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Title 3—THE PRESIDENT

Proclamation 3986

FIFTIETH ANNIVERSARY OF THE WOMEN'S BUREAU, UNITED STATES DEPARTMENT OF LABOR

By the President of the United States of America

A Proclamation

June 5, 1970, marks the fiftieth anniversary of the establishment of the Women's Bureau of the United States Department of Labor which has for half a century served as protector of the welfare of American women wage earners.

The Women's Bureau since its founding has continually defined the changing role of women in our society and has helped them to make increasingly significant contributions as workers, homemakers and citizens.

The Bureau has provided informed, active leadership in advancing the economic, social, civil, and political status of all women. It has been a leader in seeking equal opportunity for advancement and freedom of choice for all people, and it has been a standard bearer for an end to sex discrimination in employment and education throughout the country.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim June 5 through June 13, 1970, as a period to commemorate the fiftieth anniversary of the founding of the Women's Bureau of the Department of Labor. I request that all citizens lend their support to those activities that give recognition to the achievements of the Women's Bureau in encouraging the use of the talents and skills of "America's Womanpower—A National Resource."

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of June, in the year of our Lord nineteen hundred and seventy, and of the Independence of the United States of America the one hundred and ninety-fourth.

Richard Nixon

[F.R. Doc. 70-7226; Filed, June 8, 1970; 9:06 a.m.]

Proclamation 3987

FLAG DAY AND NATIONAL FLAG WEEK, 1970

By the President of the United States of America

A Proclamation

On June 14, 1777, the Continental Congress meeting in Philadelphia adopted as a flag for the new nation a banner of 13 alternating red and white stripes and 13 white stars in a blue field. After nearly 200 years of history, only the constellation of stars in the flag has changed—from 13 to 50. The flag of the United States still symbolizes the dignity of man as it did when those early Americans created it. It evokes for us, besides, the memories of turbulent years and calm years, of men and women who have served its ideals in battle and in peace.

We honor the flag for what it is and for what it demands of us.

The Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as Flag Day and requested the President to issue annually a proclamation calling for its observance. The Congress, by a joint resolution approved June 9, 1966 (80 Stat. 194), also requested the President to issue annually a proclamation designating the week in which June 14 occurs as National Flag Week and calling upon all citizens to display the flag of the United States on those days.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning June 14, 1970, as National Flag Week, and I direct the appropriate government officials to display the flag of the United States on all government buildings during that week.

I also request the people of the United States to observe Flag Day, June 14, and Flag Week by flying the Stars and Stripes at their homes and other suitable places.

I urge the communications media to participate in and to promote this observance.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of June, in the year of our Lord nineteen hundred seventy, and of the Independence of the United States of America the one hundred ninety-fourth.

Richard Nixon

[F.R. Doc. 70-7268; Filed, June 8, 1970; 12:20 p.m.]

Executive Order 11534

ESTABLISHING THE NATIONAL COUNCIL ON ORGANIZED CRIME

WHEREAS organized crime is a problem of national scope affecting numerous cities and states;

WHEREAS the problem of organized crime presents the Nation with a major challenge calling for coordinated Federal law enforcement efforts of maximum effectiveness;

WHEREAS it is necessary to formulate a national strategy for the elimination of organized crime:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

There is hereby created a National Council on Organized Crime which shall be composed of the Attorney General, who shall be Chairman; the Secretary of the Treasury; the Secretary of Labor; the Postmaster General; the Chairman of the Securities and Exchange Commission; the Assistant Attorney General, Criminal Division; the Assistant Attorney General, Tax Division; the Assistant Secretary of the Treasury for Enforcement and Operations; the Assistant Secretary of the Treasury for Tax Policy; the Administrator of the Law Enforcement Assistance Administration; the Director of the Federal Bureau of Investigation; the Director of the Bureau of Narcotics and Dangerous Drugs; the Director of the United States Secret Service; the Commissioner of Customs; the Commissioner of Immigration and Naturalization; the Commissioner of Internal Revenue; the Chief Counsel of the Internal Revenue Service; and the Chief of the Organized Crime and Racketeering Section, Criminal Division, Department of Justice. It shall be the responsibility of the Council to formulate a national strategy for the elimination of organized crime. The Council shall meet at the call of the Attorney General.

Richard Nixon

THE WHITE HOUSE,
June 4, 1970.

[F.R. Doc. 70-7250; Filed, June 8, 1970; 10:43 a.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

[Lemon Reg. 429, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, 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 Lemon 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 lemons, 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 hereof 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 lemons grown in California and Arizona.

(b) *Order, as amended.* The provisions in paragraph (b)(1)(ii) of § 910.729 (Lemon Reg. 429, 35 F.R. 8442) are hereby amended to read as follows:

§ 910.729 Lemon Regulation 429.

* * * * *

(b) * * *

(1) * * *

(ii) District 2: 330,150 cartons.

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

Dated: June 4, 1970.

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

[F.R. Doc. 70-7093; Filed, June 8, 1970; 8:45 a.m.]

[965.211 Amdt. 1]

PART 965—TOMATOES GROWN IN LOWER RIO GRANDE VALLEY IN TEXAS

Expenses and Rate of Assessment

Marketing Order No. 965 (7 CFR Part 965) regulates the handling of tomatoes grown in the counties of Cameron, Hidalgo, Starr, and Willacy in South Texas. The said order is effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Findings. (a) Based upon the recommendation and information submitted by the Texas Valley Tomato Committee, established pursuant to said marketing order and after consideration of all relevant matters, it is hereby found that amending the budget as hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impractical and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) no assessment is being charged; all budget items are being paid from funds in the operating reserve fund and (2) compliance with this amendment will not require any special preparation on the part of handlers.

In § 965.211 (35 F.R. 5396), paragraph (a) is hereby amended to read as follows:

§ 965.211 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Texas Valley Tomato Committee, established pursuant to Marketing Order No. 965, for its maintenance and functioning, and for such other purposes as the Secretary determines to be appropriate, during the fiscal period ending July 31, 1970, will amount to $6,904.40.

* * * * *

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

Dated: June 4, 1970.

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

[F.R. Doc. 70-7128; Filed, June 8, 1970; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1970 Crop Wheat Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 Crop Wheat Loan and Purchase Program

The General Regulations Governing Price Support for the 1970 and Subsequent Crops, published at 35 F.R. 7363 and any amendments thereto and the 1970 and Subsequent Crops Wheat Loan and Purchase Program regulations published at 35 F.R. 8204 and any amendments to such regulations, are further supplemented for the 1970 crop of wheat by adding §§ 1421.485–1421.489 to read as follows. The material previously appearing in §§ 1421.2115–1421.2119 remains in full force and effect as to the 1968 and 1969 crops of wheat.

Sec.

1421.485 Availability.
1421.486 Compliance requirements.
1421.487 Warehouse charges.
1421.488 Maturity of loans.
1421.489 Support rates, premiums and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 107, 401, 63 Stat. 1051, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421.

§ 1421.485 Availability.

A producer desiring a price support loan must request a loan on his eligible wheat on or before April 30, 1971, on wheat stored in Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming, and on or before March 31, 1971, on wheat stored in all other States. To obtain price support through sales, a producer must execute and deliver to the appropriate county ASCS office a Purchase Agreement (Form CCC–614), indicating the approximate quantity of 1970 crop wheat he will sell to CCC, on or before May 31, 1971, for wheat stored in the States named in this section and on or before April 30, 1971, for wheat stored in all other States. To obtain a price support loan on his wheat or to sell his wheat to CCC, a producer must execute a Form CCC–680, 1970 Crop Wheat Varieties Certification.

§ 1421.486 Compliance requirements.

A producer shall be eligible for a loan or purchase if he is eligible to receive wheat marketing certificates on wheat of the 1970 crop on the farm on which the wheat tendered for loan or purchase is produced under the Regulations Per-

taining to Farm Acreage Allotments, Yields, and Wheat Certificate Program for the Crops Years 1968 Through 1970 issued as separate regulations under Part 728 of this title (see 33 F.R. 6508, April 30, 1968 and amendments thereto).

§ 1421.487 Warehouse charges.

Subject to the provisions of § 1421.466, the schedules of deductions set forth in this section shall apply to wheat stored in an approved warehouse operating under the Uniform Grain Storage Agreement or operated by an Eastern common carrier.

(a) *Warehouses approved under the Uniform Grain Storage Agreement.*

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATES

Maturity date of Apr. 30, 1971	Deduction (cents per bushel)	Maturity date of May 31, 1971
(1)		(1)
Prior to May 16, 1970	13	Prior to June 16, 1970.
May 16-June 12, 1970	12	June 16-July 13, 1970.
June 13-July 10, 1970	11	July 14-Aug. 10, 1970.
July 11-Aug. 7, 1970	10	Aug. 11-Sept. 7, 1970.
Aug. 8-Sept. 4, 1970	9	Sept. 8-Oct. 5, 1970.
Sept. 5-Oct. 2, 1970	8	Oct. 6-Nov. 2, 1970.
Oct. 3-Oct. 30, 1970	7	Nov. 3-Nov. 30, 1970.
Oct. 31-Nov. 27, 1970	6	Dec. 1-Dec. 28, 1970.
Nov. 28-Dec. 25, 1970	5	Dec. 29, 1970-Jan. 25, 1971.
Dec. 26, 1970-Jan. 22, 1971	4	Jan. 26-Feb. 22, 1971.
Jan. 23-Feb. 19, 1971	3	Feb. 23-Mar. 22, 1971.
Feb. 20-Mar. 19, 1971	2	Mar. 23-Apr. 19, 1971.
Mar. 20-Apr. 30, 1971	1	Apr. 20-May 31, 1971.

[1] Date storage charges start, all dates inclusive.

(b) *Warehouses operated by Eastern common carriers.* (1) Eligible wheat stored in the following approved Eastern common carrier warehouse may be placed under loan or offered for sale to CCC: Pennsylvania Railroad Co., Canton Elevator—Warehouse Code 9-2151, Baltimore, Md.

(2) Schedule of deductions for storage charges:

Maturity date of Apr. 30, 1971	*Deduction (cents per bushel)*
[1]	[2]
Prior to June 25, 1970	16
June 25-July 14, 1970	15
July 15-Aug. 3, 1970	14
Aug. 4-Aug. 23, 1970	13
Aug. 24-Sept. 12, 1970	12
Sept. 13-Oct. 2, 1970	11
Oct. 3-Oct. 22, 1970	10
Oct. 23-Nov. 11, 1970	9
Nov. 12-Dec. 1, 1970	8
Dec. 2-Dec. 21, 1970	7
Dec. 22, 1970-Jan. 10, 1971	6
Jan. 11-Jan. 30, 1971	5
Jan. 31-Feb. 19, 1971	4
Feb. 20-Mar. 11, 1971	3
Mar. 12-Mar. 31, 1971	2
Apr. 1-Apr. 30, 1971	1

[1] Storage commence date, all dates inclusive.

[2] If producer presents evidence that elevation charges were prepaid, reduce storage deduction 2½ cents per bushel.

§ 1421.488 Maturity of loans.

Loans mature on demand but not later than: May 31, 1971, on wheat stored in the States of Idaho, Minnesota, Montana, North Dakota, Oregon, Washington, and Wyoming; April 30, 1971, on wheat stored in all other States.

§ 1421.489 Support rates, premiums and discounts.

(a) *Basic support rates (counties).* Basic county support rates per bushel for loan and settlement purposes for wheat are established for wheat grading No. 1 and are as follows:

ALABAMA

County	*Rate per bushel*	*County*	*Rate per bushel*
Mobile	$1.43	All other counties	$1.27

ARIZONA

Apache	$1.10	Mohave	$1.21
Cochise	1.24	Navajo	1.12
Coconino	1.14	Pima	1.26
Gila	1.22	Pinal	1.30
Graham	1.23	Santa Cruz	1.25
Greenlee	1.17	Yavapai	1.22
Maricopa	1.32	Yuma	1.37

ARKANSAS

Arkansas	$1.32	Lee	$1.32
Ashley	1.32	Lincoln	1.32
Baxter	1.27	Little River	1.30
Benton	1.25	Logan	1.27
Boone	1.25	Lonoke	1.30
Bradley	1.32	Madison	1.26
Calhoun	1.32	Marion	1.26
Carroll	1.24	Miller	1.32
Chicot	1.32	Mississippi	1.32
Clark	1.30	Monroe	1.32
Clay	1.32	Montgomery	1.28
Cleburne	1.30	Nevada	1.32
Cleveland	1.32	Newton	1.27
Columbia	1.32	Ouachita	1.32
Conway	1.27	Perry	1.27
Craighead	1.32	Phillips	1.32
Crawford	1.27	Pike	1.29
Crittenden	1.32	Poinsett	1.32
Cross	1.32	Polk	1.27
Dallas	1.32	Pope	1.27
Desha	1.32	Prairie	1.30
Drew	1.32	Pulaski	1.30
Faulkner	1.28	Randolph	1.31
Franklin	1.27	St. Francis	1.32
Fulton	1.28	Saline	1.28
Garland	1.28	Scott	1.27
Grant	1.31	Searcy	1.27
Greene	1.32	Sebastian	1.27
Hempstead	1.32	Sevier	1.27
Hot Spring	1.29	Sharp	1.30
Howard	1.29	Stone	1.29
Independence	1.31	Union	1.32
Izard	1.28	Van Buren	1.27
Jackson	1.32	Washington	1.26
Jefferson	1.31	White	1.32
Johnson	1.27	Woodruff	1.32
Lafayette	1.32	Yell	1.27
Lawrence	1.31		

CALIFORNIA

Alameda	$1.47	Modoc	$1.24
Alpine	1.31	Monterey	1.38
Amador	1.44	Napa	1.41
Butte	1.36	Orange	1.47
Calaveras	1.44	Placer	1.41
Colusa	1.41	Plumas	1.26
Contra Costa	1.44	Riverside	1.42
El Dorado	1.44	Sacramento	1.47
Fresno	1.38	San Benito	1.41
Glenn	1.37	San Bernardino	1.44
Humboldt	1.28	San Diego	1.47
Imperial	1.42	San Francisco	1.47
Inyo	1.38	San Joaquin	1.47
Kern	1.44	San Luis Obispo	1.38
Kings	1.41	San Mateo	1.44
Lake	1.35	Santa Barbara	1.41
Lassen	1.25	Santa Clara	1.44
Los Angeles	1.47	Santa Cruz	1.41
Madera	1.40	Shasta	1.28
Marin	1.39	Sierra	1.31
Mariposa	1.40	Siskiyou	1.25
Mendocino	1.32		
Merced	1.41		

CALIFORNIA—Continued

County	*Rate per bushel*	*County*	*Rate per bushel*
Solano	$1.44	Tulare	$1.41
Sonoma	1.38	Tuolumne	1.41
Stanislaus	1.44	Ventura	1.44
Sutter	1.44	Yolo	1.44
Tehama	1.32	Yuba	1.41

COLORADO

Adams	$1.12	La Plata	$1.00
Alamosa	1.09	Larimer	1.12
Arapahoe	1.12	Las Animas	1.19
Archuleta	1.04	Lincoln	1.12
Baca	1.19	Logan	1.13
Bent	1.13	Mesa	1.00
Boulder	1.12	Moffat	1.09
Chaffee	1.04	Montezuma	1.00
Cheyenne	1.14	Montrose	1.00
Conejos	1.04	Morgan	1.12
Costilla	1.09	Otero	1.12
Crowley	1.12	Ouray	1.00
Custer	1.09	Phillips	1.15
Delta	1.00	Pitkin	1.00
Denver	1.12	Prowers	1.15
Dolores	1.00	Pueblo	1.12
Douglas	1.12	Rio Blanco	1.06
Eagle	1.03	Rio Grande	1.04
Elbert	1.12	Routt	1.06
El Paso	1.12	Saguache	1.04
Fremont	1.09	San Miguel	1.00
Garfield	1.03	Sedgwick	1.15
Grand	1.09	Summit	1.06
Huerfano	1.14	Teller	1.12
Jackson	1.09	Washington	1.12
Jefferson	1.12	Weld	1.12
Kiowa	1.14	Yuma	1.14
Kit Carson	1.14		

CONNECTICUT

All counties	$1.33

DELAWARE

Kent	$1.38	Sussex	$1.38
New Castle	1.38		

FLORIDA

All counties	$1.29

GEORGIA

All counties	$1.29

IDAHO

Ada	$1.16	Gem	$1.16
Adams	1.16	Gooding	1.17
Bannock	1.16	Idaho	1.21
Bear Lake	1.13	Jefferson	1.13
Benewah	1.24	Jerome	1.18
Bingham	1.14	Kootenai	1.23
Blaine	1.16	Latah	1.24
Boise	1.15	Lemhi	1.14
Bonner	1.18	Lewis	1.22
Bonneville	1.13	Lincoln	1.18
Boundary	1.16	Madison	1.12
Butte	1.14	Minidoka	1.18
Camas	1.16	Nez Perce	1.24
Canyon	1.16	Oneida	1.17
Caribou	1.15	Owyhee	1.16
Cassia	1.18	Payette	1.16
Clark	1.11	Power	1.16
Clearwater	1.22	Shoshone	1.07
Custer	1.15	Teton	1.11
Elmore	1.16	Twin Falls	1.20
Franklin	1.17	Valley	1.15
Fremont	1.11	Washington	1.16

ILLINOIS

Adams	$1.23	Clay	$1.25
Alexander	1.30	Clinton	1.26
Bond	1.27	Coles	1.23
Boone	1.29	Cook	1.29
Brown	1.23	Crawford	1.23
Bureau	1.28	Cumberland	1.23
Calhoun	1.27	De Kalb	1.29
Carroll	1.27	De Witt	1.23
Cass	1.23	Douglas	1.23
Champaign	1.25	Du Page	1.29
Christian	1.25	Edgar	1.23
Clark	1.23	Edwards	1.23

ILLINOIS—Continued

County	Rate Per bushel	County	Rate Per bushel
Effingham	$1.23	Massac	$1.25
Fayette	1.26	Menard	1.23
Ford	1.27	Mercer	1.25
Franklin	1.26	Monroe	1.28
Fulton	1.25	Montgomery	1.27
Gallatin	1.23	Morgan	1.25
Greene	1.27	Moultrie	1.24
Grundy	1.29	Ogle	1.28
Hamilton	1.23	Peoria	1.25
Hancock	1.23	Perry	1.27
Hardin	1.23	Piatt	1.23
Henderson	1.24	Pike	1.25
Henry	1.26	Pope	1.23
Iroquois	1.27	Pulaski	1.28
Jackson	1.28	Putnam	1.27
Jasper	1.23	Randolph	1.28
Jefferson	1.26	Richland	1.23
Jersey	1.28	Rock Island	1.26
Jo Daviess	1.27	Saint Clair	1.30
Johnson	1.25	Saline	1.24
Kane	1.29	Sangamon	1.25
Kankakee	1.29	Schuyler	1.23
Kendall	1.29	Scott	1.25
Knox	1.25	Shelby	1.25
Lake	1.29	Stark	1.26
La Salle	1.29	Stephenson	1.28
Lawrence	1.23	Tazewell	1.23
Lee	1.29	Union	1.28
Livingston	1.27	Vermilion	1.26
Logan	1.24	Wabash	1.23
McDonough	1.23	Warren	1.25
McHenry	1.29	Washington	1.26
McLean	1.25	Wayne	1.23
Macon	1.23	White	1.23
Macoupin	1.28	Whiteside	1.28
Madison	1.30	Will	1.29
Marion	1.27	Williamson	1.26
Marshall	1.27	Winnebago	1.29
Mason	1.23	Woodford	1.25

INDIANA

County	Rate per bushel	County	Rate per bushel
Adams	$1.18	Lawrence	$1.24
Allen	1.19	Madison	1.19
Bartholomew	1.22	Marion	1.20
Benton	1.25	Marshall	1.29
Blackford	1.19	Martin	1.20
Boone	1.19	Miami	1.23
Brown	1.22	Monroe	1.22
Carroll	1.24	Montgomery	1.22
Cass	1.24	Morgan	1.20
Clark	1.25	Newton	1.29
Clay	1.23	Noble	1.21
Clinton	1.22	Ohio	1.20
Crawford	1.25	Orange	1.22
Daviess	1.21	Owen	1.21
Dearborn	1.20	Parke	1.24
Decatur	1.21	Perry	1.25
De Kalb	1.19	Pike	1.23
Delaware	1.18	Porter	1.29
Dubois	1.23	Posey	1.23
Elkhart	1.24	Pulaski	1.29
Fayette	1.20	Putnam	1.22
Floyd	1.28	Randolph	1.18
Fountain	1.24	Ripley	1.21
Franklin	1.20	Rush	1.20
Fulton	1.29	St. Joseph	1.29
Gibson	1.23	Scott	1.22
Grant	1.19	Shelby	1.20
Greene	1.22	Spencer	1.25
Hamilton	1.19	Starke	1.29
Hancock	1.20	Steuben	1.19
Harrison	1.25	Sullivan	1.23
Hendricks	1.20	Switzerland	1.21
Henry	1.20	Tippecanoe	1.22
Howard	1.21	Tipton	1.19
Huntington	1.19	Union	1.20
Jackson	1.24	Vanderburgh	1.23
Jasper	1.29	Vermillion	1.24
Jay	1.18	Vigo	1.24
Jefferson	1.22	Wabash	1.21
Jennings	1.22	Warren	1.24
Johnson	1.20	Warrick	1.22
Knox	1.23	Washington	1.25
Kosciusko	1.23	Wayne	1.20
Lagrange	1.21	Wells	1.18
Lake	1.29	White	1.29
La Porte	1.29	Whitley	1.20

IOWA

County	Rate Per bushel	County	Rate Per bushel
Adair	$1.29	Johnson	$1.29
Adams	1.31	Jones	1.30
Allamakee	1.35	Keokuk	1.27
Appanoose	1.24	Kossuth	1.37
Audubon	1.28	Lee	1.24
Benton	1.31	Linn	1.31
Black Hawk	1.31	Louisa	1.27
Boone	1.29	Lucas	1.27
Bremer	1.32	Lyon	1.32
Buchanan	1.31	Madison	1.29
Buena Vista	1.30	Mahaska	1.28
Butler	1.32	Marion	1.27
Calhoun	1.30	Marshall	1.31
Carroll	1.28	Mills	1.31
Cass	1.30	Mitchell	1.38
Cedar	1.29	Monona	1.29
Cerro Gordo	1.34	Monroe	1.25
Cherokee	1.30	Montgomery	1.31
Chickasaw	1.33	Muscatine	1.28
Clarke	1.29	O'Brien	1.32
Clay	1.33	Osceola	1.34
Clayton	1.32	Page	1.30
Clinton	1.27	Palo Alto	1.33
Crawford	1.28	Plymouth	1.31
Dallas	1.29	Pocahontas	1.31
Davis	1.24	Polk	1.30
Decatur	1.27	Pottawattamie	1.31
Delaware	1.31	Poweshiek	1.29
Des Moines	1.25	Ringgold	1.28
Dickinson	1.36	Sac	1.29
Dubuque	1.30	Scott	1.26
Emmet	1.37	Shelby	1.29
Fayette	1.33	Sioux	1.32
Floyd	1.34	Story	1.30
Franklin	1.32	Tama	1.31
Fremont	1.31	Taylor	1.29
Greene	1.28	Union	1.30
Grundy	1.31	Van Buren	1.24
Guthrie	1.28	Wapello	1.26
Hamilton	1.31	Warren	1.28
Hancock	1.34	Washington	1.27
Hardin	1.31	Wayne	1.25
Harrison	1.29	Webster	1.31
Henry	1.25	Winnebago	1.38
Howard	1.36	Winneshiek	1.36
Humboldt	1.32	Woodbury	1.31
Ida	1.30	Worth	1.38
Iowa	1.29	Wright	1.32
Jackson	1.27		
Jasper	1.30		
Jefferson	1.25		

KANSAS

County	Rate per bushel	County	Rate per bushel
Allen	$1.28	Gray	$1.19
Anderson	1.30	Greeley	1.16
Atchison	1.31	Greenwood	1.26
Barber	1.23	Hamilton	1.17
Barton	1.21	Harper	1.24
Bourbon	1.29	Harvey	1.23
Brown	1.31	Haskell	1.20
Butler	1.24	Hodgeman	1.20
Chase	1.25	Jackson	1.30
Chautauqua	1.26	Jefferson	1.31
Cherokee	1.28	Jewell	1.23
Cheyenne	1.16	Johnson	1.31
Clark	1.22	Kearny	1.17
Clay	1.25	Kingman	1.23
Cloud	1.24	Kiowa	1.21
Coffey	1.28	Labette	1.28
Comanche	1.22	Lane	1.19
Cowley	1.25	Leavenworth	1.31
Crawford	1.28	Lincoln	1.22
Decatur	1.19	Linn	1.31
Dickinson	1.24	Logan	1.17
Doniphan	1.31	Lyon	1.27
Douglas	1.31	McPherson	1.23
Edwards	1.21	Marion	1.24
Elk	1.26	Marshall	1.27
Ellis	1.21	Meade	1.22
Ellsworth	1.22	Miami	1.31
Finney	1.18	Mitchell	1.23
Ford	1.20	Montgomery	1.28
Franklin	1.31	Morris	1.26
Geary	1.26	Morton	1.22
Gove	1.19	Nemaha	1.29
Graham	1.21	Neosho	1.28
Grant	1.19	Ness	1.20

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Norton	$1.21	Seward	$1.22
Osage	1.29	Shawnee	1.30
Osborne	1.22	Sheridan	1.19
Ottawa	1.23	Sherman	1.16
Pawnee	1.21	Smith	1.22
Phillips	1.21	Stafford	1.21
Pottawatomie	1.28	Stanton	1.18
Pratt	1.21	Stevens	1.22
Rawlins	1.17	Sumner	1.25
Reno	1.22	Thomas	1.17
Republic	1.24	Trego	1.21
Rice	1.22	Wabaunsee	1.28
Riley	1.27	Wallace	1.16
Rooks	1.21	Washington	1.25
Rush	1.21	Wichita	1.16
Russell	1.21	Wilson	1.28
Saline	1.23	Woodson	1.28
Scott	1.17	Wyandotte	1.31
Sedgwick	1.23		

KENTUCKY

County	Rate per bushel	County	Rate per bushel
Adair	$1.25	Kenton	$1.24
Allen	1.24	Knox	1.25
Anderson	1.25	Larue	1.25
Ballard	1.28	Laurel	1.25
Barren	1.24	Lawrence	1.25
Bath	1.25	Lee	1.25
Bell	1.25	Lewis	1.25
Boone	1.24	Lincoln	1.27
Bourbon	1.26	Livingston	1.23
Boyd	1.25	Logan	1.23
Boyle	1.26	Lyon	1.23
Bracken	1.24	McCracken	1.25
Breathitt	1.25	McCreary	1.25
Breckenridge	1.23	McLean	1.22
Bullitt	1.25	Madison	1.26
Butler	1.23	Magoffin	1.25
Caldwell	1.23	Marion	1.25
Calloway	1.23	Marshall	1.23
Campbell	1.24	Mason	1.24
Carlisle	1.28	Meade	1.23
Carroll	1.24	Menifee	1.25
Carter	1.25	Mercer	1.26
Casey	1.25	Metcalfe	1.24
Christian	1.23	Monroe	1.25
Clark	1.26	Montgomery	1.25
Clay	1.25	Morgan	1.25
Clinton	1.25	Muhlenberg	1.23
Crittenden	1.23	Nelson	1.25
Cumberland	1.25	Nicholas	1.25
Daviess	1.22	Ohio	1.23
Edmonson	1.23	Oldham	1.25
Elliott	1.25	Owen	1.25
Estill	1.25	Owsley	1.25
Fayette	1.26	Pendleton	1.24
Fleming	1.25	Powell	1.25
Franklin	1.25	Pulaski	1.26
Fulton	1.28	Robertson	1.25
Gallatin	1.24	Rockcastle	1.26
Garrard	1.26	Rowan	1.25
Grant	1.25	Russell	1.25
Graves	1.25	Scott	1.25
Grayson	1.24	Shelby	1.25
Green	1.25	Simpson	1.24
Greenup	1.25	Spencer	1.25
Hancock	1.23	Taylor	1.25
Hardin	1.24	Todd	1.23
Harrison	1.25	Trigg	1.23
Hart	1.24	Trimble	1.24
Henderson	1.22	Union	1.23
Henry	1.25	Warren	1.23
Hickman	1.28	Washington	1.26
Hopkins	1.23	Wayne	1.25
Jackson	1.25	Webster	1.23
Jefferson	1.28	Whitley	1.25
Jessamine	1.26	Wolfe	1.25
Johnson	1.25	Woodford	1.26

