

# FEDERAL REGISTER

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Agencies in this issue—

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Conservation Service  
Air Force Department  
Business and Defense Services  
Administration  
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Civil Rights Office  
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Veterans Administration

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# Rules and Regulations

## Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration PART 36—LOAN GUARANTY

#### Sale of Loans, Guarantee of Payment

In § 36.4600, paragraphs (e) (1) and (g) (2) are amended to read as follows:

#### § 36.4600 Sale of loans, guarantee of payment.

(e) (1) A cash payment shall be made to the holder upon the repurchase of a loan by the Administrator and shall be an amount equal to the price paid by the purchaser when the loan was sold by the Administrator, less repayments received by the holder which are properly applicable to the principal balance of the loan, plus any advances made for the purposes described in paragraph (c) (9) of this section, but no payments shall be made for accrued unpaid interest, except that with respect to loans sold by the Administrator after July 15, 1970, payment will be made for unpaid accrued interest from the date of the first uncured default to the date of the claim for repurchase, but not in excess of interest for 90 days. If, however, there has been a failure of any holder to comply with the provisions of paragraph (c) of this section the Administrator shall be entitled to deduct from the repurchase price otherwise payable such amount as he determines to be necessary to restore him to the position he would have occupied upon repurchase of the loan in the absence of any such failure. Incident to the repurchase by the Administrator, the holder will pay to the Administrator an amount equal to the balance, if any, remaining in the tax and insurance account.

(g) \* \* \*

#### (2) Designated positions:

Chief Benefits Director.  
Director, Loan Guaranty Service.  
Director, Regional Office.  
Director, Center.  
Director, Veterans Benefits Office, Washington, D.C.  
Loan Guaranty Officer.  
Assistant Loan Guaranty Officer.

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective July 15, 1970.

Approved: July 15, 1970.

By direction of the Administrator.

[SEAL] RUFUS H. WILSON,  
Acting Deputy Administrator.

[F.R. Doc. 70-9261; Filed, July 17, 1970;  
8:48 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter I—National Park Service, Department of the Interior

#### PART 2—PUBLIC USE AND RECREATION

#### PART 4—VEHICLES AND TRAFFIC SAFETY

##### Snowmobiles

A proposal was published at page 5180 of the FEDERAL REGISTER of March 27, 1970, to establish regulations for snowmobiles, and to exclude snowmobiles from the coverage of the regulations in 36 CFR Part 4.

Interested persons were given 30 days for submitting written comments, suggestions or objections with respect to the proposed amendments. As a result of the comments received, the proposed regulations are adopted with the following changes: Paragraph (d) (1) has been changed to more adequately define the requirement of a suitable snowmobile muffler. Paragraph (h) has been added to provide guidance on rights-of-way between snowmobile operators and other persons. Section 4.2(a) has been rewritten for clarity.

These amendments will become effective 30 days after the publication of this notice in the FEDERAL REGISTER.

Section 2.34 is added to read as follows:

#### § 2.34 Snowmobiles.

(a) *Definition.* The term "snowmobile" shall include any device propelled by a motor that is designed for oversnow travel.

(b) *Registration.* By the posting of appropriate signs or notices, the Superintendent may require registration prior to the operation of a snowmobile. The posting shall state how and where to register and may include a requirement that the registrant shall sign out upon trip completion.

(c) *Use in designated areas.* Snowmobile use is permitted only in snowmobile areas and on snowmobile routes designated by the Superintendent. A map or description of the designated areas and routes will be available in the Superintendent's office.

(d) *Vehicle suitability.* (1) A snowmobile shall at all times be equipped with a muffler in good working order to prevent excessive or unusual noise and annoying smoke. No person shall use a muffler cut-out, bypass, or similar device upon a snowmobile.

(2) A snowmobile shall be equipped with a forward-facing white headlight and a red taillight. These lights must be lighted, during its operation from a half hour after sunset to a half hour be-

fore sunrise and at any other time when persons and vehicles are not clearly discernible for a distance of 500 feet.

(3) A snowmobile that is a snowplane shall be equipped with an adequate propeller guard.

(e) *Prohibited operations.* (1) No person under the age of 16 shall operate a snowmobile unless under the direct supervision of a person 21 years of age or older who may not supervise the snowmobile use of more than one person under 16 years of age at any one time.

(2) Racing and other competitive uses are prohibited.

(f) *Alcoholic beverages, reckless driving, collision or upset, registration.* Sections 4.6, 4.14, 4.15, and 4.20, of this chapter shall apply to snowmobiles and are incorporated by reference into this section.

(g) *Speed.* (1) The maximum speed limit is 45 m.p.h. subject to further limitation as required under § 4.14 of this chapter, unless changed by special regulations or posting in an individual park area.

(h) *Right-of-way.* The operator of a snowmobile shall slow his vehicle to a reasonable and prudent speed and shall yield the right-of-way, when overtaking or traveling near any person who is not within a snowmobile.

Section 4.2 is amended as follows:

#### § 4.2 Definitions.

(a) *Vehicle.* Every device in, upon, or by which any person or property is or may be transported or drawn on land, except snowmobiles and devices moved by human power or used exclusively upon stationary rails or tracks.

(b) *Motor vehicle.* Every vehicle which is self-propelled and every vehicle which is propelled by electric power, but not operated upon rails, or upon water, except a snowmobile.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

Dated: July 13, 1970.

GEORGE B. HARTZOG, JR.,  
Director, National Park Service.

[F.R. Doc. 70-9240; Filed, July 17, 1970;  
8:46 a.m.]

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Office of Economic Opportunity

Section 213.3373 is amended to show that the positions of one Confidential Adviser, one Special Assistant, two Confidential Assistants, and one Confidential Secretary to the Associate Director for

Congressional and Governmental Relations; the Chief, Congressional Relations Division and four Congressional Relations Specialists; the Chief, Governmental Relations Division; and the Chief, Private Sector Relations Division are excepted under Schedule C. It is also amended to reflect the current title of the Deputy Associate Director for Congressional and Governmental Relations. Effective on publication in the FEDERAL REGISTER, subparagraph (7) of paragraph (a) is revoked, and paragraph (e) is added to § 213.3373 as set out below.

§ 213.3373 Office of Economic Opportunity.

(a) Office of the Director. \* \* \*  
(7) [Revoked]

(e) Office of the Associate Director for Congressional and Governmental Relations. (1) One Deputy Associate Director.  
(2) One Confidential Adviser to the Associate Director.

(3) One Special Assistant to the Associate Director.

(4) Two Confidential Assistants to the Associate Director.

(5) One Confidential Secretary to the Associate Director.

(6) Chief, Congressional Relations Division.

(7) Four Congressional Relations Specialists.

(8) Chief, Governmental Relations Division.

(9) Chief, Private Sector Relations Division.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 70-9246; Filed, July 17, 1970; 8:47 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 10440; Amdt. 39-1041]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Hawker Siddeley de Havilland Model DH.114 "Heron" Airplanes

Pursuant to the authority delegated to me by the Administrator, an Airworthiness Directive (AD) was adopted on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes. On May 28, 1970, the FAA issued a telegraphic AD applicable to these airplanes because of a report of a failure of a wing spar fitting similar to that which is used in the Model DH.114

"Heron". The AD required inspection of the lower main wing to fuselage attachment bolt and the main roof attachment fittings for corrosion, pitting, and cracks; replacement of defective parts; and corrosion protection of the parts upon reassembly. Subsequent to issuing the telegraphic AD dated May 28, 1970, information became available which indicated that the wing attachment fittings were not as critical as originally believed, but that the fittings were still subject to rapid development of fatigue cracks, and that this condition could be aggravated by obsolete fuselage lower main attachment bolts. Therefore, an AD, Amendment 39-1010, AD 70-12-9, was issued on June 8, 1970, and made applicable to all known U.S. operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes. The directive superseded Amendment 39-948, AD 70-5-4, and the telegraphic AD dated May 28, 1970, and required replacement of certain obsolete fuselage lower main attachment bolts, inspection of main spar lower attachment fittings, replacement of defective fittings and periodic inspections of the attachment assemblies.

Subsequent to issuing Amendment 39-1010, AD 70-12-9, the FAA was notified on June 9, 1970, by the National Transportation Safety Board (NTSB) of a report of another crack on a wing spar fitting similar to that which is used in the Model DH.114 "Heron" airplane. Therefore, a telegraphic AD was issued on June 11, 1970, and made applicable to all owners and operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes. The AD superseded Amendment 39-1010, AD 70-12-9, dated June 8, 1970, and required inspection of the main spar lower pick-up fittings for chrome plating in the bores, and for cracks, corrosion, pitting, or fretting; replacement of obsolete or corroded fuselage lower main attachment bolts; and corrosion protection of the fittings upon reassembly.

