary. Sea-Land Service, Inc., although opposed to promulgation of a rule, suggests that any rule enacted contain language designed to prevent unrestricted port equalization and unnatural diversion of traffic. Lastly, the ICC suggests that the rule be modified to identify the ocean portion of the through rate as a "division" rather than a "proportional rate" if the FMC desires to preserve the requirement of a separate statement for such portion.

As noted above, charges for terminal area services need not be separately stated under current law. Rates which apply to port-to-port services including pickup and delivery service within terminal areas are not through rates within the meaning of the proposed rule, however, and hence no language is necessary in the rule to show that the charges for such service need not be separately stated.[5]

A discretionary filing rather than a mandatory one would not insure that the duty of the Commission with respect to through rates and through routes and the beneficial effect of such filing would be accomplished.

No general conclusion can be made beforehand as to the lawfulness of rates which divert cargo or equalize ports, and to the extent such practices are unlawful they are already forbidden under sections 16 and 17 of the Shipping Act, 1916.

[3] See e.g., Certain Tariff Practices of Sea-Land Service, 7 F.M.C. 504 (1963).

[4] Of course, whether they participate in through routes and rates or not, carriers subject to our jurisdiction and authority must continue to file all rates for such port-to-port services as they may offer in accordance with the provisions of our statutes and regulations, including the other sections of this part.

[5] All port-to-port rates which cover both water transportation and pickup and delivery services must, of course, be filed in the manner required by our statutes and regulations, including the other sections of this part.

Lastly, insofar as the ICC's suggested change is concerned, the charge for the ocean portion of the through service is required to be filed as a rate by section 18(b) and the treatment of that portion as a rate is necessary for effective regulation. This approach is consistent with the proposed Trade Simplification Act, which requires that divisions of through rates be treated as rates for regulatory purposes. The words "proportional rate" were used to describe the port-to-port portion of the rate for the through service because that term has generally been used by this Commission to refer to a rate which is predicated upon a movement of the cargo prior or subsequent to the service for which the rates or charges for the water transportation apply. FMC General Order 13 (46 CFR 536.1(f)), for example, defines "proportional rates" as "rates or charges for water transportation which are conditioned upon a prior or subsequent movement of the cargo, or upon the point of origin or ultimate destination." However, since there appears to be an objection to calling the "division" of the water carrier a "rate", the rule promulgated herein provides that the water carriers division, rate, or charge "shall be treated as" a proportional rate, rather than saying it "shall constitute" a proportional rate. Since only that portion of the through rate applicable to the port-to-port transportation will be separately stated and treated as a proportional rate here, as the ICC agrees, no jurisdictional conflict between the two agencies is likely to or need occur.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 15, 18(b), 21, and 43 of the Shipping Act, 1916 (46 U.S.C. 814, 817(b), 820, and 841(a)), Part 536 of Chapter IV of Title 46 CFR is hereby amended by adding a new § 536.16 to read as follows:

§ 536.16 Filing of through rates and through routes.

(a) *Definitions.* The following definitions shall apply for the purposes of this section.

(1) Through route: An arrangement for the continuous carriage of goods between points of origin and destination, either or both of which lie beyond port terminal areas;

(2) Through rate: A rate expressed as a single number representing the charge to the shipper by a carrier or carriers holding out to provide transportation over a through route;

(3) Joint rate: A through rate in which two or more carriers participate by agreement for the offering of through transportation over a through route published in the same tariff; and

(4) Participating carrier: Any carrier holding out to perform a transportation service over a through route.

(b) *Filing requirements.* Every common carrier by water in the foreign commerce of the United States, as defined in the Shipping Act, 1916, or conference of such carriers, shall file with the Commission tariffs of any through rates, charges, rules, and regulations governing the through transportation of freight between ports or points in the United States and ports or points in a foreign country in which such carrier or conference participates. Such tariffs shall include the names of all participating carriers, the established through route, a description of the service to be performed by each participating carrier, and shall clearly indicate the division, rate, or charge that is to be collected by the water carrier subject to the Shipping Act, 1916, for its port-to-port portion of the through service, which division, rate, or charge shall be treated as a proportional rate subject to the provisions of the Shipping Act, 1916. Such tariffs will be filed and maintained in the manner provided in section 18(b) of the Shipping Act, 1916, and this part. A memorandum of every arrangement to which a carrier or conference of carriers subject to the jurisdiction of the Shipping Act, 1916, is or becomes a party, for transportation between a port or point in the United States and a port or point in a foreign country, establishing any joint rate which is offered in connection with any other carrier, shall be filed with this Commission concurrently with the filing of the through rate tariffs.[1]

Effective date. These rules shall become effective 60 days after date of publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-4839; Filed, Apr. 20, 1970; 8:48 a.m.]

[1] Arrangements subject to section 15 of the Act must also be filed and approved in accordance with the requirements of General Order 24 (Part 522 of this chapter).

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 81]

WASATCH FRONT INTRASTATE AIR QUALITY CONTROL REGION

Proposed Designation and Consultation With Appropriate State and Local Authorities

Pursuant to authority delegated by the Secretary and redelegated to the Commissioner of the National Air Pollution Control Administration (33 F.R. 9909), notice is hereby given of a proposal to designate the Wasatch Front Intrastate Air Quality Control Region (Utah) as set forth in the following new § 81.52 which would be added to Part 81 of Title 42, Code of Federal Regulations. It is proposed to make such designation effective upon republication.

Interested persons may submit written data, views, or arguments in triplicate to the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17–82, 5600 Fishers Lane, Rockville, Md. 20852. All relevant material received not later than 30 days after the publication of this notice will be considered.

Interested authorities of the State of Utah and appropriate local authorities, both within and without the proposed region, who are affected by or interested in the proposed designation, are hereby given notice of an opportunity to consult with representatives of the Secretary concerning such designation. Such consultation will take place at 10 a.m., May 1, 1970, in the South Salt Lake City Auditorium, 2500 South State Street, South Salt Lake City, Utah 84115.

Mr. Doyle J. Borchers is hereby designated as Chairman for the consultation. The Chairman shall fix the time, date, and place of later sessions and may convene, reconvene, recess, and adjourn the sessions as he deems appropriate to expedite the proceedings.

State and local authorities wishing to participate in the consultation should notify the Office of the Commissioner, National Air Pollution Control Administration, Parklawn Building, Room 17–82, 5600 Fishers Lane, Rockville, Md., 20852 of such intention at least 1 week prior to the consultation. A report prepared for the consultation is available upon request to the Office of the Commissioner.

In Part 81 a new § 81.52 is proposed to be added to read as follows:

§ 81.52 Wasatch Front Intrastate Air Quality Control Region.

The Wasatch Front Intrastate Air Quality Control Region (Utah) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Utah:

Davis County.	Utah County.
Salt Lake County.	Weber County.
Tooele County.	

This action is proposed under the authority of sections 107(a) and 301(2) of the Clean Air Act, section 2, Public Law 90–148, 81 Stat. 490, 504, 42 U.S.C. 1857c–2(a), 1857g(a).

Dated: April 15, 1970.

JOHN T. MIDDLETON,
Commissioner, National Air Pollution Control Administration.

[F.R. Doc. 70–4780; Filed, Apr. 20, 1970; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 288]

[Docket No. 22111]

EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Proposed Logair and Quicktrans Minimum Rates

APRIL 14, 1970.

Notice is hereby given that the Civil Aeronautics Board proposes to amend Part 288 of the economic regulations (14 CFR Part 288) to set new minimum rates for Logair and Quicktrans domestic cargo charters. The principal features of the proposed amendment are explained in the attached explanatory statement, and the text of the proposed amendment is also attached. The amendment is proposed under authority of sections 204, 403, and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 758, and 771, as amended; 49 U.S.C. 1324, 1373, and 1386).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before May 7, 1970, will be considered by the Board before taking final action. Copies of communications will be available for examination by interested persons upon receipt in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,
Secretary.

Explanatory statement. With this notice of proposed rule making the Board is proposing to revise the minimum rates for Logair and Quicktrans domestic cargo charters set forth in § 288.7(b) of the economic regulations and to establish minimum rates for additional aircraft proposed to be used for Logair and Quicktrans charters during fiscal year 1971.[1] This action is part of an annual comprehensive review of the minimum rates applicable to domestic transportation services performed by air carriers for the military.[2]

Five carriers[3] have submitted cost forecasts and the Department of Defense has submitted its analyses of the carriers' costs, recommended adjustments, and proposals for new domestic minimum rates. Conferences were conducted with each carrier concerning their cost data. DOD representatives attended these conferences. Comments were received at these conferences from the carriers in support of their forecasts and from DOD in support of their adjustments and recommendations. All materials submitted by the carriers and DOD have been analyzed by the Board, and the carriers' forecasts have been adjusted in accordance with the broad policies developed in previous rate reviews. The forecasts and proposed adjustments are set forth in the appendix,[4] together with explanatory notes setting forth the basis for each adjustment.

The most significant adjustments were those made to reflect reasonably attainable aircraft utilization and aircraft speeds in light of the latest available fiscal 1970 Logair and Quicktrans experience; to eliminate unsupported costs and anticipatory cost increases; to apply standard depreciation bases appropriate for each aircraft type; to apply current military fuel prices; to reflect the stage lengths specified by the DOD as typical for Logair and Quicktrans; and as will be elaborated later to reflect standards with respect to utilization, aircraft speed, and fuel consumption for the same aircraft types.

We have, with the exception of the L–100–20, adhered to the depreciation policies applied in connection with the current fiscal 1970 minimum rates. In the case of the L–100–20, we propose to lengthen the service life from 10 years to

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[1] As requested by DOD, we propose no revision of the current DC–6A rate, no data having been submitted for such aircraft.

[2] The Board, in a separate rule making proceeding, EDR–179, dated Apr. 7, 1970, has proposed to increase certain Logair and Quicktrans minimum rates for the remainder of FY 1970.

[3] Airlift International, Inc.; Overseas National Airways, Inc.; Saturn Airways, Inc.; Universal Airlines, Inc.; and World Airways, Inc.

[4] Appendix filed as part of the original document.

12 years, and to apply the same standard to the L–100–30.[5] The manufacturer of the aircraft claims that the unique ability of the L–100–20/30 aircraft to handle outsize cargo, combined with its other modern all-cargo features justifies a service life comparable with the DC–9 and B–727. We are not convinced that a turbo-prop aircraft will remain competitive with the faster jets when later improved versions of the DC–9, B–727, and similar types become available for all-cargo services.[6] However, it appears that these newer versions of a basic aircraft type with long successful military and some commercial experience and unique capabilities will have a longer economic life than the 10 years previously recognized for other turbo-prop aircraft.