LOUISIANA

Parish	Rate per bushel	Parish	Rate per bushel
East Baton Rouge	$1.43	St. Charles	$1.43
Jefferson	1.43	West Baton Rouge	1.43
Orleans	1.43	All other parishes	1.32

MAINE

All counties $1.29

MARYLAND

County	Rate per bushel	County	Rate per bushel
Allegheny	$1.32	Howard	$1.42
Anne Arundel	1.42	Kent	1.38
Baltimore	1.42	Montgomery	1.38
Baltimore City	1.46	Prince Georges	1.38
Calvert	1.38	Queen Annes	1.38
Caroline	1.38	St. Marys	1.38
Carroll	1.38	Somerset	1.37
Cecil	1.37	Talbot	1.38
Charles	1.36	Washington	1.34
Dorchester	1.38	Wicomico	1.38
Frederick	1.36	Worcester	1.38
Garrett	1.30		
Harford	1.38		

MASSACHUSETTS

All counties	$1.32

MICHIGAN

Alcona	$1.10	Keweenaw	$1.28
Alger	1.25	Lake	1.14
Allegan	1.17	Lapeer	1.15
Alpena	1.09	Leelanau	1.12
Antrim	1.11	Lenawee	1.22
Arenac	1.12	Livingston	1.17
Baraga	1.28	Luce	1.12
Barry	1.18	Mackinac	1.12
Bay	1.13	Macomb	1.19
Benzie	1.14	Manistee	1.14
Berrien	1.27	Marquette	1.27
Branch	1.20	Mason	1.14
Calhoun	1.21	Mecosta	1.14
Cass	1.21	Menominee	1.27
Charlevoix	1.10	Midland	1.14
Cheboygan	1.09	Missaukee	1.14
Chippewa	1.12	Monroe	1.23
Clare	1.14	Montcalm	1.14
Clinton	1.15	Montmorency	1.10
Crawford	1.11	Muskegon	1.15
Delta	1.25	Newaygo	1.14
Dickinson	1.29	Oakland	1.17
Eaton	1.18	Oceana	1.14
Emmet	1.09	Ogemaw	1.12
Genesee	1.15	Ontonagon	1.30
Gladwin	1.13	Osceola	1.14
Gogebic	1.34	Oscoda	1.11
Grand Traverse	1.12	Otsego	1.10
Gratiot	1.15	Ottawa	1.16
Hillsdale	1.21	Presque Isle	1.08
Houghton	1.28	Roscommon	1.13
Huron	1.15	Saginaw	1.15
Ingham	1.18	St. Clair	1.18
Ionia	1.15	St. Joseph	1.20
Iosco	1.11	Sanilac	1.15
Iron	1.29	Schoolcraft	1.22
Isabella	1.14	Shiawassee	1.15
Jackson	1.21	Tuscola	1.15
Kalamazoo	1.20	Van Buren	1.18
Kalkaska	1.12	Washtenaw	1.20
Kent	1.15	Wayne	1.20
		Wexford	1.14

MINNESOTA

Aitkin	$1.44	Goodhue	$1.43
Anoka	1.43	Grant	1.39
Becker	1.37	Hennepin	1.43
Beltrami	1.39	Houston	1.38
Benton	1.43	Hubbard	1.38
Big Stone	1.43	Isanti	1.43
Blue Earth	1.43	Itasca	1.44
Brown	1.43	Jackson	1.40
Carlton	1.46	Kanabec	1.43
Carver	1.43	Kandiyohi	1.43
Cass	1.41	Kittson	1.30
Chippewa	1.42	Koochiching	1.40
Chisago	1.43	Lac qui Parle	1.40
Clay	1.35	Lake of the Woods	1.34
Clearwater	1.38	Le Sueur	1.43
Cottonwood	1.41	Lincoln	1.38
Crow Wing	1.43	Lyon	1.40
Dakota	1.43	McLeod	1.43
Dodge	1.43	Mahnomen	1.36
Douglas	1.41	Marshall	1.33
Faribault	1.41	Martin	1.41
Fillmore	1.40	Meeker	1.43
Freeborn	1.41		

MINNESOTA—Continued

County	Rate per bushel	County	Rate per bushel
Mille Lacs	$1.43	St. Louis	$1.46
Morrison	1.42	Scott	1.43
Mower	1.41	Sherburne	1.43
Murray	1.39	Sibley	1.43
Nicollet	1.43	Stearns	1.43
Nobles	1.36	Steele	1.43
Norman	1.34	Stevens	1.40
Olmsted	1.43	Swift	1.42
Otter Tail	1.39	Todd	1.41
Pennington	1.34	Traverse	1.38
Pine	1.44	Wabasha	1.43
Pipestone	1.36	Wadena	1.40
Polk	1.35	Waseca	1.43
Pope	1.41	Washington	1.43
Ramsey	1.43	Watonwan	1.42
Red Lake	1.36	Wilkin	1.37
Redwood	1.42	Winona	1.41
Renville	1.43	Wright	1.43
Rice	1.43	Yellow Medicine	1.41
Rock	1.34		
Roseau	1.31		

MISSISSIPPI

Harrison	$1.43	All other counties	$1.27
Jackson	1.43		

MISSOURI

Adair	$1.26	Linn	$1.29
Andrew	1.31	Livingston	1.30
Atchison	1.31	McDonald	1.27
Audrain	1.26	Macon	1.28
Barry	1.26	Madison	1.28
Barton	1.29	Maries	1.26
Bates	1.31	Marion	1.25
Benton	1.29	Mercer	1.28
Bollinger	1.30	Miller	1.25
Boone	1.27	Mississippi	1.32
Buchanan	1.31	Moniteau	1.26
Butler	1.31	Monroe	1.27
Caldwell	1.31	Montgomery	1.27
Callaway	1.25	Morgan	1.27
Camden	1.26	New Madrid	1.32
Cape Girardeau	1.30	Newton	1.27
Carroll	1.31	Nodaway	1.31
Carter	1.28	Oregon	1.28
Cass	1.31	Osage	1.25
Cedar	1.30	Ozark	1.25
Chariton	1.30	Pemiscot	1.32
Christian	1.26	Perry	1.29
Clark	1.24	Pettis	1.29
Clay	1.31	Phelps	1.25
Clinton	1.31	Pike	1.26
Cole	1.25	Platte	1.31
Cooper	1.28	Polk	1.28
Crawford	1.26	Pulaski	1.24
Dade	1.28	Putnam	1.26
Dallas	1.26	Ralls	1.26
Daviess	1.30	Randolph	1.28
De Kalb	1.31	Ray	1.31
Dent	1.25	Reynolds	1.26
Douglas	1.24	Ripley	1.30
Dunklin	1.32	St. Charles	1.29
Franklin	1.28	St. Clair	1.30
Gasconade	1.27	Ste. Genevieve	1.29
Gentry	1.31	St. Francois	1.27
Greene	1.26	St. Louis	1.30
Grundy	1.29	Saline	1.30
Harrison	1.29	Schuyler	1.25
Henry	1.31	Scotland	1.25
Hickory	1.28	Scott	1.30
Holt	1.31	Shannon	1.25
Howard	1.28	Shelby	1.27
Howell	1.26	Stoddard	1.31
Iron	1.27	Stone	1.25
Jackson	1.31	Sullivan	1.28
Jasper	1.28	Taney	1.25
Jefferson	1.29	Texas	1.25
Johnson	1.31	Vernon	1.30
Knox	1.24	Warren	1.28
Laclede	1.24	Washington	1.28
Lafayette	1.31	Wayne	1.29
Lawrence	1.26	Webster	1.24
Lewis	1.24	Worth	1.31
Lincoln	1.28	Wright	1.24

MONTANA

County	Rate per bushel	County	Rate per bushel
Beaverhead	$1.09	Madison	$1.06
Big Horn	1.08	Meagher	1.08
Blaine	1.08	Mineral	1.07
Broadwater	1.06	Missoula	1.07
Carbon	1.08	Musselshell	1.08
Carter	1.14	Park	1.06
Cascade	1.08	Petroleum	1.08
Chouteau	1.08	Phillips	1.08
Custer	1.12	Pondera	1.08
Daniels	1.11	Powder River	1.12
Dawson	1.13	Powell	1.06
Deer Lodge	1.06	Prairie	1.13
Fallon	1.16	Ravalli	1.04
Fergus	1.08	Richland	1.13
Flathead	1.10	Roosevelt	1.12
Gallatin	1.06	Rosebud	1.10
Garfield	1.10	Sanders	1.07
Glacier	1.08	Sheridan	1.13
Golden Valley	1.08	Silver Bow	1.06
Granite	1.04	Stillwater	1.08
Hill	1.08	Sweet Grass	1.08
Jefferson	1.05	Teton	1.08
Judith Basin	1.08	Toole	1.08
Lake	1.07	Treasure	1.08
Lewis and Clark	1.08	Valley	1.10
Liberty	1.08	Wheatland	1.08
Lincoln	1.10	Wibaux	1.16
McCone	1.12	Yellowstone	1.08

NEBRASKA

Adams	$1.25	Jefferson	$1.28
Antelope	1.28	Johnson	1.29
Arthur	1.17	Kearney	1.24
Banner	1.12	Keith	1.17
Blaine	1.21	Keya Paha	1.22
Boone	1.29	Kimball	1.12
Box Butte	1.15	Knox	1.28
Boyd	1.26	Lancaster	1.31
Brown	1.22	Lincoln	1.19
Buffalo	1.25	Logan	1.21
Burt	1.31	Loup	1.23
Butler	1.31	Madison	1.30
Cass	1.31	McPherson	1.20
Cedar	1.28	Merrick	1.28
Chase	1.16	Morrill	1.13
Cherry	1.19	Nance	1.29
Cheyenne	1.12	Nemaha	1.30
Clay	1.26	Nuckolls	1.26
Colfax	1.31	Otoe	1.31
Cuming	1.31	Pawnee	1.29
Custer	1.23	Perkins	1.17
Dakota	1.30	Phelps	1.23
Dawes	1.14	Pierce	1.29
Dawson	1.23	Platte	1.30
Deuel	1.15	Polk	1.30
Dixon	1.29	Red Willow	1.20
Dodge	1.31	Richardson	1.29
Douglas	1.31	Rock	1.23
Dundy	1.16	Saline	1.29
Fillmore	1.28	Sarpy	1.31
Franklin	1.23	Saunders	1.31
Frontier	1.20	Scotts Bluff	1.12
Furnas	1.22	Seward	1.31
Gage	1.29	Sheridan	1.16
Garden	1.15	Sherman	1.25
Garfield	1.25	Sioux	1.13
Gosper	1.22	Stanton	1.31
Grant	1.17	Thayer	1.27
Greeley	1.27	Thomas	1.20
Hall	1.27	Thurston	1.30
Hamilton	1.28	Valley	1.25
Harlan	1.23	Washington	1.31
Hayes	1.18	Wayne	1.29
Hitchcock	1.18	Webster	1.25
Holt	1.25	Wheeler	1.28
Hooker	1.18	York	1.29
Howard	1.27		

NEVADA

All counties	$1.22

NEW HAMPSHIRE

All counties	$1.31

New Jersey

County	Rate per bushel	County	Rate per bushel
Atlantic	$1.38	Middlesex	$1.40
Bergen	1.42	Monmouth	1.40
Burlington	1.40	Morris	1.38
Camden	1.42	Ocean	1.38
Cape May	1.35	Passaic	1.38
Cumberland	1.38	Salem	1.38
Essex	1.38	Somerset	1.38
Gloucester	1.42	Sussex	1.38
Hunterdon	1.38	Union	1.39
Mercer	1.40	Warren	1.38

New Mexico

Bernalillo	$1.13	Mora	$1.20
Catron	1.14	Otero	1.18
Chaves	1.22	Quay	1.27
Colfax	1.19	Rio Arriba	1.08
Curry	1.27	Roosevelt	1.26
De Baca	1.23	Sandoval	1.11
Dona Ana	1.18	San Juan	1.02
Eddy	1.22	San Miguel	1.21
Grant	1.18	Santa Fe	1.16
Guadalupe	1.24	Sierra	1.17
Harding	1.26	Socorro	1.16
Hidalgo	1.22	Taos	1.14
Lea	1.26	Torrance	1.18
Lincoln	1.19	Union	1.24
Luna	1.20	Valencia	1.10
McKinley	1.06		

New York

Albany	$1.46	Oneida	$1.34
Allegany	1.32	Onondaga	1.34
Broome	1.36	Ontario	1.34
Cattaraugus	1.28	Orange	1.38
Cayuga	1.34	Orleans	1.32
Chautauqua	1.24	Oswego	1.34
Chemung	1.34	Otsego	1.38
Chenango	1.36	Putnam	1.38
Clinton	1.31	Rensselaer	1.42
Columbia	1.42	Rockland	1.38
Cortland	1.34	St. Lawrence	1.29
Delaware	1.38	Saratoga	1.38
Dutchess	1.38	Schenectady	1.42
Erie	1.32	Schoharie	1.42
Essex	1.34	Schuyler	1.34
Franklin	1.28	Seneca	1.34
Fulton	1.34	Steuben	1.34
Genesee	1.34	Suffolk	1.38
Greene	1.42	Sullivan	1.38
Herkimer	1.34	Tioga	1.34
Jefferson	1.31	Tompkins	1.34
Lewis	1.32	Ulster	1.38
Livingston	1.34	Warren	1.37
Madison	1.34	Washington	1.38
Monroe	1.34	Wayne	1.34
Montgomery	1.38	Westchester	1.42
Nassau	1.42	Wyoming	1.34
New York City	1.46	Yates	1.34
Niagara	1.32		

North Carolina

All counties $1.31

North Dakota

Adams	$1.20	Kidder	$1.24
Barnes	1.30	La Moure	1.29
Benson	1.22	Logan	1.26
Billings	1.18	McHenry	1.18
Bottineau	1.16	McIntosh	1.26
Bowman	1.19	McKenzie	1.16
Burke	1.15	McLean	1.19
Burleigh	1.23	Mercer	1.19
Cass	1.32	Morton	1.22
Cavalier	1.25	Mountrail	1.15
Dickey	1.31	Nelson	1.28
Divide	1.13	Oliver	1.20
Dunn	1.18	Pembina	1.28
Eddy	1.25	Pierce	1.20
Emmons	1.25	Ramsey	1.25
Foster	1.26	Ransom	1.32
Golden Valley	1.17	Renville	1.15
Grand Forks	1.31	Richland	1.35
Grant	1.21	Rolette	1.19
Griggs	1.29	Sargent	1.32
Hettinger	1.20	Sheridan	1.21

North Dakota—Continued

Sioux	$1.22	Traill	$1.31
Slope	1.20	Walsh	1.29
Stark	1.20	Ward	1.16
Steele	1.30	Wells	1.24
Stutsman	1.27	Williams	1.14
Towner	1.22		

Ohio

Adams	$1.18	Licking	$1.20
Allen	1.22	Logan	1.20
Ashland	1.22	Lorain	1.22
Ashtabula	1.24	Lucas	1.26
Athens	1.20	Madison	1.19
Auglaize	1.21	Mahoning	1.24
Belmont	1.21	Marion	1.22
Brown	1.18	Medina	1.21
Butler	1.18	Meigs	1.18
Carroll	1.21	Mercer	1.21
Champaign	1.19	Miami	1.19
Clark	1.18	Monroe	1.21
Clermont	1.18	Montgomery	1.18
Clinton	1.18	Morgan	1.21
Columbiana	1.23	Morrow	1.21
Coshocton	1.21	Muskingum	1.21
Crawford	1.23	Noble	1.21
Cuyahoga	1.21	Ottawa	1.25
Darke	1.20	Paulding	1.22
Defiance	1.22	Perry	1.20
Delaware	1.20	Pickaway	1.19
Erie	1.24	Pike	1.18
Fairfield	1.20	Portage	1.21
Fayette	1.18	Preble	1.18
Franklin	1.20	Putnam	1.22
Fulton	1.23	Richland	1.22
Gallia	1.18	Ross	1.19
Geauga	1.24	Sandusky	1.25
Greene	1.18	Scioto	1.18
Guernsey	1.21	Seneca	1.24
Hamilton	1.18	Shelby	1.21
Hancock	1.24	Stark	1.21
Hardin	1.22	Summit	1.21
Harrison	1.21	Trumbull	1.24
Henry	1.23	Tuscarawas	1.21
Highland	1.18	Union	1.20
Hocking	1.20	Van Wert	1.22
Holmes	1.21	Vinton	1.20
Huron	1.23	Warren	1.18
Jackson	1.18	Washington	1.21
Jefferson	1.23	Wayne	1.21
Knox	1.21	Williams	1.22
Lake	1.23	Wood	1.25
Lawrence	1.18	Wyandot	1.23

Oklahoma

Adair	$1.27	Jackson	$1.30
Alfalfa	1.26	Jefferson	1.32
Atoka	1.31	Johnston	1.32
Beaver	1.23	Kay	1.26
Beckham	1.29	Kingfisher	1.29
Blaine	1.29	Kiowa	1.30
Bryan	1.32	Latimer	1.29
Caddo	1.30	Le Flore	1.29
Canadian	1.29	Lincoln	1.29
Carter	1.32	Logan	1.28
Cherokee	1.28	Love	1.32
Choctaw	1.32	McClain	1.30
Cimarron	1.23	McCurtain	1.30
Cleveland	1.30	McIntosh	1.29
Coal	1.31	Major	1.28
Comanche	1.31	Marshall	1.32
Cotton	1.31	Mayes	1.28
Craig	1.28	Murray	1.31
Creek	1.29	Muskogee	1.29
Custer	1.28	Noble	1.28
Delaware	1.27	Nowata	1.28
Dewey	1.27	Okfuskee	1.29
Ellis	1.25	Oklahoma	1.29
Garfield	1.28	Okmulgee	1.29
Garvin	1.31	Osage	1.26
Grady	1.30	Ottawa	1.27
Grant	1.26	Pawnee	1.27
Greer	1.30	Payne	1.28
Harmon	1.30	Pittsburg	1.29
Harper	1.24	Pontotoc	1.30
Haskell	1.29	Pottawatomie	1.29
Hughes	1.29		

Oklahoma—Continued

Pushmataha	$1.31	Tillman	$1.30
Roger Mills	1.28	Tulsa	1.28
Rogers	1.28	Wagoner	1.28
Seminole	1.29	Washington	1.27
Sequoyah	1.29	Washita	1.29
Stephens	1.31	Woods	1.26
Texas	1.23	Woodward	1.26

Oregon

Baker	$1.24	Lake	$1.24
Benton	1.30	Lane	1.28
Clackamas	1.36	Lincoln	1.23
Clatsop	1.40	Linn	1.31
Columbia	1.40	Malheur	1.14
Coos	1.12	Marion	1.34
Crook	1.27	Morrow	1.30
Curry	1.15	Multnomah	1.40
Deschutes	1.27	Polk	1.33
Douglas	1.17	Sherman	1.32
Gilliam	1.30	Tillamook	1.37
Grant	1.25	Umatilla	1.28
Harney	1.09	Union	1.25
Hood River	1.37	Wallowa	1.23
Jackson	1.17	Wasco	1.34
Jefferson	1.31	Washington	1.37
Josephine	1.17	Wheeler	1.29
Klamath	1.24	Yamhill	1.34

Pennsylvania

Adams	$1.35	Lancaster	$1.35
Allegheny	1.27	Lawrence	1.26
Armstrong	1.24	Lebanon	1.34
Beaver	1.24	Lehigh	1.38
Bedford	1.32	Luzerne	1.34
Berks	1.38	Lycoming	1.31
Blair	1.29	McKean	1.27
Bradford	1.34	Mercer	1.24
Bucks	1.42	Mifflin	1.31
Butler	1.25	Monroe	1.34
Cambria	1.28	Montgomery	1.42
Carbon	1.34	Montour	1.32
Centre	1.30	Northampton	1.38
Chester	1.38	Northumberland	1.32
Clarion	1.26	Perry	1.32
Clearfield	1.28	Philadelphia	1.46
Clinton	1.31	Pike	1.34
Columbia	1.33	Potter	1.29
Crawford	1.24	Schuylkill	1.34
Cumberland	1.33	Snyder	1.32
Dauphin	1.32	Somerset	1.28
Delaware	1.42	Sullivan	1.34
Elk	1.28	Susquehanna	1.32
Erie	1.24	Tioga	1.31
Fayette	1.28	Union	1.32
Forest	1.25	Venango	1.24
Franklin	1.33	Warren	1.24
Fulton	1.31	Washington	1.24
Greene	1.26	Wayne	1.34
Huntingdon	1.30	Westmoreland	1.26
Indiana	1.27	Wyoming	1.34
Jefferson	1.28	York	1.35
Juniata	1.31		
Lackawanna	1.34		

Rhode Island

All counties $1.33

South Carolina

Charleston	$1.46	All other counties	$1.30

South Dakota

Aurora	$1.30	Corson	$1.24
Beadle	1.32	Custer	1.14
Bennett	1.19	Davison	1.31
Bon Homme	1.29	Day	1.35
Brookings	1.36	Deuel	1.38
Brown	1.33	Dewey	1.23
Brule	1.28	Douglas	1.29
Buffalo	1.28	Edmunds	1.30
Butte	1.18	Fall River	1.13
Campbell	1.27	Faulk	1.29
Charles Mix	1.27	Grant	1.38
Clark	1.34	Gregory	1.25
Clay	1.31	Haakon	1.24
Codington	1.36	Hamlin	1.36

SOUTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Hand	$1.30	Minnehaha	$1.33
Hanson	1.31	Moody	1.36
Harding	1.19	Pennington	1.18
Hughes	1.27	Perkins	1.20
Hutchinson	1.30	Potter	1.27
Hyde	1.28	Roberts	1.37
Jackson	1.24	Sanborn	1.31
Jerauld	1.30	Shannon	1.16
Jones	1.25	Spink	1.32
Kingsbury	1.34	Stanley	1.26
Lake	1.34	Sully	1.27
Lawrence	1.18	Todd	1.22
Lincoln	1.32	Tripp	1.24
Lyman	1.26	Turner	1.31
McCook	1.31	Union	1.32
McPherson	1.29	Walworth	1.27
Marshall	1.35	Washabaugh	1.22
Meade	1.20	Yankton	1.29
Mellette	1.22	Ziebach	1.22
Miner	1.32		

TENNESSEE

Anderson	$1.28	Lauderdale	$1.28
Bedford	1.27	Lawrence	1.26
Benton	1.25	Lewis	1.26
Bledsoe	1.27	Lincoln	1.28
Blount	1.29	Loudon	1.28
Bradley	1.29	McMinn	1.29
Campbell	1.28	McNairy	1.26
Cannon	1.26	Macon	1.25
Carroll	1.25	Madison	1.26
Carter	1.30	Marion	1.28
Cheatham	1.25	Marshall	1.27
Chester	1.26	Maury	1.26
Claiborne	1.29	Meigs	1.29
Clay	1.26	Monroe	1.29
Cocke	1.29	Montgomery	1.24
Coffee	1.27	Moore	1.27
Crockett	1.25	Morgan	1.27
Cumberland	1.27	Obion	1.28
Davidson	1.25	Overton	1.27
Decatur	1.25	Perry	1.25
De Kalb	1.26	Pickett	1.27
Dickson	1.25	Polk	1.29
Dyer	1.28	Putnam	1.27
Fayette	1.30	Rhea	1.28
Fentress	1.27	Roane	1.28
Franklin	1.28	Robertson	1.24
Gibson	1.25	Rutherford	1.26
Giles	1.27	Scott	1.29
Grainger	1.29	Sequatchie	1.27
Greene	1.30	Sevier	1.29
Grundy	1.27	Shelby	1.32
Hamblen	1.29	Smith	1.26
Hamilton	1.29	Stewart	1.25
Hancock	1.30	Sullivan	1.30
Hardeman	1.28	Sumner	1.24
Hardin	1.25	Tipton	1.30
Hawkins	1.30	Trousdale	1.25
Haywood	1.28	Unicoi	1.30
Henderson	1.25	Union	1.29
Henry	1.25	Van Buren	1.27
Hickman	1.25	Warren	1.27
Houston	1.25	Washington	1.30
Humphreys	1.25	Wayne	1.25
Jackson	1.26	Weakley	1.25
Jefferson	1.29	White	1.27
Johnson	1.30	Williamson	1.26
Knox	1.29	Wilson	1.25
Lake	1.28		

TEXAS

Andrews	$1.27	Bosque	$1.34
Archer	1.30	Bowie	1.31
Armstrong	1.27	Briscoe	1.28
Atascosa	1.39	Brown	1.32
Bailey	1.27	Burleson	1.42
Bandera	1.35	Burnet	1.35
Bastrop	1.37	Caldwell	1.37
Baylor	1.30	Calhoun	1.42
Bee	1.45	Callahan	1.31
Bell	1.37	Carson	1.27
Bexar	1.37	Castro	1.27
Blanco	1.35	Chambers	1.48
Borden	1.27	Cherokee	1.35

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Childress	$1.30	Lamar	$1.32
Clay	1.33	Lamb	1.27
Cochran	1.27	Lampasas	1.34
Coke	1.30	Limestone	1.37
Coleman	1.31	Lipscomb	1.25
Collin	1.34	Live Oak	1.45
Collingsworth	1.30	Llano	1.34
Comal	1.35	Loving	1.21
Comanche	1.32	Lubbock	1.27
Concho	1.32	Lynn	1.27
Cooke	1.34	McCulloch	1.32
Coryell	1.35	McLennan	1.35
Cottle	1.28	Martin	1.27
Crosby	1.27	Mason	1.33
Culberson	1.18	Maverick	1.26
Dallam	1.25	Medina	1.35
Dallas	1.34	Menard	1.32
Dawson	1.27	Midland	1.26
Deaf Smith	1.27	Milam	1.39
Delta	1.32	Mills	1.34
Denton	1.34	Mitchell	1.28
De Witt	1.39	Montague	1.34
Dickens	1.28	Moore	1.25
Dimmit	1.26	Motley	1.28
Donley	1.28	Navarro	1.35
Eastland	1.32	Nolan	1.29
Edwards	1.29	Nueces	1.48
Ellis	1.34	Ochiltree	1.25
El Paso	1.14	Oldham	1.27
Erath	1.32	Palo Pinto	1.33
Falls	1.37	Parker	1.34
Fannin	1.34	Parmer	1.27
Fischer	1.30	Pecos	1.27
Floyd	1.27	Potter	1.27
Foard	1.30	Presidio	1.14
Gaines	1.27	Randall	1.27
Galveston	1.48	Real	1.32
Garza	1.27	Reeves	1.22
Gillespie	1.34	Refugio	1.45
Glasscock	1.27	Roberts	1.25
Goliad	1.42	Robertson	1.39
Gray	1.27	Rockwall	1.34
Grayson	1.34	Runnels	1.30
Guadalupe	1.37	San Patricio	1.48
Hale	1.27	San Saba	1.34
Hall	1.28	Schleicher	1.28
Hamilton	1.33	Scurry	1.28
Hansford	1.25	Shackelford	1.31
Hardeman	1.30	Sherman	1.24
Harris	1.48	Somervell	1.33
Hartley	1.25	Stephens	1.33
Haskell	1.30	Sterling	1.27
Hays	1.35	Stonewall	1.29
Hemphill	1.25	Sutton	1.29
Hill	1.35	Swisher	1.27
Hockley	1.27	Tarrant	1.34
Hood	1.33	Taylor	1.30
Howard	1.27	Terry	1.27
Hudspeth	1.14	Throckmorton	1.31
Hunt	1.32	Tom Green	1.30
Hutchinson	1.25	Travis	1.35
Irion	1.27	Uvalde	1.32
Jack	1.33	Van Zandt	1.34
Jackson	1.42	Victoria	1.42
Jeff Davis	1.18	Waller	1.45
Jefferson	1.48	Ward	1.26
Johnson	1.34	Wharton	1.42
Jones	1.30	Wheeler	1.28
Karnes	1.39	Wichita	1.30
Kaufman	1.34	Wilbarger	1.30
Kendall	1.35	Williamson	1.37
Kent	1.28	Wilson	1.37
Kerr	1.32	Wise	1.34
Kimble	1.33	Yoakum	1.27
King	1.29	Young	1.33
Kinney	1.29	Zavala	1.29
Knox	1.30		

UTAH

Beaver	$1.14	Duchesne	$1.10
Box Elder	1.17	Emery	1.06
Cache	1.17	Garfield	1.06
Carbon	1.08	Grand	1.02
Daggett	1.12	Iron	1.11
Davis	1.18	Juab	1.16

UTAH—Continued

County	Rate per bushel	County	Rate per bushel
Kane	$1.06	Summit	$1.16
Millard	1.14	Tooele	1.16
Morgan	1.17	Uintah	1.06
Piute	1.10	Utah	1.16
Rich	1.14	Wasatch	1.14
Salt Lake	1.18	Washington	1.11
San Juan	1.02	Wayne	1.06
San Pete	1.12	Weber	1.18
Sevier	1.10		