Subsequent examination of the fitting referred to in the NTSB letter of June 9, 1970, disclosed that the fitting was not cracked, that a greater interval between the inspections was permissible, and that the entire fitting assembly had to be inspected. Therefore, an AD was issued on June 20, 1970, and made effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes by individual telegrams dated June 20, 1970. This AD superseded the telegraphic AD dated June 11, 1970, and required inspection of the main spar lower pick-up fittings for chrome plated bores; inspections of the main spar lower pick-up fitting, center section main spar lower fitting, and lower wing attachment bolt for corrosion, pitting, and fretting; inspection of the main spar lower pick-up fitting for cracks; replacement of obsolete fuselage lower main attachment bolts; replacement of defective parts; and corrosion protection of the entire fitting assembly upon reassembly.

Since it was found that immediate corrective action was required, notice and

public procedure thereon was impracticable and contrary to the public interest and good cause existed for making the airworthiness directive effective immediately as to all known U.S. operators of Hawker Siddeley de Havilland Model DH.114 "Heron" airplanes by individual telegrams dated June 20, 1970. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

HAWKER SIDDELEY. Applies to all de Havilland Model DH.114 "Heron" airplanes and DH.114 airplanes which have been modified. Compliance is required as indicated.

(a) Within the next 25 hours' time in service; or within the next 2,500 hours, time in service or 3 calendar years, whichever occurs first, from any inspection performed in accordance with the AD's concerning the same subject issued May 28, 1970, June 8, 1970, and June 11, 1970, or AD 70-5-4, whichever occurs later, and thereafter at intervals not to exceed 2,500 hours' time in service or 3 calendar years from the last inspection, whichever occurs first, comply with paragraphs (b), (d), (e), (f), (g), and (h) during the first inspection required by this AD.

(b) Prepare the main spar lower pick-up fitting, the center section main spar lower fitting, and the lower wing attachment bolt for inspection using tools appropriate for the Heron airplane and a method similar to that specified in Hawker Siddeley Technical News Sheet (TNS) CT(104) 178, Issue 1, July 10, 1961, with Sheets 5 and 6 Amendment No. 1, sections 3 and 5.1, and TNS CT(104) 168, Issue 3, September 21, 1964, with Sheet 6 Amendment No. 2, section 2.3, or TNS Heron (114) No. W.9, Issue 3, September 21, 1964, or later ARB-approved issued or FAA-approved equivalent.

(c) Inspect the main spar lower pick-up fitting bore for chrome plating as specified in the CT(104) 178 (referred to above), or later ARB-approved issues, or FAA-approved equivalents. If chrome plated bores are found, before further flight replace with a new fitting that does not have a chrome plated bore.

(d) Inspect the main spar lower pick-up fitting, the center section main spar lower fitting, and the lower wing attachment bolt for corrosion, pitting, and fretting in accordance with TNS Heron (114) No.W.9 (referred to above), or later ARB-approved issues, or FAA-approved equivalents. If corrosion, pitting, fretting, or corrosion discoloration is found which cannot be removed using the procedures in Heron (114) No.W.9 (referred to above), or later ARB-approved issues or FAA-approved equivalents, before further flight, replace defective fittings and bolts with new fittings and bolts.

(e) Inspect the main spar lower pick-up fitting for cracks using appropriate eddy current techniques with equipment having at least one millimeter equal full scale deflection sensitivity and making scans of the fitting bore 0.1 inch in from each end and at the center of the bore, or using magnadux portable magnetic particle inspection equipment with heavy copper conductor through the bore of the fittings. If cracks are found, before further flight, replace the cracked fitting with a new fitting.

(f) If, during the above inspections, the following obsolete fuselage lower main attachment bolts are found, before further flight, replace the obsolete bolts with the replacement bolts listed below:

[Docket No. 10441; Amdt. 39-1043]

**PART 39—AIRWORTHINESS DIRECTIVES**

**Short Brothers and Harland Model SC-7, Series III Airplanes**

There have been reports of cracks developing around the overboard drain fitting of the engine plenum chamber due to excessive loads being imposed on the drain boss on the AiResearch TPE 331-2-201A engines installed on Short Brothers and Harland Model SC-7, Series III airplanes. It has been reported that in one case this condition resulted in a blow-out of the drain fitting and a complete power loss engine failure. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require the installation of flexible drain lines between the engine plenum and bottom heat shield on these airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

**SHORT BROTHERS AND HARLAND, LIMITED.**  
Applies to Model SC-7, Series III airplanes.

To prevent cracking around the drain boss of the engine plenum chamber, within the next 25 hours' time in service after the effective date of this AD, unless already accomplished, incorporate Modification No. 1034 by installing flexible drain lines between the engine plenum chamber and bottom heat shield on both engines in accordance with Shorts Bulletin No. 71-56, Revision 1, dated May 20, 1970, or a later ARB-approved issue or an FAA approved equivalent.

This amendment becomes effective July 23, 1970.

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

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

**WILLIAM G. SHREVE, Jr.,**  
*Acting Director,*  
*Flight Standards Service.*

[F.R. Doc. 70-9242; Filed, July 17, 1970; 8:47 a.m.]

[Docket No. 70-CE-11-AD; Amdt. 39-1036]

**PART 39—AIRWORTHINESS DIRECTIVES**

**Cessna Models 336, 337, 337A, B, C, and D, and T337B, C, and D Airplanes**

There have been reports of the fuel quantity indicators overheating on Cessna Models 336, 337, 337A, B, C, and D

and T337B, C, and D airplanes causing damage to the electrical windings in the indicators and the fuel tank transmitters. This condition will result in smoke emission in the cockpit and fuel gage inaccuracy. To correct this condition the manufacturer has developed a cooling duct directing ram air over the fuel quantity indicators. In addition, the manufacturer has specified a functional ground check of the fuel quantity system to determine whether any electrical breakdown has occurred due to overheating conditions. Cessna Service Letter No. ME70-24, dated July 7, 1970, provides information for installing the cooling duct and for performing the functional ground check.

Since the condition described herein is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued requiring all Cessna Models 336, 337, 337A, B, C, and D and T337B, C, and D airplanes to comply with Cessna Service Letter No. ME70-24, within the next 50 hours' time in service after the effective date of this AD.

Since immediate adoption is required in the interest of safety, compliance with this notice and public procedures, provisions of the Administrative Procedure Act is not practical and good cause exists for making this rule effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

**CESSNA.** Applies to Models 336 (Serial Nos. 336-0001 through 336-0195), 337, 337A, B, C, and D (Serial Nos. 337-0001 through 337-1193), T337B, C and D (Serial Nos. 337-0526 through 337-1193) Airplanes.

Compliance: Required as indicated, unless already accomplished.

To prevent damage to fuel quantity indicators and the fuel tank transmitters due to overheating which can result in smoke emission in the cockpit and inaccurate fuel quantity indication, accomplish the following:

Within 50 hours' time in service after the effective date of this AD, install a cooling duct directing ram air over the fuel quantity indicators and perform a functional ground check of the fuel quantity system in accordance with the instructions contained in Cessna Service Letter No. ME70-24, dated July 7, 1970, or later FAA approved revision, or any other method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective July 21, 1970.

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

Issued in Kansas City, Mo., on July 10, 1970.

**DANIEL E. BARROW,**  
*Acting Director, Central Region.*

[F.R. Doc. 70-9243; Filed, July 17, 1970; 8:47 a.m.]

<i>Obsolete Bolt P/Ns</i>	<i>Replacement Bolt P/Ns</i>
14.FS.15	14FS.6669
14.FS.3985	14FS.6669
14.FS.6399	14FS.6669
14.2FS.1555	14.2FS.575
RD.14W.173ND	RD.14FS.274
RD.14W.175ND	RD.14FS.275
RD.14FS.262	RD.14FS.271
RD.14FS.259	RD.14FS.272
RD.14FS.260	RD.14FS.273
RD.14FS.165	RD.14FS.273

(g) If, during the above inspections the following obsolete fuselage lower main attachment bolts listed are found, before further flight, ream the wing center section spar boom lugs and main spar lower pick-up fittings in accordance with Hawker Siddeley Repair Drawings RD.14FS.263 and RD.14FS.270 and replace the obsolete bolts with the replacement bolts listed below:

<i>Obsolete Bolt P/Ns</i>	<i>Replacement Bolt P/Ns</i>
RD.14FS.254	RD.14FS.271
RD.14FS.232	RD.14FS.272
RD.14FS.223	RD.14FS.273

(h) If, during the above inspections fuselage lower main attachment bolts are found which are other than those listed as either obsolete or replacement bolts in paragraphs (f) and (g), before further flight, report the part number for the installed bolts to the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region to obtain the identification of the required replacement bolts (reporting approved by the Bureau of the Budget under BOB No. 04.R0174). Upon receipt of notice giving the part numbers of the required replacement bolts, install the replacement bolts specified in the notification.