The Board increased the service life of the DC–9 from 12 years to 14 years while retaining the 15 percent residual, in establishing the minimum rates for Logair/Quicktrans services for fiscal 1970.[7] The Board at that time did not pass upon the proper depreciation rates for three- and four-engine turbo-jet aircraft. Upon further consideration of the facts on hand it does not appear that the economic life or residual value of the three- and four-engine jets will be different than for the DC–9. Accordingly, we propose to apply the same policy for three- and four-engine jets as we have established for the DC–9 jets. In summary, the depreciation rates proposed for the various aircraft types are as follows:

Aircraft type	Service life	Residual value
	Years	*Percent*
L–188C	6	15
AW–650	8	15
L–100–20/30	12	15
DC–9	14	15
B–727	14	15
DC–8–55/61CF	14	15

Consistent with the policy followed for the fiscal 1970 review, we are proposing for like aircraft types a standard basis for important selected cost elements: Aircraft utilization, speed, fuel consumption and fuel prices per gallon. Furthermore, we have relied primarily upon the latest and best experience available in Logair and Quicktrans services in determining the standard factors. The standard approach and emphasis upon experience for cost elements that appear similar regardless of the operator should minimize distortions created by varying individual forecasts. We have based our determination of reasonable utilization for MAC services upon detailed data that the carriers were asked to provide relating to their available fiscal 1970 Logair and Quicktrans services. Such utilization reflects a portion of the downtime for maintenance and allows reasonable backup aircraft for the Logair/Quicktrans schedules. Substantial weight has been given to the experience of the current operators.

Similarly we have relied upon Universal's and Airlift's supporting data reflecting their recent Logair experience in accepting their forecasts of 330 and 307 miles per airborne hour for the L–188 and L–100–20/30, respectively, for the prescribed Logair stage length of 400 miles. The slower speed of the L–100–20/30 appears to result from differences in the routes flown. We have increased World's forecast speed of 400 miles per airborne hour for the Quicktrans stage length of 450 miles to 410 miles per hour in consideration of higher speeds of 420 to 433 miles per hour for stage lengths approximating 450 miles reported by the domestic carriers. We have allowed for the impact on speed of the heavier payloads flown in the domestic military cargo services. We find Overseas National's DC–9 and Universal's DC–8–55F and DC–8–61CF forecasts reasonable as submitted. On Universal's AW–650 we have made a minor change to reflect the carrier's experienced speed in Logair operations.

We have used the current levels of 13.7 cents and 14.7 cents per gallon, respectively, for Logair and Quicktrans fuel costs. The fuel consumption estimated for the various aircraft types is detailed in the explanations to the appendix.

We have grouped the aircraft types as shown in the following table. The grouping of the DC–9, L–188, L–100, and B–727 types is based upon economic, rather than operational considerations. This is consistent with DOD's approach, which recommended the same groupings.

Consistent with our practice of previous years, we have arrived at average costs for each aircraft group by weighting the cost data in accordance with the number of aircraft offered by each carrier, as shown below.

As requested by DOD we propose to extend without change the current DC–6A Logair and Quicktrans minimum rates.

The adjusted costs and weightings for each aircraft type and group for which cost data were submitted are summarized here below:

Carrier	Aircraft type	Number aircraft	Stage length		Adjusted cost per course flown statute mile	
			Logair	Quicktrans	Logair	Quicktrans
					Cents	*Cents*
Group A:						
Overseas	DC–9–30	6	400	450	193.18	197.81
Overseas	L–188C	8	400	450	205.25	209.09
Universal	L–188C	13	400	450	197.22	200.92
Weighted average					198.70	202.65
Group B:						
Airlift	L–100–20	3	400	450	224.17	224.83
Saturn	L–100–30	5	400	450	223.97	225.84
World	B–727–100	3	400	450	225.22	224.40
Weighted average					224.37	225.17
All other:						
	DC–6A				145.54	145.54
Universal	AW–650	8	350		206.82	
Universal	DC–8–55F	1	650	650	290.02	296.39
Universal	DC–8–61CF	1	650	650	336.68	343.41

The proposed rates are appreciably higher than current Logair and Quicktrans rates. The primary causes of the increases are the higher crew and maintenance costs under current wage and salary contracts and outside billings. In addition, the carriers have been attaining somewhat lower aircraft utilization under current Logair and Quicktrans contracts than forecast in last year's review. This has been compounded by somewhat lower aircraft speeds and higher rates of fuel consumption being experienced in operating the current MAC routes. In the case of the AW–650, there has been an unprecedented increase, reflecting not only the inflationary increases being experienced by all carriers, but apparently intensified by numerous difficulties recently encountered with these aircraft.

The minimum rate structure we propose is the same as in prior years, consisting of a line-haul rate per course-flown statute mile plus a rate per directed landing for each aircraft type, based on the weighted average costs and stage lengths set forth in the preceding table. Because of cost differences in the price of fuel and those varying with stage length, we propose to establish separate line-haul rates for Logair and Quicktrans charters. The landing charges in effect for the various aircraft types during fiscal 1970 are proposed to remain the same for fiscal 1971. We believe it appropriate to fix separate landing charges of $225 for the DC–8–55F and $275 for the DC–8–61CF in relation to their differing capacities.

The current and proposed rates are compared in the following table:

[5] The L–100–20 is a lengthened version of the L–100 with different, more modern engines; the L–100–30 is similar to the L–100–20 except for an additional lengthening of the fuselage.

[6] As noted below, the Board proposes a uniform depreciation policy for all turbo-jet types.

[7] ER–584, effective July 1, 1969.

Aircraft type	Per course-flown mile				Per directed landing [1]
	Current rates		Proposed rates		
	Logair	Quicktrans	Logair	Quicktrans	
Group A:					
DC-9-30	$1.4144	$1.4573	$1.6120	$1.6932	$150
L-188C	1.4144	1.4573	1.6120	1.6932	150
Group B:					
B-727-100			1.8687	1.9184	150
L-100-20/30	1.6953	1.7494	1.8687	1.9184	150
All other:					
AW-650	1.3334		1.7111		125
DC-6A	1.1535	1.1535	1.1535	1.1535	125
DC-8-55F			2.5540	2.6178	225
DC-8-61CF			2.9437	3.0110	275

[1] No change is proposed.

We propose that the revised rates be effective as of July 1, 1970.

Proposed rule. It is proposed to amend Part 288 of the economic regulations (14 CFR Part 288) by revising § 288.7(b) to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(b) For Logair and Quicktrans services, other than specified in paragraph (c) of this section:

Aircraft type	Linehaul rate per course-flown statute mile		Rate per directed landing
	Logair	Quicktrans	
DC-9-30	$1.6120	$1.6932	$150
L-188C	1.6120	1.6932	150
B-727-100	1.8687	1.9184	150
L-100-20/30	1.8687	1.9184	150
AW-650	1.7111		125
DC-6A	1.1535	1.1535	125
DC-8-55F	2.5540	2.6178	225
DC-8-61CF	2.9437	3.0110	275

* * * * *

[F.R. Doc. 70-4791; Filed, Apr. 20, 1970; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18801]

FM BROADCAST STATIONS; TABLE OF ASSIGNMENTS

Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.202 (b), Table of Assignments, FM Broadcast Stations. (Sioux Center, Iowa; Caruthersville, Mo.; Kerrville, Tex.; Bradenburg, Ky.; Steamboat Springs, Colo.; Drew, Miss.; Weston, W. Va.; Chanute, Kans.; Mexia, Tex.; Rutland, Vt.; Boone, Iowa; Berling, N.H.), Docket No. 18801, RM-1491, RM-1511, RM-1517, RM-1527, RM-1533, RM-1539, RM-1502, RM-1534, RM-1556.

1. This proceeding was begun by notice of proposed rule making (FCC 70-176) adopted February 18, 1970, released February 20 and published in the FEDERAL REGISTER on February 27, 1970 (35 F.R. 3822). The date for filing comments has expired and the date for filing reply comments is presently April 13, 1970.

2. On April 13, 1970, Triangle Broadcasting Co., Inc. (Triangle), filed a request for extension to and including April 30, 1970, in which to file reply comments. Triangle states the additional time is necessary in order to analyze and respond to the engineering and other objections raised in comments filed by Anne P. McLendson and First National of Jackson, Jackson, Miss., and Tony P. Conguista, with respect to Drew, Miss. Counsel for the above parties have no objection to a grant of the requested extension of time.

3. We are of the view that the additional time requested is warranted and would serve the public interest. *Accordingly, it is ordered,* That the time for filing reply comments in Docket 18801 is extended to and including April 30, 1970 (RM-1539 only).

4. This action is taken pursuant to authority found in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Adopted: April 14, 1970

Released: April 15, 1970.

[SEAL] GEORGE S. SMITH,
Chief, Broadcast Bureau.

[F.R. Doc. 70-4844; Filed, Apr. 20, 1970; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 12993]

MONTANA

Notice of Proposed Classification of Public Lands for Multiple Use Management; Correction

APRIL 14, 1970.

In F.R. Doc. 70-4072 appearing on page 5563 of the issue for Friday, April 3, 1970, the following correction should be made:

Under the heading (E) *Alkali Planning Unit (Q133)*, the first entry under T. 27 N., R. 31 E., which now reads Sec. 4, E½; should read Sec. 4, W½.

MARLON C. OSBORNE,
Acting State Director.

[F.R. Doc. 70-4852; Filed, Apr. 20, 1970; 8:49 a.m.]

Fish and Wildlife Service

[Docket No. C-316]

MARVIN G. AND NADINE G. RUDE

Notice of Loan Application

APRIL 14, 1970.

Marvin G. Rude and Nadine G. Rude, 1120 Burtschell Street, Crescent City, Calif. 95531, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 52.6-foot registered length wood vessel to engage in the fishery for salmon, tuna, crab, shrimp, and bottom fish.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

C. E. PETERSON,
Chief,
Division of Financial Assistance.

[F.R. Doc. 70-4804; Filed, Apr. 20, 1970; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR FHA, REGION IV (CHICAGO)

Designation

The officials appointed to the following listed positions in Region IV (Chicago) are hereby designated to serve as Acting Assistant Regional Administrator for FHA, Region IV, during the present vacancy in the position of Assistant Regional Administrator for FHA, Region IV, wtih all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for FHA: *Provided*, That no official is authorized to serve as Acting Assistant Regional Administrator for FHA, Region IV, unless all other officials whose titles precede his in this designation are not available to act by reason of absence or a vacancy in the position:

1. Director, Low Income Housing and Rent Supplement Division.

2. Director, Project Review Division.

3. Director, Regional Advisory and Technical Services Division.

This designation supersedes the designation effective February 24, 1969 (34 F.R. 18395, Nov. 18, 1969).

(Secretary's delegation published at 34 F.R. 2148, Feb. 13, 1969)

Effective date. This designation is effective as of February 22, 1970.

R. C. VAN DUSEN,
Under Secretary of Housing and Urban Development.

[F.R. Doc. 70-4831; Filed, Apr. 20, 1970; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20894, etc.]

COLUMBUS-NEW YORK PROCEEDING

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on May 6, 1970, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Louis W. Sornson.

Dated at Washington, D.C., April 15, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-4833; Filed, Apr. 20, 1970; 8:47 a.m.]

[Docket No. 22066; Order 70-4-72]

EXECUTIVE AIRLINES, INC.

Order To Show Cause Regarding Establishment of Final Service Mail Rates

Issued under delegated authority April 15, 1970.

Executive Airlines, Inc. (Executive), is an air taxi operator providing services pursuant to Part 298 of the Board's economic regulations. By petition filed April 1, 1970, Executive requested that the Board establish the domestic multielement service mail rates for priority and nonpriority mail as final rates for the transportation of mail between Pittsfield, Mass., and New York, N.Y./Newark, N.J., and between Boston, Mass. and Augusta/Waterville, and Lewiston/Auburn, Maine.