VERMONT

All counties	$1.31

VIRGINIA

Accomack	$1.36	Loudoun	$1.31
Albemarle	1.31	Louisa	1.31
Alleghany	1.29	Lunenburg	1.32
Amelia	1.32	Madison	1.31
Amherst	1.31	Mathews	1.34
Appomattox	1.32	Mecklenburg	1.31
Arlington	1.31	Middlesex	1.34
Augusta	1.31	Montgomery	1.29
Bath	1.29	Nansemond	1.42
Bedford	1.31	Nelson	1.31
Bland	1.29	New Kent	1.34
Botetourt	1.30	Newport News	1.38
Brunswick	1.31	Northampton	1.32
Buchanan	1.29	Northumberland	1.32
Buckingham	1.32	Nottoway	1.32
Campbell	1.31	Orange	1.31
Caroline	1.32	Page	1.31
Carroll	1.30	Patrick	1.30
Charles City	1.34	Pittsylvania	1.31
Charlotte	1.32	Powhatan	1.32
Chesapeake (Norfolk)	1.46	Prince Edward	1.32
Chesterfield	1.32	Prince George	1.32
Clarke	1.31	Prince William	1.31
Craig	1.29	Pulaski	1.30
Culpeper	1.31	Rappahannock	1.31
Cumberland	1.32	Richmond	1.32
Dickenson	1.29	Roanoke	1.30
Dinwiddie	1.32	Rockbridge	1.31
Essex	1.32	Rockingham	1.31
Fairfax	1.31	Russell	1.30
Fauquier	1.31	Scott	1.30
Floyd	1.30	Shenandoah	1.31
Fluvanna	1.31	Smyth	1.30
Franklin	1.30	Southampton	1.38
Frederick	1.31	Spotsylvania	1.32
Giles	1.29	Stafford	1.32
Gloucester	1.38	Surry	1.34
Goochland	1.32	Sussex	1.34
Grayson	1.30	Tazewell	1.29
Greene	1.31	Virginia Beach	1.42
Greensville	1.34	Warren	1.31
Halifax	1.31	Washington	1.30
Hampton	1.42	Westmoreland	1.32
Hanover	1.32	Wise	1.30
Henrico	1.34	Wythe	1.30
Henry	1.30	York	1.38
Highland	1.29		
Isle of Wight	1.38		
James City	1.34		
King and Queen	1.34		
King George	1.32		
King William	1.34		
Lancaster	1.32		
Lee	1.30		

WASHINGTON

Adams	$1.27	Garfield	$1.28
Asotin	1.24	Grant	1.27
Benton	1.29	Grays Harbor	1.34
Chelan	1.28	Island	1.26
Clallam	1.24	Jefferson	1.27
Clark	1.40	King	1.40
Columbia	1.28	Kitsap	1.21
Cowlitz	1.40	Kittitas	1.32
Douglas	1.26	Klickitat	1.33
Ferry	1.22	Lewis	1.37
Franklin	1.28	Lincoln	1.26

WASHINGTON—Continued

County	Rate per bushel	County	Rate per bushel
Mason	$1.31	Spokane	$1.25
Okanogan	1.26	Stevens	1.20
Pacific	1.34	Thurston	1.37
Pend Oreille	1.18	Wahkiakum	1.37
Pierce	1.40	Walla Walla	1.28
San Juan	1.26	Whatcom	1.31
Skagit	1.34	Whitman	1.26
Skamania	1.37	Yakima	1.30
Snohomish	1.37		

WEST VIRGINIA

Barbour	$1.26	Mineral	$1.28
Berkeley	1.30	Mingo	1.25
Boone	1.25	Monongalia	1.24
Braxton	1.25	Monroe	1.28
Brooke	1.23	Morgan	1.29
Cabell	1.23	Nicholas	1.27
Calhoun	1.24	Ohio	1.23
Clay	1.25	Pendleton	1.29
Doddridge	1.23	Pleasants	1.22
Fayette	1.27	Pocahontas	1.29
Gilmer	1.24	Preston	1.26
Grant	1.28	Putnam	1.23
Greenbrier	1.29	Raleigh	1.26
Hampshire	1.29	Randolph	1.28
Hancock	1.23	Ritchie	1.23
Hardy	1.29	Roane	1.23
Harrison	1.25	Summers	1.29
Jackson	1.22	Taylor	1.26
Jefferson	1.31	Tucker	1.28
Kanawha	1.24	Tyler	1.22
Lewis	1.25	Upshur	1.26
Lincoln	1.24	Wayne	1.24
Logan	1.25	Webster	1.27
McDowell	1.27	Wetzel	1.23
Marion	1.24	Wirt	1.23
Marshall	1.23	Wood	1.22
Mason	1.23	Wyoming	1.26
Mercer	1.28		

WISCONSIN

Adams	$1.30	Marathon	$1.36
Ashland	1.40	Marinette	1.30
Barron	1.41	Marquette	1.29
Bayfield	1.43	Menominee	1.32
Brown	1.25	Milwaukee	1.29
Buffalo	1.41	Monroe	1.32
Burnett	1.44	Oconto	1.30
Calumet	1.25	Oneida	1.35
Chippewa	1.41	Outagamie	1.28
Clark	1.38	Ozaukee	1.27
Columbia	1.27	Pepin	1.41
Crawford	1.32	Pierce	1.42
Dane	1.26	Polk	1.42
Dodge	1.26	Portage	1.35
Door	1.20	Price	1.37
Douglas	1.46	Racine	1.29
Dunn	1.41	Richland	1.31
Eau Claire	1.38	Rock	1.28
Florence	1.31	Rusk	1.39
Fond du Lac	1.25	St. Croix	1.42
Forest	1.33	Sauk	1.28
Grant	1.29	Sawyer	1.41
Green	1.26	Shawano	1.32
Green Lake	1.27	Sheboygan	1.25
Iowa	1.28	Taylor	1.39
Iron	1.38	Trempeleau	1.38
Jackson	1.35	Vernon	1.34
Jefferson	1.27	Vilas	1.34
Juneau	1.31	Walworth	1.28
Kenosha	1.29	Washburn	1.43
Kewaunee	1.22	Washington	1.27
La Crosse	1.35	Waukesha	1.28
Lafayette	1.26	Waupaca	1.30
Langlade	1.34	Waushara	1.27
Lincoln	1.37	Winnebago	1.27
Manitowoc	1.24	Wood	1.33

WYOMING

Albany	$1.09	Fremont	$1.04
Big Horn	1.04	Goshen	1.12
Campbell	1.09	Hot Springs	1.04
Carbon	1.06	Johnson	1.06
Converse	1.09	Laramie	1.12
Crook	1.12	Lincoln	1.13

WYOMING—Continued

County	Rate per bushel	County	Rate per bushel
Natrona	$1.04	Sweetwater	$1.09
Niobrara	1.12	Teton	1.11
Park	1.04	Uinta	1.13
Platte	1.12	Washakie	1.04
Sheridan	1.06	Weston	1.12
Sublette	1.09		

(b) *Premiums and discounts.* The basic support rate shall be adjusted as applicable by premiums and discounts as follows (all footnotes at end of paragraph):

	Cents per bushel
(1) *Class premiums and discounts.*	
(i) *Premiums:*	
Hard Amber Durum (No. 3 or better)[1]	+5
(ii) *Discounts:*	
Durum	−5
Red Durum	−20
Mixed Wheat (mixtures of classes other than contrasting classes)	−2
Mixed Wheat (mixtures of contrasting classes)	−10
(2) *Grade premiums and discounts.*	
(i) *Premium:*	
Heavy, No. 3 or better[1]	+2
(ii) *Discounts:*	
No. 2	−1
No. 3	−3
No. 4	−6
No. 5	−9

Sample on one or more of the factors test weight, total damage (with not more than 3 percent heat damage), foreign material, and total defects (with not more than 3 percent heat damage), apply a discount of 14 cents. Add 1 cent for each pound or fraction thereof that test weight is below 50 pounds (49 pounds for Hard Red Spring and White Club) through 40 pounds and add 1 cent for each percent or fraction thereof that total defects are in excess of 21 percent. Total discount on these factors shall not exceed 30 cents per bushel if total defects are not in excess of 50 percent, or 45 cents per bushel if total defects are in excess of 50 percent.

Smut—degree basis:	
Light Smutty	−2
Smutty	−6
Garlic—degree basis:	
Light Garlicky	−5
Garlicky	−10

(3) *Protein premiums.* Applicable to grade No. 5 or better, Hard Red Winter, Hard Red Spring, and Hard White Wheat of the varieties Baart, Bluestem, and Burt.[1]

Protein content (percent)	Cents per bushel
12.0–12.4	+ 1½
12.5–12.9	+ 3
13.0–13.4	+ 4½
13.5–13.9	+ 6
14.0–14.4	+ 7½
14.5–14.9	+ 9
15.0–15.4	+10½
15.5–15.9	+12
16.0–16.4	+13½
16.5–16.9	+15
17.0–17.4	+16½
17.5 and above	+18

(4) *Variety discount* −20

The following varieties referred to in these regulations as "undesirable varieties" are subject to the discount:

Hard Red Winter:
- Blue Jacket.
- Cache.[2]
- Purkof.
- Red Chief.[3]
- Stafford.
- Yogo.

Hard Red Spring:
- Henry.[4]
- Kinney.
- Nainari 60.
- Penjamo 62.
- Pitic 62.
- Spinkcota.
- Red River 68.[5]

White:
- Florence.
- Gaines.[4]
- Rex.
- Siete Cerros 66.[7]

Soft Red Winter:
- Nured.

Durum:
- Oviachic.

(5) *Weed control discount* (where required by § 421.25) 10

(6) *Other factors.* Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of wheat, such as (but not limited to) moisture, weevily, ergoty, stones, musty, sour and heating. Such discounts will be established not later than the time delivery of wheat to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at ASCS county offices.

NOTE: Premiums and discounts are cumulative except only one grade discount shall be applied.

[1] Not applicable to the undesirable varieties listed in subparagraph (4).

[2] Except in Idaho and Utah.

[3] Including white seeded Red Chief.

[4] When grown east of Continental Divide or in Arizona and New Mexico.

[5] When grown in Colorado, Iowa, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

[6] Except in Washington.

[7] When grown in Arizona.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 1, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-7036; Filed, June 8, 1970; 8:45 a.m.]

[CCC Grain Price Support Regs., 1970 and Subsequent Crops Rice Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1970 and Subsequent Crops, Rice Loan and Purchase Program

Correction

In F.R. Doc. 70-6667 appearing at page 8443 in the issue of Friday, May 29, 1970, the ninth through 14th lines of § 1421.309 appearing in the center column of page 8444 should be transferred to the bottom of the column to appear after the third line of § 1421.310(a)(2).

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, 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 introductory portion of paragraph (e) is amended by adding thereto the name of the State of North Carolina, and a new paragraph (e)(19) relating to the State of North Carolina is added to read:

(e) * * *

(19) *North Carolina.* That portion of Gates County bounded by a line beginning at the junction of the Seaboard Coast Line Railroad and the North Carolina-Virginia State line; thence, following the Seaboard Coast Line Railroad in a southwesterly direction to Secondary Road 1300; thence, following Secondary Road 1300 in a southeasterly direction to U.S. Highway 158; thence, following U.S. Highway 158 in an easterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a northeasterly direction to Secondary Road 1320; thence, following Secondary Road 1320 in a generally southeasterly direction to North Carolina Highway 32; thence, following North Carolina Highway 32 in a northeasterly direction to Secondary Road 1326; thence, following Secondary Road 1326 in a northwesterly direction to Secondary Road 1328; thence, following Secondary Road 1328 in a northwesterly direction to Secondary Road 1318; thence, following Secondary Road 1318 in a northerly direction to the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in a westerly direction to its junction with the Seaboard Coast Line Railroad.

2. In § 76.2, in paragraph (e)(17) relating to the State of Virginia, subdivision (vii) relating to Page County and subdivision (ix) relating to Rockingham County are deleted.

3. In § 76.2, paragraph (e)(5) relating to the State of Indiana is amended to read:

(e) * * *

(5) *Indiana.* (i) That portion of Carroll County comprised of Madison Township; sections 28 and 29 of Carrollton Township; and that portion of Deer Creek Township lying south of County Road 100 N.

(ii) That portion of Cass County comprised of section 5 of Clinton Township, and sections 31 and 36 of Tippon Township.

(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 Gates County, N.C., 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 portions of Page and Rockingham Counties in Virginia and portions of Carroll and Cass Counties in Indiana 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 4th day of June 1970.

F. R. MANCHAM,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-7129; Filed, June 8, 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:

In § 76.2, paragraphs (e), (f), and (g) are amended 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 Alabama, Arizona, Arkansas, Illinois, Indiana, Massachusetts, Minnesota, Mississippi, Missouri, New Jersey, New Mexico, New York, Ohio, Rhode Island, South Carolina, Texas, 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) *Alabama.* (i) That portion of Morgan County bounded by a line beginning at the junction of State Highway 24 and County Road 41; thence, following State Highway 24 in a southwesterly direction to the Morgan-Lawrence County line; thence, following the Morgan-Lawrence County line in a southerly direction to the southern boundary of sec. 18, of T. 6 S., R. 5 W.; thence, following the southern boundaries of secs. 18, 17, 16, 15, 14, and 13, of T. 6 S., R. 5 W. in an easterly direction to County Road 41; thence, following County Road 41 in a generally northerly direction to its junction with State Highway 24.

(ii) The adjacent portions of Morgan and Cullman Counties bounded by a line beginning at the junction of State Highway 69 and the Simcoe School-Gold Ridge-Friendship Church Road; thence, following the Simcoe School-Gold Ridge-Friendship Church Road in a generally northerly direction to Keller Creek; thence, following the east bank of Keller Creek in a generally northeasterly direction to Cotaco Creek; thence, following the east bank of Cotaco Creek in a generally northwesterly direction to State Highway 67; thence, following State Highway 67 in a southeasterly direction to State Highway 69; thence, following State Highway 69 in a generally southwesterly direction to its junction with the Simcoe School-Gold Ridge-Friendship Church Road.

(iii) The adjacent portions of Etowah and Cherokee Counties bounded by a line beginning at the junction of U.S. Highway 278 and the Reaves-John Chapel Road; thence, following U.S. Highway 278 in a southeasterly direction to the Etowah-Calhoun County line; thence, following the Etowah-Calhoun County line in a northerly direction to the Calhoun-Cherokee County line; thence, following the Calhoun-Cherokee County line in an easterly direction to County

Road 19; thence, following County Road 19 in a generally northerly direction to the road from Davis Chapel-to-County Road 71; thence, following the Davis Chapel-to-County Road 71 road in a northwesterly direction to County Road 71; thence, following County Road 71 in a generally southwesterly direction to Dry Creek; thence, following the east bank of Dry Creek in a southeasterly direction to Reaves-John Chapel Road; thence, following the Reaves-John Chapel Road in a southerly direction to its junction with U.S. Highway 278.

(2) *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.

(3) *Arkansas.* That portion of Chicot County bounded by a line beginning at the junction of U.S. Highway 82 and the west bank of the Mississippi River; thence, following U.S. Highway 82 in a generally westerly direction to the Chicot-Ashley County line; thence, following the Chicot-Ashley County line in a southerly direction to State Highway 8; thence, following State Highway 8 in a generally southeasterly direction to Grand Lake Road; thence, following Grand Lake Road in a northeasterly direction to the west bank of the Mississippi River; thence, following the west bank of the Mississippi River in a generally northerly direction to its junction with U.S. Highway 82.

(4) *Illinois.* (i) That portion of Clay County comprised of Sanger, Harter, and Xenia Townships.

(ii) The adjacent portions of Rock Island and Mercer Counties comprised of Buffalo Prairie and Edgington Townships in Rock Island County, and Duncan and Perreyton Townships in Mercer County.

(5) *Indiana.* (i) That portion of Carroll County comprised of Rock Creek, Liberty, Washington, Deer Creek, Jackson, Carrollton, Monroe, and Madison Townships.

(ii) That portion of Cass County comprised of Clinton, Deer Creek, and Jackson Townships, and the portion of Washington and Tippon Townships lying south of County Road 500–S.

(6) *Massachusetts.* (i) That portion of Essex County comprised of Saugus Township.

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

(7) *Minnesota.* The adjacent portions of Chippewa and Kandiyohi Counties bounded by a line beginning at the junction of U.S. Highway 71 and County Road 23; thence, following County Road 23 in an easterly direction to County Road 86; thence, following County Road 86 in an easterly direction to County Road 134; thence, following County Road 134 in a southerly direction to the southern boundary of Sec. 24, of T. 118 N., R. 34 W.; thence, following the southern boundaries of Secs. 24, 23, 22, 21, and 20, of T. 118 N., R. 34 W. in a westerly direction to County Road 3; thence, following County Road 3 in a westerly direction to 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 Road 1; thence, following County Road 1 in a southerly direction to the Kandiyohi-Renville County line; thence, following the Kandiyohi-Renville County line in a westerly direction to the Chippewa-Renville County line; thence, following the Chippewa-Renville County line in a westerly direction to the western boundary of Rheiderland Township; thence, following the western boundary of Rheiderland Township in a northerly direction to County Road 2; thence, following County Road 2 in a northerly direction to County Road 12; thence, following County Road 12 in an easterly direction to the Kandiyohi-Chippewa County line; thence, following the Kandiyohi-Chippewa County line in a southerly direction to County Road 85; thence, following County Road 85 in an easterly direction to U.S. Highway 71; thence, following U.S. Highway 71 in a northerly direction to its junction with County Road 23.

(8) *Mississippi.* (i) Prentiss, Tippah, Tishomingo, and Warren Counties.

(ii) That portion of Copiah County bounded by a line beginning at the junction of State Highways 27 and 28; thence, following State Highway 28 in a generally westerly direction to the Dentville, Hazlehurst Road; thence, following the Dentville, Hazlehurst Road in a northwesterly direction to the Mississippi Power & Light Co. electrical transmission line right of way; thence, following the Mississippi Power & Light Co. electrical transmission line right of way in a northeasterly direction to the Copiah-Hinds County line; thence, following the Copiah-Hinds County line in an easterly direction to State Highway 27; thence, following State Highway 27 in a southeasterly direction to its junction with State Highway 28.

(iii) The adjacent portions of Holmes and Attala Counties bounded by a line beginning at the junction of Interstate Highway 55 and the Holmes-Carroll County line; thence, following the Holmes-Carroll County line in a southeasterly direction to the Big Black River (also Holmes-Attala County line); thence, following the west bank of the Big Black River in a southwesterly direction to State Highway 19; thence, following State Highway 19 in a southeasterly direction to State Highway 35; thence, following State Highway 35 in a southerly direction to State Highway 43; thence, following State Highway 43 in a southwesterly direction to State Highway 14; thence, following State Highway 14 in a generally southwesterly direction to Interstate Highway 55; thence, following Interstate Highway 55 in a northeasterly direction to its junction with the Holmes-Carroll County line.

(iv) That portion of Itawamba County bounded by a line beginning at the junction of U.S. Highway 78 and the Mississippi-Alabama State line; 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 Itawamba-Tishomingo County line; thence, following the Itawamba-Tishomingo County line in an easterly direction to the Mississippi-Alabama State line; thence, following the Mississippi-Alabama State line in a southwesterly direction to its junction with U.S. Highway 78.

(v) 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.

(vi) That portion of Rankin County bounded by a line beginning at the junction of U.S. Highway 80 and State Highway 469; thence, following State Highway 469 in a southwesterly direction to Tumbaloo Creek; thence, following the north bank of Tumbaloo Creek in a generally easterly direction to State Highway 18; thence, following State Highway 18 in a southeasterly direction to the Southern Natural Gas Line; thence, following the Southern Natural Gas Line in a northerly direction to U.S. Highway 80; thence, following U.S. Highway 80 in a southwesterly direction to its junction with State Highway 469.

(9) *Missouri.* (i) That portion of Butler County bounded by a line beginning at the junction of the Butler, Carter, and Ripley County lines; thence, following the Butler-Ripley County line in an easterly and southerly direction to U.S. Highway 160; thence, following U.S. Highway 160 in an easterly direction to Lone Hill Road (also designated Route F); thence, following Lone Hill Road (also designated Route F) in a northerly direction to Proctor Creek; thence, following the south bank of Proctor Creek in a northwesterly direction to Ten Mile Creek; thence, following the east bank of Ten Mile Creek in a northwesterly direction to Ten Mile Road (also designated Road TT); thence, following Ten

Mile Road (also designated Road TT) in a westerly direction to CCC Road (also known as Beaver Dam Tower Road); thence, following CCC Road (also known as Beaver Dam Tower Road) in a generally northwesterly direction to the Butler-Carter County line; thence, following the Butler-Carter County line in a southerly direction to its junction with the Butler, Ripley, and Carter County lines.

(ii) That portion of Stoddard County bounded by a line beginning at the northwestern corner of Stoddard County at the junction of the Stoddard-Wayne and Stoddard-Butler County lines; thence, following the Stoddard-Wayne County line in an easterly direction to State Highway T; thence, following State Highway T in a generally northeasterly direction to the northern boundary of sec. 2, of T. 26 N., R. 8 E.; thence, following the northern boundary of secs. 2 and 1, of T. 26 N., R. 8 E. in an easterly direction to the northeastern corner of sec. 1, of T. 26 N., R. 8 E.; thence, following the eastern boundary of secs. 1, 12, and 13, of T. 26 N., R. 8 E. in a southerly direction to State Highway J; thence, following State Highway J in a northeasterly direction to State Highway WW; thence, following State Highway WW in a generally southeasterly direction to U.S. Highway 60; thence, following U.S. Highway 60 in a southwesterly direction to the St. Francis River (also the Stoddard-Butler County line); thence, following the east bank of the St. Francis River (also the Stoddard-Butler County line) in a northwesterly direction to its junction with the Stoddard-Wayne County line at the northwestern corner of Stoddard County.

(10) *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 Boundry Lane Road; thence, following Boundry 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.

(11) *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 Road 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 E.; thence, following Range Line 2–3 E. in a northerly direction to County Road 110; thence, following County Road 110 in an easterly direction to its junction with State Road 273.

(12) *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.

(13) *Ohio.* That portion of Darke County comprised of Brown and Wayne Townships.

(14) *Rhode Island.* Bristol, Kent, Newport, and Providence Counties.

(15) *South Carolina.* 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.

(16) *Texas.* (i) Dallas County.

(ii) That portion of Cottle County bounded by a line beginning at the junction of Farm to Market Road 104 and the Pease River; thence, following Farm to Market Road 104 in a generally southwesterly direction to U.S. Highway 70; thence, following U.S. Highway 70 in a generally southwesterly direction to the Cottle-Motley County line; thence, following the Cottle-Motley County line in a northerly direction to the South Pease River; thence, following the south bank of the South Pease River in a generally northeasterly direction to the Pease River; thence, following the south bank of the Pease River in a generally southeasterly direction to its junction with Farm to Market Road 104.

(iii) 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.

(iv) That portion of El Paso County bounded by a line beginning at the junction of State Highway 375 and Interstate Highway 10; thence, following Interstate Highway 10 in a southeasterly direction to State Highway 793; thence, following State Highway 793 in a southwesterly direction to U.S. Highway 80; thence, following U.S. Highway 80 in a northwesterly direction to Farm to Market Road 258; thence, following Farm to Market Road 258 in a northwesterly direction to State Highway 375; thence, following State Highway 375 in a northeasterly direction to its junction with Interstate Highway 10.

(v) 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.

(vi) 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.

(vii) 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.

(viii) 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.

(ix) That portion of San Jacinto County bounded by a line beginning at the junction of State Highway 150 and Farm to Market Road 2025; thence, following Farm to Market Road 2025 in a southeasterly direction to Farm to Market Road 945; thence, following Farm to Market Road 945 in a generally northwesterly direction to State Highway 150; thence, following State Highway 150 in a northeasterly direction to its junction with Farm to Market Road 2025.

(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.

(17) *Virginia.* (i) That portion of Appomattox County bounded by a line beginning at the junction of Primary Highway 24 and Secondary Highway 618; thence, following Secondary Highway 618 in a southeasterly direction to Secondary Highway 614; thence, following Secondary Highway 614 in a generally easterly direction to Secondary Highway 651; thence, following Secondary Highway 651 in a generally southeasterly direction to Secondary Highway 626; thence, following Secondary Highway 626 in a southeasterly direction to Secondary Highway 601; thence, following Secondary Highway 601 in a southwesterly direction to Secondary Highway 627; thence, following Secondary Highway 627 in a southeasterly direction to Secondary Highway 600; thence, following Secondary Highway 600 in a southwesterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a northwesterly direction to Secondary Highway 634; thence, following Secondary Highway 634 in a northwesterly direction to Secondary Highway 631; thence, following Secondary Highway 631 in a northeasterly direction to Secondary Highway 627; thence, following Secondary Highway 627 in a northwesterly direction to Primary Highway 24; thence, following Primary Highway 24 in a northeasterly direction to its junction with Secondary Highway 618.

(ii) The adjacent portions of Goochland and Powhatan Counties bounded by a line beginning at the junction of U.S. Highway 522 and Secondary Highway 634; thence, following Secondary Highway 634 in a northeasterly direction to Secondary Highway 639; thence, following Secondary Highway 639 in a generally southeasterly direction to Secondary Highway 670; thence, following Secondary Highway 670 in a southerly direction to Primary Highway 6; thence following Primary Highway 6 in a westerly direction to Secondary Highway 628; thence, following Secondary Highway 628 in a southwesterly direction to Secondary Highway 711; thence, following Secondary Highway 711 in a northwesterly direction to Secondary Highway 617; thence, following Secondary Highway 617 in a generally northwesterly direction to U.S. Highway 522; thence, following U.S. Highway 522 in a northeasterly direction to its junction with Secondary Highway 634.

(iii) That portion of Greensville County bounded by a line beginning at the junction of Secondary Highways 660 and 730; thence, following Secondary Highway 730 in a southeasterly direction to Secondary Highway 624; thence, following Secondary Highway 624 in a southerly direction to the Virginia-North Carolina State line; thence, following the Virginia-North Carolina State line in a westerly direction to U.S. Highway 301; thence, following U.S. Highway 301 in a northwesterly direction to Secondary Highway 628; thence, following Secondary Highway 628 in a northerly direction to Secondary Highway 625; thence, following Secondary Highway 625 in a southeasterly direction to Secondary Highway 656; thence, following Secondary Highway 656 in a northeasterly direction to Secondary Highway 660; thence, following Secondary Highway 660 in a generally northeasterly direction to its junction with Secondary Highway 730.

(iv) That portion of King William and Hanover Counties bounded by a line beginning at the junction of Secondary Highway 604 and State Highway 30 in King William County; thence, following State Highway 30 in a generally southeasterly direction to U.S. Highway 360; thence, following U.S. Highway 360 in a southwesterly direction to Secondary Highway 605 in Hanover County; 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 604; thence, following Secondary Highway 604 in a northwesterly direction to its junction with State Highway 30 in King William County.

(v) That portion of Nansemond County bounded by a line beginning at the junction of Primary Highways 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 Secondary 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.

(vi) That portion of Nansemond County bounded by a line beginning at the junction of Primary Highway 32 and the Virginia-North Carolina State line; thence, following Primary Highway 32 in a northwesterly direction to Secondary Highway 647; thence, following Secondary Highway 647 in a northwesterly direction to U.S. Highway 13; thence, following U.S. Highway 13 in a southwesterly direction to Secondary Highway 668; thence, following Secondary Highway 668 in a southwesterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a southeasterly direction to Secondary Highway 677; thence, following Secondary Highway 677 in a southerly direction to the Virginia-North Carolina State line; thence, following the Virginia-North Carolina State line in an easterly direction to its junction with Primary Highway 32.

(vii) That portion of Page County bounded by a line beginning at the junction of U.S. Highway 340 and Secondary Highway 650; thence, following Secondary Highway 650 in a generally southeasterly direction to the western boundary of the Shenandoah National Park; thence, following the west boundary of the Shenandoah National Park in a southerly direction to Secondary Highway 604; thence, following Secondary Highway 604 in a southwesterly direction to the Page-Rockingham County line; thence, following the Page-Rockingham County line in a northwesterly direction to the South Fork Shenandoah River; thence, following the east bank of the South Fork Shenandoah River in a generally northerly direction to U.S. Highway 340; thence, following U.S. Highway 340 in a southerly direction to its junction with Secondary Highway 650.