(i) Reassemble the main spar lower pick-up fitting, the center section main spar lower fitting, and the lower wing attachment bolt and apply corrosion protection in accordance with the Heron (114) No. W.9 (referred to above) or later ARB-approved issues or FAA-approved equivalents.

(j) It is requested that upon completion of each inspection required by this AD, notification in writing of the results, positive and negative, be given to the Chief, Engineering and Manufacturing Branch, Aeronautical Center, AC-210, Federal Aviation Administration, Oklahoma City, Okla. 73125. (Reporting approved by the Bureau of the Budget under BOB No. 04-R0174.)

This supersedes Amendment 39-948, AD 70-5-4; the telegraphic AD concerning the same subject dated May 28, 1970; Amendment 39-1010, AD 70-12-9, dated June 8, 1970; and the telegraphic AD dated June 11, 1970, concerning the same subject.

This amendment is effective upon publication in the FEDERAL REGISTER as to all persons except those persons to whom it was made immediately effective by the telegram dated June 20, 1970, which contained this amendment.

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

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

**WILLIAM G. SHREVE, Jr.,**  
*Acting Director,*  
*Flight Standards Service.*

[F.R. Doc. 70-9241; Filed, July 17, 1970; 8:46 a.m.]

[Docket No. 70-CE-12-AD; Amdt. 39-1037]

**PART 39—AIRWORTHINESS DIRECTIVES****Beech Musketeer Series Airplanes**

There have been reports of hard to operate and seized Beech P/N 169-920000-127 fuel selector valves installed in the fuel system of Beech Musketeer series airplanes. This difficulty is caused by metal to metal contact within the valve with resultant galling of the inner surfaces. When this condition occurs, the fuel selector valve cannot be rotated to select a different fuel source. To correct this situation the manufacturer has issued Beechcraft Service Instructions No. 0364-289 which provides instructions for modifying the fuel selector valve assembly in order to prevent galling of the rotor and the valve body.

Since the condition described herein exists or may develop in other aircraft of the same type design, an airworthiness directive is being issued requiring within the next 25 hours' time in service after the effective date of the AD, modification of the fuel valve assembly on all Beech Musketeer series airplanes which have not been so modified, in accordance with Beechcraft Service Instructions No. 0364-289 or any other method approved as an equivalent by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

Since immediate adoption is required in the interest of safety, compliance with the notice and public procedure provisions of the Administrative Procedure Act is not practical and good cause exists for making this AD effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.31 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD.

**BEECH.** Applies to Models 23, A23, A23A and B23 (Serial Nos. M-1 through M-1162); A23-24 (Serial Nos. MA-1 through MA-333); and A23-19 and 19A (Serial Nos. MB-1 through MB-392) Airplanes.

**Compliance:** Required as indicated, unless already accomplished.

To prevent stiff operation, binding and seizing of Beech P/N 169-920000-127 fuel selector valve assembly, accomplish the following:

Within 25 hours' time in service after the effective date of this AD, modify Beech P/N 169-920000-127 fuel selector valve assembly in accordance with Beechcraft Service Instructions No. 0364-289, or later FAA approved revision, or an equivalent method approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective July 21, 1970.

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

Issued in Kansas City, Mo., on July 10, 1970.

**DANIEL E. BARROW,**  
*Acting Director, Central Region.*

[F.R. Doc. 70-9244; Filed, July 17, 1970; 8:47 a.m.]

[Docket No. 9848; Amdt. 39-1042]

**PART 39—AIRWORTHINESS DIRECTIVES****SIAl Marchetti S.205-22R Airplanes Serial Nos. 001 Through 5-303**

A proposal to amend § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-844, 34 F.R. 14517, AD 69-19-7, to require installation of a redesigned propeller control strut on SIAl Marchetti S.205-22/R airplanes, serial Nos. 001 through 5-303, was published in the FEDERAL REGISTER, 35 F.R. 7655.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-844, 34 F.R. 14517, AD 69-19-7, is amended as follows:

(1) By striking out the phrase, "after the effective date of this AD", in paragraph (c) and inserting the phrase, "after the effective date of this amendment", in place thereof.

(2) By amending paragraph (d) to read as follows:

(d) Remove straight type propeller control strut (P/N 205-6-179-01) if installed. Install bent type propeller control strut (P/N 205-6-179-02) in accordance with SIAl Service Bulletin No. 205B22B, dated November 19, 1969, or later RAI-approved revision or an FAA-approved equivalent.

This amendment becomes effective August 17, 1970.

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

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

**WILLIAM G. SHREVE, Jr.,**  
*Acting Director,*  
*Flight Standards Service.*

[F.R. Doc. 70-9245; Filed, July 17, 1970; 8:47 a.m.]

**Title 21—FOOD AND DRUGS****Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare****SUBCHAPTER C—DRUGS****PART 135—NEW ANIMAL DRUGS****Subpart B—Statements of Policy and Interpretation Regarding Animal Drugs and Medicated Feeds****CORTICOSTEROID DRUGS**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-351; 21 U.S.C. 360b, 371(a)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), a new section is established in a new Subpart B of a new Part 135 as follows:

**§ 135.101 Corticosteroids for oral and parenteral use in animals; warnings; labeling requirements.**

(a) The Food and Drug Administration has received reports concerning side effects associated with the oral and parenteral use of corticosteroid drugs in animals. The use of these drugs has resulted in premature parturition when administered during the last trimester of pregnancy. Premature parturition may be followed by dystocia, fetal death, retained placenta, and metritis. These drugs are required to carry the veterinary prescription legend and are subject to the labeling requirements of § 1.106(c) of this chapter.

(b) In view of these potentially serious side effects, the Commissioner of Food and Drugs has concluded that the labeling on or within the package from which the product is to be dispensed, and any other labeling furnishing or purporting to furnish information for the use of these preparations, should bear conspicuously the following warning statement:

Warning: Clinical and experimental data have demonstrated that corticosteroids administered orally or parenterally to animals may induce the first stage of parturition when administered during the last trimester of pregnancy and may precipitate premature parturition followed by dystocia, fetal death, retained placenta, and metritis.

The label revisions described above should be placed into effect at the earliest possible time and may be implemented without prior approval as provided for in § 130.9 (d) and (e) of this chapter.

(c) Approved new animal drug applications which have not been supplemented in accordance with paragraph (b) of this section within 60 days following the date of publication of this statement of policy in the FEDERAL REGISTER will be subject to provisions of section 512(e) of the Federal Food, Drug, and Cosmetic Act.

(Secs. 512, 701(a), 52 Stat. 1055, 82 Stat. 343-351; 21 U.S.C. 360b, 371(a))

Dated: July 9, 1970.

**SAM D. FINE,**  
*Acting Associate Commissioner*  
*for Compliance.*

[F.R. Doc. 70-9228; Filed, July 17, 1970; 8:46 a.m.]

**SUBCHAPTER C—DRUGS****PART 149d—NAFCILLIN****Sodium Nafcillin Monohydrate for Injection**

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following new section is added to Part 149d to provide for certification of the subject antibiotic drug:

**§ 149d.3 Sodium nafcillin monohydrate for injection.**

(a) *Requirements for certification—*  
(1) *Standards of identity, strength, quality, and purity.* Sodium nafcillin monohydrate for injection is a dry mixture



of sodium nafcillin monohydrate and a suitable buffer substance. Each vial contains 500 milligrams of nafcillin. Its potency is satisfactory if it is not less than 90 and not more than 120 percent of the number of milligrams of nafcillin it is represented to contain. It is sterile. It passes the safety test. It is nonpyrogenic. Its moisture content is not less than 3.5 and not more than 5.3 percent. When reconstituted as directed in the labeling, the pH is not less than 5.0 and not more than 8.0. The sodium nafcillin monohydrate used conforms to the requirements of § 146a.127(a) of this chapter.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(a) The sodium nafcillin monohydrate used in making the batch for potency, moisture, pH, nafcillin content, identity, and crystallinity.