On April 9, 1970, the Postmaster General filed a reply supporting Executive's petition. The Postmaster General is in agreement with Executive that the multielement rates for priority and nonpriority mail are fair and reasonable rates of compensation for the services proposed.

No service mail rates are currently in effect for this service by Executive. It is requested that the multielement rates[1] and conditions established in Order E-25610 and Orders 70-4-9 and 70-4-10 be made applicable to Executive.

The rate in Order E-25610, August 28, 1967, for the air transportation of priority mail was established by the Board in the Domestic Service Mail Rate Investigation. We propose to establish a service rate for the air transportation of priority mail by Executive at the level established in Order E-25610, as amended, and the terms and provisions of that order shall be applicable to Executive in providing mail services in these markets.

The rate for the air transportation of nonpriority mail was established in Nonpriority Mail Rates, Orders 70-4-9 and 70-4-10, April 2, 1970. We propose to establish a service mail rate for the air transportation of nonpriority mail by Executive at the level established in Orders 70-4-9 and 70-4-10, and the terms and conditions of these orders shall be applicable to Executive.

[1] The present rates per Order 69-12-132, Dec. 30, 1969, as amended, follows:

Priority mail: 24 cents per ton-mile plus 9.36 cents per pound at Pittsfield, Augusta/Waterville, and Lewiston/Auburn and 2.34 cents per pound at Boston and New York/Newark.

Nonpriority mail by air: 11.33 cents per ton-mile plus 9.36 cents per pound at Pittsfield, Augusta/Waterville, and Lewiston/Auburn and 2.34 cents per pound at Boston and New York/Newark.

The Board finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Executive by the Postmaster General for the air transportation of mail, the facilities used and useful therefor, and the services connected therewith between Pittsfield, Mass., and New York, N.Y./Newark, N.J., and between Boston, Mass., and Augusta/Waterville and Lewiston/Auburn, Maine.

Upon consideration of the petition, the answer of the Postmaster General, and other matters officially noticed, the Board proposes to issue an order[2] to include the following findings and conclusions:

1. The fair and reasonable final service mail rates to be paid Executive Airlines, Inc., pursuant to section 406 of the Act, for the transportation of priority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Pittsfield, Mass., and New York, N.Y./Newark, N.J., and between Boston, Mass., and Augusta/Waterville and Lewiston/Auburn, Maine, shall be the rates established by the Board in Order E–25610, August 28, 1967, as amended, and shall be subject to the other provisions of that order;

2. The fair and reasonable final service mail rates to be paid Executive Airlines, Inc., pursuant to section 406 of the Act for the transportation of nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith between Pittsfield, Mass., and New York, N.Y./Newark, N.J., and between Boston, Mass., and Augusta/Waterville and Lewiston/Auburn, Maine, shall be the rates established by the Board in Orders 70–4–9 and 70–4–10, April 2, 1970, and shall be subject to the other provisions of those orders;

3. The service mail rates here fixed and determined are to be paid entirely by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, the Board's regulations, 14 CFR Part 302, 14 CFR Part 298, and the authority duly delegated by the Board in its organization regulations, 14 CFR 385.14(f),

It is ordered, that:

1. All interested persons and particularly Executive Airlines, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the final and temporary rates specified above, as the fair and reasonable rates of compensation to be paid to Executive Airlines, Inc., for the transportation of priority and nonpriority mail by aircraft, the facilities used and useful therefor, and the services connected therewith as specified above;

2. Further procedures herein shall be in accordance with 14 CFR Part 302, as specified, in the attached appendix; and

3. This order shall be served upon Executive Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

APPENDIX

1. Further procedures related to the attached order shall be in accordance with 14 CFR Part 302, and notice of any objection to the rate or to the other findings and conclusions proposed therein, shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after service of this order;

2. If notice of objection is not filed within 10 days after service of this order, or if notice is filed and answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed therein and fix and determine the final rate specified therein;

3. If answer is filed presenting issues for hearing, the issues involved in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with Rule 307 of the rules of practice (14 CFR 302.307).

[F.R. Doc. 70–4834; Filed, Apr. 20, 1970; 8:47 a.m.]

[Docket No. 20291; Order 70–4–73]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Fare Matters

Issued under delegated authority April 15, 1970.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

Insofar as it applies in air transportation as defined by the Act, the agreement would establish new group inclusive tour (GIT) fares to apply between New York/Miami and points in the Caribbean, which would be combinable with fares to other United States points for the purpose of constructing through fares. These 7–14-day fares, which provide reductions ranging from about 27 percent to 50 percent off normal round-trip economy-class fares, would be available to groups of 15 or more passengers whose outward travel commences Monday through Thursday during the inclusive periods of April 26 to June 30 and September 15 to November 30.[1] Passengers would be required to purchase ground tour arrangements of at least $70, and stopovers would be restricted to one in each direction of travel plus point of turnaround.

The agreement also proposes to establish within the framework of IATA new GIT fares, with similar provisions and requirements for groups of 15 or more passengers, applicable between New York and Caracas/Maracaibo at reductions of approximately 49 and 43 percent, respectively. No stopovers would be permitted in the United States at these fares. Also, inclusive tour basing fares would be offered for travel by groups of 50 or more passengers from New York to Caracas (at a 55 percent reduction) or Maracaibo (at a 49 percent reduction); however, these fares would not permit stopovers en route and would be available for travel on any day of the week during the period October 1 through March 15.

Additionally, the agreement would amend the existing resolution governing excursion fares so as to extend for Monday travel the applicability of lower excursion fares between points in the United States and the Caribbean where a weekend/midweek differential applies. Currently, a higher fare level is applicable for travel commencing Friday through Monday.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the following resolutions, incorporated in the above-described agreement, are adverse to the public interest or in violation of the Act:

IATA Resolutions:
100 (Mail 842) 084l.
100(Mail 842)084j.
100(Mail 842)070.

Accordingly, it is ordered, That: Action on Agreement CAB 21703 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70–4835; Filed, Apr. 20, 1970; 8:47 a.m.]

[2] As this order to show cause is not a final action and merely provides for interested persons to be heard on the matters herein proposed, it is not subject to the review provisions of Part 385 (14 CFR Part 385). Those provisions will apply to any final action taken by the staff in this matter under authority delegated in § 385.14(g).

[1] Fares for travel to/from the Colombian points of Barranquilla, Cartagena, and Santa Marta would also be available during the period of January 1 through March 31.

CIVIL SERVICE COMMISSION

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule II (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Associate Commissioner for Regional Office Coordination, Office of Education.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-4825; Filed, Apr. 20, 1970; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Deputy Commissioner of Food and Drugs, Office of the Commissioner, Public Health Service, Food and Drug Administration.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-4826; Filed, Apr. 20, 1970; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Director, Office of Consumer Protection, Office of the Attorney General.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-4827; Filed, Apr. 20, 1970; 8:47 a.m.]

DEPARTMENT OF JUSTICE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Justice to fill by noncareer executive assignment in the excepted service the position of Confidential Assistant to the Attorney General, Office of the Attorney General.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-4828; Filed, Apr. 20, 1970; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the excepted service the position of Director, Office of Supersonic Transport Development, Office of the Secretary.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 70-4829; Filed, Apr. 20, 1970; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18833; FCC 70-362]

JEAN A. GRAY

Order Designating Application for Hearing on Stated Issues

In re application of Jean A. Gray, 8575 Stanford Avenue, Garden Grove, Calif. 92641; for Citizens (Class D) radio station license; Docket No. 18833.

The Commission has under consideration the above-entitled application for a Citizens (Class D) radio station license filed by Jean A. Gray.

There is a substantial question concerning the qualifications of applicant to hold a Citizens (Class D) radio station license arising from unlicensed operations by applicant on April 13, May 9, 12, 22, 31, July 12, 13, 19, 20, 21, 23, 24, 31, August 2, November 8 and 15, 1967; and March 8 and April 7, 1968. Had applicant been licensed the radio-communications on May 31, July 12, 19, 23, 24, and 31, August 2, 1967; and April 7, 1968, would have been in violation of § 95.83(a)(1) of the Commission's rules. Despite repeated warnings, applicant continued to operate an unlicensed radio station.

The Commission is unable to find that a grant of the captioned application would serve the public interest, convenience, and necessity and, must, therefore, designate the application for hearing. Except for the issues specified herein, the applicant is otherwise qualified to hold a Citizens (Class D) radio station license.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's rules, that the captioned application is designated for hearing, at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the facts concerning the unlicensed radio communications transmitted by applicant on or about April 13, May 9, 12, 22, 31, July 12, 13, 19, 20, 21, 23, 24, 31, August 2, November 8 and 15, 1967; and March 8 and April 7, 1968.

2. To determine whether on May 31, July 12, 19, 23, 24, and 31, August 2, 1967; and April 7, 1968, Jean A. Gray transmitted radio communications which, had she been licensed, would have been in violation of § 95.83(a)(1) of the Commission's rules (engaging in radio communications as a hobby or diversion).

3. To determine the facts regarding the written warnings about unlicensed radio operation issued to Cecil S. Gray on April 18, 1967, to Cecil S. and Jean A. Gray on May 12, 1967; the verbal warning to Jean A. Gray on May 31, 1967, and a written warning issued on June 2, 1967; the verbal warning to Jean A. and Cecil S. Gray on December 14, 1967; the signed statements by Jean A. Gray on May 31, 1967, and by Jean A. Gray and Cecil S. Gray on December 14, 1967, that unlicensed radio operations would cease immediately.

4. To determine the facts concerning the Consent Judgment involving applicant's unlicensed operation entered by the U.S. District Court, Central District of California, on January 27, 1969.

5. To determine whether, in view of the evidence adduced in the above-specified issues, Jean A. Gray possesses the requisite qualifications to be a licensee of the Commission.

6. To determine whether, in light of the evidence adduced with respect to the foregoing issues, the grant of the captioned application for radio station license would serve the public interest, convenience or necessity.

It is further ordered, That, to avail herself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intent to appear on the date fixed for hearing and present evidence on the issues specified in this order.

It is further ordered, That the Chief, Safety and Special Radio Services Bureau, shall, within 10 days after the release of this order furnish a Bill of

Particulars to the applicant herein setting forth the basis for the above issues.

Adopted: April 15, 1970.

Released: April 15, 1970.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-4845; Filed, Apr. 20, 1970; 8:48 a.m.]

[Dockets Nos. 18640, 18641; FCC 70R-146]

HOME SERVICE BROADCASTING CORP. AND NATICK BROADCASTING ASSOCIATES, INC.

Memorandum Opinion and Order Enlarging Issues

In regard applications of Home Service Broadcasting Corp., Natick, Mass., Docket No. 18640, File No. BP-16578; Natick Broadcast Associates, Inc., Natick, Mass., Docket No. 18641, File No. BP-18012; for construction permits.