(viii) That portion of Richmond County bounded by a line beginning at the junction of Secondary Roads 624 and 638 near Newland Community; thence, following Secondary Road 638 in a southwesterly direction to the public landing on the eastern bank of the Rappahannock River; thence, following the eastern bank of the Rappahannock

River in a southeasterly direction to Secondary Road 634; thence, following Secondary Road 634 in a generally southeasterly direction to Secondary Road 624; thence, following Secondary Road 624 in a northerly direction to Secondary Road 621; thence, following Secondary Road 621 in a northeasterly direction to Secondary Road 690; thence, following Secondary Road 690 in a generally northerly direction to Secondary Road 637; thence, following Secondary Road 637 in a westerly direction to Secondary Road 624; thence, following Secondary Road 624 in a northwesterly direction to its junction with Secondary Road 638 near Newland Community.

(ix) That portion of Rockingham County bounded by a line beginning at the junction of Secondary Highways 659 and 689; thence, following Secondary Highway 689 in a southwesterly direction to Secondary Highway 679; thence, following Secondary Highway 679 in a southeasterly direction to Secondary Highway 681; thence, following Secondary Highway 681 in a southwesterly direction to Secondary Highway 682; thence, following Secondary Highway 682 in a northwesterly direction to Primary Highway 257; thence, following Primary Highway 257 in a northwesterly direction to Primary Highway 42; thence, following Primary Highway 42 in a northeasterly direction to the Bridgewater City limits; thence, following the Bridgewater City limits in a northwesterly direction to Secondary Highway 738; thence, following Secondary Highway 738 in a northerly direction to Primary Highway 257; thence, following Primary Highway 257 in a northwesterly direction to Secondary Highway 742; thence, following Secondary Highway 742 in a generally northerly direction to Secondary Highway 613; thence, following Secondary Highway 613 in a northeasterly direction to Secondary Highway 732; thence, following Secondary Highway 732 in a northwesterly direction to U.S. Highway 33; thence, following U.S. Highway 33 in an easterly direction to Secondary Highway 612; thence, following Secondary Highway 612 in a northeasterly direction to Secondary Highway 726; thence, following Secondary Highway 726 in a generally southeasterly direction to Secondary Highway 701; thence, following Secondary Highway 701 in a southerly direction to Primary Highway 42; thence, following Primary Highway 42 in a northeasterly direction to the Harrisonburg City limits; thence, following the Harrisonburg City limits in a generally southeasterly direction to Secondary Highway 726; thence, following Secondary Highway 726 in a southeasterly direction to Secondary Highway 659; thence, following Secondary Highway 659 in a southeasterly direction to its junction with Secondary Highway 689.

(x) That portion of Rockingham County bounded by a line beginning at the junction of Primary Highway 42 and Secondary Highway 721; thence, following Primary Highway 42 in a southwesterly direction to Secondary Highway 765; thence, following Secondary Highway 765 in a generally southwesterly direction to Secondary Highway 763; thence, following Secondary Highway 763 in a northwesterly direction to Secondary Highway 613; thence, following Secondary Highway 613 in a northerly direction to Secondary Highway 771; thence, following Secondary Highway 771 in a northwesterly direction to Secondary Highway 773; thence, following Secondary Highway 773 in a northeasterly direction to the Linville-Central District line; thence, following the Linville-Central District line in a northwesterly direction to the Little North Mountain boundary; thence, following the Little North Mountain boundary 2¾ miles in a northeasterly direction along the Little North Mountain boundary; thence, following the eastern slope of the Little North Mountain boundary in a southeasterly direction to the junction of Secondary Highways 877 and 776; thence, following Secondary Highway 776 in a southeasterly direction to Secondary Highway 613; thence, following Secondary Highway 613 in a southwesterly direction to Secondary Highway 774; thence, following Secondary Highway 774 in a southeasterly direction to Secondary Highway 876; thence, following Secondary Highway 876 in a southeasterly direction to Secondary Highway 752; thence, following Secondary Highway 752 in a northerly direction to Secondary Highway 721; thence, following Secondary Highway 721 in a southeasterly direction to its junction with Primary Highway 42.

(xi) That portion of Southampton County bounded by a line beginning at the junction of U.S. Highway 58 and Primary State Highway 35; thence, following Primary State Highway 35 in a southwesterly direction to Secondary Highway 693; thence, following Secondary Highway 693 in a westerly direction to Secondary Highway 657; thence, following Secondary Highway 657 in a northwesterly direction to Secondary Highway 653; thence, following Secondary Highway 653 in a northeasterly direction to Secondary Highway 652; thence, following Secondary Highway 652 in a southeasterly direction to Secondary Highway 656; thence, following Secondary Highway 656 in a southeasterly direction to U.S. Highway 58; thence, following U.S. Highway 58 in a southeasterly direction to its junction with Primary State Highway 35.

(xii) The adjacent portions of Surry, Isle of Wight, Southampton, and Sussex Counties bounded by a line beginning at the junction of Secondary Highways 611 and 616 in Surry County; thence, following Secondary Highway 616 in a generally easterly 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 southwesterly direction to Secondary Highway 637; thence, following Secondary Highway 637 in a southeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a southwesterly direction to U.S. Highway 460; thence, following U.S. Highway 460 in a southeasterly direction to Secondary Highway 610; thence, following Secondary Highway 610 in a generally southerly direction to Secondary Highway 687; thence, following Secondary Highway 687 in a southwesterly direction to Secondary Highway 611; thence, following Secondary Highway 611 in a generally westerly direction to Secondary Highway 641; thence, following Secondary Highway 641 in a generally northeasterly direction to Secondary Highway 603; thence, following Secondary Highway 603 in a generally southwesterly direction to Secondary Highway 635; thence, following Secondary Highway 635 in a northeasterly direction to Secondary Highway 600; thence, following Secondary Highway 600 in a northwesterly direction to Secondary Highway 623; thence, following Secondary Highway 623 in a southwesterly direction to Secondary Highway 626; thence, following Secondary Highway 626 in a generally northwesterly direction to Secondary Highway 631; thence, following Secondary Highway 631 in a northerly direction to Secondary Highway 614; thence, following Secondary Highway 614 in a generally northeasterly direction to Secondary Highway 605; thence, following Secondary Highway 605 in a northwesterly direction to Secondary Highway 616; thence, following Secondary Highway 616 in a northeasterly 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 Secondary Highway 607; thence, following Secondary Highway 607 in a northeasterly direction to Secondary Highway 608; thence, following Secondary Highway 608 in a southeasterly direction to Primary State Highway 40; thence, following Primary State Highway 40 in a northeasterly direction to Secondary Highway 611; thence, following Secondary Highway 611 in a southeasterly direction to its junction with Secondary Highway 616.

(xiii) The northeastern portion of York County bounded by a line beginning at the junction of U.S. Highway 17 and the south bank of the York River; thence,

following the south bank of the York River in a generally easterly direction to the eastern boundary of York County (Chesapeake Bay Coastline); thence, following the eastern boundary of York County (Chesapeake Bay Coastline) in a generally southerly direction to Secondary Road 621; thence, following Secondary Road 621 in a generally westerly direction to U.S. Highway 17; thence, following U.S. Highway 17 in a southeasterly direction to State Primary Highway 173; thence, following State Primary Highway 173 in a generally westerly direction to the York-City of Newport News County line; thence, following the York-City of Newport News County line in a northwesterly direction to Secondary Road 637; thence, following Secondary Road 637 in a generally northeasterly direction to U.S. Highway 17; thence, following U.S. Highway 17 in a northeasterly direction to its junction with the south bank of the York River.

(18) *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.	Maryland.
Connecticut.	Oklahoma.
Delaware.	Tennessee.
Georgia.	West Virginia.

(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.
Florida.	Utah.
Idaho.	Vermont.
Michigan.	Washington.
Montana.	Wisconsin.
Nevada.	Wyoming.
North Dakota.	

(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 exclude a portion of Waller County, Tex., 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, 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 excluded area.

Further, the State of Florida is deleted from the list of hog cholera eradication States in § 76.2(f) and is added to the list of hog cholera free States contained in § 76.2(g). In this respect, the provisions do not change the rights or duties of any person.

The amendments relieve certain restrictions presently imposed and must be made effective immediately 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 and unnecessary, 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 4th day of June 1970.

F. R. MANGHAM,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 70-7130; Filed, June 8, 1970; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER F—REGULATIONS FOR SAVINGS AND LOAN HOLDING COMPANIES

[No. 24,133]

PART 589—BOARD RULINGS

Ruling Relating to Reorganizations

MAY 28, 1970.

Resolved That the Federal Home Loan Bank Board considers it desirable to amend Part 589 of the regulations for Savings and Loan Holding Companies (12 CFR Part 589) for the purpose of adding a Board ruling interpreting the term "reorganization" as used in section 408(e)(1)(B)(ii) of the National Housing Act, as amended (12 U.S.C. 1730a(e)(1)(B)(ii)), and in § 584.4(b)(2) of such regulations. Accordingly, on the basis of such consideration and for such purpose, the Federal Home Loan Bank Board hereby amends said Part 589 by adding a new § 589.2 at the end thereof, to read as follows:

§ 589.2 Nonexempt reorganization involving formation of a savings and loan holding company.

(a) Section 408(e)(1)(B)(ii) of the National Housing Act, as amended, exempts from the requirement of prior written approval of the Federal Savings and Loan Insurance Corporation the acquisition by any company, other than a savings and loan holding company, of one or more insured institutions in connection with a reorganization in which a person or group of persons, having had control of an insured institution for more than 3 years, vests control of that institution in a newly formed holding company subject to the control of the same person or group of persons.

(b) The absence of a definition in the statute of the term "reorganization" as used in section 408(e)(1)(B)(ii) has given rise to questions as to the scope of the exemption created by this provision. The Board, as the operating head of the corporation, therefore rules, on the basis of the legislative history of the statute and other relevant considerations, that this exemption does not apply to an acquisition of an insured institution involving more than a simple transfer of control of an insured institution to a newly formed holding company by an individual or group of individuals who previously controlled the insured institution for more than 3 years and who control the newly formed holding company.

(c) For example, the exemption created by section 408(e)(1)(B)(ii) does not include an acquisition of an insured institution by a newly formed holding company which assumes, in connection with such acquisition, any debt of the individual or group of individuals controlling such insured institution, notwithstanding than any such assumption of debt by such company would not require prior approval of the corporation under the provisions of section 408(g) of the Act, as amended. Whether other transactions which result in the formation of a new savings and loan holding company constitute an exempt "reorganization" within the scope of section 408(e)(1)(B)(ii) will be determined on a case-by-case basis.

(Sec. 402, 48 Stat. 1256, as amended, sec. 408, 48 Stat. 1261, as added by 73 Stat. 691, as amended; 12 U.S.C. 1725, 1730a. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 70-7112; Filed, June 8, 1970; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 70-WA-22]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Federal Airway Segment

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to make a 1° realinement to the segment of VOR Federal airway No. 19

between Newman, Tex., and the Morgan, Tex., Intersection.

V–19 and VOR Federal airway No. 94 segment are presently aligned coincidentally between Newman and the Morgan Insection. Effective July 23, 1970, V–94 segment between Deming, N. Mex., and Newman will be realined by the relocation of the Deming VOR to a new site. Accordingly, action is taken herein to alter V–19 segment 1° so as to overlie V–94 centerline between Newman and the Morgan Intersection.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 23, 1970, as hereinafter set forth.

In § 71.123 (35 F.R. 2009) V–19 is amended by deleting "INT Newman 287°" and substituting "INT Newman 286°" therefor.

(Sec. 307(a) of the Federal Aviation Act of 1958; 49 U.S.C. 1348 and sec. 6(c) of the Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 2, 1970.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 70–7090; Filed, June 8, 1970; 8:45 a.m.]

[Airspace Docket No. 69–WA–33]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Terminal Control Area at Chicago, Ill.

On October 14, 1969, a notice of proposed rule making (Airspace Docket No. 69–WA–33; 34 F.R. 15805) was published stating that the Federal Aviation Administration was considering the establishment of a Terminal Control Area (TCA) for Chicago, Ill. Proposed rules for the control and operation of aircraft operating within terminal control areas were published separately in notice No. 69–41 (34 F.R. 15252).

Following these issuances, a public hearing was held in Chicago, Ill., at which both notices were discussed. As a result of this and other meetings with users, supplemental notices were issued on both the Chicago TCA and on notice 69–41B on March 13, 1970 (35 F.R. 4522, 4519). The air traffic rules for the control and operation of aircraft within TCAs become effective June 25, 1970.

A meeting was held in Chicago on May 14, 1970, with approximately 15 local representatives of Chicago aviation user groups to discuss and modify the proposal contained in notice No. 69–WA–33. Only minor changes to the notice were proposed by the group. The floor of Area B east and northeast of NAS Glenview was raised from 1,900 feet MSL to 2,500 feet MSL.

Eight comments were received on this docket that specifically dealt with the Chicago airspace proposal. The Air Transport Association generally concurred in the Chicago TCA proposal and requested that Midway Airport be included. It is not feasible to include Midway because it does not meet the criteria for either Group I or Group II.

The Department of the Navy stated that the floor of 1,900 feet MSL over the NAS Glenview area would drastically interfere with the scheduled training of the Selected Naval Air Reserves. The Navy suggested that the Glenview control zone be excluded from Area B or that a floor of at least 3,000 feet MSL be established over the Glenview area. Instrument approaches to Runway 22 at Chicago-O'Hare Airport require flight at 2,700 feet MSL over Glenview Airport. Therefore, it is not feasible to establish a TCA floor at 3,000 feet MSL at that point. We have raised the floor of that portion of Area B east and northeast of NAS Glenview to 2,500 feet MSL (Area E).

The other comments, though labeled as responsive to notice No. 69–WA–33, were general in nature and related primarily to notice No. 69–41B. The complaint most germane hereto has to do with the complexity of the proposed airspace. The complicated area is a result of tailoring the airspace to special requirements of a specific area. The complexity is a necessary requirement if we are to insure that no more airspace than is necessary will be designated as a terminal control area.

In consideration of the foregoing and for reasons stated in notices 69–41 and 69–41B, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 23, 1970, as hereinafter set forth.

Section 71.401(a) (F.R. 7784) is amended by adding the following:

CHICAGO, ILL., TERMINAL CONTROL AREA

PRIMARY AIRPORT

1. Chicago-O'Hare International Airport (lat. 41°59'10" N., long. 87°54'28" W.)

BOUNDARIES

That airspace up to and including 7,000 feet MSL—

1. *Area A.* That airspace extending upward from the surface within the Chicago, Ill. (O'Hare International Airport), control zone, including that airspace within 2 miles northwest of the centerline of Runway 4 extended and 2 miles southeast of the centerline of the proposed Runway 4R extended, extending from the 5-mile radius control zone to 2 miles southwest of the Pine Outer Marker.

2. *Area B.* That airspace extending upward from 1,900 feet MSL within a 10.5-mile radius arc of Chicago O'Hare International Airport, excluding Area A and that area bounded on the southeast by a line 2 miles northwest of and parallel to the centerline extended of Runway 22, on the south and southwest by the southwest boundary of Glenview, Ill., control zone, on the north by a 10-mile radius arc of the Chicago VORTAC, and excluding Area E described hereinafter.

3. *Area C.* That airspace extending upward from 3,000 feet MSL within a 20-mile radius arc of Chicago-O'Hare International Airport, excluding Areas A and B, previously described, Areas D and E, described hereinafter, and that airspace within a 1.5-mile radius of Clow Airport (lat. 41°41'40" N., long. 88°07'38" W.).

4. *Area D.* That airspace extending upward from 4,000 feet MSL north of Chicago bounded on the south by the 093° and 274° radials of the Northbrook VOR, on the west by a line 3 miles northeast of and parallel to the centerline extended of Runway 14L, and on the north by the 20-mile radius arc of the Chicago VORTAC. That area southeast of Chicago between the 10.5-mile and 20-mile radius arcs of the Chicago VORTAC and bounded on the north by a line 3 miles south of and parallel to the extended centerline of Runway 27R, and on the southwest by a line 3 miles northeast of and parallel to the extended centerline of Runway 32R.

5. *Area E.* That airspace northeast of Chicago extending upward from 2,500 feet MSL bounded on the northeast by a 10.5-mile radius arc of Chicago-O'Hare International Airport, on the south by the extended-centerline of Runway 9/27 at NAS Glenview and on the northwest by a line 2 miles northwest of and parallel to the extended centerline of Runway 22.

(Sec. 307(a) of the Federal Aviation Act of 1958, 49 U.S.C. 1348; and Sec. 6(c) of the Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on June 3, 1970.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 70–7110; Filed, June 8, 1970; 8:47 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER–624]

PART 213—TERMS, CONDITIONS AND LIMITATIONS OF FOREIGN AIR CARRIER PERMITS

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., 23d day of April, 1970.

In its decision in the Foreign Air Carrier Permit Terms Investigation, Docket 12063, dated April 23, 1970,[1] the Board adopted the following new Part 213 of its Economic Regulations and amended the permits of foreign air carriers, with the exception of permits of Canadian air carriers which authorize casual, occasional and infrequent flights with small aircraft across the Canada-United States border or the Canada-Alaska border, to be subject to the new Part. Part 213 provides that the Board may require any foreign air carrier to file with the Board traffic data disclosing the nature and extent of such carrier's traffic between points in the United States and points outside thereof. The regulation also states that the Board may require such carrier to submit its existing as well as future schedules between points in the United States and points outside thereof

[1] Order 70–6–32.

for approval by the Board. It prescribes appropriate procedures for this purpose. In addition, the regulation includes provisions of the Economic Regulations relating to airport authorizations which are presently applicable to holders of foreign air carrier permits.

Interested persons have been afforded an opportunity to participate in the formulation of this new part which was the subject of extensive examination and argument by the parties to the investigation.[2] The Board finds that further notice and public procedure on the regulation are unnecessary and not in the public interest.

The promulgation of this rule, by itself, will impose no additional requirements on carriers subject thereto. Moreover, the President has directed that the rule be made effective immediately. Therefore, the Board finds that good cause exists for immediate effectiveness of the rule.

Accordingly, the Board adopts Part 213 of the Economic Regulations, 14 CFR Part 213, effective June 4, 1970, to read as follows:

Sec.
213.1 Applicability.
213.2 Reports of traffic data.
213.3 Filing and approval of schedules.
213.4 Airport authorization.
213.5 Filing of schedules and applications for approval of schedules; filing and service of airport notices and applications for permission to use an airport; procedure thereon.
213.6 Compliance.

AUTHORITY: The provisions of this Part 213 issued under secs. 204(a) and 402 of the Federal Aviation Act, 72 Stat. 743, 757; 49 U.S.C. 1324, 1372.

§ 213.1 Applicability.

This regulation sets forth terms, conditions, and limitations applicable to section 402 permits authorizing the foreign air carriers listed in Appendx A to engage in scheduled foreign air transportation. These terms, conditions, and limitations shall also be applicable to all section 402 permits, issued after June 3, 1970, authorizing foreign air carriers to engage in scheduled air transportation. Unless those permits or the orders issuing those permits otherwise provide, the exercise of the privileges to engage in scheduled foreign air transportation granted by those permits shall be subject to the terms, conditions, and limitations as are set forth in this part, and as may from time to time be prescribed by the Board. Notwithstanding the foregoing, this regulation shall not apply to permits of Canadian air carriers authorizing casual, occasional, and infrequent flights with small aircraft across the Canada-United States border or the Canada-Alaska border; and those permits shall not be subject to the terms, conditions, and limitations in this part.

[2] A proposed form of Part 213 was attached as Appendix A to the order instituting the investigation in Docket 12063, Order E-16288, dated Jan. 18, 1961.

§ 213.2 Reports of traffic data.

The Board may at any time require any foreign air carrier to file with the Board traffic data disclosing the nature and extent of such carrier's engagement in transportation between points in the United States and points outside thereof. The Board will specify the traffic data required in each such instance. Interested persons seeking reconsideration of a Board determination under this section may file a petition pursuant to Rule 37 of Part 302 within 10 days after Board action.

§ 213.3 Filing and approval of schedules.

(a) In the absence of provisions to the contrary in the permit and of Board action pursuant to this section, a foreign air carrier may determine the schedules (including type of equipment used) pursuant to which it engages in transportation between points in the United States and points outside thereof.

(b) In the case of a foreign air carrier permit for scheduled air transportation which is not the subject of an air transport agreement between the United States and the government of the holder, the Board, if it finds that the public interest so requires, may with or without hearing order the foreign air carrier to file with it within 7 days after service of such order, an original and three copies of any or all of its existing schedules of service between any point in the United States and any point outside thereof, and may require such carrier thereafter to file an original and three copies of any proposed schedules of service between such points at least 30 days prior to the date of inauguration of such service. Such schedules shall contain all schedules of aircraft which are or will be operated by such carrier between each pair of points set forth in the order, the type of equipment used or to be used, the time of arrival and departure at each point, the frequency of each schedule, and the effective date of any proposed schedule.

(c) In the case of any foreign air carrier permit for scheduled air transportation which is the subject of an air transport agreement between the United States and the government of the holder, the Board may with or without hearing issue an order, similar to that provided for in subsection (b) of this section, if it makes the findings provided for in that subsection and, in addition, finds that the government or aeronautical authorities of the government of the holder have, over the objections of the United States Government, taken action which impairs, limits, terminates, or denies operating rights provided for in such air transport agreement, of any U.S. air carrier designated thereunder with respect to flight operations to, from, through, or over the territory of such foreign government.

(d) The carrier may continue to operate existing schedules, and may inaugurate operations under proposed schedules 30 days after the filing of such schedules with the Board, unless the Board with or without hearing issues an order, subject to stay or disapproval by the President of the United States within 10 days after adoption, notifying the carrier that such operations, or any part thereof, may be contrary to applicable law or may adversely affect the public interest. If the notification pertains to a proposed schedule, service thereunder shall not be inaugurated; if the notification pertains to an existing schedule, service thereunder shall be discontinued within 30 days after service of such notification.

(e) No petitions for reconsideration may be filed with respect to Board orders issued pursuant to paragraph (b), (c), or (d) of this section. Nevertheless, if the Board serves a notification under paragraph (d) of this section, the carrier may make application to the Board for approval of any or all existing or proposed schedules, pursuant to the provisions of § 213.5 of this part. The Board may with or without hearing withdraw, in whole or in part, its notification at any time and may permit existing or proposed schedules to be operated for such period or periods as the Board may determine.

(f) The date of service on a foreign air carrier of orders and notifications pursuant to this section shall be the date of mailing thereof, by certified or registered mail, to the agent designated by the foreign air carrier pursuant to section 1005(b) of the Act or, if the foreign air carrier has failed to designate an agent, the date of mailing by registered air mail to the foreign air carrier's home office.

§ 213.4 Airport authorization.

(a) *Airport notice.* An airport notice is required to be filed with the Board if the holder of a permit desires to serve regularly a point in the United States, its territories or possessions named in such permit, through an airport not then regularly used or authorized to be used by the holder to serve such point. When an airport notice is required hereunder, the permit holder shall file it with the Board at least 30 days prior to the proposed date of inauguration of the use of the airport. Such notice shall be conspicuously entitled "Airport Notice—Foreign Air Transportation"; shall, as a minimum amount of information, describe such airport by name and state its location; shall state the date of intended inauguration of service; and shall contain a notice to the persons served that they may, within 10 days of the date the notice was filed, file and serve memoranda in support of, or in opposition to, the notice. The use of such airport may be inaugurated 30 days after the filing of such notice, unless the Board notifies the holder within said 30-day period that it appears to the Board that such use may adversely affect the public interest, in which event such use shall not thereafter be inaugurated (except as may be expressly permitted by such notification from the Board) unless and until the Board finds, upon application filed by the holder, pursuant to paragraph (b) of this section, that the public interest

would not be adversely affected by such use. The Board may permit the use of an airport at any time after the filing of the airport notice whenever the circumstances warrant such action.

(b) *Application for permission to use an airport.* Following notification by the Board that the use of an airport proposed in an airport notice filed pursuant to paragraph (a) of this section may adversely affect the public interest, the foreign air carrier may file an application for permission to use such airport. An application filed pursuant to this paragraph shall be conspicuously entitled "Application for Permission to Use the _____ Airport for Serving _____" and shall set forth the information required in the airport notice as well as any other facts relied upon to establish that the proposed airport use is in the public interest, a statement of economic data or other matters which it is desired that the Board officially notice, and shall contain a notice to the persons served that they may, within 10 days of the date the application was filed, file and serve memoranda in support of, or in opposition to, the application.

(c) *Persons to be served.* A copy of each airport notice or application for permission to use an airport shall be served upon such persons as the Board may designate in a particular case, and shall be served upon the following persons in all cases:

(1) The Postmaster General, marked for attention of Director, International Transportation Branch, Bureau of Operations;

(2) The Secretary of State, marked for attention of Director, Office of Aviation; and

(3) The Secretary of the Treasury, marked for attention of Commissioner of Customs, Bureau of Customs.

§ 213.5 Filing of schedules and applications for approval of schedules; filing and service of airport notices and applications for permission to use an airport; procedure thereon.

(a) *Number of copies and certificate of service.* An original and three copies of each airport notice or each schedule, and an original and 19 copies of each application for permission to use an airport (§ 213.4(b)) or application for approval of schedules (§ 213.3(e)) shall be filed with the Board, each setting forth the names and addresses of the persons, if any, required to be served, and stating that service has been made on all such persons by personal service or by registered or certified mail (if the addressee is located within the United States, its territories and possessions) or by registered air mail (if the addressee is located outside the United States, its territories and possessions) and the date of such service. In the case of service by mail, the date of mailing shall be considered the date of service. Each copy of an airport notice or application for permission to use an airport served pursuant to this part shall state that such service is made pursuant to this part.

(b) *Pleadings by interested persons.* Any interested person may file and serve upon the foreign air carrier a memorandum in opposition to, or in support of, schedules, airport notice or application for permission to use an airport or for approval of schedules within 10 days of the filing thereof. In the case of an airport notice or application for permission to use an airport, memoranda in support of or in opposition thereto shall also be served on the persons described in § 213.4(c). All memoranda shall set forth in detail the reasons for the position therein taken, with a statement of economic data and other matters which it is desired that the Board shall officially notice, and affidavits stating such other facts as are relied upon. Memoranda filed pursuant to this paragraph shall contain a certificate of service in the form prescribed by paragraph (a) of this section. An executed original and three copies in the case of schedules or airport notices, 19 copies in the case of applications for permission to use an airport or approval of schedules, shall be filed with the docket section of the Board. Unless ordered by the Board upon application or upon its own motion, further pleadings will not be entertained.

(c) *Determination and petitions for reconsideration.* The Board may make its determination upon the application and other pleadings or, in its discretion, after hearing. Interested persons seeking reconsideratalon of the Board's determination on an application for permission to use an airport or approval of schedules may file a petition pursuant to Rule 37 of Part 302 within 10 days of Board action. Petitions for reconsideration of the Board's determination on an application for permission to use an airport shall be served upon the foreign air carrier, the persons described in § 213.4 (c), and any other persons who have filed pleadings in the proceeding. All petitions for reconsideration shall contain a certificate of service in the form prescribed by paragraph (a) of this section.

§ 213.6 Compliance.

Any violation by the foreign air carrier of applicable provisions of title IV of the Act or of orders, rules or regulations issued thereunder, or of the terms, conditions or limitations applicable to the exercise of the privileges granted by the permit shall constitute a failure to comply with the terms, conditions and limitations of such permit: *Provided*, That upon a showing that a violation of a provision not mandatorily prescribed by law resulted from the observance by the holder of an obligation, duty or liability imposed by a foreign country, the Board may excuse the violation.

Effective: June 4, 1970.

Adopted: April 23, 1970.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

APPENDIX A—LIST OF FOREIGN AIR CARRIERS

Aerlinte Eireann Teoranta.
Aerolineas Argentinas.
Aerolineas El Salvador, S.A.
Aerolineas Peruanas, S.A.
Aeronaves de Mexico, S.A.
Aerovias Condor de Colombia, Ltda.
Aerovias Nacionales de Colombia, S.A. (AVIANCA).
Aerovias "Q" S.A.
Air Canada.
Air-India.
Air New Zealand Ltd.
Alitalia-Linee Aeree Italiane-S.p.A.
Bahamas Airways Ltd.
British Overseas Airways Corp.
British West Indian Airways Ltd.
Canadian Pacific Air Lines, Ltd.
China National Aviation Corp.
Compagnie Nationale Air France.
Compania Cubana de Aviacion, S.A.
Compania Dominicana de Aviacion, C. por A.
Compania Ecuatoriana de Aviacion, S.A.
Compania Mexicana de Aviacion, S.A.
Compania Panamena de Aviacion, S.A.
Cuba Aeropostal, S.A.
Deutsche Lufthansa Aktiengesellschaft.
El Al Israel Airlines Ltd.
Empresa Guatemalteca de Aviacion.
Expreso Aereo Inter-Americano, S.A.
Iberia, Lineas Aereas de Espana, S.A.
Japan Air Lines Co., Ltd.
K.L.M. Royal Dutch Airlines.
Linea Aerea Nacional-Chile (LAN).
Lineas Aereas Costarricenses, S.A.
Lineas Aereas de Nicaragua, S.A.
Loftleidir H.F. (Icelandic Airlines Ltd.).
Philippine Air Lines, Inc.
Polynesian Airlines, Ltd.
Qantas Airways Ltd.
Rutas Aereas Nacionales, S.A.
S.A. Empresa de Viacao Aerea Rio Grandense (VARIG).
Scandinavian Airlines System.
Sociedad Aeronautica de Medellin Consolidada, S.A. SAM.
Societe Anonyme Belge d'Exploitation de la Navigation Aerienne (SABENA).
Swissair, Swiss Air Transport Co., Ltd.
TACA International Airlines, S.A.
Transportes Aereos Nacionales, S.A.
Union de Transports Aeriens (U.T.A.).
Venezolana Internacional de Aviacion, S.A.