(b) The batch for potency, sterility, safety, pyrogens, moisture, and pH.

(ii) Samples required:

(a) The sodium nafcillin monohydrate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(b) The batch:

(1) For all tests except sterility: A minimum of 12 immediate containers.

(2) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay—(1) Potency.* Use either of the following methods; however, the results obtained from the microbiological agar diffusion assay shall be conclusive.

(i) *Microbiological agar diffusion assay.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single-dose container, or if the labeling specifies the amount of potency in a given volume of the resultant preparation remove an accurately measured representative portion from each container. Dilute the resultant solution with 1 percent potassium phosphate buffer, pH 6.0 (solution 1), to the reference concentration of 2.0 micrograms of nafcillin per milliliter (estimated).

(ii) *Iodometric assay.* Proceed as directed in § 141.506 of this chapter, preparing the sample for assay as directed in subparagraph (1) (i) of this paragraph except dilute to a final concentration of 1.25 milligrams of nafcillin per milliliter.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section.

(3) *Safety.* Proceed as directed in § 141.5 of this chapter.

(4) *Pyrogens.* Proceed as directed in § 141.4(a) of this chapter, using a solution containing 20 milligrams of nafcillin per milliliter.

(5) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(6) *pH.* Proceed as directed in § 141.503 of this chapter, using the solution obtained when the product is reconstituted as directed in the labeling.

Data supplied by the manufacturer concerning the subject antibiotic drug have been evaluated. Since the conditions prerequisite to providing for certification of this drug have been complied with and since it is in the public interest not to delay in so providing, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

*Effective date.* This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: July 6, 1970.

SAM D. FINE,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 70-9229; Filed, July 17, 1970;  
8:46 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER I—MILITARY PERSONNEL

### PART 883—APPREHENSION AND ARREST Deletion

Part 883 of Title 32 is hereby deleted from the Code of Federal Regulations.

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, JR.,  
Colonel, U.S.A.F., Chief, Special  
Activities Group, Office of The  
Judge Advocate General.

[F.R. Doc. 70-9224; Filed, July 17, 1970;  
8:45 a.m.]

#### SUBCHAPTER W—AIR FORCE PROCUREMENT

### PART 1001—GENERAL PROVISIONS

### PART 1007—CONTRACT CLAUSES

#### Miscellaneous Amendments

Subchapter W of Chapter VII—Title 32 of the Code of Federal Regulations is amended as follows:

§ 1001.405-2 [Amended]

1. The second sentence of § 1001.405-2 is amended by changing the words "Director of Chief of Procurement and Production" to "Director or Chief of Procurement and Production."

2. Section 1007.104-61 is revised to read as follows:

§ 1007.104-61 Frequency authorization.

When the clause in § 7.104-61 of this title is used, the procuring contracting

officer will insert instructions in the contract schedule which are compatible with the guidance contained in paragraphs 3-1, 3-2, 4-2c and 4-3, AFM 100-31 (Electromagnetic Compatibility and Frequency Management).

(10 U.S.C. Ch. 137, 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

ALEXANDER J. PALENSCAR, JR.,  
Colonel, U.S.A.F., Chief, Special  
Activities Group, Office of The  
Judge Advocate General.

[F.R. Doc. 70-9225; Filed, July 17, 1970;  
8:45 a.m.]

### Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

### PART 1807—CONTRIBUTIONS FOR CIVIL DEFENSE PERSONNEL AND ADMINISTRATIVE EXPENSES

#### Conditions of Contributions

In § 1807.6, paragraph (g) (1) and (2) are revoked and paragraph (g) is revised to read as follows:

§ 1807.6 Conditions of contributions.

(g) *Use of funds, materials, supplies, and equipment.* Funds contributed under the regulations in this Part 1807 shall be used solely for the civil defense purposes for which the contribution is made and materials, supplies and equipment obtained with the assistance of such funds shall, except as otherwise may be prescribed or authorized in OCD guidance material, be used solely for civil defense purposes. *Provided,* That within the limitations of criteria promulgated in OCD guidance material, personnel and administrative costs incurred in carrying out planning and other administrative measures undertaken by the States and their political subdivisions in preparation for and to relieve the effects of other-than-enemy caused disaster (including without limitation natural disaster of a local nature and "major disaster" as defined in Public Law 875, 81st Congress) and the use of federally assisted materials, supplies, and equipment for such purposes, have been determined to be necessary and essential civil defense expenses and permissible civil defense use.

(64 Stat. 1255, 72 Stat. 533, 50 U.S.C. App. 2253, 2286; Reorg. Plan No. 1 of 1958, as amended, 72 Stat. 1799-1801, 23 F.R. 4991; E.O. 10952, as amended, 26 F.R. 6577; Establishment of the Office of Civil Defense and Delegation of Authority Regarding Civil Defense Functions, published Apr. 10, 1964, 29 F.R. 5017)

*Effective date.* This amendment is effective immediately.

Dated: July 3, 1970.

JOHN E. DAVIS,  
Director of Civil Defense.

[F.R. Doc. 70-9223; Filed, July 17, 1970;  
8:45 a.m.]

## Title 46—SHIPPING

### Chapter II—Maritime Administration, Department of Commerce

#### SUBCHAPTER J—MISCELLANEOUS

[General Order 89, Rev.]

#### PART 355—REQUIREMENTS FOR ESTABLISHING U.S. CITIZENSHIP

##### Evidence of U.S. Citizenship Required With Respect to Corporate Appli- cants for or Recipients of Benefits Under the Merchant Marine Act, 1936, as Amended

In order to reduce the volume of documents previously required to be filed in connection with the establishment of U.S. citizenship within the meaning of section 2, Shipping Act, 1916, as amended, it is deemed desirable that, and incumbent upon, a primary corporation as defined in the following revised regulation, to ascertain and include in its affidavit in brief and concise language the supporting evidence of U.S. citizenship upon which the affiant is relying. This revision of 46 CFR Part 355 removes the requirement for filing birth certificates or other documentation of the U.S. citizenship of individuals as well as affidavits of corporate parents or stockholders and their supporting documents.

Part 355 of Chapter II, Title 46, Code of Federal Regulations, is hereby revised to read as follows:

- Sec.  
355.1 General.  
355.2 Requirements regarding evidence of U.S. citizenship; affidavit guide.  
355.3 Criteria to be applied in support of stock data in affidavit.  
355.4 Changes in citizenship data.  
355.5 Additional material.

**AUTHORITY:** The provisions of this Part 355 issued under sec. 204 (49 Stat. 1937, as amended; 46 U.S.C. 1114); sec. 2 (39 Stat. 729, as amended; 46 U.S.C. 802, 803); Public Law 86-327 (73 Stat. 597; 46 U.S.C. 11).

##### § 355.1 General.

(a) Under section 2, Shipping Act, 1916, as amended and section 905(c), Merchant Marine Act, 1936, as amended, no corporation is deemed to be a citizen of the United States unless (1) it is organized under the laws of the United States or of a State, Territory, District, or possession thereof; (2) its president or other chief executive officer, and the chairman of its board of directors are citizens of the United States, and no more of its directors than a minority of the number necessary to constitute a quorum are non-citizens (except that in the case of corporations under title VI, Merchant Marine Act, 1936, as amended, all directors must be citizens of the United States) and (3) the controlling interest therein is owned by citizens of the United States or, in the case of a corporation operating any vessel in the coastwise trade, on the Great Lakes, or inland lakes of the United States, 75 per centum of the interest in such corporation is owned by citizens of the United States.

(b) As used in this regulation, the term "primary corporation" includes, but not exclusively, an applicant, for, or one already receiving, benefits under the Merchant Marine Act, 1936, as amended, as well as participants in certain transactions, such as banking institutions designated as lenders, mortgagees, and trustees pursuant to Public Law 89-346 (73 Stat. 597).

(c) To satisfy the statutory requirements, an Affidavit of U.S. Citizenship of a primary corporation by one of its officers duly authorized to execute such Affidavit, should be submitted. This affidavit should contain facts from which the corporation's citizenship can be determined.