1. These mutually exclusive applications of Home Service Broadcasting Corp. (Home Service) and Natick Broadcast Associates, Inc. (Natick), for a new standard broadcast station at Natick, Mass., were designated for consolidated hearing by the Commission (12 FCC 2d 911, 16 RR 2d 1095, released Aug. 19, 1969) on various issues. Presently before the Review Board is a further motion to enlarge issues, filed December 5, 1969, by Home Service, seeking addition of a § 1.65 issue, a misrepresentation issue, and an ineptness issue.[2]

2. On February 16, 1970, the Review Board granted Home Service's request for a § 1.65 issue against Natick (FCC 70R-49, released Feb. 16, 1970). Now Home Service submits six additional alleged violations of Rule 1.65 by Natick, premising its request on facts first disclosed in Natick's letter of November 18, 1969, to the Hearing Examiner, and in Natick's amendment, filed December 2, 1969.[3] The alleged violations, Home Service suggests, can be divided into two categories: failure to report changes in corporate management and structure; and failure to report changes in financial matters relating to the application. With respect to the corporate management items, Home Service claims that the violations of Rule 1.65 are these: (A) On August 8, 1969, an agreement was reached involving transfer of 48.8 percent of Natick's stock and the relinquishment of positive control by one of its principals (Edward F. Perry, Jr.) by a reduction of his stock interest from 76 percent to 27.2 percent; although, petitioner states, Natick implied in its November 18 letter to the Hearing Examiner that this transaction had not become effective until November 11, 1969, no supporting documents were filed with the letter and, in any case, disclosure should have been made within 30 days of August 8, 1969. Home Service concedes that references were made in an amendment filed May 20, 1969 to contemplated stock transfers; but, it insists, the May 20 amendment is not "notice" of the extent of transfers which occurred on August 8; (B) petitioner claims that Natick further violated section 1.65, by failing to report that, on August 6, 1969, Edward F. Perry, Jr., was replaced as Treasurer of Natick by Roland J. Boucher, Jr.;[5] and that Natick's capitalization was increased from 2,000 to 4,500 shares at the same time. Disclosure of these changes, Home Service claims, was not made until the December 2 amendment; (C) on June 10, 1969, Home Service asserts, the Natick Board of Directors unanimously advanced the date (from Aug. 31, 1970 to Apr. 30, 1969) on which certain restrictions on the sale of its stock would terminate. However, petitioner asserts that this was not reported to the Commission until December 1, 1969, nearly 5 months late; (D) finally, Home Service contends that four former shareholders of Natick withdrew and sold their stock to Perry sometime before May 20, 1969, when an amendment was filed by Natick stating that an agreement for these stock transfers would be "reduced to writing and filed with the Commission shortly." These withdrawals, petitioner asserts, were apparently finalized in letters dated July 30, 1969, but not filed with the Commission until December 2, 1969, 3 months late. With regard to the alleged failure to report financial changes, Home Service insists; (E) that Natick obtained a new guarantee letter for its bank loan on October 29, 1969, which was not filed until December 2 and is thus also tardy by a few days;[6] (F) the final violation charged by Home Service resulted from Natick's failure to report a change in its equipment credit arrangements which occurred on September 5, 1968, but were not disclosed until December 1969. Petitioner insists that these matters are all reportable under section II or III of the Commission's application form (FCC Form 301), and that, therefore, the requested Rule 1.65 issue must be added. The Broadcast Bureau, in its comments, supports the request, expressing the view that in every instance alleged by Home Service there has been a "significant change" in the Natick proposal and that in each instance Natick's failure to timely report the changes[8] "flagrantly" violated § 1.65.

3. Home Service predicates its request for a misrepresentation issue upon the change in Natick's deferred equipment credit arrangements which, in part, served as the basis for the requested expansion of the Rule 1.65 inquiry. Home Service points out that, accompanying an amendment filed September 19, 1968, Natick filed an equipment credit letter dated January 18, 1968; however, Home Service insists, at the time that this January equipment credit letter was filed, Natick already had in its possession a later equipment credit letter dated September 5, 1968, reflecting a 10 percent increase in costs. The September letter, petitioner asserts, was not disclosed until the December 2, 1969, amendment. This nondisclosure, Home Service argues, not only requires the addition of the Rule 1.65 issue discussed above, but also warrants the specification of the requested misrepresentation issue, because it involved affirmative suppression of important information. Finally, Home Service urges, the pattern of Natick's conduct in this proceeding warrants addition of an ineptness issue.

4. In opposition to the requested expansion of the Rule 1.65 issue, Natick (relying heavily upon an affidavit by Edward F. Perry, Jr.) contends that the withdrawal of the four stockholders comprising Natick's "investor group" brought about a "state of flux" in the applicant's affairs throughout the summer and fall of 1969; and that, protracted negotiations with these four necessitated the placing of "many important documents in escrow" pending the end of the negotiations and execution of the new guarantee letter. Natick maintains that these documents were filed with the Commission less than 30 days after the termination of the escrow arrangement which, Natick states, occurred "on or about November 10, 1969." Thus, it suggests that the corporate changes were timely reported. Further, the stock restriction modification is discounted by Natick as "an insignificant technical violation" concerning the ratification of a prior agreement, which had been reported to the Commission in the May 20 amendment. Finally, Natick insists that the new guarantee letter was timely filed, since it was not fully executed until November 10. Natick asserts, through Perry's attached affidavit, that it has acted in good faith in reporting to the Commission in its amendment tendered on December 2, 1969; Natick adds that it certainly had no intent to conceal or withhold information from the Commission, and assures the Board that "any deficiencies which the Board may find concerning Natick's prior reporting of information to the Commission will not reoccur [sic] in the future." Since there has been no prejudice to any other party and the information has been brought to the Commission's attention, Natick concludes, the requested expansion of the Rule 1.65 issue would serve no useful purpose.

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[1] Commissioners Johnson and H. Rex Lee absent.

[2] Related pleadings before the Board are: (a) Comments, filed Dec. 18, 1969, by the Broadcast Bureau; (b) opposition, filed Jan. 5, 1970, by Natick; and (c) reply, filed Jan. 15, 1970, by Home Service.

[3] Petitioner submits that its motion is timely filed since it is based on information contained in Natick's amendment filed Dec. 2, 1969; the Board agrees and will consider the motion on its merits.

[5] Home Service also suggests that at this time Boucher ceased to be vice president of Natick.

[6] Petitioner recognizes Natick's claim that the letter was not fully executed until November 10 and was therefore timely filed; however, Home Service argues, the question of the guarantee letter should be included to assure a "complete record."

[8] The Bureau omits reference to the new guarantee letter, and apparently regards that disclosure as timely.

5. In opposition to the requested misrepresentation issue, Natick contends, on the basis of Perry's affidavit, that it had "fully intended" to file the September 5, 1968, equipment credit letter, but the earlier letter was filed because of an "error in assembly" of the amendment in the office of Natick's former communications counsel. In this regard, respondent points out that the figure contained in the September 1968 amendment for deferred credit was taken from the September equipment credit letter, in spite of the fact that the supporting documentation for the amendment consisted of the earlier letter. This, Natick suggests, demonstrates that the wrong letter was filed merely through an "error in assembly." Indeed, Natick reasons that it was to its advantage to submit the September 5, 1968, letter since that letter allegedly was "far more favorable" to Natick than the earlier letter because of differences in deferred payment arrangements.[6] Thus, Natick argues that there was no misrepresentation but merely inadvertent error in the filing of the wrong letter. Finally, Natick requests denial of the ineptness issue on the grounds that Home Service furnished no evidence whatsoever to support the requested issue; and that the evidence before the Board shows, overall, that Natick has done a "satisfactory job in reorganizing its affairs." The Bureau supports the requested misrepresentation issue, but opposes an ineptness issue because, in its view, no showing has been made that Natick's actions were due to ineptness.

6. Replying with respect to the Rule 1.65 matters, Home Service claims that Natick, in its opposition, essentially concedes all of the facts pleaded by Home Service, and for that reason alone, the issue should be enlarged. Furthermore, the claim that certain documents were in escrow, petitioner asserts, is no justification at all: If this were the case, applicants could regularly withhold information from the Commission by the simple resort to escrow arrangements. With respect to the requested misrepresentation issue, Home Service replies that the matter cannot be ended by placing blame on Natick's former counsel, because Perry himself signed the amendment and must assume responsibility for its correctness. Thus, petitioner concludes, all of its requested issues are warranted.

7. In the Board's view, some, but not all, of the matters raised by Home Service warrant further exploration under the existing Rule 1.65 issue. Natick's claim that the new guarantee letter was not executed until November 10 is not challenged; disclosure was thus timely within Rule 1.65, and the need for a "complete record" does not warrant inquiry into matters which do not themselves raise questions of violation of the rules. Further, the acceleration of termination of Natick's stock restriction agreement is not, in the context of this case, a change of "substantial significance" and hence need not be reported under Rule 1.65. Thus, these matters (items (C) and (E), supra) do not, in our view, warrant further inquiry. The failure to timely report the changes in stock ownership and capitalization, the withdrawal of certain stockholders, and the changes in corporate offices (items (A), (B), (D), supra) do, however, raise further questions under the requirements of Rule 1.65. There can be no doubt that these matters are reportable pursuant to the Rule 1.65. Natick claims that the corporate changes did not take effect until the termination of the escrow arrangement, "on or about November 10," and that therefore disclosure was timely; but this position is untenable. The existence of the escrow arrangement should, but does not appear to, have been reported when it began; thus, the escrow arrangement itself raises a question under Rule 1.65. Moreover, on the pleadings before us, we cannot identify the escrow agent, the term of escrow, or, indeed, the exact date of termination. Thus, further inquiry into these matters is warranted.[7]

8. The failure to timely file the September 5 equipment credit letter (item (F), supra) similarly raises a question under Rule 1.65. On the information before us, it also appears that the requested misrepresentation issue, arising from the nondisclosure of this September 5 letter, is warranted. Natick's defense to the misrepresentation issue is that the wrong letter was inadvertently filed with the amendment. There is some factual substantiation to that claim in that the deferred credit shown in the amendment appears to have been taken from the later letter. On the other hand, the higher total equipment cost stated in the September 5 letter does not appear to have been relied upon in the formulation of the September amendment, so that the reliance placed by Natick on the September letter seems—to state the matter dispassionately—to have been selective. Further, it can be seriously doubted that the wrong letter was filed by inadvertence and that in the ensuing 14 months this "error in assembly" was never discovered and corrected.[8] Thus, we are unable to determine on the facts before us whether there has been a deliberate misrepresentation or merely an inadvertent error, and the requested issue will be added. However, the request for the ineptness issue is not warranted. While a number of rule violations have been properly raised here, we are unable to find a substantial question as to whether Natick's conduct demonstrates a pattern of carelessness or neglect which would warrant that issue, compare Beamon Advertising, Inc., FCC 63R-467, 1 RR 2d 285 (1963).

9. *Accordingly, it is ordered*, That the further motion to enlarge issues, filed December 5, 1969, by Home Service Broadcasting Corp., is granted to the extent herein indicated; and is denied in all other respects; and

10. *It is further ordered*, That the § 1.65 issue previously added by memorandum opinion and order, FCC 70R-49, released February 16, 1970, is enlarged to encompass the matters herein indicated; and

11. *It is further ordered*, That the issues in this proceeding are enlarged by the addition of the following issue: To determine whether Natick Broadcast Associates, Inc., has misrepresented its equipment costs to the Commission, and, if so, whether such conduct reflects adversely on Natick Broadcast Associates, Inc.'s basic or comparative qualifications to be a Commission licensee.