[F.R. Doc. 70-7124; Filed, June 8, 1970; 8:48 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

PART 370—EXPORT LICENSING GENERAL POLICY AND RELATED PROGRAM

PART 379—TECHNICAL DATA

Miscellaneous Amendments

The 12th Gen. Rev. of the Export Regs. (Amdt 16). Parts 370 and 379 of the Code of Federal Regulations are amended to read as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective Date: June 5, 1970.

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

In § 370.10 *Exports authorized by U.S. Government Agencies other than Office of Export Control*, paragraph (c) is deleted.

In § 379.4 *General License GTDR: Technical data under restriction*, paragraph (e)(1) is amended by deleting subdivisions (iii) (*j*), (*k*), and (*o*).

[F.R. Doc. 70-7084; Filed, June 8, 1970; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-1737]

PART 13—PROHIBITED TRADE PRACTICES

Riccar America Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.75 *Free goods or services*; § 13.125 *Limited offers or supply*; § 13.155 *Prices*; 13.155-10 *Bait*; 13.155-40 Exaggerated as regular and customary; 13.155-80 Retail as cost, wholesale, discounted, etc.; § 13.160 *Promotional sales plans*; § 13.240 *Special or limited offers*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1625 *Free goods or services*; § 13.1747 *Special or limited offers*; Misrepresenting oneself and goods—Prices: § 13.1779 *Bait*; § 13.1805 *Exaggerated as regular and customary*; § 13.1820 *Retail as cost, wholesale, etc., or discounted*; Misrepresenting oneself and goods—Promotional sales plans: § 13.1830 *Promotional sales plans*.

(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) [Cease and desist order, Riccar America Co. et al., Carlstadt, N.J., Docket C-1737, May 4, 1970]

In the Matter of Riccar America Co., a Corporation, and Harutoshi Yoshida and Kensaku Ogawa, Individually and as officers of Said Corporation, and Leonard Trachtman, Individually

Consent order requiring a Carlstadt, N.J., marketer of Japanese-made sewing machines to cease using "bait and switch" tactics, misrepresenting that its offers to sell are limited in time or to a limited number of persons, using deceptive discount schemes, misrepresenting that any article is "free," and furnishing others with means to deceive the public.

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

It is ordered, That respondents Riccar America Co., a corporation, and its officers, and Harutoshi Yoshida and Kensaku Ogawa, individually and as officers of said corporation, and Leonard Trachtman, individually, and respondents' agents, representatives, employees, and any other person or company under the direction or control of respondents, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of sewing machines, sewing machine cabinets or any other product or service, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that persons are requested or invited to register or to submit their names, or to purchase or to receive any merchandise or service or to perform or participate in any act as a part of an advertising or promotional plan, when the primary purpose of such plan or promotion is other than as represented.

2. Representing, directly or by implication, that any product or service is offered for sale when such offer is not a bona fide offer to sell said product or service on the terms and conditions stated.

3. Using any advertising, sales plan or procedure involving the use of false, deceptive or misleading statements to obtain leads or prospects for the sale of their products or services.

4. Using any deceptive sales scheme or device to induce the sale of the products or services offered by respondents or by respondents' agents, representatives, employees, or by any other person or company under the direction or control of respondents.

5. Representing, directly or by implication, that an offer of any product or service is: (a) Limited as to time; (b) made to a limited number of persons; or (c) restricted or limited in any other manner, unless such represented limitations or restrictions were actually in force and in good faith adhered to.

6. Representing, directly or by implication, that any amount is respondents' usual and customary retail price for an article of merchandise or service when such amount is in excess of the price or prices at which such article of merchandise or service has been sold or offered for sale in good faith by respondents at retail for a reasonably substantial period of time in the recent regular course of their business.

7. Representing, directly or by implication, that any article of merchandise or service is being given free or as a gift, or without cost or charge, in connection with the purchase of other merchandise or service, unless the stated price of the merchandise or service required to be purchased in order to obtain said merchandise or service is the same or less than the customary and usual price at which such merchandise or service has been sold separately for a substantial period of time in the recent and regular course of business in the trade area in which the representation is made.

8. Representing, directly or by implication, that any saving, discount or allowance is given purchasers from respondents' selling price for a specified product or service, unless said selling price is the amount at which such product or service has been sold or offered for sale in good faith by respondents at retail for a reasonably substantial period of time in the recent, regular course of their business.

9. Misrepresenting, in any manner, the prices at which respondents' products or services are sold at retail in any trading area by respondents or by their dealers or the savings afforded purchasers of their products.

10. Furnishing or otherwise placing in the hands of others any means or instrumentality by and through which they may mislead or deceive the public in the manner or as to the things prohibited by this order.

It is further ordered, That respondents, other than individual respondent, Leonard Trachtman, shall:

a. Transmit by registered or certified mail, return receipt requested, or otherwise deliver a copy of this order to cease and desist to all present and future distributors and to all other persons or companies, that purchase products or services from respondents for resale, and to all salesmen and to any other person or company under the direction or control of respondents; and maintain a record of such delivery.

b. After the acceptance of initial report of compliance, submit a report to the Commission once every year, during the next 3 years, describing: (1) All complaints, received from the public respecting representations by respondents or by any person or company under the direction or control of respondents; (2) the facts uncovered by respondents in connection with any investigation made; and (3) the action taken by respondents with respect to each such complaint.

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 the order.

Issued: May 4, 1970.

By the Commission.

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

[F.R. Doc. 70-7095; Filed, June 8, 1970; 8:46 a.m.]

[Docket C-1738]

PART 13—PROHIBITED TRADE PRACTICES

Master Chinchilla Breeders Association, Ltd., et al.

Subpart—Advertising falsely or misleadingly: § 13.50 *Dealer or seller assistance*; § 13.60 *Earnings and profits*; § 13.70 *Fictitious or misleading guarantees*; § 13.175 *Quality of product or service*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1608 *Dealer or seller assistance*; § 13.1615 *Earnings and profits*; § 13.1647 *Guarantees*; § 13.1715 *Quality*.

(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) [Cease and desist order, Master Chinchilla Breeders Association, Ltd., et

al., Boulder, Colo., Docket C-1738, May 6, 1970]

In the Matter of Master Chinchilla Breeders Association, Ltd., a Corporation, and Lewis H. Van Meter, Individually and as an Officer of said Corporation, and United Marketing Corp., a Corporation, and Donovan S. Bonnawitz, Individually and as an Officer of said Corporation

Consent order requiring two Boulder, Colo., sellers of chinchilla breeding stock to cease making exaggerated earning claims, misrepresenting the quality of their stock, deceptively guaranteeing the fertility of their stock, and misrepresenting their services to purchasers.

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

It is ordered, That respondents Master Chinchilla Breeders Association, Ltd., a corporation, and its officers, and Lewis H. Van Meter, individually and as an officer of said corporation, and United Marketing Corp., a corporation, and its officers, and Donovan S Bonnawitz, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale or distribution of chinchilla breeding stock or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, that:

1. It is commercially feasible to breed or raise chinchillas in homes, basements, garages or spare buildings, or other quarters or buildings unless in immediate conjunction therewith it is clearly and conspicuously disclosed that the represented quarters or buildings can only be adaptable to and suitable for the breeding and raising of chinchillas on a commercial basis if they have the requisite space, temperature, humidity, ventilation and other environmental conditions.

2. Breeding chinchillas as a commercially profitable enterprise can be achieved in spare time or without knowledge or experienced in the breeding, caring for and raising of such animals.

3. Chinchillas are hardy animals or are not susceptible to disease.

4. Female chinchillas purchased from respondents and femal offspring thereof will produce two or three litters of two offspring per year.

5. The number of litters or sizes thereof or the number of live offspring produced per female chinchilla is any number or range thereof; or representing, in any manner, the past number or range of numbers of litters or sizes produced per female chinchilla of purchasers of proposed respondents' breeding stock unless in fact the past number or range of numbers represented are those of a substantial number of purchasers and accurately reflect the number or range of numbers of litters or sizes thereof produced per female chinchilla of these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

6. Chinchillas or chinchilla pelts are in great demand, or that purchasers of respondents' breeding stock can expect to be able to sell the offspring or the pelts of the offspring of respondents' chinchillas because said chinchillas or pelts are in great demand.

7. Pelts from the offspring of chinchilla breeding stock sell for an average price of $25 per pelt.

8. Chinchilla pelts from respondents' breeding stock will sell for any price, average price, or range of prices; or representing, in any manner, the past price, average price or range of prices of purchasers of respondents' breeding stock unless, in fact, the past price, average price or range of prices represented are those of a substantial number of purchasers and accurately reflect the price, average price or range of prices realized by these purchasers under circumstances similar to those of the purchaser to whom the representation is made.

9. Purchasers of respondents' breeding stock will realize earnings, profits, or income in any amount or range of amounts, or sufficient for financial security, retirement, college education or a higher living standard; or representing, in any manner, the past earnings, profits or income of purchasers of respondents' breeding stock unless, in fact, the past earnings, profits or income represented are those of a substantial number of purchasers and accurately reflect the average earnings, profits or income of these purchasers under circumstances similar to those of the prospective purchaser to whom the representation is made.

10. The assistance, advice, or guidance furnished to purchasers of respondents' chinchilla breeding stock by respondents will enable purchasers successfully to breed or raise chinchillas as a commercially profitable enterprise.

B. Misrepresenting in any manner the earnings or profits to purchasers or the reproduction capacity of any chinchilla breeding stock.

C. Misrepresenting in any manner the assistance, training, services or advice supplied by respondents to purchasers of their chinchilla breeding stock.

D. Failing to deliver a copy of this order to cease and desist to all present and future salesmen and other persons engaged in the sale of respondents' products or services, and failing to secure from each such individual a signed statement acknowledging receipt of said order.

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

It is further ordered, That respondents notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondents 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 corporations which may affect compliance obligations arising out of the order.

It is further ordered, That the 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: May 6, 1970.

By the Commission.

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

[F.R. Doc. 70-7096; Filed, June 8, 1970; 8:46 a.m.]

[Docket No. 8768 o.]

PART 13—PROHIBITED TRADE PRACTICES

Colonial Stores, Inc.

Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(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) [Cease and desist order, Colonial Stores Inc., East Point, Ga., Docket No. 8768, May 7, 1970]

Order requiring a major chain of grocery supermarkets headquartered in East Point, Ga., to cease knowingly inducing or receiving discriminatory promotional payments from suppliers in connection with its special promotions.

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

It is ordered, That respondent Colonial Stores, Inc., a corporation, and its officers, representatives, agents, and employees, directly or indirectly, through any corporate or other device, in or in connection with the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of products for resale by the respondent, do forthwith cease and desist from:

Inducing and receiving promotional allowances or payments from any supplier as compensation for or in consideration of advertising and promotional services, furnished by or through respondent in connection with special promotions originating with or sponsored by respondent, and involving the sale or offering for sale of such supplier's products, where respondent solicits such promotional allowances and payments and knows or should know that such promotional allowances or payments are not being offered or otherwise made available by such supplier on proportionally equal terms to all of such supplier's other customers, including retail customers who do not purchase directly from such supplier, who compete with respondent in the offering for sale or sale of such supplier's products.

It is further ordered, That respondent notify the Commission at least thirty (30) days prior to any proposed change

in 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 respondent shall forthwith distribute a copy of this order to each of its operating divisions.

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

Issued: May 7, 1970.

By the Commission. Commissioner MacIntyre concurs in the result.

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

[F.R. Doc. 70-7097; Filed, June 8, 1970; 8:46 a.m.]

[Docket No. 8777]

PART 13—PROHIBITED TRADE PRACTICES

Korell Corporation

Subpart—Discriminating in price under Section 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.824 *Advertising expenses.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Korell Corp., Mechanicville, N.Y., Docket No. 8777, May 13, 1970]

Consent order requiring a Mechanicville, N.Y., manufacturer of women's dresses to cease making advertising and promotional allowances to some of its retail customers but not to the competitors of such retailers on proportionately equal terms in violation of section 2(d) of the Clayton Act.

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

It is ordered, That respondent Korell Corp., a corporation, its officers, directors, agents, representatives and employees, directly or indirectly, or through any corporate or other device, in the course of its business in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from:

Paying or contracting for the payment of anything of value to, or for the benefit of, any customer of the respondent as compensation for or in consideration of advertising or promotional services, or any other service or facility furnished by or through such customer in connection with the handling, sale, or offering for sale of wearing apparel products manufactured, sold or offered for sale by respondent, unless such payment or consideration is made available on proportionally equal terms to all other customers competing with such favored customer in the distribution or resale of such products.

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 respondent 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.

Issued: May 13, 1970.

By the Commission.

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

[F.R. Doc. 70-7098; Filed, June 8, 1970; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 70-133]

PART 12—SPECIAL CLASSES OF MERCHANDISE

Import Quotas on Coffee

Pursuant to section 12.71 of the Customs Regulations, as amended by T.D. 69-251, imports of coffee from nonmember countries of the International Coffee Organization have been established at the level of 6,207,316 pounds for the quota year beginning November 15, 1969. Of this total, the country of Yemen has been allotted a specific quota of 1,851,864 pounds.

The Department of State has now requested the Bureau of Customs to eliminate the specific quota allotted to Yemen and include that quota in the basket quota. This request is based on the fact that for the quota year ending November 14, 1969, the basket quota was completely filled while only 13 percent of the quota allotted Yemen was utilized. Preliminary statistics indicate that the quota for Yemen will again be unfilled this year whereas the basket quota for all other nonmember countries has already been filled. Since there is no provision for transferring any unused portion of the Yemen quota to the basket quota, this means that the nonmember quota which the United States is allowed under the International Coffee Agreement is not being fully utilized.

Section 12.71 (a) and (b) of the Customs Regulations is accordingly amended to read as follows:

§ 12.71 Import quotas on coffee.

(a) *Applicability.* Coffee produced in nonmember countries of the International Coffee Organization is subject to import quotas pursuant to Article 45 of the International Coffee Agreement, 1968.

(b) *Basket quota.* All coffee not specifically identified as a product of or shipment from a member country shall be charged to the quota of 6,207,316 pounds of green coffee which is established for the quota year beginning November 15, 1969. Not more than 50 percent of the quota may be entered during the first 6 months of the quota year (November 15–May 14).

(Sec. 302(1), 82 Stat. 1348; 19 U.S.C. 1356f(1). E.O. 11449, Jan. 22, 1969, 34 F.R. 917)

Effective date. This amendment shall become effective 15 days after its publication in the FEDERAL REGISTER.

[SEAL] EDWIN F. RAINS, *Acting Commissioner of Customs.*

Approved: June 1, 1970.

EUGENE T. ROSSIDES, *Assistant Secretary of the Treasury.*

[F.R. Doc. 70-7211; Filed, June 8, 1970; 8:50 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

1,2-Dibromo-3-Chloropropane

In F.R. Doc. 70-5691 appearing at page 7300 in the issue of Saturday, May 9, 1970, the closing paragraph and the effective date are incorrect and are changed to read as follows:

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

Dated: May 26, 1970.

R. E. DUGGAN, *Acting Associate Commissioner for Compliance.*

[F.R. Doc. 70-7103; Filed, June 8, 1970; 8:46 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, Mont.

On page 6712 of the FEDERAL REGISTER of April 28, 1970, there was published a notice of intention to amend §§ 221.24, 221.26 and 221.28 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Mont., that are subject to the jurisdiction of the several irrigation districts. The purpose of the amendments is to establish the lump sum assessment against the Flathead, Mission and Jocko Valley Districts within the Flathead Indian Irrigation Project for the 1971 season.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change as set forth below.

Sections 221.24, 221.26, and 221.28 are amended to read as follows:

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Mont., on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929; March 28, 1934; August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1971 an assessment of $346,304.71 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 84,848.29 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Mont., on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed, for the season of 1971 an assessment of $64,852.12 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 16,423.12 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Irrigation Project, Mont., on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, April 18, 1950, and August 24, 1967, there is hereby fixed for the season of 1971 an assessment of $27,337.31 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 7,525.11 acres, which does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

GEORGE L. MOON,
Project Engineer.

[F.R. Doc. 70-7088; Filed, June 8, 1970; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 7046]

PART 154—TEMPORARY REGULATIONS IN CONNECTION WITH THE AIRPORT AND AIRWAY REVENUE ACT OF 1970

Registration Procedures for Tax-Free Purchase of Fuel Used in Aircraft

In order to prescribe temporary regulations, which shall remain in effect until superseded by permanent regulations, under section 4041 (c), (d), and (h) of the Internal Revenue Code of 1954, as added by section 202(a) of the Airport and Airway Revenue Act of 1970 (Public Law 91-258, 84 Stat. 237), the following regulations are hereby prescribed:

§ 154.1 Statutory provisions; imposition of tax; noncommercial aviation; additional tax; registration.

Section 4041 (c), (d), and (h) of the Internal Revenue Code of 1954, as added by section 202(a) of the Airport and Airway Revenue Act of 1970:

Sec. 4041. *Imposition of tax.* * * *

(c) *Noncommercial aviation*—(1) *In general.* There is hereby imposed a tax of 7 cents a gallon upon any liquid (other than any product taxable under section 4081)—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such liquid under this section.

(2) *Gasoline.* There is hereby imposed a tax (at the rate specified in paragraph (3)) upon any product taxable under section 4081—

(A) Sold by any person to an owner, lessee, or other operator of an aircraft, for use as a fuel in such aircraft in noncommercial aviation; or

(B) Used by any person as a fuel in an aircraft in noncommercial aviation, unless there was a taxable sale of such product under subparagraph (A).

The tax imposed by this paragraph shall be in addition to any tax imposed under section 4081.

(3) *Rate of tax.* The rate of tax imposed by paragraph (2) is as follows:

3 cents a gallon for the period ending September 30, 1972; and

5½ cents a gallon for the period after September 30, 1972.

(4) *Definition of noncommercial aviation.* For purposes of this chapter, the term "noncommercial aviation" means any use of an aircraft, other than use in a business of transporting persons or property for compensation or hire by air. The term also includes any use of an aircraft, in a business described in the preceding sentence, which is properly allocable to any transportation exempt from the taxes imposed by sections 4261 and 4271 by reason of section 4281 or 4282.

(5) *Termination.* On and after July 1, 1980, the taxes imposed by paragraphs (1) and (2) shall not apply.

(d) *Additional tax.* If a liquid on which tax was imposed on the sale thereof is taxable at a higher rate under subsection (c)(1) of this section on the use thereof, there is hereby imposed a tax equal to the difference between the tax so imposed and the tax payable at such higher rate.

* * * * *

(h) *Registration.* If any liquid is sold by any person for use as a fuel in an aircraft, it shall be presumed for purposes of this section that a tax imposed by this section applies to the sale of such liquid unless the purchaser is registered in such manner (and furnishes such information in respect of the use of the liquid) as the Secretary or his delegate shall by regulations provide.

[Sec. 4041 (c), (d), and (h) as added by sec. 202(a) of the Airport and Airway Revenue Act 1970 (84 Stat. 237)]

§ 154.1-1 Tax-free sales and purchases of fuel under section 4041(c); registration.

(a) *Purpose of this section.* (1) In general, section 4041(c) of the Internal Revenue Code of 1954, as added by the Airport and Airway Revenue Act of 1970, imposes a tax of 7 cents a gallon (3 cents a gallon upon any product taxable under section 4081) upon any liquid (including jet fuel) sold for use or used after June 30, 1970, as a fuel in an aircraft in noncommercial aviation (as defined in section 4041(c)(4)). The purpose of this section is to set forth rules, as authorized by section 4041(h) and other provisions of the Internal Revenue Code, which provide a method whereby aircraft fuel that is used, in whole or in part, in other than noncommercial aviation may be purchased tax free when delivered by a seller into a fuel supply tank of an aircraft. In addition, the registration provisions of section 4041(h) and this section apply to sales or purchases of fuel, delivered into a fuel supply tank of an aircraft, which are exempt from the tax under section 4041(c) by reason of section 4041(f) (relating to exemption for farm use), section 4041(g) (relating to exemption for use as supplies for vessels), section 4055 (relating to state and local government exemption), and section 4057 (relating to exemption for nonprofit educational organizations).

(2) If the purchaser of fuel does not have the fuel delivered into a fuel supply tank of an aircraft, the fuel shall be sold tax free unless the purchaser pays or agrees, prior to or at the time of the sale, to pay the seller the tax on the liquid covered by the sale. Payment of such tax shall be evidenced by a receipt, which separately states the tax, furnished the purchaser by the seller. If the purchaser does not retain such receipt as a part of his records, he shall be liable for the tax at the applicable rate on that quantity of the liquid which is used by him as fuel in an aircraft or which is sold by him in a taxable transaction. Any person who purchases tax free any liquid for use as a fuel in any aircraft shall be liable for the tax imposed by section 4041(c)(1)(B) or 4041(c)(2)(B) if such fuel is used for a taxable purpose. See Subpart O of Part 48 of the Manufacturers and Retailers Excise Tax Regulations (26 CFR part 48) for procedures with respect to filing returns and paying the tax.

(b) *Tax-free sales only if seller and purchaser are registered.* (1) Under section 4041(h) any liquid delivered into a fuel supply tank of an aircraft is presumed to be taxable under section 4041(c) unless the purchaser of such liquid is registered in such manner (and furnishes such information in respect of the use of the liquid) as provided in this section.

(2) Tax-free sales under section 4041(c) may be made only if both the seller and the purchaser have registered as required by this section. If fuel is purchased tax paid but is used for a nontaxable purpose, see section 6427 relating to refunds or credits of tax. Any person desiring to be registered in order to sell or purchase fuel free of the tax imposed by section 4041(c) shall, prior to making any tax-free sale or purchase, file Form 637A, in duplicate, executed in accordance with the instructions contained in subparagraph (3) of this paragraph. Form 637A shall be filed with the district director of internal revenue for the district in which the principal place of business of the applicant is located (or if he has no principal place of business in the United States, with the Director of International Operations, Internal Revenue Service, Washington, D.C. 20225). The person who receives a validated Certificate of Registry (Validated Form 637A) shall be considered to be registered for purposes of selling or purchasing fuel tax free as provided in this section.

(3)(i) Until such time as printed copies of Form 637A are available at district directors' offices, registration shall be made by obtaining from the district director Form 637 and modifying such form in the following manner:

(a) Type or print a capital "A" immediately following "637" in the upper left corner of both copies, and

(b) Strike the number "32" in the title of such form and type or print the number "31" immediately above the word "for" in the title of both copies.

(ii) Form 637 as modified in subparagraph (i) of this paragraph to become Form 637A shall be executed by supplying the information required thereon. The only instructions on the back of Form 637 that will be applicable to Form 637A are Instructions 5, 6, 7(b), 7(c), 9(d), 9(e), and 10.

(c) *Definitions.* For purposes of this section, the terms "supplies for vessels or aircraft", "State and local government", and "nonprofit educational organization" have the same meanings as defined in § 148.1–3(d), and "use on a farm for farming purposes" shall be determined in accordance with paragraphs (1), (2), and (3) of section 6420(c).

(d) *Evidence of tax-free sale.* (1) To establish the right of a purchaser to purchase fuel tax free under this section, the seller shall obtain from the purchaser and retain in his possession a certificate, properly executed and signed by on behalf of the purchaser, containing the following information:

(i) Date of purchase,

(ii) The purchaser's registration number, and

(iii) A brief statement of the intended tax-free use of the fuel (for example, by an airline in the business of transporting persons or property for hire).

(2) The following form of certificate will be acceptable and must be adhered to in substance:

_____, 19--
(Date)

The undersigned certifies that he, or the

_____
(Name of purchaser if other than undersigned)

of which he is_____,
(Title)

holds certificate of registry No._____and the fuel delivered into a supply tank of his aircraft may be purchased free of tax because such fuel will be used

_____
(Brief statement of tax-free use)

The undersigned understands that if the fuel is used otherwise than as stated above and for a purpose taxable under section 4041(c) of the Internal Revenue Code, he will be liable for the tax upon such use.

The undersigned understands that the fraudulent use of this certificate to secure exemption will subject him and all guilty parties to a penalty equivalent to the amount of tax due on the sale of the fuel and upon conviction to a fine of not more than $10,000, or to imprisonment for not more than 5 years, or both, together with the costs of prosecution. The purchaser also understands that he must be prepared to establish by satisfactory evidence the purpose for which the fuel purchased under this certificate was used.

_____
(Signature)

_____
(Address)

(3) A separate exemption certificate shall be furnished for each sale of fuel delivered into a fuel supply tank of an aircraft. If a portion of such fuel is intended to be used for a nontaxable purpose, the entire amount of such fuel may be sold tax free. Exemption certificates and proper supporting records such as invoices, orders, etc., relative to tax-free sales must be readily accessible for inspection by internal revenue officers and retained as provided in section 6001 of the Code and the regulations thereunder.

(4) The presumption under section 4041(h) that any liquid delivered into a fuel supply tank of an aircraft is taxable places the duty on the seller of such liquid to use reasonable diligence to satisfy himself that a tax-free sale of fuel to the purchaser is warranted by law. Generally, the requirement of reasonable diligence will be satisfied if the seller receives and retains a certificate evidencing the right of the purchaser to buy the fuel tax free. However, if the seller has failed to use reasonable diligence, he is not relieved of liability for the tax imposed by section 4041(c).

In addition, if the seller fails to obtain and retain the evidence of tax-free sale as required by this paragraph, the seller is not relieved of liability for the tax imposed by section 4041(c).

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

[SEAL] RANDOLPH W. THROWER,
Commissioner of Internal Revenue.

Approved: June 5, 1970.

EDWIN S. COHEN,
Assistant Secretary of the Treasury.

[F.R. Doc. 70-7171; Filed, June 5, 1970; 2:29 p.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER N—MISCELLANEOUS

[Departmental Reg. 108.621]

PART 131—CERTIFICATES OF AUTHENTICATION

Refusal of Certification for Unlawful Purpose

Section 131.2(b), Title 22 of the Code of Federal Regulations is revised to read as follows:

§ 131.2 Refusal of certification for unlawful purpose.

* * * * *

(b) In accordance with section 3, paragraph 5 of the Export Administration Act of 1969 (83 Stat. 841, Public Law 91–184) approved December 30, 1969, documents which have the effect of furthering or supporting the restrictive trade practices or boycotts fostered or imposed by foreign countries against countries friendly to the United States shall be considered contrary to public policy for purposes of these regulations.

(R.S. 203, sec. 4, 63 Stat. 111, as amended, sec. 1733, 62 Stat. 946, secs. 104, 332, 66 Stat. 174, 252; 22 U.S.C. 2657, 2658, 28 U.S.C. 1733, 8 U.S.C. 1104, 1443)

For the Secretary of State.

[SEAL] FRANK G. MEYER,
Assistant Secretary for Administration.

[F.R. Doc. 70-7086; Filed, June 8, 1970; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER A—AID OF CIVIL AUTHORITIES AND PUBLIC RELATIONS

PART 513—ASSISTANCE OF CREDITOR BY DEPARTMENT OF THE ARMY

Indebtedness

Section 513.1 is revised and § 513.2 is revoked, as follows:

§ 513.1 Private indebtedness and financial obligations.

(a) *Purpose.* This section provides Department of the Army policy and guidance in handling delinquent indebtedness against Army members. Instructions contained herein are designed to assist individuals and their commanders in the proper discharge of personal financial affairs.

(b) *Applicability.* (1) This section is applicable to all Army military personnel and to those who seek assistance in the processing of debt complaints against military personnel.

(2) The provisions of this section do not apply to claims for support of dependents, or claims by the Federal, State or municipal government.

(c) *Policy.* (1) A member of the Armed Forces is expected to pay his just financial obligations in a proper and timely manner. A "just financial obligation" means one acknowledged by the military member in which there is no reasonable dispute as to the facts or the law, or one reduced to judgment which conforms to the Soldiers' and Sailors' Civil Relief Act (50 U.S.C., Appendix 501, et seq.), if applicable. "In a proper and timely manner" means a manner which the installation commander concerned determines does not, under the circumstances, reflect discredit on the military service.