##### § 355.2 Requirements regarding evidence of U.S. citizenship; affidavit guide.

(a) In order to establish that a corporation is a citizen of the United States within the meaning of section 2, Shipping Act, 1916, as amended, the form of affidavit to be used as a guide is hereby prescribed for execution in behalf of the primary corporation and filing with an application or, if required, subsequent filing within 30 days after the annual meeting of the stockholders<sup>1</sup> as evidence of the continuing U.S. citizenship of a "person" as defined in section 1, Shipping Act, 1916, as amended, which shall read as follows:

##### AFFIDAVIT OF U.S. CITIZENSHIP

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } SS:  
I, \_\_\_\_\_, of  
(Name)

(Residence address)  
being duly sworn, depose and say:  
1. That I am the \_\_\_\_\_, of  
(Title of office(s) held)

\_\_\_\_\_ a  
(Name of corporation)  
corporation organized and existing under the laws of the State of \_\_\_\_\_ (hereinafter called the "Corporation"), with offices at \_\_\_\_\_, in  
(Business address)

evidence of which incorporation a certified copy of the Articles or Certificate of Incorporation (or Association) is filed herewith (or has been filed) together with a certified copy of the corporate Bylaws. [Evidence of continuing U.S. citizenship status, including amendments to said Articles or Certificate and Bylaws, should be filed within 30 days after the annual meeting of the stockholders or annually, within 30 days after the original affidavit if there has been no meeting of the stockholders prior to that time.]

2. That I am authorized by and in behalf of the Corporation to execute and deliver this Affidavit of U.S. Citizenship;

3. That the names of the President or other Chief Executive Officer, Vice Presidents or other individuals who are authorized to act in the absence or disability of the President or other Chief Executive Officer, the Chairman of the Board of Directors, and the Directors of the Corporation are as follows:

<sup>1</sup> If the primary corporation is a wholly owned subsidiary and contrary to the bylaw provision does not hold the annual meeting of stockholders, the subsequent filing should be annually and related to the date of the original filing.

Name	Title	Date and place of birth
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(The foregoing list should include the officers, whether or not they are also directors, and all directors, whether or not they are also officers.)

and that each of said individuals is a citizen of the United States by virtue of birth in the United States, birth abroad of U.S. citizen parents, by naturalization, by naturalization during minority through the naturalization of a parent, by marriage (if a woman) to a U.S. citizen prior to September 22, 1922, or as otherwise authorized by law, except (give name and nationality of alien directors, if any); however, the Bylaws of the Corporation provide that \_\_\_\_\_

(Number) of the directors are necessary to constitute a quorum; therefore, the alien directors named represent no more than a minority of the number necessary to constitute a quorum. [In the case of corporations under title VI, Merchant Marine Act, 1936, as amended, all directors must be citizens of the United States. Further, obtaining evidence necessary to support this Affidavit of U.S. Citizenship is the responsibility of the affiant.];

4. Information as to stock, where Corporation has 30 or more stockholders:<sup>1</sup>

That I have access to the stock books and records of the Corporation; that said stock books and records have been examined and disclose (a) that, as of \_\_\_\_\_, the

(Date)  
Corporation had issued and outstanding \_\_\_\_\_ shares of \_\_\_\_\_

(Number) (Class or series)  
the only class or series of stock of the Corporation issued and outstanding [if such is the case], owned of record by \_\_\_\_\_ (Number)

stockholders, said number of stockholders representing the ownership of the entire issued and outstanding stock of the Corporation, and (b) that no stockholder owned of record as of said date five per centum (5%) or more of the issued and outstanding stock of the Corporation of any class or series. [If different classes or series of stock exist, give the same data for each class or series issued and outstanding, showing the monetary value and voting rights per share in each class or series. If there is an exception to the statement in clause (b), the name, address, and citizenship of the stockholder and the amount and class or series of stock owned should be stated.]

That the registered addresses of \_\_\_\_\_ owners of record of \_\_\_\_\_ shares of the issued and outstanding \_\_\_\_\_

(Class or series)  
stock of the Corporation are shown on the stock books and records of the Corporation as being within the United States, said \_\_\_\_\_ shares being \_\_\_\_\_ per centum (\_\_\_\_%) of the total number of shares of said stock (each class or series). [The exact figure as disclosed by the stock books of the corporation must be given and the per centum figure must not be less than 65 per centum, except that for a corporation operating a vessel in the coastwise trade, the per centum figure must be not less than 95 per centum. These per centum figures apply to corporate stockholders as well as to the primary corporation.]

(The same statement should be made with reference to each class or series of stock, if there is more than one class or series.)

<sup>1</sup> Strike inapplicable paragraph 4.

4. Information as to stock, where Corporation has less than 30 stockholders:<sup>1</sup>

That the information as to stock ownership, upon which the Corporation relies to establish that the required percentage<sup>2</sup> of stock ownership is vested in citizens of the United States, is as follows:

Name of stockholder	Number of shares owned (each class or series)	Percentage of shares owned (each class or series)
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and that each of said individual stockholders is a citizen of the United States by virtue of birth in the United States, birth abroad of U.S. citizen parents, by naturalization during minority through the naturalization of a parent, by marriage (if a woman) to a U.S. citizen prior to September 22, 1922, or as otherwise authorized by law.

NOTE: If a corporate stockholder, give information with respect to State of incorporation, the names of the officers, directors, and stockholders in the appropriate percentage of shares held, with statement that they are all U.S. citizens, Nominee holders of record of 5 percent or more of any class or series of stock and the beneficial owners thereof should be named and their U.S. citizenship affirmed.

5. That the controlling interest (or 75% of the interest)<sup>3</sup> in (each) said Corporation, as established by the data hereinbefore set forth, is owned by citizens of the United States; that the title to a majority (or 75%)<sup>2</sup> of the stock of (each) said Corporation is vested in citizens of the United States free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; that such proportion of the voting power of (each) said Corporation is vested in citizens of the United States; that through no contract or understanding is it so arranged that the majority (or more than 25%)<sup>2</sup> of the voting power of (each) said Corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; and that, by no means whatsoever, is control of (each) said Corporation (or any interest in said Corporation in excess of 25%) conferred upon or permitted to be exercised by any person who is not a citizen of the United States; and

6. That affiant has carefully examined this affidavit and asserts that all of the statements and representations contained therein are true to the best of his knowledge, information, and belief.

Dated: \_\_\_\_\_  
Subscribed and sworn to before me, a Notary Public in and for the State and County aforesaid, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

**§ 355.3 Criteria to be applied in support of stock data in affidavit.**

(a) The same criteria should be observed in obtaining information to be

<sup>1</sup> Strike inapplicable paragraph 4.  
<sup>2</sup> 75% if Corporation is operating in the coastwise trade, on the Great Lakes, or on bays, sounds, rivers, harbors, or inland lakes of the United States; and controlling interest if Corporation is operating solely in the foreign trade, both terms as defined in section 2, Shipping Act, 1916, as amended.  
<sup>3</sup> Strike inappropriate language.

PENALTY FOR FALSE STATEMENT: A fine or imprisonment, or both, are provided for violation of the proscriptions contained in 18 U.S.C. 1001 (see also 18 U.S.C. 286, 287).

furnished for stockholders named (direct ownership of required percentage of shares of stock of each class or series) in the Affidavit as those observed for the primary corporation. If, on the other hand, the "fair inference rule" is applied with respect to stock ownership (see Collier Advertising Service, Inc. v. Hudson River Day Line, 14 Fed. Supp. 335), the extent of U.S. citizen ownership of stock should be ascertained in the requisite percentage (65 percent for foreign operation and 95 percent for coastwise operation) in order that the veracity of the statutory statements made in the Affidavit (paragraph 5) may be relied upon by the Maritime Administration.

(b) When applying the fair inference rule (where there are more than 30 stockholders, except where one or more of such number actually owns the controlling or 75 percent interest) in order to prove U.S. citizen ownership in the required percentages (1) for foreign operation, 65 percent of the shares of stock of each class or series must be shown to be held by persons with registered addresses within the United States to prove that 51 percent or controlling interest is vested in citizens of the United States and (2) for coastwise operation, 95 percent of the shares of stock of each class or series must be shown to be held by persons having registered addresses within the United States to prove that 75 percent of the interest in the corporation is vested in citizens of the United States.

(c) If the primary corporation is consecutively owned by several "parent" corporations (holders of 100 percent of the stock of each or all classes or series of stock issued and outstanding), the facts should be given in proper sequence either by chart or in narrative form, revealing the facts of stock ownership. The information with respect to the ultimate parent should include data relative to the basis upon which controlling or 75 percent (depending upon whether the primary corporation operates in the domestic or foreign commerce) is established, together with the names of the owners of record or beneficial owners of 5 percent or more of each class or series of stock, if more than one class or series, and statement that such owners are citizens of the United States. In any case where different classes or series of stock exist, each class or series shall be treated depending upon whether "closely held" or "publicly held," individually in applying the fair inference rule, if applicable, or giving the relevant information with respect to United States citizens owning of record 51 percent or 75 percent of the interest.