12. *It is further ordered*, That the burden of proceeding with the introduction of evidence under the issue added herein shall be upon Home Service Broadcasting Corp. and the burden of proof shall be upon Natick Broadcast Associates, Inc.

Adopted: April 10, 1970.

Released: April 13, 1970.

FEDERAL COMMUNICATIONS COMMISSION,[9]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-4846; Filed, Apr. 20, 1970; 8:48 a.m.]

[FCC 70-260]

STANDARD BROADCAST APPLICATIONS FOR MAJOR AND MINOR CHANGES

Policy Statement

APRIL 14, 1970.

Applications for changes in standard broadcast facilities are, as in the other broadcast services, classified in the rules as either "major" or "minor". The same distinction is drawn in section 309 of the Communications Act, which prescribes a 30-day holding period for major change applications and for the filing of petitions to deny such applications by any party in interest. Moreover, major change applicants must, for example, submit proof of publication and, in many situations, are responsible for completing the programing portions of application forms on the basis of ascertainment of community problems. These requirements generally do not apply to minor change applicants.

Section 1.571(a)(1) of our rules defines major change applications as those involving changes in frequency, power, hours of operation, and station

[6] The Jan. 18, 1968, equipment credit letter required a down payment of 25 percent, the balance payable over 36 months with the first payment due 35 days after shipment of the transmitter; the Sept. 5, 1968, letter required the same 25 percent down payment with the balance payable over 36 months with the first payment due 1 year after delivery of the final item.

[7] The argument that these derelictions occurred because the applicant was "in a state of flux" does not excuse the violations but may go to the question of mitigation.

[8] The attempt to attribute the error to former counsel must fail: Perry signed the amendment; and the applicant must assume responsibility for its completeness.

[9] Board Member Nelson not participating.

location. This section further provides that applications for other types of changes may, upon notification to the applicant, be treated as major change applications. In the past, most applications treated as major under this proviso have been proposals to change the radiation pattern. Other types of applications (notably for changes in transmitter site, antenna height, and MEOV's) have been consistently classified as minor.

Pattern change applications have previously been classified as major or minor on an ad hoc basis. With the advent of the AM application "freeze", these determinations have become crucial. Because of interference and city coverage constraints in the AM band, the magnitude of change resulting from applications of this type is characteristically small, irrespective of how they are classified.

After careful review of this matter, we have concluded that henceforth applications for changes in AM radiation patterns, including those for change from directional to nondirectional operation and vice versa, will usually be considered as minor change proposals, unless associated with changes in frequency, power, hours of operation, or station location. In addition, and in keeping with the original intent of § 1.571 of the rules, applications for changes in hours of operation not involving new nighttime propagation studies will also be considered as minor change proposals.

It is recognized that proposed changes in site or radiation pattern might, in rare instances, involve a combination of factors which would prompt us to treat them as major change applications rather than minor change applications. We feel that the public interest requires that our present discretion be preserved in this regard. For this reason, the proviso language appearing in § 1.571(a)(1) has been retained.

These changes will align AM application procedures more closely with those followed in the FM and TV broadcast services and will, it is believed, dispel much of present uncertainty as to the treatment of specific applications.

Action by the Commission March 11, 1970.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 70-4843; Filed, Apr. 20, 1970; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN EXPORT ISBRANDTSEN LINES, INC., AND TRANSOCEAN GATEWAY CORP.

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 Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposaed 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 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 for approval by:

Mr. Howard A. Levy, Kurrus, and Jacobi, 2000 K Street NW., Washington, D.C. 20006.

Agreement No. T-2122-2 between American Export Isbrandtsen Lines, Inc. (AEIL), and Transocean Gateway Corp. (Transocean) amends the basic agreement which grants AEIL the exclusive use of certain terminal space at or adjacent to Piers 12 and 13, Stapelton (Staten Island), N.Y. The amendment will make changes in rates for services as set forth in the agreement as previously amended.

Dated: April 16, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-4836; Filed, Apr. 20, 1970; 8:47 a.m.]

HISPALAC

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 Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, 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 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:

Elliott B. Nixon, Esq., Burlingham, Underwood, Wright, White & Lord, 25 Broadway, New York, N.Y. 10004.

Agreement No. 9846 establishes a joint service agreement among Naviera Aznar, S.A., Compania Naviera Vascongada, S.A., and Naviera Bilbaina, S.A. to be known as "HISPALAC" in the trade from the Mediterranean to U.S.A.—Canada-Great Lakes.

The joint service shall act as a single member of any conference, pooling arrangement or other agreement. In the case where the rates, charges, rules, and regulations are not prescribed by any conference of which the joint service is a member, the new service shall establish and maintain such in accordance with the provisions of section 18(b) of the Shipping Act, 1916, and file same with the Federal Maritime Commission.

Dated: April 15, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-4838; Filed, Apr. 20, 1970; 8:47 a.m.]

WIGGIN TERMINALS, INC., AND SEA-LAND SERVICE, INC.

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 Field Offices located at 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, Washington, D.C. 20573, within 20 days after

[1] Commissioners Burch (Chairman), Bartley, Robert E. Lee, Cox, H. Rex Lee, and Wells with Commissioner Johnson concurring in the result with statement to be issued later.

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 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 for approval by:

Mr. Gerald A. Malia, Ragan & Mason, The Farragut Building, 900 17th Street NW., Washington, D.C. 20006.

Agreement No. T-1819-B between Wiggin Terminals, Inc. (Wiggin) and Sea-Land Service, Inc. (Sea-Land) provides for Wiggin to use certain facilities which Sea-Land presently subleases from Wiggin pursuant to approved FMC Agreement No. T-1819. As compensation, Wiggin will pay Sea-Land on the basis of terms outlined in the agreement. Should Sea-Land desire to use the facility for its own purpose, Wiggin will be given 10 calendar days notice.

Dated: April 16, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-4837; Filed, Apr. 20, 1970; 8:47 a.m.]

PORT OF SEATTLE AND WEST LINE, INC.

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 Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreement, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 7 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 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 for approval by:

Mr. T. P. McCutchan, Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T-2407 is a letter agreement between the Port of Seattle (Port) and West Line, Inc., whereby Port will provide berthing space for West Line cruise vessels at fixed rentals plus $1.50 per passenger handled.

Dated: April 17, 1970.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[F.R. Doc. 70-4887; Filed, Apr. 20, 1970; 8:49 a.m.]

FEDERAL RESERVE SYSTEM

PAN AMERICAN BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Pan American Bancshares, Inc., which is a bank holding company located in Miami, Fla., for prior approval by the Board of Governors of the acquisition by applicant of at least 80 percent of the voting shares of Citizens National Bank of Orlando, Orlando, Fla.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors, April 13, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-4816; Filed, Apr. 20, 1970; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4871]

AMERICAN NATURAL GAS CO.

Notice of Proposed Issuance and Sale of Common Stock at Competitive Bidding

APRIL 15, 1970.

Notice is hereby given that American Natural Gas Co. ("ANG"), 30 Rockefeller Plaza, Suite 4950, New York, N.Y. 10020, a registered holding company, has filed a declaration with the Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration which is summarized below, for a complete statement of the proposed transaction.

ANG proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50 promulgated under the Act, 1,200,000 shares of its authorized and unissued common stock, par value $10 per share, at a price to be determined by the competitive bidding.

The net proceeds from the sale of the common stock, estimated to aggregate approximately $40 million, will be used by ANG to repay bank loans incurred to provide funds for the purchase of additional common stock of subsidiary companies (Holding Company Act Release No. 16616). The remaining proceeds, if any, will be added to treasury funds.

The fees and expenses to be incurred by ANG in connection with the proposed transaction are to be supplied by amendment. It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than May 13, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law

raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70-4817; Filed, Apr. 20, 1970; 8:46 a.m.]

[70-4866]

MONONGAHELA POWER CO.

Notice of Proposed Issue and Sale of First Mortgage Bonds, and Preferred Stock at Competitive Bidding; and Charter Amendment

APRIL 15, 1970.

Notice is hereby given that Monongahela Power Co. ("Monongahela"), 1310 Fairmont Avenue, Fairmont, W. Va. 26554, a registered holding company and an electric utility subsidiary company of Allegheny Power System, Inc., also a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 thereof and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Monongahela proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $15 million principal amount of its first mortgage bonds, _____ per cent series due May 1, 2000. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Monongahela (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the Indenture dated as of August 1, 1945, between Monongahela and First National City Bank, New York, N.Y., trustee, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated as of May 1, 1970, and includes a prohibition until May 1, 1975 against refunding the bonds with the proceeds of funds borrowed at a lower annual cost of money.

Monongahela also proposes to amend its charter to increase the authorized shares of cumulative preferred stock from 290,000 to 340,000 and to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 50,000 shares of its cumulative preferred stock, Series F, par value $100 per share. The dividend rate of the preferred shares (which will be a multiple of $0.04) and the price, exclusive of accrued dividends, to be paid Monongahela (which will not be less than $100 nor more than $102.75 per share) will be determined by the competitive bidding. The net proceeds from the sale of the bonds and preferred stock will be used to finance in part the construction program of Monongahela and its subsidiary company for 1970, estimated at $38 million and to pay $15,500,000 of short-term notes incurred therefor.

It is stated that The Public Utilities Commission of Ohio has jurisdiction over the issue and sale of the bonds and preferred stock and that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The fees and expenses to be paid in connection with the proposed transactions are estimated at $38,000 for the bonds and $19,000 for the preferred stock, including accountants' fees of $3,000 and $1,000, respectively and legal fees of $10,000 and $6,000, respectively. The fees of counsel for the underwriters, to be paid by the successful bidders, are estimated at $9,00 in respect of the bonds and $5,500 in respect of the preferred stock.

Notice is further given that any interested person may, not later than May 4, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 70-4818; Filed, Apr. 20, 1970; 8:46 a.m.]

[811-1051]

STAR CAPITAL CORP.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be an Investment Company

APRIL 15, 1970.

Notice is hereby given that Star Capital Corp. ("Applicant"), 663 Fifth Avenue, New York, New York, a Pennsylvania corporation registered under the Investment Company Act of 1940 ("Act"), as a closed-end nondiversified management investment company, has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

On December 9, 1969, Applicant, pursuant to due authorization, was merged into Sun Capital Corp. ("New Star"), a Delaware corporation and a wholly owned subsidiary of Abacus Fund, Inc. ("Abacus"). New Star became the surviving corporation in the merger. Pursuant to the terms of the agreements relating to the merger, each 3½ shares of Common Stock of applicant were thereupon converted into one share of Common Stock of Abacus. Each shareholder of applicant is entitled to exchange his existing certificate or certificates of Common Stock of Applicant for a certificate or certificates representing Common Stock of Abacus by presenting such certificate or certificates to Bankers Trust Co., the Exchange Agent for the shareholders of Applicant, but failure to do so has no effect on the status of such shareholders as shareholders of Abacus. Applicant represents that its separate existence as an investment company terminated upon the effectiveness of the merger, and that New Star, as the surviving corporation in the merger, became vested with all the property, rights, privileges, powers and franchises of Applicant on December 9, 1969.