(2) The Department of the Army does not condone an attitude of irresponsibility or evasiveness by its personnel toward their just private indebtedness or financial obligations. However, the Department of the Army has no legal authority to require a military member to pay a private debt, or to divert any part of his pay for the satisfaction thereof even though the indebtedness may have been reduced to judgment by a civil court. The enforcement of the private obligations of a military member is a matter for civil authorities.

(3) The processing of debt complaints will not be extended to those who have not made a bona fide effort to collect the debt directly from the military member, whose claims are patently false and misleading, or whose claims are obviously exorbitant.

(4) Creditors desiring to contact a military member concerning his indebtedness are advised that the member's current address may be obtained by writing to The Adjutant General, Attention: AGPF, Department of the Army, Washington, D.C. 20315, for officers and warrant officers and to the Commanding Officer, U.S. Army Personnel Services Support Center, Fort Benjamin Harrison, Ind. 46249, for enlisted personnel, and inclosing $1.50 as a fee for each address.

(d) *Indebtedness of military personnel.* (1) Complaints of civil indebtedness or financial obligations which meet the requirements of this section and which are received at any echelon of the Department of the Army superior to the immediate command of the member concerned will be forwarded through proper channels to the immediate commanding officer of such member for action.

(2) Commanding officers will not tolerate actions of irresponsibility, gross carelessness, neglect, dishonesty, or evasiveness in the private indebtedness and financial obligations of their personnel.

(e) *Indebtedness of retired personnel.* The provisions of this section normally do not apply in the case of retired personnel not on active duty.

(f) *Actions by commanders.* Claimants who, after having been notified of the requirements of this section, refuse or repeatedly fail to comply with them, will be informed by the commander that:

(1) Until such time as the provisions of this section have been complied with, no further action will be taken regarding the matter.

(2) Routine inquiries referred from Headquarters, Department of the Army, or any other source, subsequent to a reply having been dispatched to the same complainant, by the commander as indicated in subparagraph (1) of this paragraph and which do not conform with the provisions of this section will be filed without action.

(g) *Referral to Department of the Army.* An inquiry received from a claimant, no matter what the merits of his claim, which clearly shows that he is attempting to make unreasonable use of the processing privilege will be referred to The Adjutant General, Attention: AGAO-KA, Department of the Army, Washington, D.C. 20315, through channels, with a recommendation that the claimant be denied processing privileges and the reasons therefor.

§ 513.2 Assignment and transfer of pay. [Revoked]

[AR 600-15, Feb. 11, 1970] (Secs. 3012, 70A Stat. 157; 10 U.S.C. 3012)

For the Adjutant General.

RICHARD B. BELNAP,
Special Advisor to TAG.

[F.R. Doc. 70-7087; Filed, June 8, 1970; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 60—Office of Federal Contract Compliance, Equal Employment Opportunity, Department of Labor

PART 60-20—SEX DISCRIMINATION GUIDELINES

On January 17, 1969, proposed guidelines were published at 34 F.R. 758 to amend Chapter 60 of Title 41 of the Code of Federal Regulations by adding a new Part 60-20. Persons interested were given an opportunity to file written data, views, or argument concerning the proposals. Also, public hearings were held on August 4, 5, and 6, to receive oral presentations from interested persons.

Having considered all relevant material, 41 CFR Chapter 60 is hereby amended by adding a new Part 60-20 to read as follows:

Sec.
60-20.1 Title and purpose.
60-20.2 Recruitment and advertisement.
60-20.3 Job policies and practices.
60-20.4 Seniority systems.
60-20.5 Discriminatory wages.
60-20.6 Affirmative Action.

AUTHORITY: The provisions of this Part 60-20 issued under sec. 201, E.O. 11246, 30 F.R. 12319, and E.O. 11375, 32 F.R. 14303.

§ 60-20.1 Title and purpose.

The purpose of the provisions in this part is to set forth the interpretations and guidelines of the Office of Federal Contract Compliance regarding the implementation of Executive Order 11375 for the promotion and insuring of equal opportunities for all persons employed or seeking employment with Government contractors and subcontractors or with contractors and subcontractors performing under federally assisted construction contracts, without regard to sex. Experience has indicated that special problems related to the implementation of Executive Order 11375 require a definitive treatment beyond the terms of the order itself. These interpretations are to be read in connection with existing regulations, set forth in Part 60-1 of this chapter.

§ 60-20.2 Recruitment and advertisement.

(a) Employers engaged in recruiting activity must recruit employees of both sexes for all jobs unless sex is a bona fide occupational qualification.

(b) Advertisement in newspapers and other media for employment must not express a sex preference unless sex is a bona fide occupational qualification for the job. The placement of an advertisement in columns headed "Male" or "Female" will be considered an expression of a preference, limitation, specification, or discrimination based on sex.

§ 60-20.3 Job policies and practices.

(a) Written personnel policies relating to this subject area must expressly indicate that there shall be no discrimination against employees on account of sex. If the employer deals with a bargaining representative for his employees and there is a written agreement on conditions of employment, such agreement shall not be inconsistent with these guidelines.

(b) Employees of both sexes shall have an equal opportunity to any available job that he or she is qualified to perform, unless sex is a bona fide occupational qualification.

NOTE: In most Government contract work there are only limited instances where valid reasons can be expected to exist which would

justify the exclusion of all men or all women from any given job.

(c) The employer must not make any distinction based upon sex in employment opportunities, wages, hours, or other conditions of employment. In the area of employer contributions for insurance, pensions, welfare programs and other similar "fringe benefits" the employer will not be considered to have violated these guidelines if his contributions are the same for men and women or if the resulting benefits are equal.

(d) Any distinction between married and unmarried persons of one sex that is not made between married and unmarried persons of the opposite sex will be considered to be a distinction made on the basis of sex. Similarly, an employer must not deny employment to women with young children unless it has the same exclusionary policies for men; or terminate an employee of one sex in a particular job classification upon reaching a certain age unless the same rule is applicable to members of the opposite sex.

(e) The employer's policies and practices must assure appropriate physical facilities to both sexes. The employer may not refuse to hire men or women, or deny men or women a particular job because there are no restroom or associated facilities, unless the employer is able to show that the construction of the facilities would be unreasonable for such reasons as excessive expense or lack of space.

(f) (1) An employer must not deny a female employee the right to any job that she is qualified to perform in reliance upon a State "protective" law. For example, such laws include those which prohibit women from performing in certain types of occupations (e.g., a bartender or a core-maker); from working at jobs requiring more than a certain number of hours; and from working at jobs that require lifting or carrying more than designated weights.

(2) Such legislation was intended to be beneficial, but, instead, has been found to result in restricting employment opportunities for men and/or women. Accordingly, it cannot be used as a basis for denying employment or for establishing sex as a bona fide occupational qualification for the job.

(g) (1) Women shall not be penalized in their conditions of employment because they require time away from work on account of childbearing. When, under the employer's leave policy the female employee would qualify for leave, then childbearing must be considered by the employer to be a justification for leave of absence for female employees for a reasonable period of time. For example, if the female employee meets the equally applied minimum length of service requirements for leave time, she must be granted a reasonable leave on account of childbearing. The conditions applicable to her leave (other than the length thereof) and to her return to employment, shall be in accordance with the employer's leave policy.

(2) If the employer has no leave policy, childbearing must be considered by the employer to be a justification for a leave of absence for a female employee for a reasonable period of time. Following childbirth, and upon signifying her intent to return within a reasonable time, such female employee shall be reinstated to her original job or to a position of like status and pay, without loss of service credits.

(h) The employer must not specify any differences for male and female employees on the basis of sex in either mandatory or optional retirement age.

(i) Nothing in these guidelines shall be interpreted to mean that differences in capabilities for job assignments do not exist among individuals and that such distinctions may not be recognized by the employer in making specific assignments. The purpose of these guidelines is to insure that such distinctions are not based upon sex.

§ 60–20.4 Seniority system.

Where they exist, seniority lines and lists must not be based solely upon sex. Where such a separation has existed, the employer must eliminate this distinction.

§ 60–20.5 Discriminatory wages.

(a) The employer's wages schedules must not be related to or based on the sex of the employees.

NOTE. The more obvious cases of discrimination exist where employees of different sexes are paid different wages on jobs which require substantially equal skill, effort and responsibility and are performed under similar working conditions.

(b) The employer may not discriminatorily restrict one sex to certain job classifications. In such a situation, the employer must take steps to make jobs available to all qualified employees in all classifications without regard to sex. (Example: An electrical manufacturing company may have a production division with three functional units: One (assembly) all female; another (wiring), all male; and a third (circuit boards), also all male. The highest wage attainable in the assembly unit is considerably less than that in the circuit board and wiring units. In such a case the employer must take steps to provide qualified female employees opportunity for placement in job openings in the other two units.)

(c) To avoid overlapping and conflicting administration the Director will consult with the Administrator of the Wage and Hour Administration before issuing an opinion on any matter covered by both the Equal Pay Act and Executive Order 11246, as amended by Executive Order 11375.

§ 60–20.6 Affirmative action.

(a) The employer shall take affirmative action to recruit women to apply for those jobs where they have been previously excluded.

NOTE. This can be done by various methods. Examples include: (1) including in itineraries of recruiting trips women's colleges where graduates with skills desired by the employer can be found, and female students of coeducational institutions and (2) designing advertisements to indicate that women will be considered equally with men for jobs.

(b) Women have not been typically found in significant numbers in management. In many companies management trainee programs are one of the ladders to management positions. Traditionally, few, if any, women have been admitted into these programs. An important element of affirmative action shall be a commitment to include women candidates in such programs.

(c) Distinctions based on sex may not be made in other training programs. Both sexes should have equal access to all training programs and affirmative action programs should require a demonstration by the employer that such access has been provided.

Effective date. This part is effective June 9, 1970.

Signed at Washington, D.C., this 2d day of June 1970.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 70-7115; Filed, June 8, 1970; 8:47 a.m.]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER G—PREVENTION, CONTROL, AND ABATEMENT OF AIR POLLUTION

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

On March 21, 1970, notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 4965) to amend Part 81 by designating the Metropolitan Miami Intrastate Air Quality Control Region, hereafter referred to as the Southeast Florida Intrastate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on March 31, 1970. Due consideration has been given to all relevant material presented, with the result that the Region has been renamed the Southeast Florida Intrastate Air Quality Control Region. No changes have been made in the boundaries proposed.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, section 81.49, as set forth below, designating the Southeast Florida Intrastate Air Quality Control Region, is adopted effective on publication.

§ 81.49 Southeast Florida Intrastate Air Quality Control Region.

The Southeast Florida Intrastate Air Quality Control Region (Florida) 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 Florida:

Broward County. Palm Beach County.
Dade County.

(Secs. 107(a), 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857c-2(a), 1857g(a))

Dated: May 26, 1970.

/S/ ROBERT H. FINCH,
Secretary.

[F.R. Doc. 70-6770; Filed, June 8, 1970; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte MC-19 (Sub-No. 8)]

PART 1056—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

Practices of Motor Common Carriers of Household Goods

Order. At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 28th day of May 1970.

Upon consideration of the record in the above-entitled proceeding, and the entry of an opinion and order of the U.S. District Court for the District of Columbia in Civil Action No. 1364-70, American Movers Conference v. United States of America and Interstate Commerce Commission, suspending the effective date of the regulations most recently prescribed herein until June 1, 1970, and denying other preliminary relief sought by plaintiff with respect to the rule governing estimates of charges, § 1056.8(b), and the rules governing the definition and requirement for delivery with reasonable dispatch, §§ 1056.1(c) and 1056.12(a), except that the court required the inclusion of a provision that the defense of force majeure would not be taken from the carriers; and good cause appearing therefor:

It is ordered, That 49 CFR 1056.1(c) and 49 CFR 1056.12(a) entered February 26, 1970, and served March 5, 1970, published at page 4754 of the FEDERAL REGISTER of March 19, 1970 (as corrected by the notice to the parties served Mar. 27, 1970), be, and they are hereby, modified to read as follows:

§ 1056.1 Definitions.

* * * * *

(c) *Reasonable dispatch.* The term reasonable dispatch means the performance of transportation on the dates or during the period of time agreed upon by the carrier and the shipper and shown on the order for service (49 CFR 1056.9) and recorded on the bill of lading, provided, however, that the defenses of force majeure as construed by the courts shall not be denied the carrier.

* * * * *

§ 1056.12 Reasonable dispatch.

(a) *Reasonable dispatch required.* Each common carrier by motor vehicle will cause to be transported with reasonable dispatch as defined in § 1056.1(c), each shipment accepted by it for transportation.

* * * * *

It is further ordered, That the rules prescribed in our report and order, entered herein on February 26, 1970, and served March 5, 1970 (as corrected by the notice to the parties served Mar. 27, 1970), as further modified in this order, be, and they are hereby, prescribed to become effective on June 1, 1970, and will apply only on household goods removed from the shipper's premises on and after the said effective date.

It is further ordered, That these proceedings in Ex Parte No. MC-19 (Sub No. 8), Practices of Motor Common Carriers of Household Goods, and Ex Parte No. MC-1 (Sub No. 1), Payment of Rates and Charges of Motor Carriers, be, and they are hereby, discontinued.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

(49 Stat. 546, 558, 560, 563, 565, all as amended; 49 U.S.C. 304, 316, 317, 319, 320, 323)

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 70-7118; Filed, June 8, 1970; 8:47 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER H—TRAINING

[General Order 97, Rev., Amdt. 6]

PART 310—MERCHANT MARINE TRAINING

Subpart C—Admission and Training of Cadets at the U.S. Merchant Marine Academy

TRAINING ON SUBSIDIZED VESSELS

Effective January 1, 1970, § 310.58 of this subpart is amended by changing the first sentence of paragraph (c) thereof to read as follows:

§ 310.58 Training on subsidized vessels.

* * * * *

(c) *Pay.* Cadets, while attached to merchant vessels, shall receive pay at the rate of $208.80 per month from their steamship company employers. * * *

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: June 3, 1970.

By Order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 70-7132; Filed, June 8, 1970; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER H—EASTERN PACIFIC TUNA FISHERIES

PART 280—YELLOWFIN TUNA

Restrictions Applicable to Fishing Vessels

Certain amendments to Part 280, Title 50, Code of Federal Regulations, the regulations governing the eastern Pacific yellowfin tuna fisheries, were adopted on March 19, 1970 (35 F.R. 4758). One amendment, which made the regulations less restrictive by permitting possession of yellowfin on board vessels in excess of the allowable incidental catch, inadvertently may have granted greater privileges than intended, and adversely affect the Resolution of the Inter-American Tropical Tuna Commission. The regulation could now be construed as allowing a vessel which has retained excess yellowfin on board after landing to depart on a fishing trip outside the regulatory area and upon its return land both the excess yellowfin retained from the previous trip and the fish taken on the current trip. Such action would thwart the purpose of that part of the resolution of the IATT Commission which recommends that the aggregate of the incidental catches of yellowfin tuna taken in the regulatory area by all U.S. vessels not exceed 15 percent (15%) of the combined total catch by all U.S. vessels.

In order to clarify the meaning and scope of the regulation, the same must be amended. Therefore, under authority contained in subsection (c) of section 6 of the Tuna Conventions Act of 1950, as amended (16 U.S.C. 955(e)), § 280.6(e)(1) is hereby amended to subject any vessel retaining yellowfin on board after landing to the incidental catch limitation on the completion of a subsequent fishing voyage.

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

authority contained in 5 U.S.C. 553: The basis for good cause found for immediate adoption is that a wait of 30 days could cause considerable injury to the resource and thwart the purpose of the Resolution of the Inter-American Tropical Tuna Commission which has been approved by the Secretaries of State and Interior. It was not the intent of the regulations to allow the practice which has developed through an ambiguity caused by a less restrictive amendment. The purpose of this amendment is to clarify, as soon as possible the interpretation of the regulations.

The amendment is described below: Subparagraph (1) of § 280.6(e) is revised to read as follows:

§ 280.6 Restrictions applicable to fishing vessels.

* * * * *

(e) On trips begun after the closure of the yellowfin season:

(1) All yellowfin tuna caught by fishing vessels which on the same trip fished both within and outside the regulatory area in the Pacific Ocean shall be subject to the incidental catch limitations as set out in paragraph (c) of this section. Furthermore any vessel which after landing retains yellowfin tuna aboard will be subject to the incidental catch limitation for yellowfin tuna on the completion of a subsequent fishing voyage.

* * * * *

Issued at Washington, D.C., pursuant to authority delegated to me by the Secretary of the Interior on August 26, 1966 (31 F.R. 11685), and dated June 5, 1970.

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

[F.R. Doc. 70-7164; Filed, June 8, 1970; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 81]

METROPOLITAN PORTLAND 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 Metropolitan Portland Intrastate Air Quality Control Region (Maine) as set forth in the following new § 81.78 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 Maine 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., June 19, 1970, in the Court Room, Second Floor, Federal Court Building, 156 Federal Street, Portland, Maine 04112.

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 § 81.78 is proposed to be added to read as follows:

§ 81.78 Metropolitan Portland Intrastate Air Quality Control Region.

The Metropolitan Portland Intrastate Air Quality Control Region (Maine) 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 Maine:

Androscoggin County. Sagadahoc County.
Cumberland County. York 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: June 4, 1970.

JOSEPH E. FLANAGAN, Jr.,
Acting Commissioner, National Air Pollution Control Administration.

[F.R. Doc. 70–7114; Filed, June 8, 1970; 8:47 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Part 113]

SCHEDULE OF FEES

Notice of Proposed Rule Making

Notice is hereby given of proposed rule making consisting of an amendment to regulations codified in 39 CFR 113.5(a). It is proposed to add a new subparagraph authorizing the Post Office Department to recover costs incurred in compiling reports and studies made by the Bureau of Planning and Marketing, or by other Bureaus or offices of the Department.

Interested persons who desire to do so may submit written data, views, and arguments concerning the proposed regulation to the Assistant General Counsel, Legislative Division, U.S. Post Office Department, Washington, D.C. 20260, any time prior to the 30th day after publication of this notice of proposed rule making in the FEDERAL REGISTER.

Accordingly, the following amendment to title 39, Code of Federal Regulations, is proposed to be adopted.

In § 113.5 *Schedule of fees*, add new subparagraph (4) to paragraph (a) *Record retrieval*, to read as follows:

§ 113.5 Schedule of fees.

(a) * * *

(4) For compiling and processing data used in reports made by the Department, the charge shall consist of the hourly compensation and fringe costs of and overhead costs attributable to the employees directly involved; computer time, if any; and other costs of mechanical reproduction with minimum charges stated for record retrieval. The action organization shall notify the person requesting such reports of the estimated cost thereof in advance.

* * * * *

NOTE: The corresponding Postal Manual section is 113.514.

(5 U.S.C. 301, 39 U.S.C. 501)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 70–7105; Filed, June 8, 1970; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Office of the Secretary

[31 CFR Part 10]

PRACTICE BEFORE INTERNAL REVENUE SERVICE

Notice of Extension of Time

By notice published May 15, 1970 (35 F.R. 7565), the Treasury Department proposed amendments to Part 10 of Subtitle A of Title 31 of the Code of Federal Regulations (Treasury Department Circular No. 230), concerning practice before the Internal Revenue Service. Pursuant to that notice, relevant data must be submitted by June 15, 1970.

Notice is hereby given that the time is extended to and including July 15, 1970, within which any interested person may submit data, views, or comments pertaining to the proposed amendments.

[SEAL] ROY T. ENGLERT,
Acting General Counsel.

[F.R. Doc. 70–7125; Filed, June 8, 1970; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 204]

RESERVES OF MEMBER BANKS

Counting Silver Coin as Reserves

The Board of Governors is considering changing the present definition of "currency and coin" in this part (Regulation D) to exclude from the scope of that term any coin that is being held principally for its bullion value (or numismatic value). Under the new definition such coin could no longer be counted as reserves by member banks, whether held by the bank for its own account or for the account of a customer.

The proposal being considered is to amend § 204.1(j) to read as follows:

§ 204.1 Definitions.

* * * * *

(j) *Currency and coin.* The term "currency and coin" means U.S. currency and coin owned and held by a member bank, including currency and coin in transit to or from a Federal Reserve Bank, but not including coin held principally for its bullion value or numismatic value.

It appears that some member banks have been holding U.S. silver coin under an arrangement contemplating that such coin may be acquired from the bank by a customer at less than its bullion value, which is now greater than face value with respect to most outstanding silver coin. In light of the overall monetary policy objectives of reserve requirements under section 19 of the Federal Reserve Act (12 U.S.C. 461) and Regulation D, the Board of Governors is considering whether it is advisable to continue to permit silver coin held for this purpose to be counted as reserves by member banks, since that policy in effect subsidizes, and therefore encourages, speculation in silver bullion.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than July 13, 1970. Under the Board's rules regarding availability of information (12 CFR Part 261), such materials will be made available for inspection and copying upon request unless the person submitting the material asks that it be considered confidential.

By order of the Board of Governors, June 2, 1970.

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 70-7094; Filed, June 8, 1970; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

AREA DIRECTORS ET AL.

Delegation of Authority; Exceptions

MAY 28, 1970.

Section 3 of Part 10 of the Bureau of Indian Affairs Manual was published in the issue of January 16, 1969, of the FEDERAL REGISTER (34 F.R. 637). Section 3.3 F(4)(b) is being amended to allow the Phoenix Area Director to redelegate authority to the Superintendent of the Colorado River Agency to approve assignments of income from trust or restricted land as security for loans by non-Bureau lenders when the borrowers are indebted for tribal loans secured by such assignments. Section 3.3F(4)(b) is hereby amended to read as follows:

3.3 *Exceptions.* The authorities redelegated in 3.1 above do not include the following:

* * * * *

F. *Credit.* * * *

(4) The redelegation of authority to Superintendents for:

* * * * *

(b) Assignments of income from trust or restricted land as security for a loan by a non-Bureau lender if the borrower is indebted for a loan made pursuant to 25 CFR 91 that is secured by such an assignment. The Phoenix Area Director is excluded from this exception only as follows: The Phoenix Area Director may redelegate to the Superintendent of the Colorado River Indian Agency approval authority regarding assignments of income held as security for tribal loans with the prior consent of the tribe.

HAROLD D. COX,
Acting Commissioner.

[F.R. Doc. 70-7089; Filed, June 8, 1970; 8:45 a.m.]

Bureau of Land Management

[OR 6114]

OREGON

Notice of Proposed Classification of Public Lands for Multiple-Use Management

JUNE 2, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands within the area described below. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C., Chs. 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171). However, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

3. The lands proposed to be classified are located within the following described area in Harney County and are shown on a map designated OR 6114, 2441: 36-020: May 1970, on file in the Burns District Office, Bureau of Land Management, 74 South Alvord Street, Burns, Oreg. 97720, and at the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, Oreg. 97208. The description of the lands is as follows:

WILLAMETTE MERIDIAN

T. 23 S., R. 25 E.,
Sec. 35.
T. 23 S., R. 26 E.,
Sec. 28, S½.
T. 23 S., R. 27 E.,
Sec. 32, S½N½ and S½.
T. 24 S., R. 27 E.,
Sec. 6;
Sec. 8.
T. 25 S., R. 28 E.,
Sec. 17, N½N½;
Sec. 21, NE¼NE¼;
Sec. 22, N½;
Sec. 29, lots 3 and 4;
Sec. 32, lots 3 and 4.
T. 25 S., R. 29 E.,
Sec. 19, lots 1 and 2, W½NE¼, and E½NW¼.
T. 27 S., R. 29 E.,
Sec. 15, SW¼SE¼.
T. 22 S., R. 30 E.
Sec. 24, N½N½, SE¼NE¼, and SW¼NW¼.
T. 24 S., R. 30 E.,
Sec. 20, SW¼ and S½SE¼.
T. 26 S., R. 30 E. (north of Malheur Lake),
Sec. 8, W½E½ and W½;
Sec. 30, lots 1 and 2 and E½NW¼.
T. 26 S., R. 30 E., (South of Malheur Lake),
Sec. 25, SE¼SW¼, SW¼SE¼, and E½SE¼;
Sec. 35, E½SE¼.
T. 27 S., R. 30 E.,
Sec. 2, S½S½ and NE¼SE¼;
Sec. 3, SE¼SW¼ and S½SE¼;
Sec. 9, NE¼SW¼ and S½S½;
Sec. 10;
Sec. 11;
Sec. 12, E½, E½NW¼, SW¼NW¼, and SW¼;
Sec. 13;
Sec. 14;
Sec. 15.
T. 22 S., R. 31 E.,
Sec. 22, NE¼, E½NW¼, NE¼SW¼, and N½SE¼;
Sec. 23, NW¼NW¼, S½NW¼, SW¼NE¼, and S½;
Sec. 24, N½NE¼, SE¼NE¼, SW¼NW¼, SW¼, and E½SE¼.
T. 24 S., R. 31 E.,
Sec. 33, NE¼SE¼;
Sec. 34, S½SW¼ and SE¼;
Sec. 35, S½.
T. 25 S., R. 31 E.,
Sec. 1, lots 1 and 2.
T. 26 S., R. 31 E., (South of Malheur Lake),
Sec. 30, lots 3, 6, and 7;
Sec. 31, lots 2, 3, and 4, SW¼NE¼, SE¼NW¼, NE¼SW¼, NW¼SE¼, and SE¼SE¼;
Sec. 32, SW¼NW¼ and S½S½.
T. 27 S., R. 31 E.,
Sec. 6, lot 4, E½SW¼, and SE¼;
Sec. 7, lots 1, 2, 3, and 4, and SE¼SW¼;
Sec. 8, W½ and NW¼SE¼;
Sec. 18, lots 1, 2, 3, and 4, W½NE¼, SE¼NE¼, E½NW¼, and NE¼SW¼.
T. 29 S., R. 31 E.,
Sec. 34, N½, N½SW¼, SW¼SW¼, and NW¼SE¼.
T. 30 S., R. 31 E.,
Sec. 2, lots 1, 2, 3, and 4, S½N½, N½SW¼, SE¼SW¼, and SE¼;
Sec. 11, NE¼ and N½SE¼;
Sec. 13, N½NE¼;
Sec. 14, SW¼NW¼ and W½SW¼;
Sec. 24, SW¼NW¼, N½SW¼, and SE¼.
T. 22 S., R. 32 E.,
Sec. 15, N½, and SE¼.
T. 29 S., R. 32 E.,
Sec. 1;
Sec. 12;
Sec. 13.
T. 32 S., R. 32 E.,
Sec. 2, lots 3 and 4, S½NW¼, SW¼, and SW¼SE¼;
Sec. 3;
Sec. 10;
Sec. 11, SW¼NE¼, W½, and SE¼.
T. 22 S., R. 33 E.,
Sec. 6, lots 3, 4, 5, 6, and 7, SE¼NW¼, E½SW¼, and SE¼.
T. 25 S., R. 33 E.,
Sec. 34, lot 10.

The lands described aggregate approximately 19,875 acres.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 74 South Alvord Street, Burns, Oregon 97720.

ARTHUR W. ZIMMERMAN,
Acting State Director.

[F.R. Doc. 70-7134; Filed, June 8, 1970; 8:49 a.m.]

CALIFORNIA

Public Sale

Pursuant to the Act of September 19, 1964 (78 Stat. 988; 43 U.S.C. 1421-27) and 43 CFR Subpart 2243, there will be offered to the highest bidder, but at not less than the appraised value, at a public sale to be held at 11 a.m., local time, on July 7, 1970, at the District and Land Office, 1414 University Avenue, Riverside,

Calif., the following tract of public land in Riverside County, Calif.:

Parcel No.	Description	Acreage	Appraised value	Cost of publication
R 2063	T. 7 North R. 5 W., SBM., California, Sec. 24, W½NW¼, NW¼SW¼.	120	$14,000	$50.53

The land will be sold subject to a reservation to the United States of rights-of-way for ditches and canals under the Act of August 30, 1890 (26 Stat. 391, 43 U.S.C. sec. 945); and subject to existing rights-of-way. All minerals will be reserved to the United States and withdrawn by operation of law, from appropriation under the public land laws.

Bids may be made by the principal or his agent. Only bids for the entire tract will be considered. Sealed bids will be considered only if received at the District and Land Office, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502, prior to 10 a.m., July 7, 1970. Each sealed bid must be in an envelope marked in the lower left hand corner "Public Sale Bid, July 7, 1970, Parcel No. R 2063". Each bid must be accompanied by certified check, post office money order, bank draft, or cashier's check made payable to the Bureau of Land Management, for the amount of the bid plus the cost of publication. After publicly opening and declaring the highest qualifying sealed bid received, the authorized officer shall invite oral bids in increments of $100. The person, if any declared to have entered the highest qualifying oral bid must promptly submit payment in a form acceptable for a sealed bid. Payment shall be for the amount of the bid plus the cost of publication indicated above. The right is reserved at anytime to determine that the lands should not be sold, or that any and all bids should be rejected.