**§ 355.4 Changes in citizenship data.**

It shall be incumbent upon the parties filing affidavits under this part to apprise the Maritime Administration promptly in writing relative to changes in data last furnished with respect to officers, directors, and stockholders holding 5 percent or more of the issued and out-

standing stock of each class or series, together with statements concerning the citizenship status thereof.

**§ 355.5 Additional material.**

If additional material is determined to be essential to clarify or support the evidence of U.S. citizenship, such material shall be furnished by the aforementioned primary corporation upon request by the Maritime Administration.

*Effective date.* The foregoing revision is deemed to be in the public interest because of lessening of previous documentary requirements and because of the benefits derived or to be derived under the Merchant Marine Act, 1936, as amended; therefore, for good cause shown, it has been determined that this revision does not fall within the scope of section 4, Administrative Procedure Act (5 U.S.C. 553) and shall become effective upon the date of publication in the FEDERAL REGISTER.

Dated: July 14, 1970.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,  
Secretary.

[F.R. Doc. 70-9271; Filed, July 17, 1970; 8:49 a.m.]

**Title 47—TELECOMMUNICATION**

**Chapter I—Federal Communications Commission**

[Docket No. 18802]

**PART 1—PRACTICE AND PROCEDURE**

**Schedule of Fees; Correction**

In the matter of amendment of Subpart G of Part 1 of the Commission's rules relating to the schedule of fees.

The report and order in the above-entitled matter, FCC 70-694, released July 2, 1970, and published in the FEDERAL REGISTER on July 8, 1970, 35 F.R. 10988, is corrected as follows:

- a. In § 1.1111, the table "Other Applications" under the heading "Auxiliary" is corrected by adding "\$50" fee for "Application for modification other than a major change" and "no fee" for "Applications for change of call sign for broadcast station" and "\$50" fee for "All other applications in the broadcast services."
- b. In § 1.1113, the table "Common Carrier Nonradio Applications" under "Grant Fee" is corrected by changing the "1,000 equivalent" to "100 equivalent" in the four places it appears. Footnote 6 to the table is amended by changing the "1,000 equivalent" to "100 equivalent".

Released: July 15, 1970.

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

[F.R. Doc. 70-9248; Filed, July 17, 1970; 8:47 a.m.]

## Title 49—TRANSPORTATION

### Chapter V—National Highway Safety Bureau, Department of Transportation

#### SUBCHAPTER A—MOTOR VEHICLE SAFETY REGULATIONS

#### PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

##### Definition of Fixed Collision Barrier

###### Correction

In F.R. Doc. 70-8898 appearing at page 11242 in the issue for Tuesday, July 14, 1970, in the revision of section S4.1 the word "imported" in the eighth line of the first column on page 11243 should read "impacted".

## Title 7—AGRICULTURE

### Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

#### PART 718—DETERMINATION OF ACREAGE AND COMPLIANCE

**Basis and purpose.** The provisions of §§ 718.1 to 718.30 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to provide for ascertaining crop and land use acreages and compliance with program requirements.

This document is primarily a reissuance of rules currently in effect under §§ 718.1 to 718.50 of this part (32 F.R. 9069, 9507, 11755, 17513; 33 F.R. 8722, 15857; 34 F.R. 6235, 6572, 7649, 14575, 14879, 19063; basic regulation with eight amendments). Sections have been renumbered and rearranged and language modified to incorporate substantive changes as well as for clarification purposes. The changes herein are applicable to the 1970 and subsequent crop years.

The substantive changes include the extension of the certification county concept to all kinds of tobacco (previously applicable only to Flue-cured tobacco). In the case of all commodities other than tobacco as well as in the case of Flue-cured tobacco, producers who certify their farm acreages of the commodity to be within the farm acreage allotments may not adjust to the allotment if a farm measurement indicates that the allotment has been exceeded. In the cases of all kinds of tobacco other than Flue-cured (for which marketing quota penalties are imposed on a poundage rather than an acreage basis), producers will have the opportunity to dispose of excess tobacco to avoid marketing penalties as authorized in § 314 (b) of the Act.

Another substantive change would be to make price support available in certification counties to producers of all kinds

of tobacco other than Flue-cured who have exceeded their farm acreage allotments by not more than 0.03 acre or 5 percent of the allotment not to exceed 1 acre. It has been determined that producers who have not exceeded their farm allotments by more than the stated tolerance have not knowingly exceeded the farm allotments.

The changes in compliance requirements involving skip rows, the addition to or changes in certification counties, and changes in crop disposal dates were recommended by the State committees.

Since farmers need to know the changes herein as soon as possible in connection with 1970 programs, it is hereby found and determined that compliance with the notice, public procedure, and 30-day effective date provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, §§ 718.1 to 718.30 shall become effective upon publication in the FEDERAL REGISTER.

##### Sec.

718.1	Applicability.
718.2	Definitions.
718.3	Farm entry authority.
718.4	Committee functions and authority.
718.5	Measurement service.
718.6	Determination of compliance by farmer certification.
718.7	Report of acreage from farm operator.
718.8	Determination of crop and land use acreage by farm visit.
718.9	Reliance by producer on previously determined acreage.
718.10	Notice of acreage to farm operator.
718.11	Redetermination of acreage.
718.12	Adjustment of acreage.
718.13	Designation of certification counties.
718.14	Crop disposition dates.
718.15 to 718.30	[Reserved]

**AUTHORITY:** The provisions of this Part 718 issued under secs. 314, 373, 374, 375, 52 Stat. 48, as amended, 65, as amended, 66, as amended; 7 U.S.C. 1314, 1373, 1374, 1375.

##### § 718.1 Applicability.

The provisions of this part apply to compliance determinations for 1970 and subsequent years under any program administered by the Agricultural Stabilization and Conservation Service through State and county committees. The provisions of §§ 718.1 to 718.50 (32 F.R. 9069, 9507, 11755, 17513, 33 F.R. 8722, 15857, 34 F.R. 6235, 6572, 7649, 14575, 14879, 19063) are superseded.

##### § 718.2 Definitions.

(a) **General.** As used in this part, and in all instructions, forms, and documents issued in connection therewith, the words and phrases defined in Part 719 of this chapter shall have the meanings so assigned and the terms defined in paragraph (b) of this section shall have the meanings so assigned, unless the text or subject matter otherwise requires.

(b) **Compliance terms.**—(1) **Allotment crop.** Any crop for which an acreage allotment, base, or proportionate share is established pursuant to regulations of the Department implementing Federal law.

(2) **Certification county.** A county which is designated in § 718.13 for determination of compliance by farmer certification.

(3) **Director.** Director or Acting Director, Compliance and Appeals Division, Agricultural Stabilization and Conservation Service, Department of Agriculture.

(4) **Farmer certification.** The determination of compliance with acreage allotments or other program requirements, by acceptance of the farm operator's certification in lieu of a farm visit.

(5) **Normal row width.** Distance between rows of crops in the field provided such distance is 32 inches or more.

(6) **Regular measurement.** The method of determining compliance through the measurement, by a reporter or other authorized employee of the Department, of applicable crop or land use acreages on all farms for which a determination of acreage is necessary. This is the method used in noncertification counties and for those crops in certification counties which are not approved for farmer certification.

(7) **Reporter.** Person employed to secure the necessary information and measurements to determine the acreages for which measurements are required.

##### § 718.3 Farm entry authority.

(a) **General.** Any authorized representative of the Agricultural Stabilization and Conservation Service shall have authority to enter any farm for the purpose of measuring or ascertaining acreage or determining compliance with any mandatory or voluntary program administered by ASCS. For voluntary programs, application of the producer to participate in the program shall constitute his consent to the authority to enter the farm to measure or ascertain acreage or determine compliance. The person authorized to enter any farm shall present his written authorization upon request of any producer interested in the farm.