Section 8(f) of the Act provides, as here pertinent, that whenever the Commission upon application finds that a registered investment company has

ceased to be an investment company, it shall so declare by order, and upon the effectiveness of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 6, 1970, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securties and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70–4819; Filed, Apr. 20, 1970; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G–2640 etc.]

PHILLIPS PETROLEUM CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

APRIL 14, 1970.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before May 8, 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 a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given. All certificates of public convenience and necessity granting applications for sales from the Permian Basin area will be issued at rates not exceeding the applicable area ceiling rates established in Opinions Nos. 468 and 468–A, 34 FPC 159 and 1068, or the contractually authorized rates, whichever are less, unless at the time of filing of such certificate applications or within the time fixed for filing protests and petitions to intervene applicants indicate in writing that they are unwilling to accept such certificates.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G–2640 ..... D 3–23–70	Phillips Petroleum Co., Bartlesville, Okla. 74003.	United Gas Pipe Line Co., Carthage Field, Panola County, Tex.	(2)	.....
G–3029 ..... C 3–30–70	Pool & Hooper (Operator) et al., Post Office Box 1476, Victoria, Tex. 77901.	Trunkline Gas Co., West Terrell Point Field, Goliad County, Tex.	17.8	14.65
G–4116 ..... G–9818 F 3–11–70 [3]	B. M. Britain et al. (successor to B. M. Britain & C. E. Weymouth [3]), Post Office Box 189, Amarillo, Tex. 79105.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., West Panhandle Field, Moore and Potter Counties, Tex.	[4] 12.0	14.65
G–5316 ..... C 11–23–62 [5] C 2–20–63 [5]	Skelly Oil Co. (Operator) et al., Post Office Box 1650, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Blanco Field, San Juan County, N. Mex.	13.0	15.025
G–5390 ..... E 4–1–70	Petroleum Promotions, Inc. (successor to Chief Drilling, Inc., et al.), 8460 South Saginaw Rd., Grand Blanc, Mich. 48439.	Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va.	20.0	15.325
G–6252 [1] ..... 3–9–70 [3]	Bass Enterprises Production Co. (Operator) et al. (formerly Richardson Oils, Inc. (Operator) et al.), Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Southern Natural Gas Co., Gwinville Field, Jefferson Davis and Simpson Counties, Miss.	[7] 20.0	15.025
G–11957 ..... C 3–23–70	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	El Paso Natural Gas Co., Spraberry (Trend Area) Field, Upton et al. Counties, Tex.	[4] 14.5	14.65
G–12004 ..... D 3–17–70	Mobil Oil Corp. (partial abandonment).	Southern Natural Gas Co., Gwinville Field, Jefferson Davis County, Miss.	Depleted	.....
G–13340 ..... E 3–12–70	A. T. Skaer (successor to Sun Oil Co. (DX Division), c/o Calkins, Kramer, Grimshaw & Carpenter, 1410 First National Bank Bldg., Denver, Colo. 80202.	Kansas-Nebraska Natural Gas Co., Inc., Little Hoot Field, Logan County, Colo.	15.0	16.4
G–16232 ..... E 3–13–70	Salmon Corp. (successor to Pennzoil Producing Co.), Suite 230, 823 South Detroit Ave., Tulsa, Okla. 74120.	Florida Gas Transmission Co., Kain Field, Matagorda County, Tex.	16.0	14.65
G–17470 ..... E 3–18–70	Schimmel Oil Co. (Operator) et al. (successor to Rodney DeLange (Operator) et al.), D–304 Petroleum Center, San Antonio, Tex. 78200.	United Gas Pipe Line Co., Poehler Field, Goliad County, Tex.	13.1694	14.65
G–19387 ..... E 3–9–70 [3]	Mesa Petroleum Co. (Operator) et al. (successor to D. S. Marsalis, Agent (Operator) et al.), Post Office Box 2009, Amarillo, Tex. 79105.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	[10] 15.0	14.65
CI62–199 ..... E 4–1–70	Stephen Gas Co. (successor to N. G. Clark et al., d.b.a. Grundy Associates) c/o John T. Law, agent, Post Office Box 389, Weston, W. Va. 26452.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	25.0	15.325
CI62–395 ..... E 3–23–70	Phillips Petroleum Co. (successor to Austral Oil Co., Inc. (Operator) et al.).	Southern Natural Gas Co., Bayou Long Field, St. Martin Parish, La.	20.625	15.025
CI63–489 ..... C 3–23–70	Ashland Oil & Refining Co., Post Office Box 18695, Oklahoma City, Okla. 73118.	Michigan Wisconsin Pipe Line Co., South Lonewolf and Dane Fields, Major County, Okla.	[10] 15.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price Per Mcf	Pressure base
C163-1099 E 3-25-70	A. A. Pursley (successor to Ferrell L. Prior, d.b.a. Prior Oil Co.), Box 51, Leroy, W. Va. 25252.	Consolidated Gas Supply Corp., New Milton District, Doddridge County, W. Va.	25.0	15.325
C164-922 C 3-30-70	Delta Drilling Co. (Operator) et al., Post Office Box 2012, Tyler, Tex. 75701.	Northern Natural Gas Co., Sonora Area, Sutton County, Tex.	16.06	14.65
C164-1179 E 3-11-70	Prudential Minerals Exploration Corp. (Operator) et al. (successor to Longhorn Production Co. (Operator) et al.), Meadows Bldg., Dallas Tex. 75206.	Natural Gas Pipeline Co. of America, Boonsville Field, Wise County, Tex.	[3] 14.5499	14.65
C164-1472 E 3-11-70	do	do	[3] 14.5499	14.65
C165-770 E 3-23-70	Featherstone Farms, Ltd. (successor to Olen F. Featherstone et al.), 1717 West Second St., Roswell, N. Mex. 88201.	El Paso Natural Gas Co., Custer Mountain Unit, Lea County, N. Mex.	16.0	14.65
C165-840 E 3-11-70	Prudential Minerals Exploration Corp. (Operator) et al. (successor to Longhorn Production Co. (Operator) et al.).	Natural Gas Pipeline Co. of America, Boonsville Field, Wise County, Tex.	[3] 14.5499	14.65
C165-1327 E 3-30-70	Sun Oil Co. (successor to Van-Grisso Oil Co.), 1608 Walnut St., Philadelphia, Pa. 19103.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[3] 17.87	14.65
C166-71 E 3-11-70	Prudential Minerals Exploration Corp. (Operator) et al. (successor to Longhorn Production Co. (Operator) et al.).	Natural Gas Pipeline Co. of America, Boonsville Field, Wise County, Tex.	[3] 14.5499	14.65
C166-541 2-4-70 [4]	Pacific States Gas & Oil, Inc., Post Office Box 735, Encino, Calif. 91316.	Equitable Gas Co., Glenville District, Gilmer County, W. Va.	[3] 25.896 [3] 27.606	15.325
C166-664 E 3-18-70	Fox Farm Oil & Gas Co. (successor to Speck & Norris Gas Co. et al.), Big Springs, W. Va. 26137.	Consolidated Gas Supply Corp., Center District, Calhoun County, W. Va.	25.0	15.325
C166-974 E 3-11-70	Prudential Minerals Exploration Corp. (successor to Longhorn Production Co.).	Natural Gas Pipeline Co. of America, Boonsville Bend, Conglomerate Field, Wise County, Tex.	[3] 14.5499	14.65
C167-822 C 3-23-70	Texas Pacific Oil Co., Inc., 1700 One Main Place, Dallas, Tex. 75250.	Southern Union Gathering Co., Basin Dakota Field, San Juan County, N. Mex.	[3] 13.0	15.025
C167-1180 E 4-1-70	Petroleum Promotions, Inc. (successor to Chief Drilling Inc. et al.).	Consolidated Gas Supply Corp., Union and Grant Districts, Ritchie County, W. Va.	25.0	15.325
C167-1467 E 3-11-70	Prudential Minerals Exploration Corp. (Operator), et al. (successor to Longhorn Production Co. (Operator) et al.).	Natural Gas Pipeline Co. of America, Wise County Area, Wise County, Tex.	[7] 14.5499	14.65
C169-974 C 3-19-70	Roy Proffitt (Operator) et al., Racine, Ohio 45771.	The Ohio Fuel Gas Co., Lebanon Township, Meigs County, Ohio.	27.0	15.025
C170-56 E 3-11-70	Prudential Minerals Exploration Corp. (successor to Longhorn Production Co.).	Natural Gas Pipeline Co., of America, Wise County Area, Wise County, Tex.	[3] 16.31	14.65
C170-112 C 3-20-70	John H. Hill, 100 Southland Center, Dallas, Tex. 75201.	Panhandle Eastern Pipe Line Co., Southwest Cedardale Field, Woodward County, Okla.; and Northwest Six Mile Field, Beaver County, Okla.	[3] 17.0	14.65
C170-177 E 3-11-70	Prudential Minerals Exploration Corp. (successor to Longhorn Production Co.).	Natural Gas Pipeline Co. of America, acreage in Denton and Wise Counties, Tex.	14.5	14.65
C170-178 C 3-19-70	Westrans Petroleum, Inc., c/o Marsden W. Miller, Jr., Attorney, Miller, Bachman & Hoecker, 1610 Denver Club Bldg., Denver, Colo. 80202.	Consolidated Gas Supply Corp., Elk District, Kanawha County, W. Va.	28.0	15.325
C170-309 D 3-26-70	Marathon Oil Co., 539 South Main St., Findlay, Ohio 45840 (partial abandonment).	Arkansas Louisiana Gas Co., Northeast Hillsdale Field, Grant and Garfield Counties, Okla.	Uneconomical	
C170-308 C 3-6-70 as amended 3-16-70	Imperial-American Management Co. (Operator) et al., 777 Main Bldg., Houston, Tex. 77002.	Michigan Wisconsin Pipe Line Co., Woodward Area, Woodward County, Okla.	[3] 17.0	14.65
C170-818 B 3-9-70	Midstates Gas Transportation Co., c/o Jack E. Webber, President, Rural Delivery No. 4, West Union, W. Va. 26456.	Consolidated Gas Supply Corp., Greenbrier District, Doddridge County, W. Va.	[10]	
C170-859 A 3-19-70	L. O. Ward, Operator, 1420 Lahoma Rd., Enid, Okla. 73701.	Oklahoma Natural Gas Gathering Corp. & Pioneer Gas Products Co., Ringwood Field, Major County, Okla.	12.0	14.65
C170-860 A 3-18-70	Coastal States Gas Producing Co. (Operator), Post Office Drawer 521, Corpus Christi, Tex. 78403.	South Texas Natural Gas Gathering Co., Encinitas Area, Brooks County, Tex.	16.0	14.65
C170-861 A 3-20-70	Cotton Petroleum Co., Parkland Plaza Bldg., 2121 South Columbia, Tulsa, Okla. 74114.	Arkansas Louisiana Gas Co., Ashland Field, Pittsburg County, Okla.	15.0	14.65
C170-862 A 3-20-70	Southern Union Gathering Co., Fidelity Union Tower, Dallas, Tex. 75201.	El Paso Natural Gas Co., acreage in San Juan County, N. Mex.	[3] 19.5	15.025
C170-863 A 3-20-70	Commonwealth Gas Corp., 801 Union Bldg., Charleston, W. Va. 25325.	United Fuel Gas Co., Ripley and Ravenswood Districts, Jackson County, W. Va.	28.0	15.325
C170-864 A 3-23-70	Ira T. Havens, 1112 Alvin St., El Campo, Tex. 77437.	Transcontinental Gas Pipe Line Corp., Acreage in Wharton County, Tex.	17.0	14.65
C170-865 A 3-23-70	Glasscock Leaseholds, Inc., 3016 Main, Suite 1213, Houston, Tex. 77002.	Valley Gas Transmission, Inc., El Oro Field, Duval County, Tex.	15.5	14.65
C170-866 A 3-19-70	Elk Oil Co., Post Office Box 310, Roswell, N. Mex. 88201.	Northern Natural Gas Co., Kemnitz Field, Lea County, N. Mex.	[3] 20.5	14.65
C170-867 A 3-23-70	Houston Natural Gas Production Co., Post Office Box 1188, Houston, Tex. 77001.	Consolidated Gas Supply Corp., Collins Settlement District, Lewis County, W. Va.	[3] 28.0	15.25
C170-868 B 3-23-70	David Crow et al.	United Gas Pipe Line Co., Cotton Valley Field, Webster Parish, La.	Depleted	
C170-869 (C164-1276) F 3-20-70	T. P. McAdams, Jr. (successor to Roger C. Hanks), Post Office Box 960, Bristow, Okla. 74010.	Northern Natural Gas Co., acreage in Meade County, Kans.	16.0	14.65
C170-870 (C164-1186) F 3-20-70	T. P. McAdams, Jr. (successor to Secure Trusts).	do	16.0	14.65
C170-871 (C161-650) F 3-23-70	White Shield Oil & Gas Corp. (successor to Cricket Oil Co. (Operator) et al.), Post Office Box 2130, Tulsa, Okla. 74101.	Transwestern Pipeline Co., John Creek Field, Hutchinson County, Tex.	17.0	14.65
C170-872 B 3-26-70	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77002.	El Paso Natural Gas Co., Langlie-Mattix Field, Lea County, N. Mex.	Depleted	
C170-873 A 3-26-70	El Paso Oil & Gas Co. (Operator) et al., Post Office Box 2086, Odessa, Tex. 79760.	Arkansas Louisiana Gas Co., NE Enid Field, Garfield County, Okla.	17.0	14.65
C170-874 A 3-27-70	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Michigan Wisconsin Pipe Line Co., South Marsh Island Block 6 Field, Offshore (Zone 4), La.	22.25	15.025
C170-875 A 3-26-70	Union Drilling, Inc., Post Office Box 281, Washington, Pa. 15301.	Cumberland & Allegheny Gas Co., Meade District, Upshur County, W.Va.	25.0	15.325
C170-876 A 3-26-70	do	do	25.0	15.325
C170-877 A 3-26-70	do	Cumberland & Allegheny Gas Co., Washington District, Upshur County, W.Va.	26.0	15.325
C170-878 A 3-30-70	Aspen Resources, Ltd., 1530 Morton St., Great Bend, Kans. 67530.	Northern Natural Gas Co., Mocane-Laverne Field, Harper and Beaver Counties, Okla.	17.0	14.65
C170-879 B 3-27-70	Caroline Hunt Sands and Loyd B. Sands, 1401 Elm St., Dallas, Tex. 75202.	El Paso Natural Gas Co., Jalmat Field, Lea County, N. Mex.	Assigned	
C170-880 A 3-30-70	White Shield Oil & Gas Corp.	Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va.	28.0	15.325
C170-881 A 3-30-70	Texaco, Inc., Post Office Box 52332, Houston, Tex. 77052.	Northern Natural Gas Co., Ostes, NE. (Devonian) Field, Pecos County, Tex.	[3] 15.484	14.65
C170-885 A 3-30-70	Cleary Petroleum Corp. et al., c/o G. D. Ashabranner, Attorney, Lawyers Bldg., 219 Couch Dr., Oklahoma City, Okla. 73102.	Arkansas Louisiana Gas Co., Keota Area, Haskell County, Okla.	18.0	14.65