For further information write: Manager, District and Land Office, 1414 University Avenue, Post Office Box 723, Riverside, Calif. 92502.

WALTER F. HOLMES,
Assistant Land Office Manager.

[F.R. Doc. 70-7133; Filed, June 8, 1970; 8:49 a.m.]

[OR 6114]

OREGON

Notice of Proposed Classification of Public Lands

JUNE 2, 1970.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify the public lands described below for disposal by exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1269; 43 U.S.C. 315g), as amended. As used herein "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. Publication of this proposed classification segregates the described lands from all forms of disposal under the public land laws, except the form of disposal for which it is proposed to classify the lands.

3. This proposal has been discussed with the local governmental officials, an advisory committee of local land users, the Oregon State Game Commission, and other interested parties. Information obtained from field data, discussions with the public and other sources indicate that these lands meet the criterion of 43 CFR 2410.1-3(a), which authorizes classification of lands for disposal under appropriate authority where such lands are found to be chiefly valuable for disposal, for grazing and other values and which lands are not needed for the support of a Federal program.

4. The public lands proposed for classification are located in the following described area in Harney County, and are shown on a map designated "OR 6114, 2441: 36-020: May 1970, on file in the Burns District Office, Bureau of Land Management, 74 South Alvord Street, Burns, Oreg. 97720, and at the Land Office, Bureau of Land Management, 729 Northeast Oregon Street, Portland, Oreg. 97208.

WILLAMETTE MERIDIAN

T. 23 S., R. 25 E.,
Sec. 14, E½SE¼;
Sec. 24;
Sec. 26, N½N½.
T. 22 S., R. 26 E.,
Sec. 34, N½ and N½S½.
T. 23 S., R. 26 E.,
Sec. 2, lots 1 and 2, S½NE¼, and S½;
Sec. 22, SW¼NE¼, W½NW¼, SE¼NW¼, and N½S½;
Sec. 26, W½E½, NW¼, and SE¼SE¼;
Sec. 30, E½ and E½W½.
T. 23 S., R. 27 E.,
Sec. 18, NE¼NW¼;
Sec. 34, E½E½ and NW¼NE¼.
T. 24 S., R. 27 E.,
Sec. 2, lots 1, 2, 3, and 4, and S½N½;
Sec. 4;
Sec. 10, W½E½ and W½;
Sec. 12;
Sec. 24, N½NE¼, SW¼NE¼, and NW¼SE¼.
T. 25 S., R. 30 E.,
Sec. 33, NE¼NE¼.
T. 26 S., R. 30 E. (north of Malheur Lake),
Sec. 4, SW¼SW¼;
Sec. 9, NE¼NW¼;
Sec. 10, SW¼NE¼, S½NW¼, and NW¼SW¼;
Sec. 12, SW¼SW¼;
Sec. 13, W½NW¼ and S½;
Sec. 14, S½NE¼, W½, and SE¼;
Sec. 15, S½SE¼;
Sec. 21, SE¼;
Sec. 22, NW¼NE¼, SE¼NE¼, SW¼NW¼, SW¼, W½SE¼, and NE¼SE¼;
Sec. 23, E½ and E½W½;
Sec. 24, W½NE¼, W½, and N½SE¼;
Sec. 27, N½NW¼;
Sec. 28, N½N½.
T. 22 S., R. 31 E.,
Sec. 19, E½ and E½W½;
Sec. 30, lot 2, W½E½, and E½NW¼.
T. 25 S., R. 31 E.,
Sec. 3, lots 1 and 2, and S½NE¼;
Sec. 7, lots 3 and 4, SE¼SW¼, and NW¼SE¼;
Sec. 8, SW¼SW¼;
Sec. 17, SW¼NE¼, N½NW¼, SE¼NW¼, and SE¼SE¼;
Sec. 18, lot 1, N½NE¼, and NE¼NW¼;
Sec. 19, lots 3 and 4, E½SW¼, and N½SE¼;
Sec. 20, SW¼NE¼, SE¼NW¼, and W½SE¼.
T. 26 S., R. 31 E. (north of Malheur Lake),
Sec. 1, lots 1 and 2, and S½NE¼;
Sec. 5, N½ and SW¼;
Sec. 6, lot 4, SE¼SW¼, and S½SE¼;
Sec. 7, E½ and E½NW¼;
Sec. 8, N½SE¼;
Sec. 9, NW¼;
Sec. 15, W½;
Sec. 22, NW¼.
T. 25 S., R. 32 E.,
Sec. 29, NE¼;
Sec. 32, NE¼;
Sec. 33, NW¼SW¼.
T. 26 S., R. 32 E. (north of Malheur Lake),
Sec. 6, lot 3 and N½SE¼.
T. 22 S., R. 32½ E.,
Sec. 32, N½NE¼ and W½SE¼.
T. 24 S., R. 32½ E.,
Sec. 11, W½SW¼.
T. 25 S., R. 32½ E.,
Sec. 13, W½NE¼;
Sec. 24, lot 2 and NW¼NE¼.
T. 22 S., R. 33 E.,
Sec. 28, E½.
T. 24 S., R. 33 E.,
Sec. 30, lots 1 and 2, E½NW¼, and NE¼;
Sec. 33, NE¼;
Sec. 34, N½NW¼, SW¼NW¼, and NW¼SW¼.
T. 25 S., R. 33 E.,
Sec. 3, NW¼SW¼;
Sec. 4, SW¼NE¼;
Sec. 9, E½NE¼;
Sec. 17, SW¼;
Sec. 21, E½E½, NW¼NE¼, SW¼NW¼, NW¼SW¼, and NW¼SE¼;
Sec. 22, W½;
Sec. 27, N½NW¼, SE¼NW¼, NE¼SW¼, and SE¼;
Sec. 35, W½.

The lands described aggregate approximately 15,809 acres.

For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, 74 South Alvord Street, Burns, Oreg. 97720.

ARTHUR W. ZIMMERMAN,
Acting State Director.

[F.R. Doc. 70-7135; Filed, June 8, 1970; 8:49 a.m.]

Geological Survey

[Wyoming No. 19]

WYOMING

Phosphate Land Classification

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and as delegated to me by Departmental Order 2563, May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto

remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYOMING

NONPHOSPHATE LANDS

T. 37 N., R. 114 W., unsurveyed,
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Sec. 22, NE¼, E½SW¼, SE¼;
Sec. 27, NE¼, E½W½, SE¼;
Secs. 29 to 32, inclusive;
Sec. 33, SW¼NW¼, SW¼;
Sec. 34, NE¼, E½W½, SE¼.

The area described aggregates about 8,664 acres.

Dated: June 2, 1970.

W. A. RADLINSKI,
Acting Director.

[F.R. Doc. 70-7104; Filed, June 8, 1970; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

GRAINS AND SIMILARLY HANDLED COMMODITIES

Notice of Maturity of Loans Made Under 1969 Crop Tung Oil Warehouse-Stored Loan Program

Notice is hereby given that, pursuant to the general regulations governing price support for 1964 and subsequent crops of grain and similarly handled commodities, revision 1 (31 F.R. 5941), as amended, and § 1421.3693 of the 1966 and subsequent years tung oil warehouse-stored loan supplement (31 F.R. 11932), as amended, loans made by the Commodity Credit Corporation (hereinafter called "CCC") on 1969-crop warehouse-stored tung oil mature and are due and payable on October 31, 1970, unless earlier demand for payment is made. Since October 31, 1970, falls on a nonworkday for county offices, the final date for repayment by producers shall be November 2, 1970.

Unless, on or before the final date for repayment, such loans are repaid, title to the unredeemed collateral shall immediately vest in CCC without a sale thereof on the date next succeeding the final date for payment: *Provided*, That CCC will not acquire title to any commodity for which repayment has been mailed to the ASCS county office by letter postmarked (not patron postage meter date stamp) not later than the final date for repayment. This notice applies to all warehouse-stored 1969 crop tung oil which was pledged to CCC as security for price support loans. CCC shall have no obligation to pay for any market value which the unredeemed loan collateral may have in excess of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude making payment to a producer of any amount by which the settlement value of the pledged commodity may exceed the principal amount of the loan. The settlement value as used herein is the price support value of the pledged commodity determined on the basis of the quantity and quality shown on the warehouse receipts in accordance with the applicable support rate provided in the program regulations. Notwithstanding the foregoing provisions, if the producer has made a fraudulent representation in obtaining the loan or in settlement or deliveries under the loan, the producer shall remain personally liable for the amounts specified in the Warehouse Storage Note and Security Agreement and in the price support program regulations.

(Sec. 4, 62 Stat. 1070, as amended, 15 U.S.C. 714b; interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, as amended, 1054, 15 U.S.C. 714c, 7 U.S.C. 1446, 1421)

Signed at Washington, D.C., on June 3, 1970.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 70-7127; Filed, June 8, 1970; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

PROJECTED STANDARD SHIP DESIGN

Marad Benchmark Designs

In F.R. Doc. 70-5506 appearing in the FEDERAL REGISTER issue of May 5, 1970 (35 F.R. 7087), notice was given of a presentation on May 21, 1970, relative to "Merchant Ships for the Seventies."

Notice is hereby given that in addition to the designs prepared by Bath Iron Works Corp. and Newport News Shipbuilding & Dry Dock Co. and presented to the industry on May 21, 1970, in New York City, the Maritime Administration has independently produced in-house preliminary designs of five types of proposed standard ships as follows:

Oil/Bulk/Ore.
General Purpose Cargo.
Single Screw Containership.
Twin Screw Containership.
LASH Barge Carrier.

These designs were developed primarily for the purpose of establishing benchmarks for comparison and evaluation of designs prepared by the above shipbuilders under contract with the Maritime Administration.

Since two of the above designs; namely, the twin screw containership and LASH barge carrier are for types not included in the two Contractors' lists, the Maritime Administration will make them available to the industry on the same terms as the preliminary designs prepared by the contractors. Parties desiring copies of these designs may obtain them by writing to the Maritime Administration, Department of Commerce, Washington, D.C., and enclosing a deposit of $1,000 for each design required. The deposit will be refunded if the material is returned within 6 months of the date of this notice. While the other three designs parallel the contractors' designs, should any of these be desired, they also may be obtained under identical terms.

A copy of the summary report containing a brief description, small sketch, and a tabulation of principal characteristics may be obtained free of charge by writing to the Office of Public Affairs, Maritime Administration, Washington, D.C. 20235.

Dated: May 26, 1970.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 70-7131; Filed, June 8, 1970; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 0F0976) has been filed by Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing the establishment of tolerances for residues of the insecticide *O,O*-dimethyl *S*-[4-oxo-1,2,3-benzotriazin-3(4H)-ylmethyl] phosphorodithioate in or on the raw agricultural commodities corn forage and fodder at 5.0 parts per million and corn (kernel plus cob with husk removed) at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a gas chromatographic procedure with a phosphorus-specific thermionic detector.

Dated: June 1, 1970.

R. E. DUGGAN,
Acting Associate Commissioner
for Compliance.

[F.R. Doc. 70-7099; Filed, June 8, 1970; 8:46 a.m.]

MERCK SHARP & DOHME RESEARCH LABORATORIES

Notice of Withdrawal of Petition for Food Additives

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065, has withdrawn its petition (FAP 6C1996), notice of which was published in the FEDERAL REGISTER of April 21, 1966 (31 F.R. 6142), proposing an amendment to § 121.210 *Amprolium* (21 CFR 121.210) to provide for the safe use in chicken feed of

amprolium (0.0125–0.025 percent), ethopabate (0.0004–0.004 percent), and penicillin (2.4–50 grams per ton), for the prevention of coccidiosis and for growth promotion and feed efficiency.

Dated: June 1, 1970.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-7100; Filed, June 8, 1970; 8:46 a.m.]

ENRICHED MACARONI PRODUCT DEVIATING FROM IDENTITY STANDARD

Extension of Temporary Permit for Market Testing

Pursuant to § 10.5 (21 CFR 10.5) concerning temporary permits for market testing foods deviating from the requirements of standards of identity promulgated pursuant to section 401 (21 U.S.C. 341) of the Federal Food, Drug, and Cosmetic Act, notice is given that the temporary permit held by the Agricultural Research Service, U.S. Department of Agriculture, Washington, D.C. 20250, to cover interstate market tests of a product labeled "enriched yellow corn-soy-wheat macaroni" is extended from May 20, 1970, to May 20, 1971. (Notice of issuance of the permit was published in the FEDERAL REGISTER of March 13, 1970 (35 F.R. 4525)).

Dated: May 26, 1970.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-7101; Filed, June 8, 1970; 8:46 a.m.]

GENERAL FOODS CORP.

Enriched Macaroni Product Deviating From Identity Standards; Amendment of Temporary Permit for Market Tests

Notice was given in the FEDERAL REGISTER of June 20, 1969 (34 F.R. 9684), that a temporary permit had been issued to General Foods Corp., 250 North Street, White Plains, N.Y. 10602, to cover interstate marketing tests of an enriched macaroni product that deviates from the standards of identity for macaroni and noodle products (21 CFR 16.1 to 16.14). The permit was extended from April 28, 1970, to April 28, 1971, by a notice published April 7, 1970 (35 F.R. 5639).

A specification of the permit was that nutrients were to be added as specified in § 16.9(a) except that calcium was to be added in such quantity that each pound of the finished food would contain not less than 1,700 and not more than 1,900 milligrams of calcium (Ca).

Notice is given that at the request of General Foods Corp., the subject permit is amended to provide that nutrients will be added as specified in § 16.9(a) except that calcium and iron will be added so that, within limits of good manufacturing practice, each pound of the finished food will contain 2,111 milligrams of calcium (Ca) and 35 milligrams of iron (Fe). Other terms and conditions of the permit are not altered by this modification.

Dated: May 26, 1970.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 70-7102; Filed, June 8, 1970; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

JOSS CANDLES AND STICKS

Importation Directly From Taiwan (Formosa); Available Certifications

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Government of the Republic of China under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations, are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodities:

Joss candles. Joss sticks.

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 70-7126; Filed, June 8, 1970; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-322]

LONG ISLAND LIGHTING CO.

Notice of Availability of Applicant's Environmental Statement and Request for Comments From State and Local Agencies

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Environmental Statement, Shoreham Nuclear Power Station Plant, Unit 1" and filed in this proceeding by the Long Island Lighting Co. is being placed in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and in the Joseph A. Edgar School, Route 25A, Rocky Point, Long Island, N.Y. This proceeding involves the application by Long Island Lighting Co. for a construction permit for its proposed Shoreham Nuclear Power Station, Unit 1, to be located on its site on the north shore of Long Island, in Suffolk County, N.Y. A notice of the receipt of the application by the Commission was published in the FEDERAL REGISTER on June 13, 1968 (33 F.R. 8683).

The Commission requests, within 60 days of publication of this notice with the FEDERAL REGISTER, comments on the proposed action and on the Environmental Statement from State and local agencies of any affected State (with respect to matters within their jurisdiction) which are authorized to develop and enforce environmental standards. If any such State or local agency fails to provide the Commission with comments within 60 days of publication of this notice in the FEDERAL REGISTER, it will be presumed that the agency has no comments to make. Copies of the Environmental Statement and the comments thereon of Federal agencies whose comments have been requested by the Commission will be supplied to such State and local agencies upon request addressed to the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 5th day of June 1970.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 70-7221; Filed, June 8, 1970; 8:50 a.m.]

[Docket No. 50-227]

GULF GENERAL ATOMIC, INC.

Notice of Proposed Issuance of Construction Permit and Amendment to Facility License

The Atomic Energy Commission (hereinafter "the Commission") is considering the issuance of a construction permit to Gulf General Atomic, Inc. which would authorize the modification of the reactor structure and the core instrumentation system of the existing TRIGA Mark III reactor facility located at Torrey Pines Mesa near San Diego, Calif.

As the application is complete enough to permit all evaluations, upon completion of the modifications to the TRIGA Mark III nuclear reactor in compliance with the terms and conditions of the application and the construction permit, and in the absence of good cause to the contrary, the Commission will issue to Gulf General Atomic, Inc., without prior notice an amendment to Facility License No. R-100. The amendment would authorize Gulf General Atomic to operate the modified TRIGA Mark III reactor.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by the issuance of this construction permit may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's "Rules of Practice", 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time

prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to these proposed issuances, see (1) the application dated January 29, 1970, and supplements thereto, (2) the related Safety Evaluation prepared by the Division of Reactor Licensing, (3) the proposed construction permit and amendment to facility license, and (4) the changes to the Technical Specifications, all of which are available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 5th day of June 1970.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 70-7227; Filed, June 8, 1970; 10:01 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 22220]

STERLING AIRWAYS A/S

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on June 16, 1970, at 10 a.m., e.d.s.t., in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Harry H. Schneider.

Dated at Washington, D.C., June 3, 1970.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 70-7137; Filed, June 8, 1970; 8:49 a.m.]

[Docket No. 22170; Order 70-6-4]

APACHE AIRLINES, INC.

Order To Show Cause

Issued under delegated authority June 1, 1970.

Apache Airlines, Inc. (Apache), is an air taxi operator providing services pursuant to Part 298 of the Board's economic regulations. By Order 70-4-25, April 7, 1970, the Board approved the temporary suspension of Frontier Airlines, Inc., at Miles City, Glendive, Sidney, Wolf Point, Glasgow, Havre, and Lewistown, Mont., and Williston, N. Dak., conditioned upon Apache providing service at these points.

No service mail rate is currently in effect for this service by Apache. By petition filed May 6, 1970, Apache requested the establishment of final service mail rates for the transportation of priority and nonpriority mail by air between Williston and Minot, N. Dak., between Minot, N. Dak., and Helena, Mont. via Williston, Wolf Point, Glasgow, Havre, and Great Falls and between Helena and Williston via Lewistown, Billings, Miles City, Glendive, and Sidney. Apache requests that the multielement rates[1] be established for this service. On May 27, 1970, the Postmaster General filed an answer stating that he would not oppose Apache's petition.

The Board finds it in the public interest to fix and determine the fair and reasonable rates of compensation to be paid to Apache Airlines, Inc., by the Postmaster General for the transportation of priority and nonpriority mail by air, the facilities used and useful therefor, and the services connected therewith, between the aforesaid points. 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 rate to be paid on and after May 6, 1970, to Apache 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 Williston and Minot, N. Dak., between Minot, N. Dak., and Helena, Mont., via Williston, Wolf Point, Glasgow, Havre, and Great Falls and between Helena and Williston via Lewistown, Billings, Miles City, Glendive and Sidney, shall be the rate established by the Board in Order E-25610, August 28, 1967.

2. The fair and reasonable final service mail rate to be paid on and after May 6, 1970, to Apache 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 Williston and Minot, N. Dak., between Minot, N. Dak., and Helena, Mont., via Williston, Wolf Point, Glasgow, Havre, and Great Falls, and between Helena and Williston via Lewistown, Billings, Miles City, Glendive, and Sidney, shall be the rate established by the Board in Order 70-4-9, April 2, 1970.

3. The service mail rates here fixed and determined are to be paid in their entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and regulations promulgated in 14 CFR Part 302 and 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 Apache Airlines, Inc., the Postmaster General, and Frontier Airlines, Inc., are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish the rates specified above, as the fair and reasonable rates of compensation to be paid to Apache 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 Apache Airlines, Inc., the Postmaster General, and Frontier Airlines, Inc.

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. 70-7119; Filed, June 8, 1970; 8:48 a.m.]

[Docket No. 20993; Order 70-6-5]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority June 1, 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 the Joint Conferences of the International Air Transport Association (IATA). The agreement, which has been assigned the

[1] The present rates per Order 70-5-97, May 20, 1970, are as follows:

Priority mail by air: 24 cents per ton-mile plus 9.36 cents per pound at Williston, Minot, Helena, Wolf Point, Glasgow, Havre, Lewistown, Miles City, Glendive, and Sidney and 4.68 cents per pound at Great Falls and Billings.

Nonpriority mail by air: 11.33 cents per ton-mile plus 9.36 cents per pound at Williston, Minot, Helena, Wolf Point, Glasgow, Havre, Lewistown, Miles City, Glendive, and Sidney and 4.68 cents per pound at Great Falls and Billings.

[2] This order to show cause is not a final action and is not subject to the review provisions of 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).

above-designated CAB agreement number, was adopted by the Ninth Meeting of the Joint Specific Commodity Rates Board held in Geneva, April 8 through 13, 1970.

As it applied in air transportation, the agreement is limited to matters relating to transpacific specific commodity rates.[1] Basically, the agreement extends for a further period of effectiveness certain specific commodity rates, applicable on transpacific routes under current descriptions, adopted since the Eighth Meeting of the Joint Specific Commodity Rates Board, held in New York, October 8 through 14, 1969; names several rates to added points under existing commodity descriptions; and proposes reduced rates under a few new commodity descriptions (as set forth in the attachment hereto [2]).

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 subject agreement is adverse to the public interest or in violation of the Act; *Provided*, That approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Action on Agreement CAB 21753 be and hereby is deferred with a view toward eventual approval: *Provided*, That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

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. 70-7120; Filed, June 8, 1970; 8:48 a.m.]

[Docket No. 22243; Order 70-6-13]

NATIONAL AIR CARRIER ASSOCIATION, INC.

Order of Deferral Relating to Uniform Standards and Practices for Charter Flight Eligibility

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of June 1970.

On December 31, 1969, the National Air Carrier Association, Inc. (NACA), filed on behalf of its members [3] pursuant to section 412 of the Federal Aviation Act of 1958, as amended (the Act), a resolution adopting, subject to Board approval, "Uniform Standards and Practices for Charter Flight Eligibility" (Standards).

The broad purpose of the agreement is to give greater assurance of conformity of supplemental air carrier operations to the regulations of the Board and foreign governments. In particular, the standards are designed to improve on present (self) enforcement practices and to provide uniform guidance to employees of NACA members responsible for the sale of charters. The agreement recognizes that pertinent government regulations are the "ultimate enforcement criteria" and states that it is not the intention of the guidelines to alter or supersede such regulations in any way or to diminish the responsibility of the carriers to comply with them. The foregoing is contained in section I of the agreement which is in the nature of an introductory review of the problem. Section II presents examples of reported serious and recurring enforcement problems; section III concerns compliance procedures to be utilized by carrier management; section IV prescribes compliance procedures of NACA; section V provides for cooperation with other carriers and associations; section VI establishes the terms of effectiveness and termination. Attachment I to the agreement contains a basic carrier compliance checklist.

In short, the agreement represents a concerted attempt by the members of NACA to define the problem; to illustrate various areas in which a chartering organization and/or its members may circumvent or avoid the rules and regulations applicable to charters; and to specify the extent to which each member of NACA is required to review and evaluate the representations of a prospective charterer, the legality of solicitation promoting a charter, the bona fides of the members of the chartering organization, and the misapplication of the charter funds.

The mechanics of the agreement require that each air carrier party to the agreement designate a director of charter eligibility to review each charter application in accordance with a checklist which is a part of the agreement and to report to NACA any charterer found not charterworthy. NACA will circulate the report to each of its members. If any of the latter subsequently decides that the charterer is or has become charterworthy and enters into a charter contract, it will so advise NACA which will circulate this information to its members. NACA's Chief of Compliance will be responsible for reviewing members' compliance with the Uniform Standards and Practices set forth in the agreement and will recommend to carrier managements appropriate correction of deficiencies.

Elsewhere the agreement notes that to be fully effective, all carriers which engage in charter transportation should be included in any self-regulatory arrangement. NACA offers to enter into such agreements with the members of the International Air Transport Association (IATA) and the Air Transport Association of America (ATA) for the exchange of information on noncharterworthy groups. NACA also invites other independent airlines and foreign supplemental air carriers to agree to be bound by the agreement.

By letter filed February 11, 1970, Trans World Airlines, Inc. (TWA), points out that the entire matter of charter rule changes, including the need for better internal procedures for screening and the like, is squarely at issue in the pending Transatlantic Supplemental Charter Authority Renewal Case, Docket 20569. TWA feels that the matters raised by NACA's petition should properly be decided within the framework of that proceeding. Should the Board nonetheless decide to dispose of the agreement prior to its decision in that case, TWA requests that it be given notice to this effect and afforded a reasonable opportunity to respond specifically to the agreement.

The governing rules on which the agreement is based are the Board's economic regulations, particularly Parts 208 and 295 thereof. These regulations and/or their observance are currently the subject of proceedings before the Board in Docket 21255, a petition of certain NACA carriers to reexamine and update the Board's charter regulations, and in complaints filed by the Board's Bureau of Enforcement against various airlines and chartering organizations in Dockets 21836 through 21842. The charter regulations, as noted above, are also in issue in the Transatlantic Supplemental Charter Authority Renewal Case, Docket 20569. Our action herein therefore is not intended to provide an opportunity to comment on Parts 208 and 295 or other pertinent regulations since the cases, noted either individually or collectively, provide a more suitable forum. (See EDR-183 and PSDR-24, dated May 8, 1970.)

Upon consideration of the foregoing, the Board believes that the NACA proposal may constitute a reasonable approach toward better control of possible violations of the Board's regulations.

The agreement does present two problems, however. First, there is no opportunity provided under the agreement for a group which has been declared uncharterworthy to request review of an adverse decision. Because the administration of the agreement involves an interpretation of the Board's regulations, there is the possibility of error in such interpretation with respect to a particular charterer or that the carrier (or the association) has misinterpreted the charter proposal in relation to the agreement and/or the Board's regulations.[4]

The agreement also omits any provision which would penalize a member for noncompliance with its provisions. The

[1] Matters relating to the transatlantic specific commodity rate structure were deferred, pending the outcome of proposed across-the-board increases in cargo rates in transatlantic services.

[2] Filed as part of the original document.

[3] American Flyers Airline, Inc., Capitol International Airways, Inc., Modern Air Transport, Inc., Overseas National Airways, Inc., Purdue Airlines, Inc., Saturn Airways, Inc., Southern Air Transport, Inc., Trans International Airlines, Inc., Universal Airlines, Inc., and World Airways, Inc.

[4] It should be recognized, of course, that any ultimate approval of the agreement would in no way limit or restrict the activities of the Board's Bureau of Enforcement.

Board is not aware that NACA has created an enforcement or compliance office similar to those maintained by the Air Transport Association or the International Air Transport Association which are empowered to impose monetary fines on members for violations of the provisions of the resolutions (agreements) adopted by the members of the associations and approved by the Board. The effectiveness of the agreement without penalty for nonobservance is a matter of conjecture. However, we do not consider this omission a valid basis for rejecting the agreement as a whole.

The agreement raises issues which may be of significant interest to other persons including chartering organizations, travel agents, other air carriers and their associations and the traveling public in general. The Board has therefore decided to defer action on the matter, allowing an opportunity for such persons to file written comments in support of or in opposition to approval of the agreement. The Board desires that such comments focus on the following questions; however other relevant matters may be presented:

1. During calendar 1969, how many charter applications were rejected by NACA members because the group was considered uncharterworthy?

2. Should the agreement be modified to provide for review of an adverse decision by any NACA member as to the charterworthiness of a given group? If so, what rules should be established providing for such review? and

3. Can the agreement be an effective tool for the enforcement of charter regulations without assessment of penalties against the parties thereto for noncompliance? If not, what should the penalty be and how should the penalty program be administered?

Accordingly, it is ordered, That:

1. Action on Agreement CAB 21548 be and it hereby is deferred;

2. Interested persons are hereby afforded a period of 20 days from the date of service of this order within which to file comments in support of or in opposition to the agreement.[3]

3. Persons who have filed timely comments in accordance with the foregoing paragraph be afforded a further period of 10 days within which to file rebuttal comments.[4]

4. A copy of this order be served upon the Attorney General of the United States; the National Air Carrier Association, and each of its members, the Air Transport Association, the International Air Transport Association, and the Department of Transportation; and

5. This proceeding shall be assigned Docket No. 22243.

[3] An original and 19 copies of such comments shall be filed with the Board's Docket Section.

[4] The 30-day period contemplated by paragraphs 2 and 3 will run consecutively.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK, *Secretary.*

[F.R. Doc. 70-7121; Filed, June 8, 1970; 8:48 a.m.]

[Docket No. 20993; Order 70-6-19]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority June 2, 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 the Joint Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated May 4 and 15, 1970, names additional specific commodity rates under existing commodity descriptions, and specifies rates under new descriptions, as set forth in the attachment hereto.[1] These rates reflect significant reductions from the general cargo rates.