(b) **Refusal to permit measurement.** If a farm operator refuses to permit acreage measurements for any crop or program for which such measurements are required, the county executive director shall notify the farm operator in writing as soon as possible of the following consequences, as applicable, of the refusal to permit measurement and inspection on the farm:

(1) Program benefits will be denied;

(2) For cotton and rice, buyers in the vicinity will be notified that the farm is considered to be in excess of the allotment;

(3) For peanuts and tobacco (except Flue-cured tobacco when acreage-poundage quotas are in effect), a 100 percent excess penalty card will be issued;

(4) For Flue-cured tobacco when acreage-poundage quotas are in effect, no marketing card showing the farm is

TABLE OF SECTIONS AFFECTED BY STATE COMMITTEE DETERMINATIONS

State	Sec. 718.8 minimum row width	Sec. 718.8 deduction credit	Sec. 718.8 adjustment credit	Sec. 718.11 remeasurement refund
Alabama	16 inches for peanuts.			
California	30 inches for cotton.	Minimum area 0.5 acre for all crops and land uses except cotton—minimum width around perimeter of field, 10 links.	Minimum area, 0.5 acre minimum width (1) 4 rows for row crops (2) 20 links for close-sown crops.	
Connecticut				Larger of 3 percent or 0.25 acre.
Delaware	30 inches.	Minimum width, 6 links.		
Florida	18 inches for peanuts.			
Georgia				0.1 acre.
Idaho		Minimum width, 36 inches.	Minimum width, 36 inches.	0.1 acre for tobacco.
Indiana		Minimum width, 5 links except 15 links for terraces, permanent irrigation and drainage ditches, and sod waterways.	Minimum area, 0.5 acre for all crops and land uses except tobacco. Minimum width, 5 links.	
Iowa		Minimum width, 7 links.	Minimum width, 7 links.	
Kansas	20 inches for sugar beets.		Minimum area for all crops and land uses except tobacco and sugarbeets.	
Kentucky			Minimum width for tobacco (1) inside planted area and along end boundaries, the smaller of 10 links or 2 rows; (2) along boundaries parallel to the rows in the field, 1 row.	
Louisiana		Unplanted contour levees within rice field are not eligible for deduction.	Minimum area 1 acre. Minimum width 0.5 chain, except for cotton, peanuts, corn, grain sorghums, and barley.	
Minnesota	20 inches for sugar beets.	Minimum area, 0.1 acre for tobacco and sugar beets; 0.3 acre for all other crops and land uses. Minimum width, 10 links.	Minimum area, 0.1 acre for tobacco and sugar beets; 0.3 acre for all other crops and land uses. Minimum width, 10 links.	
Mississippi		Minimum width, 0.1 chain	Minimum area, (1) 0.3 acre, except that one plot may be less than 0.3 acre where the total excess or deficiency is more than 0.3 acre; (2) 0.1 acre for irrigation dikes installed after initial measurement. Minimum width, 0.2 chain, except 0.1 chain for irrigation dikes installed after initial measurement.	
Missouri		Minimum width, 10 links (6.6 feet) for all crops except tobacco.	10 links (6.6 feet) for all crops except tobacco.	0.1 acre for tobacco.
Montana	22 inches for sugar beets.			
Nebraska	do.	Minimum area, 0.5 acre for all crops and land uses except sugar beets.	Minimum area, 0.5 acre for all crops and land uses except sugar beets.	
New York		Minimum width, 8 links (63 inches).	Minimum width, 8 links (63 inches).	
North Carolina	18 inches for peanuts; 30 inches for corn.			0.1 acre.
North Dakota	20 inches for sugar beets.			
Ohio		Minimum width, 8 links for crops other than tobacco.	Minimum width, 8 links for crops other than tobacco.	Tobacco larger of 3 percent or 0.1 acre.
Oklahoma				3 percent or 0.3 acre, whichever is larger.
Oregon	20 inches for sugar beets.	Minimum width, for close-sown crops within the planted area, 6 feet.		
South Dakota		Minimum area, 0.5 acre for all crops except sugar beets.	Minimum area, 0.5 acre for all crops except sugar beets.	
Tennessee			Minimum width: (1) For row crops other than tobacco, 4 rows; (2) for tobacco (a) along field boundary 1 row; (b) within planted area, 2 rows.	For tobacco, 0.1 acre.

eligible for price support will be issued; and

(5) The farm operator shall have 14 days from the date of the written notice to notify the county office that he will permit measurement and pay the cost thereof.

If the farm operator continues to refuse to permit a farm visit after the 14-day period prescribed in the written notice to him, any case involving a crop subject to a marketing quota (except Flue-cured tobacco) shall be submitted by the county office to the State committee for referral to the applicable field representative of the Office of the General Counsel.

(c) *Refusal to furnish information concerning other interested persons on the farm.* If a farm operator refuses to furnish information concerning other interested persons on the farm, the farm operator may be denied program benefits until such information is furnished to the county committee.

**§ 718.4 Committee functions and authority.**

(a) *County committee.* The county committee shall provide for determining acreages on farms and compliance with the various farm programs in accordance with this part.

(b) *State committee.* The State committee may:

(1) Take any action required of the county committee which the county committee fails to take.

(2) Correct or require the county committee to correct any action taken by such committee which is not in accordance with this part.

(3) Require the county committee to withhold taking any action which is not in accordance with this part.

(4) Upon approval by the Deputy Administrator, prescribe deviations from standards in §§ 718.8 or 718.11, as applicable, for the State so as to establish:

(i) A minimum row width for specific crops of less than 32 inches;

(ii) A minimum area requirement for deduction or adjustment credit larger than 0.01 acre for tobacco or 0.1 acre for other crops and land uses;

(iii) A minimum width requirement for deduction or adjustment credit greater than 32 inches;

(iv) A minimum error requirement of less than 0.5 acre.

(c) *Approved deviations from prescribed standards.* The following table sets forth the deviations from prescribed standards pursuant to paragraph (b) of this section recommended by the State committee and approved by the Deputy Administrator:

State	Sec. 718.8 minimum row width	Sec. 718.8 deduction credit	Sec. 718.8 adjustment credit	Sec. 718.11 remeasurement refund
Texas	18 inches for vegetable crops; 30 inches for sugar beets.	Minimum width, 9 links		
Utah	22 inches			
Virginia				For areas of less than 5 acres, 10 percent or 0.1 acre, whichever is larger.
Washington	22 inches for sugar beets.			
Wisconsin		Minimum width, (1) for all crops except tobacco, 6 links; (2) for terraces, permanent irrigation and drainage ditches and sod waterways, 72 inches.	Minimum width for diverted acreage, 6 links.	0.1 acre for tobacco.
Wyoming	20 inches for sugar beets.			

### § 718.5 Measurement service.

(a) *Staking and referencing service.* The county committee shall provide a staking service for any crop or land use if the producer requests such service and pays the cost. If a staking and referencing service is found to be in error, and the producer has taken any action in reliance in good faith on such service, the acreage in the staked areas shall be considered to be the acreage for which the service was requested, except that the county committee may use the actual acreage if the producer would be adversely affected by use of the acreage for which the service is requested. Compliance with the farm acreage requirement shall be guaranteed under the following conditions:

(1) *For crops.* The acreage requested to be staked and referenced shall not exceed the farm allotment or permitted acreage. If all of the crop for which the service is performed is within the staked area, the farm shall be considered in compliance with the allotment or permitted acreage for such crop.

(2) *For diverted acreage.* If not less than the farm diverted acreage requirement is staked and referenced and the entire area within the stakes is treated as diverted acreage in accordance with program regulations, the farm shall be considered as having sufficient designated diverted acreage.

(b) *Other measurement services.* The county committee shall provide other measurement services for any program if the producer requests such service and pays the cost. An acreage measured under this paragraph shall be considered an official acreage. A producer shall not be adversely affected by an error made by an ASCS employee in performing a measurement service when such producer has acted in reliance in good faith on such service.

### § 718.6 Determination of compliance by farmer certification.

(a) *Certification by farm operator.* A report of acreage and land use on farms in certification counties shall be furnished to the county committee by the farm operator on a prescribed form for applicable crops and land uses not later

than the applicable crop disposition date in § 718.14, except that for:

(1) *Diverted acres—(i) Wheat only farms.* In the case of farms that are enrolled in the wheat program only, certification shall be furnished not later than the disposition date for wheat in the county.

(ii) *Wheat-feed grain and feed grain only farms.* In the case of farms that are enrolled in both the wheat and feed grain programs or in the feed grain program only, certification shall be furnished not later than the latest disposition date for feed grain in the county, unless an earlier date is recommended by the State committee and approved by the Deputy Administrator. The following earlier dates under this subdivision have been recommended by the State committee and approved by the Deputy Administrator:

#### GEORGIA

All counties. The disposition date established for corn.

#### TEXAS

All counties. The disposition dates established for corn and spring-seeded grain sorghum.

(2) *Peanuts—(i) Initial certification.* Certification shall be furnished not later than the latest disposition date for feed grain in the county, unless an earlier date is recommended by the State committee and approved by the Deputy Administrator. The following earlier dates under this subdivision have been recommended by the State committee and approved by the Deputy Administrator:

#### GEORGIA

All counties. The disposition dates established for corn and cotton.

#### MISSISSIPPI

All counties. July 15.