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price Per Mcf	Pressure base
CI70-886..... A 3-30-70	Jonas L. Miller, Trustee, 103 Arnold Ave., Prestonsburg, Ky. 41653.	Kentucky West Virginia Gas Co., acreage in Floyd County, Ky.	20.0	15.225
CI70-887..... B 3-30-70	Sun Oil Co. (DX Division), Post Office Box 2039, Tulsa, Okla. 74102.	Cities Service Gas Co., Dower Field, Barber County, Okla.	Depleted	.....
CI70-888..... B 3-30-70	...do.....	Texas Eastern Transmission Corp., South Cottonwood Creek Field, De Witt County, Tex.	Depleted	.....
CI70-889..... B 3-30-70	...do.....	...do.....	Depleted	.....
CI70-890..... B 3-30-70	...do.....	Cities Service Gas Co., Northeast Waynoka Field, Woods County, Okla.	Depleted	.....
CI70-892..... A 3-27-70	Aztec Oil & Gas Co.[24], 2000 First National Bank Bldg., Dallas, Tex. 75202.	Southern Union Gathering Co., San Juan Basin, San Juan County, N. Mex.	[25] 13.0551 [25] 15.0636	15.025
CI70-893..... A 3-30-70	White Shield Oil & Gas Corp.....	Equitable Gas Co., Otter District, Braxton County, W. Va.	27.0	15.325
CI70-894..... (CI63-59) F 3-23-70	Van Oil Co. (successor to Van-Grisso Oil Co.), 712 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	Michigan Wisconsin Pipe Line Co., acreage in Harper County, Okla.	[27] 17.85	14.65
CI70-895..... (G-13272) F 3-30-70	Muttontown Oil Co., Inc. (successor to Coastal States Gas Producing Co., et al.), Post Office Box 423, Locust Valley, N.Y. 11560.	United Gas Pipe Line Co., Hayes Field, Jefferson Davis and Calcasieu Parishes, La.	20.25	15.025
CI70-896..... A 4-2-70	Petroleum, Inc., 200 West Douglas, Wichita, Kans. 67202.	Michigan Wisconsin Pipe Line Co., Northeast Cedardale Field, Major County, Okla.	[29] 20.0	14.65
CI70-897..... A 4-2-70	Royal Resources Corp., 1100 Kermac Bldg., Oklahoma City, Okla. 73102.	Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla.	[26] 15.0	14.65
CI70-898..... (G-16006) F 3-31-70	J. Gregory Merrion et al. (successor to El Paso Products Co. et al.), Box 1541, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	[30] 14.05775	15.025
CI70-917..... A 4-9-70	Phillips Petroleum Co.....	Panhandle Eastern Pipe Line Co., Powder River Basin Area, Campbell and Converse Counties, Wyo.	17.0	14.65

[1] Deletes undeveloped formations (below the depth of 7,500 feet from the surface of the ground).
[2] Certificates are presently in names of B. M. Britain & C. E. Weymouth. Filing reflects transfer of Weymouth's interest to Weymouth Corp.
[3] Subject to B.t.u. adjustment.
[4] Temporary certificates issued Feb. 1, 1963, and Apr. 5, 1963, conditioned to an initial rate of 13 cents per Mcf. By letter filed Mar. 16, 1970, Skelly has agreed to accept permanent authorization similarly conditioned.
[5] Application erroneously filed in Docket No. G-13272.
[6] Amendment to certificate filed to reflect change in corporate name.
[7] Rate in effect subject to refund in Docket No. RI61-280.
[8] Subject to deduction for treating if buyer treats gas produced from formations other than Spraberry formation.
[9] Mesa as successor to Petroleum Exploration, Inc., of Texas is making the succession filing which Petroleum Exploration failed to make.
[10] Subject to upward and downward B.t.u. adjustment.
[11] Rate in effect subject to refund in Docket No. RI70-389.
[12] Letter dated Jan. 31, 1970, filed Feb. 4, 1970, being construed as a petition to terminate the related rate schedule and certificate in said docket.
[13] For gas produced from the Benson Sand and above.
[14] For gas produced from below the Benson Sand.
[15] Rate in effect subject to refund in Docket No. RI70-390.
[16] The initial base rate is 15.2269 cents per Mcf; however, Applicant states its willingness to accept authorization at the rate of 13 cents per Mcf as established by the Commission's statement of general policy No. 61-1.
[17] Rate in effect subject to refund in Docket No. RI70-568.
[18] Rate in effect subject to refund in Docket No. RI67-299.
[19] Subject to upward and downward B.t.u. adjustment. Basic contract provides for rate of 19.5 cents per Mcf; however, Applicant expressed willingness to accept permanent authorization at 17 cents per Mcf.
[20] Abandons service due to low volume deliveries.
[21] Price is subject to reduction in the amount by which Seller's average weighted gas purchase cost is less than 13.0551 cents per Mcf (including tax reimbursement) for Pictured Cliffs formation gas and 15.063 cents per Mcf (including tax reimbursement) for Mesaverde and Dakota formation gas.
[22] 20 cents per Mcf when average daily quantity is between 200,000 and 400,000; 30 cents per Mcf when average daily quantity exceeds 400,000 during any billing period.
[23] 18 cents less 2.232 cents B.t.u. adjustment and 0.284 cent treating cost.
[24] Applicant states its willingness to accept certificate at the rate of 13 cents per Mcf as to all formations provided that the increase to rates is permitted after a 1-day suspension period.
[25] Pictured Cliffs gas.
[26] Dakota and Mesaverde gas.
[27] Includes 0.85-cent upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
[28] Contract provides for rate of 16 cents per Mcf; however, Applicant states its willingness to accept certificate at 15 cents per Mcf.
[29] Rate in effect subject to refund in Docket No. RI64-468.

[F.R. Doc. 70-4795; Filed, Apr. 20, 1970; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 994; ICC Order 44-A]

CHESAPEAKE AND OHIO RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of ICC Order No. 44 (The Chesapeake and Ohio Railway Co.) and good cause appearing therefor:

It is ordered, That:

(a) ICC Order No. 44 be, and it is hereby, vacated and set aside.

(b) Effective date: This order shall become effective at 12:01 a.m., April 17, 1970.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 15, 1970.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 70-4842; Filed, Apr. 20, 1970; 8:48 a.m.]

[Notice 62]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 16, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30844 (Sub-No. 324 TA), filed April 10, 1970. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and hides), from Great Bend, Kans., to points in Connecticut, Delaware, the District of Columbia, Maine, Iowa, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, and Covington, Ky., for 180 days. Supporting shipper: Thies Packing Co., Inc., Box 49, Great Bend, Kans. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 97357 (Sub-No. 29 TA), filed April 13, 1970. Applicant: ALLYN TRANSPORTATION COMPANY, 14011 Central Avenue, Los Angeles, Calif.