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 subject agreement is adverse to the public interest or in violation of the Act: *Provided,* That tentative approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Action on Agreement CAB 21753, R-1 and R-2, and R-4 through R-7, be and hereby is deferred with a view toward eventual approval: *Provided,* That approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

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. 70-7122; Filed, June 8, 1970; 8:48 a.m.]

[1] Filed as part of the original document.

[Docket No. 22249; Order 70-6-26]

SHULMAN AIR FREIGHT

Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of June 1970.

By tariff revision filed May 1, and marked to become effective June 5, 1970, Shulman, Inc., doing business as Shulman Air Freight (Shulman), an air freight forwarder, proposes to increase its fees for collecting and remitting on c.o.d. shipments, of $100 or less, as follows:

When the amount to be collected is—	The c.o.d. fee will be—	
	Present	Proposed
$40.00 or less	$2.50	$4.00
$40.01-$50.00	2.75	4.00
$50.01-$60.00	3.00	4.00
$60.01-$80.00	3.25	4.00
$80.01-$90.00	3.50	4.00
$90.01-$100.00	3.75	4.00

Upon consideration of all relevant factors, the Boards finds that the higher fees proposed may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be suspended pending investigation.

Shulman's proposal would result in increasing service fees for c.o.d. amounts of $100 or less by from 7 to 60 percent. In support of its proposal, the forwarder states that it reflects higher costs. Shulman, however, does not present any factual data in support of this statement.

At present, most air freight forwarders publish a minimum fee of $2 for collecting and remitting on c.o.d. shipments. This charge generally applies to amounts up to and including $100. Certain forwarders and all airlines publish a $1 minimum fee, with the latter quoting a fee of $0.50 per $100.

A few forwarders, including Shulman, currently publish higher minimum c.o.d. fees. The current charge for Shulman is $2.50, where the amount to be collected is $40 or less. Thus, the proposed increases would raise a level already higher than that in effect for most forwarders and all airlines, but Shulman does not present adequate justification for this increase.[1]

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof,

It is ordered, That:

[1] See Order 69-9-50, Sept. 9, 1969, in which the Board suspended an increase in c.o.d. fees proposed by Scott Air Freight, Inc., on the ground of lack of justification. See also *Increased Valuation and C.O.D. Charges Proposed by Railway Express Agency, Inc.,* 27 C.A.B. 542 (1958), in which the Board, after investigation, held the proposed increases in c.o.d. and other charges unjust and unreasonable chiefly on the ground that the Railway Express Agency had failed to sustain the burden of coming forward with evidence justifying the proposed increases.

1. An investigation be instituted to determine whether the provisions and charges in Rule No. 80(F) for the amounts of $40; $50; $60; $80; $90; and $100 on Eighth Revised Page 6 of Shulman, Inc., doing business as Shulman Air Freight's CAB No. 38 (Shulman, Inc. series), and rules, regulations, and practices affecting such provisions and charges, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions and charges, and rules, regulations, or practices affecting such provisions and charges;

2. Pending hearing and decision by the Board, the provisions and charges in Rule No. 80(F) for the amounts of $40; $50; $60; $80; $90; and $100 on the Eighth Revised Page 6 of Shulman, Inc., doing business as Shulman Air Freight's CAB No. 38 (Shulman, Inc. series), are suspended and their use deferred to and including September 2, 1970, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

4. A copy of this order shall be filed with the tariff and served upon Shulman, Inc., doing business as Shulman Air Freight, which is hereby made a party to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[2]

[SEAL] HARRY J. ZINK,
Secretary.

[F.R. Doc. 70-7123; Filed, June 8, 1970; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2740]

TSAI MANAGEMENT & RESEARCH CORP. ET AL.

Notice of Application To Permit Offer of Exchange and for Exemption

JUNE 3, 1970.

In the matter of Tsai Management & Research Corp., Manhattan Investment Plans for the accumulation of shares of Manhattan Fund, Inc., TMR Appreciation Investment Plans for the accumulation of shares of TMR Appreciation Fund, Inc., Liberty Investment Plans for the accumulation of shares of Liberty Fund, Inc., 245 Park Avenue, New York, N.Y. 10017.

Notice is hereby given that Manhattan Investment Plans for the Accumulation of Shares of Manhattan Fund, Inc., TMR Appreciation Investment Plans for the Accumulation of Shares of TMR Appreciation Fund, Inc., Liberty Investment Plans for the Accumulation of Shares of Liberty Fund, Inc., unit investment trusts registered under the Investment Company Act of 1940 (Act) and Tsai Management & Research Corp. (Tsai), a Delaware corporation which is sponsor-depositor of these plans (herein collectively referred to as applicants), have filed an application pursuant to sections 11 and 6(c) of the Act for an order of the Commission permitting an offer of exchange and exempting applicants from section 22(d) of the Act, as described below. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein which are summarized below.

Each of these three plans have filed registration statements to permit them to issue certificates evidencing periodic investment plans for the accumulation of shares of one of the following underlying mutual funds: (a) Manhattan Fund, Inc., whose investment objective is to seek capital appreciation with any income received from portfolio securities to be entirely incidental; (b) TMR Appreciation Fund, Inc., whose investment objective is to seek capital appreciation; and (c) Liberty Fund, Inc., whose investment objective is to obtain liberal income consistent with reasonable safety of capital. Each of the three plans provide for three types of programs for the accumulation of shares of their respective underlying mutual funds. First, each of the three plans has a "single payment plan" calling for an initial investment of not less than $500 with a maximum sales charge of 8.5 percent. In addition, each of the three plans offer two "systematic investment plans" providing for monthly payments to be made over a 10-year or a 15-year period. Both the 10-year and 15-year plans involve a double initial monthly payment on plans involving a regular monthly payment of $150 or less. Such plans require 118 additional payments in the 10-year plan and 178 additional payments in the 15-year plan. Both of these systematic plans further provide that a maximum sales charge of 50 percent (front-end load) will be exacted from the first 12 (monthly) payments made by a planholder toward completion of his plan. The remaining payments, or their equivalents, are subject to a maximum sales charge of 4 percent in the 10-year plan, and 5.8 percent in the 15-year plan.

Applicants propose to offer holders of each of the three plans upon payment of a single transaction service charge of $5, the opportunity to exchange their certificates for the certificates of either of the other plans at the relative net asset values of the certificates which are equal to the net asset values of their underlying securities. Further, for purposes of determining the amount of sales charge to be deducted from payments made following an exchange, Applicants propose to take into account the number of monthly payments or their equivalents made toward completion of the plan evidenced by the certificate originally held.

Section 11(a) of the Act provides that it shall be unlawful for any registered open-end company or any principal underwriter for such a company to make or cause to be made an offer to the holder of a security of such company or of any other open-end investment company to exchange his security for a security in the same or another such company on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms of the offer have first been submitted to and approved by the Commission. Section 11(c) provides that, irrespective of the basis of exchange, the provisions of subsection (a) shall be applicable to any type of offer of exchange of the securities of registered unit investment trusts for the securities of any other investment company.

Applicants represent that if exchanges between the three plans are permitted, planholders will have the opportunity to choose between shares of underlying mutual funds having different investment objectives, the objectives of one of which might well be more suitable to an investor's current needs and desires than would be the objectives of the others.

Section 22(d) of the Act provides in part that no registered investment company shall sell any redeemable security issued by it to any person except at a current public offering price described in the prospectus.

Applicants represent that the primary purpose of the front-end sales charge of 50 percent imposed upon initial payments is to provide adequate compensation to sales representatives who solicit purchases of the periodic investment plans evidenced by the certificates. Applicants state that since no comparable sales efforts would be incurred in an exchange from one plan certificates to another, it would be inequitable and inappropriate to impose additional front-end loan charges upon an exchange transaction.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any persons or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants state their opinion that the proposed exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than June 23, 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 interests, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order

[2] Dissenting statement of Member Adams filed as part of the original document.

a hearing thereon. Any such communication should be addressed: Secretary, Securities 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 Applicants at the address stated above. Proof of such service (by affidavit or in the 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).

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70-7116; Filed, June 8, 1970; 8:47 a.m.]

ROLEN DIVERSIFIED INVESTORS, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JUNE 2, 1970.

I. Rolen Diversified Investors, Inc. (Rolen), Post Office Box 556, Linden, Calif. 95236, was incorporated in Nevada on June 27, 1963. It has principally been engaged in the development of an audio transducer and the management of real estate. Rolen filed a notification under Regulation A with the San Francisco Regional Office on July 19, 1967, for the purpose of obtaining an exemption from registration as required by the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) of it and Regulation A promulgated under it.

II. The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that since October 18, 1968, Rolen has filed no report required to be filed as provided in Rule 260.

B. The terms and conditions of Regulation A have not been complied with in that Rolen has failed to amend its offering circular dated January 29, 1968, as amended June 12, 1968, to reflect the following material events occurring since the date of said amendment:

1. The institution on December 2, 1968, of an action in the Superior Court of the State of California for San Joaquin County for the recovery of $50,000, in which issuer and its principals are charged with fraud.

2. The institution on December 3, 1968, of an action in the same court of a class action on behalf of issuer against issuer's president and controlling stockholder, Ida M. Leonardini, for recovery of $123,969 allegedly owed to the company and for $500,000 damages.

3. The institution of a voluntary proceeding under Chapter XI of the Bankruptcy Act by issuer on June 11, 1969.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a), subparagraph 1 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 70-7117; Filed, June 8, 1970; 8:47 a.m.]

TARIFF COMMISSION

[TEA-W-21]

WORKERS' PETITION FOR DETERMINATION OF ELIGIBILITY TO APPLY FOR ADJUSTMENT ASSISTANCE

Notice of Investigation and Hearing

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962, on behalf of the production and maintenance workers of the F. W. Sickles Division, General Instrument Corp., Chicopee, Mass., the U.S. Tariff Commission, on the 4th day of June 1970, instituted an investigation under section 301(c)(2) of the said Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with electrical components and apparatus and allied products produced by the F. W. Sickles Division, General Instrument Corp., are being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers of such manufacturing company.

A public hearing in connection with this investigation will be held beginning at 10 a.m., e.d.s.t., on June 23, 1970, in the Hearing Room, U.S. Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Appearances at the hearing should be entered in accordance with § 201.13 of the Tariff Commission's rules of practice and procedure.

The petition filed in this case is available for inspection at the Office of the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York City office of the Tariff Commission located in Room 437 of the Customhouse.

Issued: June 4, 1970.

By order of the Commission.

[SEAL] KENNETH R. MASON,
Secretary.

[F.R. Doc. 70-7136; Filed, June 8, 1970; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Dockets Nos. RI70-1655 etc.]

SOUTHERN MINERALS CORP. ET AL.

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

MAY 27, 1970.

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

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

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

The Commission orders:

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

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

held concerning the lawfulness of the proposed changes.

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1970.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

APPENDIX A

Docket* No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1545...	Mobil Oil Corp (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	358	1 to 2	Northern Natural Gas Co. (Northeast Dower Field, Beaver County, Okla.) (Panhandle Area).	$711	5- 6-70	[3] 10- 1-70	Accepted—Subject to Refund in RI70-1545.	[3] 17.0	[4] [11] [16] 18.015	
RI70-1655...	Southern Minerals Corp., Post Office Box 716, Corpus Christi, Tex. 78403.	7	2	Tennessee Gas Pipeline Co., a division of Tenneco Inc. (Zim Field, Zapata County, Tex.) (RR. District No. 4).	71,508	5- 4-70	[2] 6- 4-70	11- 4-70	[2] 16.0	[2] [4] 17.8	
RI70-1656...	Perry R. Bass (Operator) et al., 1200 Fort Worth National Bank Bldg., Fort Worth, Tex. 76102.	2	4	Florida Gas Transmission Co. (South Hutchins Field, Wharton County, Tex.) (RR. District No. 3).	1,115	5- 7-70	[2] 6- 7-70	11- 7-70	17.5766	[4] [11] [16] 19.083125	RI70-476.
	do	3	4	Florida Gas Transmission Co. (Blind Pass Field, Aranas County, Tex.) (RR. District No. 4).	8,437	5- 7-70	[2] 6- 7-70	11- 7-70	17.044	[4] [11] [16] 18.07875	RI-70-476.
	do	4	4	Florida Gas Transmission Co. (North Withers Field, Wharton County, Tex.) (RR. District No. 3).	13,860	5- 7-70	[2] 6- 7-70	11- 7-70	17.5766	[4] [11] [16] 19.083125	RI70-476.
RI70-1657...	Amerada Hess Corp., Post Office Box 2040, Tulsa, Okla. 74102.	60	6	Transcontinental Gas Pipe Line Corp. (Tilden Field, McMullen County, Tex.) (RR. District No. 1).	4,046	5- 6-70	[10] 6-22-70	11-22-70	16.2760	[4] [11] 17.2933	RI66-902.
	do	129	4	Natural Gas Pipeline Co. of America (Putnam Field, Dewey County, Okla.) (Oklahoma "Other" Area).	978	5- 6-70	[10] 6-16-70	11-16-70	[17] 17.015	[4] [11] [13] 19.515	RI68-120.
RI70-1658...	Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221.	326	[12] 7	Cities Service Gas Co.	.....	5- 5-70	[2] 6- 5-70	Accepted	.....	.....	RI68-444.
		326	8	(Hardtner-Rhodes Field, Barber County, Kans.).	2,138	5- 5-70	[10] 6- 5-70	11- 5-70	[12] 14.0	[4] [11] [13] 15.0	
RI70-1659...	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	316	4	Michigan Wisconsin Pipe Line Co. (Holly Ridge Field, Tensas Parish, La.) (North Louisiana).	8,363	5- 7- 70	[10] 6- 7-70	11- 7-70	[12] [18] 18.5	[11] [12] [17] [18] 22.25	
	do	274	6	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	1,682	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 20.0	[4] [11] [13] 22.015	RI70-463.
RI70-1660...	Mobil Oil Corp. (Operator) et al.	170	14	Michigan Wisconsin Pipe Line Co. (Laverne Field, Harper County, Okla.) (Panhandle Area).	37,600	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 20.0	[4] [11] [16] 22.015	RI70-464.
	do	266	21	Natural Gas Pipeline Co. of America (North Custer City Field, Custer County, Okla.) (Oklahoma "Other" Area).	127,336	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 20.0	[4] [11] [16] 21.515	RI70-464.
	do	295	6	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver County, Okla.) (Panhandle Area).	6,206	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 20.0	[4] [11] [13] 22.015	RI70-464.
	do	322	18	Michigan Wisconsin Pipe Line Co. (Cedardale Field, Major and Dewey Counties, Okla.) (Oklahoma "Other" Area) and (Woodward County, Okla.) (Panhandle Area).	15,435	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 20.0	[4] [11] [13] 22.015	RI70-464.
RI70-1661...	Diamond Shamrock Corp., Post Office Box 631, Amarillo, Tex. 79105.	29	4	Panhandle Eastern Pipe Line Co. (Meade County, Kans.).	549	5- 8-70	[13] 6- 8-70	11- 8-70	[12] 18.649	[4] [11] [19] 19.746	RI66-62.
RI70-1662...	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	366	6	Transwestern Pipeline Co. (Mendota Field, Hemphill County, Tex.) (RR. District No. 10).	48,964	5- 7-70	[14] 6- 7-70	11- 7-70	[12] 19.5853	[4] [11] [13] 20.1138	RI70-510.
	do	351	9	El Paso Natural Gas Co. (West Kutz Canyon Field, San Juan County, N. Mex.) (San Juan Basin Area).	10,291	5- 4-70	[2] 6- 4-70	11- 4-70	[12] 13.0	[17] [21] [22] 15.2869	
RI70-1663...	Northern Natural Gas Producing Co.	16	4	Northern Natural Gas Co. (Hugoton Field, Finney County, Kans.).	1,130	5- 7-70	[10] 6- 7-70	11- 7-70	[12] 12.5	[4] [11] [13] 14.0	RI70-465.
RI70-1664...	Signal Oil & Gas Co. (Operator), 1010 Wilshire Blvd., Los Angeles, Calif. 90017.	24	5	Lone Star Gas Co. (Southwest Ardmore Field, Carter and Love Counties, Okla.) (Oklahoma "Other" Area).	21,535	5- 7-70	[10] 7- 1-70	12- 1-70	[24] 15.75	[4] [11] [24] 16.75	RI68-33.

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI70-1665	Reading & Bates, Inc. 1100 Philtower Bldg., Tulsa, Okla. 74103.	11	7	El Paso Natural Gas Co. (Jalmat Field, Lea County, N. Mex.) (Permian Basin Area).	$3,611	4-29-70	[10] 5-30-70	10-30-70	12.82	[4 24 26 28] 17.8347	
	do	13	5	El Paso Natural Gas Co. Sweetie Peck Field, Midland County, Tex.) (R.R. District No. 8) (Permian Basin Area).	481	4-29-70	[10] 5-30-70	10-30-70	15.32	[4 24 27] 19.32775	
	do	14	8	El Paso Natural Gas Co. (Spraberry Trend Area, Midland and Reagan Counties, Tex.) (R.R. Districts Nos. 8 and 7-C) (Permian Basin Area).	13,112	4-29-70	[10] 5-30-70	10-30-70	14.5	[4 23] 19.32775	
	do	15	4	El Paso Natural Gas Co. (Spraberry Trend Area, Upton County, Tex.) (R.R. District No. 7-C) (Permian Basin Area).	753	4-29-70	[10] 5-30-70	10-30-70	14.5	[4 23] 19.32775	

[2] The stated effective date is the first day after expiration of the statutory notice.
[3] Respondent is filing to the initial contract rate.
[4] Pressure base is 14.65 p.s.i.a.
[5] Initial certificated rate.
[6] "Fractured" rate increase.
[7] Contractually due 19.59 cents per Mcf.
[8] Contractually due 19.08 cents per Mcf.
[10] The stated effective date is the effective date requested by respondent.
[11] Periodic rate increase.
[12] Subject to a downward B.t.u. adjustment.
[13] End of the suspension period in Docket No. RI70-1545.
[14] To be substituted for increased rate of 18 cents which is currently suspended in Docket No. RI70-1545 until Oct. 1, 1970.
[15] Amendment dated July 16, 1969, providing for increased rate.
[16] Renegotiated rate increase.
[17] Pressure base is 15.025 p.s.i.a.
[18] Includes 1.5-cent tax reimbursement.
[19] Subject to upward and downward B.t.u. adjustment.
[20] Includes base rate of 17 cents before increase and 18 cents after increase, plus upward B.t.u. adjustment. Base rate subject to upward and downward B.t.u. adjustment.
[21] Increase to contract rate.
[22] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax and 1-cent minimum guarantee for liquids.
[23] Settlement rate pursuant to order issued Dec. 28, 1966, in Dockets Nos. G-10615 et al.
[24] Includes 0.75-cent dehydration and delivery charge paid by buyer.
[25] Increase to contractually due rate and corrected by letter dated May 12, 1970.
[26] Subject to 0.4467 cent per Mcf deduction by buyer for compression.
[27] Subject to a deduction by buyer for gathering and treating.
[28] Includes partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax.

Perry R. Bass (Operator) et al. (Bass), request waiver of the statutory notice to permit an effective date of May 7, 1970, for their proposed rate increases. Mobil Oil Corp. (Operator) et al. (Mobil), request an effective date of May 1, 1970 for Supplement No. 1 to Supplement No. 2 to their FPC Gas Rate Schedule No. 358. Gulf Oil Corp. (Gulf) requests an effective date of June 1, 1970, for Supplement No. 9 to its FPC Gas Rate Schedule No. 351. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for the aforementioned producers' rate filings and such requests are denied.

Mobil previously filed a periodic increase from 17 cents to 18 cents per Mcf under its FPC Gas Rate Schedule No. 358. Such increase was suspended for 5 months until October 1, 1970, in Docket No. RI70-1545. Mobil now proposes to further increase the suspended rate to include 0.015-cent partial tax reimbursement for the increase in Oklahoma Excise Tax. Consistent with previous commission action taken on similar rate filings, we believe that Mobil's proposed increase to 18.015 cents per Mcf should be accepted for filing subject to the existing rate suspension proceeding in Docket No. RI70-1545 and such increase to remain suspended until October 1, 1970, the end of the suspension period in such proceeding.

Supplement No. 7 to Reading and Bates, Inc.'s (Reading), FPC Gas Rate Schedule No. 11 and Supplement No. 9 to Gulf Oil Corp.'s (Gulf) FPC Gas Rate Schedule No. 11 reflect partial reimbursement for the full 2.55 percent New Mexico Emergency School Tax. The buyer, El Paso Natural Gas Co. (El Paso), in accordance with its policy of protesting tax filings proposing reimbursement for the New Mexico Emergency School Tax in excess of 0.55 percent, is expected to file a protest to these rate increases. El Paso questions the right of the producer under the tax reimbursement clause to file a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico Legislature effected a higher rate of at least 0.55 percent, they claim there is controversy as to whether or not the new legislation effected an increased rate in excess of 0.55 percent. In view of the contractual problem presented, the hearings provided for herein for Reading and Gulf's aforementioned rate filings shall concern themselves with the contractural basis for such rate filings, as well as the statutory lawfulness of the proposed increased rates and charges.

Concurrently with the filing of its rate increase, Sun Oil Co. (Sun) submitted a contract amendment dated July 16, 1969, designated as Supplement No. 7 to Sun's FPC Gas Rate Schedule No. 326, which provides the basis for its proposed rate increase. We believe that it would be in the public interest to accept Sun's proposed contract amendment to become effective as of June 5, 1970, the expiration date of the statutory notice, but not the proposed rate contained therein which is suspended herein for 5 months from June 5, 1970, the proposed effective date.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

[F.R. Doc. 70-7016; Filed, June 8, 1970; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

PROVIDENT ENTERPRISES CORP.

Notice of Application for a License as a Minority Enterprise Small Business Investment Company

Notice is hereby given concerning the filing of an application with the Small Business Administration (SBA) pursuant to § 107.102 of the Regulations Governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107) under the name of Provident Enterprises Corp., 81 Encina, Palo Alto, Calif. 94301, for a license to operate in the State of California as a minority enterprise small business investment company (MESBIC) under the provisions of the Small Business Investment Act of 1958, as amended (15 U.S.C. 661 et seq.) (The Act).

The proposed officers and directors are as follows:

Willard S. Armstrong, 2106 Louis Road, Palo Alto, Calif., President and Director.
William C. Edwards, 150 Isabella Avenue, Atherton, Calif., Vice President and Director.
Walter S. McGilvray III, 49 Palm Avenue, Palo Alto, Calif., Vice President.
William L. Warner, 730 Palo Alto Avenue, Palo Alto, Calif., Secretary.
John A. Wilson, 312 Golden Hills Drive, Portola Valley, Calif., Assistant Secretary.
Vernon R. Anderson, 25225 La Loma Drive, Los Altos Hills, Calif., Director.
Thomas J. Davis, Jr., 99 Broad Acres Road, Atherton, Calif., Director.
John A. Chase, 11 Upper Road, Ross, Calif., Director.
William R. Hambrecht, 2345 Spanish Trail Road, Tiburon, Calif., Director.
Jimmie G. Peterson, 151 Emerald Drive, Danville, Calif., Director.
Richard M. Davis, 112 Rafael Drive, San Rafael, Calif., Director.
John W. Larson, Box 502, Ross, Calif., Director.
James M. Tasley, Walters Road, Ross, Calif., Director.
Lonnie P. Poindexter, 2340 Valley Street, Berkeley, Calif., Director.
John A. Halter, 8C Circle Drive, Tiburon, Calif., Director.
Toby Rosenblatt, 999 Green Street, San Francisco, Calif., Director.

Charles Calderaro, 6267 Rosena Avenue, San Bernardino, Calif., Director.
Raymond F. O'Brien, 26347 Esperanza Drive, Los Altos Hills, Calif., Director.
Phillip W. McClanahan, 340 Euclid Avenue, San Francisco, Calif., Director.
Dodd Fischer, 2784 Union Street, San Francisco, Calif., Director.

No officer or director, other than the President, will be compensated for his services by the applicant. None of the above have any direct ownership of the capital stock of the applicant. The company will be owned by 18 business corporations and partnerships, none of which will own as much as 10 percent of the MESBIC. The four largest shareholders are Transamerica Corp., 701 Montgomery Street, San Francisco, Calif.; Levi Strauss & Co., 98 Battery, San Francisco, Calif.; The Mills Partnership, c/o American Express Investment Management Co., 550 Laurel Street, San Francisco, Calif.; and URS Systems Corp., 155 Bovet Road, San Mateo, Calif.

The company proposes to begin operations with a private capitalization of $250,500. As a MESBIC, the company will make investments solely in small business concerns which will contribute to a well-balanced national economy by facilitating ownership in such small business concerns by persons whose participation in the free enterprise system is hampered because of social or economic disadvantages.

Matters involved in SBA's consideration of the application include the general business reputation and character of the management, and the probability of successful operations of the new company under their management, including adequate profitability and financial soundness, in accordance with the Act and regulations.

Notice is further given that any interested person may not later than 10 days from the date of publication of this notice, submit to SBA in writing, relevant comments on the proposed company. Any communication should be addressed to: Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416.

A copy of this notice shall be published in a newspaper of general circulation in Palo Alto, Calif.

A. H. SINGER,
Associate Administrator for Investment.

MAY 25, 1970.

[F.R. Doc. 70-7106; Filed, June 8, 1970; 8:46 a.m.]

[Declaration of Disaster Loan Area 771]

NORTH DAKOTA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of May 1970, because of the effects of certain disasters, damage resulted to residences and business property located in Ransom County, N. Dak.;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring on May 28, 29, 1970, and continuing.

OFFICE

Fargo District Office, Federal Office Building, Room 218, 653 Second Avenue North, Fargo, N. Dak. 58102.

2. A temporary office will be established at Enderlin, N. Dak., address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to November 30, 1970.

Dated: June 2, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7107; Filed, June 8, 1970; 8:47 a.m.]

[Declaration of Disaster Loan Area 770]

OKLAHOMA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of May 1970, because of the effects of certain disasters, damage resulted to residences and business property located in Oklahoma County, Okla.;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in the aforesaid county, suffered damage or destruction resulting from floods occurring on May 29, 1970.

OFFICE

OKLAHOMA CITY DISTRICT OFFICE, 30 NORTH HUDSON, OKLAHOMA CITY, OKLA. 73102

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to November 30, 1970.

Dated: June 1, 1970.

HILARY SANDOVAL, JR.,
Administrator.

[F.R. Doc. 70-7108; Filed, June 8, 1970; 8:47 a.m.]

[Declaration of Disaster Loan Area 769]

TEXAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of May 1970, because of the effects of certain disasters, damage resulted to residences and business property located in Zapata County, Tex.;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in the aforesaid county, suffered damage or destruction resulting from tornado on or about May 24, 1970.

OFFICE

Lower Rio Grande Valley District Office, 219 East Jackson Street, Harlingen, Tex. 78550.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to November 30, 1970.

Dated: May 26, 1970.

HILARY SANDOVAL, Jr.,
Administrator.

[F.R. Doc. 70-7109; Filed, June 8, 1970; 8:47 a.m.]

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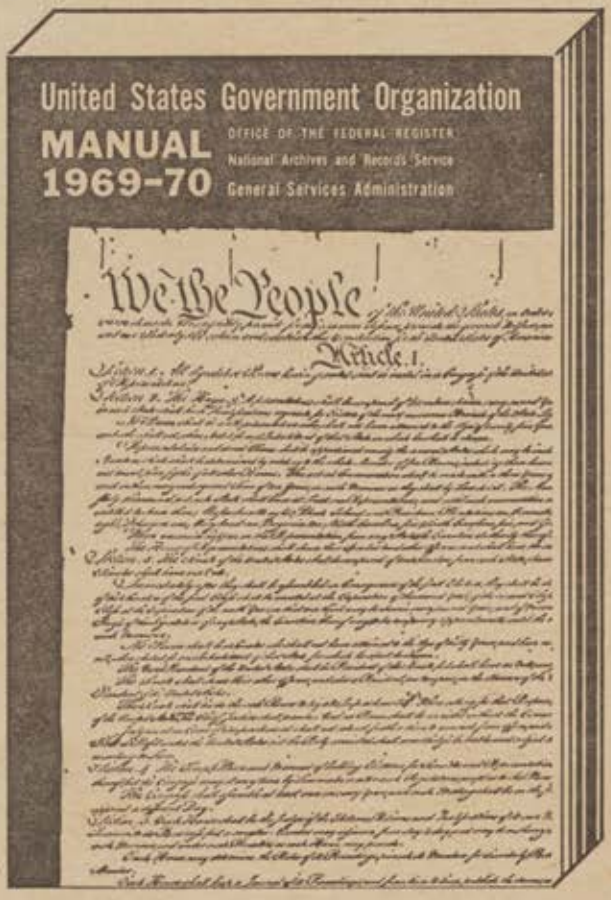

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