90059. Applicant's representative: Carl H. Fritze, 1545 Wilshire Boulevard, Los Angeles, Calif. 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sulphuric acid*, in bulk, from points in Los Angeles County, Calif.; (2) *caustic soda*, liquid, in bulk, from points in Los Angeles County, Calif.; (3) *aqua ammonia*, liquid, in bulk, from Wilmington, Calif.; (4) *chemicals*, liquid, in bulk, from Needles and Los Angeles, Calif., to the Mohave Steam Electric Generating Plant of Southern California Edison, Co. located in Clark County, Nev., near Bullhead City, Ariz., for 180 days. Supporting shipper: Southern California Edison Co., Post Office Box 351, Los Angeles, Calif. 90053. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 104104 (Sub-No. 7 TA), filed April 6, 1970. Applicant: GEORGE A. FETZER, INC., Rural Delivery No. 1, Augusta, N.J. 07822. Applicant's representative: Edward Bowes, 744 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulators, isolators and insulating materials* used for protection against shock, heat, cold, fire, moisture, weather, noise, vibration or deformation and are shipped in shapes, blocks, boards, bags, cartons, rolls, or bales, from the plantsites of United States Mineral Products Co. at Netcong and Stanhope, N.J., to points in Connecticut, Delaware, Kentucky, Maine, Maryland, Massachusetts, New York, New Hampshire, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Washington, D.C., with no transportation for compensation on return, for 150 days. Supporting shipper: United States Mineral Products Co., Stanhope, N.J. 07874. Send protests to: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, Broad Street, Newark, N.J. 07102.

No. MC 107295 (Sub-No. 342 TA) (Correction), filed March 23, 1970, published in the FEDERAL REGISTER issue of April 10, 1970, and republished as corrected this issue. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. NOTE: The purpose of this partial republication is to show the destination States of Pennsylvania and South Carolina, which were inadvertently omitted in previous publication. The rest of the application remains as previously published.

No. MC 107295 (Sub-No. 361 TA), filed April 13, 1970. Applicant: PRE-FAB TRANSIT CO., Post Office Box 146, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ventilators, ventilator parts, ventilator equipment, ventilator systems and accessories* used in the installation thereof from plantsites and warehouse facilities of Penn Ventilator Co., Inc., at Junction City, Ky., to points in New Jersey, New York, and Pennsylvania, for 180 days. Supporting shipper: Penn Ventilator Co., Inc., Junction City, Ky. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams, Springfield, Ill. 62704.

No. MC 111812 (Sub-No. 401 TA), filed April 10, 1970. Applicant: MIDWEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Ralph H. Jinks, (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products*, as described in sections A and C of *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Austin, Minn., to points in Delaware, Maryland, and the District of Columbia, for 180 days. Supporting shipper: Geo. A. Hormel & Co., Post Office Box 800, Austin, Minn. 55912; K. O. Petrick, Manager—Transportation Services. Send protests to: J. L. Hammond, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 114848 (Sub-No. 49 TA), filed April 9, 1970. Applicant: WHARTON TRANSPORT CORPORATION, 1498 Channel Avenue, Memphis, Tenn. 38113. Applicant's representative: Terry T. Wharton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum trihydrate*, in bulk, in hopper or pneumatic equipment, from Bauxite, Ark., to Chattanooga, Tenn., for 180 days. Supporting shipper: Aluminum Co. of America, Alcoa Building, Pittsburgh, Pa. 15219 (John G. Brodie, Supervisor, Rate and Research and Analysis). Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 115113 (Sub-No. 13 TA), filed April 13, 1970. Applicant: IOWA PACKERS XPRESS, INC., 16 East 24th Street, Spencer, Iowa 51301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from the plantsite of Sioux-Preme Packing Co. and storage facilities used by Sioux-Preme Packing Co. at or near Sioux Center, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Washington, D.C., Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and New Hampshire, for 180 days. Supporting shipper: Sioux-Preme Packing Co., Post Office Box 177, Sioux Center, Iowa 51250. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 116073 (Sub-No. 107 TA), filed April 13, 1970. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., 1825 Main Avenue, Post Office Box 919, Moorhead, Minn. 56560. Applicant's representative: Robert G. Tessar (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, and buildings, in sections, from Alma and St. Louis, Mich., to points in Minnesota, Wisconsin, Illinois, Indiana, Ohio, Kentucky, and West Virginia, for 180 days. Supporting shippers: American Coach Co., 1501 Virginia Street, St. Louis, Mich. 48880; Detroiter Mobile Homes, 903 Michigan Avenue, Alma, Mich. 48801; DMH Corp., 1517 Virginia Street, St. Louis, Mich. 48880. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commision, Bureau of Operations, Post Office Box 2340, Fargo, N. Dak. 58102.

No. MC 116077 (Sub-No. 290 TA) (Correction), filed March 6, 1970, published in the FEDERAL REGISTER, issues of March 21, 1970, and April 4, 1970, and republished as corrected this issue. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, Post Office Box 1505, Houston, Tex. 77001. Applicant's representative: J. C. Browder (same address as above). NOTE: The purpose of this partial republication is to show MC 116077 (Sub-No. 290 TA) in lieu of MC 16077 (Sub-No. 290 TA). The rest of the application remains as previously published.

No. MC 117589 (Sub-No. 12 TA), filed April 10, 1970. Applicant: CLARK'S FROZEN EXPRESS, INC., 2535 Airport Way South, Seattle, Wash., 98134. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products and articles distributed by meat packing houses*, as defined in parts A, B, and C of appendix I—report and *Descriptions of Motor Carrier Certificates*, 61 M.C.C., 209 and 766, from Seattle, Wash., to Peublo, Colo., and poinits in Denver County, Colo.; Salt Lake City, Utah; and points in Weber County, Utah; and to Twin Falls, Boise, and points in Ada County, Idaho, for 180 days. Supporting shippers: King's Command Meats, Inc., 1515 15th Avenue West, Seattle, Wash. 98119; Cudahy Co., 2303 Airport Way South Post Office Box 3545, Seattle, Wash. 98124. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 118263 (Sub-No. 25 TA) (Correction), filed March 11, 1970, published in the FEDERAL REGISTER issue of March 21, 1970, and republished as part corrected, this issue. Applicant: COLDWAY CARRIERS, INC., Post Office Box 38, Clarksville, Ind. 47131. Applicant's representative: Paul M. Daniell, Suite 1600 First Federal Building, Atlanta, Ga. 30303. NOTE: The purpose of this partial republication is to insert the word "to" before New Orleans, La., which was inadvertently omitted in previous publication. The rest of the application remains as previously published.

No. MC 133779 (Sub-No. 2 TA) (Correction), filed March 20, 1970, published in the FEDERAL REGISTER issue of April 1, 1970, and republished as part corrected, this issue. Applicant: FUNDIS COMPANY, Broadway at Cronell, Lovelock, Nev. 89419. Applicant's representative: Charles "Pete" Fundis (same address as above). NOTE: The purpose of this partial republication is to include *"except in bulk,"* which was inadvertently omitted in previous publication. The rest of the application remains as previously published.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 70-4840; Filed, Apr. 20, 1970; 8:48 a.m.]

[Notice 524]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 16, 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-71905. By order of April 13, 1970, the Motor Carrier Board approved the transfer to North Carolina Express, Inc., Hickory, N.C., of that portion of the certificate of registration in No. MC-99334 (Sub-No. 2) issued March 29, 1967, to Tarheel Express, Inc., Hickory, N.C., evidencing a right to engage in transportation in interstate or foreign commerce corresponding in scope to rights covered by certificate No. C-578 dated December 22, 1954, issued by the North Carolina Utilities Commission, involving the transportation of general commodities, except those requiring special equipment, between points and places in 36 named counties in North Carolina. Edward G. Villalon, 1735 K Street NW., Washington, D.C. 20006, and Arch K. Schoch, 200 Professional Building, High Point, N.C. 27261, attorneys for applicants.

No. MC-FC-71994. By order of April 13, 1970, the Motor Carrier Board approved the transfer to Pride Motors, Inc., La Fox, Ill., of certificate of registration in No. MC-121419 (Sub-No. 1), issued January 3, 1964, to Pam Cartage Co., a corporation, Skokie, Ill., authorizing the transportation of: General commodities from, to, or between points or areas in Illinois. Themis N. Anastos, 120 West Madison Street, Chicago, Ill. 60602, attorney for applicants.

No. MC-FC-72031. By order of April 10, 1970, the Motor Carrier Board approved the transfer to U F T Transport Co., Fort Smith, Ark., of the operating rights in certificates Nos. MC-115257 (Sub-No. 20), MC-115257 (Sub-No. 23), MC-115257 (Sub-No. 32), MC-115257 (Sub-No. 38), and MC-115257 (Sub-No. 42) issued November 10, 1969, January 14, 1970, March 5, 1968, June 28, 1968, and July 2, 1968, respectively, to Shamrock Van Lines, Inc., Dallas, Tex., authorizing the transportation, over irregular routes, of new furniture, new store fixtures and equipment, and new kitchen equipment from points in Kentucky and Tennessee (except Hamblen County, Tenn.) to points in the United States, including Alaska but excluding Hawaii, and new furniture between points in most of the contiguous United States. J. David Harden, Jr., 600 Leininger Building, Oklahoma City, Okla. 73112, attorney for applicants.

No. MC-FC-72074. By order of April 9, 1970, the Motor Carrier Board approved the transfer to Henry Lienhart, doing business as Arrow Coach Line, 2715 West 10th Street, Little Rock, Ark. 72204, of certificate No. MC-129533 (Sub-No. 2) issued to Natchez Transit Lines, Inc., 3 South Circle, Natchez, Miss. 39120, authorizing the transportation of: Passengers and their baggage, and express, in the same vehicle, between Natchez, Miss., and Hattiesburg, Miss., over a specified regular routes and authorized to conduct charter operations throughout the United States.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 70-4841; Filed, Apr. 20, 1970; 8:48 a.m.]

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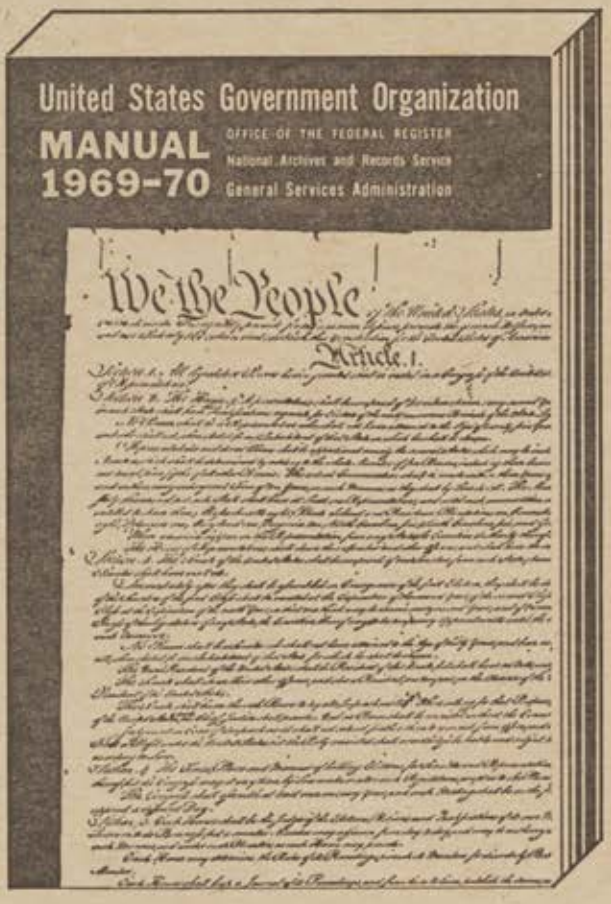

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