#### TEXAS

1. *Spring-seeded peanuts in all counties.* The disposition date for corn and spring-seeded grain sorghum.

2. *Summer-seeded peanuts in all counties.* The disposition date for summer-seeded grain sorghum.

(ii) *Final certification.* In cases where the initially certified peanut acreage ex-

ceeded the allotment, any final certification shall be furnished after the peanuts are dug, but not later than the date recommended by the State committee and approved by the Deputy Administrator. The following dates under this subdivision have been recommended by the State committee and approved by the Deputy Administrator:

Georgia.	SEPTEMBER 15
Alabama.	OCTOBER 1
California, Louisiana, and Missouri.	OCTOBER 15
Arizona, Arkansas, Mississippi, New Mexico, North Carolina, South Carolina, and Virginia.	NOVEMBER 1
Tennessee.	NOVEMBER 30
Florida and Oklahoma.	DECEMBER 1
Texas.	DECEMBER 15

(3) *Sugar crops—(i) Initial certification for sugar beets.* Certification shall be furnished not later than 30 days after normal completion of planting or such later date approved by the State committee.

(ii) *Initial certification for sugarcane.* Certification shall be furnished not later than 45 days prior to the earliest harvest date or such earlier date approved by the State committee.

(iii) *Final certification for sugar beets and sugarcane.* If the sugar crop acreage initially certified exceeded the farm proportionate share and the farm operator adjusts the acreage, the farm operator shall notify the county office of his intention to adjust not later than 15 days prior to start of harvest of the crop. Upon completion of the acreage adjustment or completion of harvest of an acreage within the farm proportionate share, whichever is earlier, the farm operator shall report such completion to the county office. Where the excess acreage is disposed of prior to harvest, the farm operator shall file the report after completion of acreage adjustment and prior to start of harvest. Where the excess acreage will be disposed of after harvest, the farm operator shall file the report after completion of harvest but prior to disposition of any of the crop.

(b) *Consequences of failure to file a timely certification—(1) General.* Except as provided in paragraph (c) of this section, the producers on the farm shall be deemed ineligible for any benefits under the program for which the certification was not timely filed.

(2) *Additional consequences for allotment crops.* Except as provided in paragraphs (c) and (d) of this section, the acreage of an allotment crop for which the farm operator failed to file a certification, shall be considered to be zero for purposes of establishing future allotments. In addition:

(i) *For cotton and rice.* Buyers of the crop in the area shall be notified that the farm is considered in excess of the farm marketing quota.

(ii) For peanuts. A 100 percent excess penalty card shall be issued.

(iii) For all tobacco, except Flue-cured. A 100 percent excess penalty card shall be issued, unless the farm operator disposes of all excess tobacco in accordance with § 718.12.

(c) Failure to file a certification. If the farm operator fails to file the certification under this section but requests the county committee to measure the crop and pays the cost thereof, the county committee shall determine the acreage if it is possible to accurately measure the acreage within 15 days after such request. In such case, the measured acreage, except as provided in § 718.12 for tobacco, other than Flue-cured, shall be used to determine whether a marketing quota penalty is applicable and the amount of any such penalty, the appropriate action to be taken with respect to collection of penalties or issuance of marketing cards, and whether producers on the farm shall be eligible for any benefits under the program for which the certification was not timely filed.

(d) Late filed certification. The county committee may accept a certification under this section after the final date if it determines that the farm operator was prevented from timely filing because of reasons beyond his control.

(e) Consequences of failure to file an accurate certification—(1) Marketing quota crops except upland cotton. In the absence of evidence to the contrary, a producer of a crop specified in subdivision (i) and (ii) of this subparagraph (1) on a farm for which a certification under this section is furnished and for which acreages are subsequently measured shall be presumed not to have knowingly exceeded the farm acreage allotment for the crop for purposes of price support programs (but the farm, except in the case of tobacco, other than Flue-cured, for which the operator disposes of excess tobacco pursuant to § 724.80, shall not be considered in compliance with the allotment for the crop for purposes of determining any marketing quota penalty) if the acreage of the crop on the farm determined by measurement does not exceed the allotment by more than the amount set forth in the appropriate subdivision (i) or (ii) of this subparagraph (1). In any case in which the acreage determined by measurement exceeds the allotment by more than the amount set forth in the appropriate subdivision (i) or (ii) of this subparagraph (1), the allotment shall be considered to have been knowingly exceeded: *Provided*, That the allotment shall not be considered to have been knowingly exceeded for price support purposes (but the farm, except a farm having excess tobacco, other than Flue-cured, which is disposed of by the operator pursuant to § 724.80 shall not be considered in compliance for purposes of determining any marketing quota penalty) if it is shown to the satisfaction of the Deputy Administrator that the farm operator did not knowingly exceed the farm acreage allotment.

(i) Peanuts on farms with an effective allotment of more than 1 acre, Rice, and

ELS Cotton. The larger of 0.5 acre or 5 percent of the allotment not to exceed 15 acres.

(ii) Tobacco. In the case of Flue-cured tobacco, the larger of 0.1 acre or 10 percent of the allotment not to exceed 2 acres. In the case of all other types of tobacco, the larger of 0.03 acre or 5 percent of the allotment not to exceed 1 acre.

(2) Other crops and programs. The failure to file an accurate certification in the case of upland cotton and other crops and programs not covered under subparagraph (1) of this paragraph shall render the producers on the farm ineligible for program benefits except as may be authorized in accordance with the provisions of Part 791 of this chapter.

§ 718.7 Report of acreage from farm operator.

A report of acreage and land use shall be furnished by the farm operator on a prescribed form signed by the farm operator which may be accepted by the county committee in lieu of a farm visit report in the following cases:

(a) The farm operator certifies that an acreage of cotton, rice, peanuts, and tobacco has not been planted on the farm, or that none of the peanuts planted on the farm will be dug.

(b) The farm operator reports the acreage of wheat on a farm not participating in the wheat program.

(c) The farm operator on a conservation reserve farm certifies (1) that no soil bank base crops have been or will be planted on the farm during the current year, or an acreage of soil bank base crops has been or will be planted on the farm during the current year but the soil bank base established for the farm is equal to the total land in the farm, and (2) that no soil bank base crops planted or to be planted are or will be located on the designated reserve area on the farm.

(d) Where a "whole farm" conservation reserve contract is in effect for the farm, the certification by the farm operator in accordance with paragraph (c) of this section may be considered by the county committee as meeting the requirements under paragraph (a) of this section; and

(e) Where the farm operator reports all of the areas devoted to a crop or land use for the farm and official acreages have been established or a staking and referencing service has been performed in the current year for each area devoted to the crop or land use.

§ 718.8 Determination of crop and land use acreage by farm visit.

(a) Applicability. A report of acreage of crops or land use and compliance with program requirements shall be obtained and documented on a prescribed form by a reporter or other authorized employee of the Department by making a farm visit and measuring the applicable crop or land use acreage as provided in this paragraph (a):

(1) Compliance determined by regular measurement. All farms for which acre-

age determinations are necessary shall be visited and such determinations shall be made as are applicable to each farm when the county or the affected crop or land use, as applicable, is not approved for farmer certification and the provisions of § 718.7 do not apply.

(2) Compliance determined by farmer certification. A representative number of farms as prescribed by the Deputy Administrator shall be visited to determine the accuracy of farmer certifications. Such determinations shall be made as are applicable to each farm when a certification or report of crop or land use and program compliance is furnished under § 718.6 or § 718.7.

(b) Equipment and materials. The Deputy Administrator shall prescribe the basic equipment and materials to be used in the determination of crop and land use acreages. The use of other equipment and materials is not authorized.

(c) Administrative variance—(1) General. Crop and land use acreages determined in accordance with this section shall be deemed to be in compliance with program requirements when such acreages do not deviate from such program requirements by more than the applicable amount in subdivisions (i), (ii), or (iii) of this subparagraph (1). Such administrative variance shall not apply in the case of adjusted acreage.

(i) Tobacco. The larger of 0.01 acre or 2 percent of the allotment not to exceed 0.09 acre.

(ii) Other crop and land use. The larger of 0.1 acre or 2 percent of the applicable crop or land use acreage limitation or other requirement for the program, not to exceed 0.9 acre.

(iii) Agricultural Conservation Program. When the difference between the acreage reported by the farmer and the measured acreage does not exceed the larger of 0.1 acre or 2 percent of the reported acreage, not to exceed 0.9 acre.

(2) Farmer certification. If the crop or land use acreage certified by the farm operator and the acreage determined by measurement do not differ by more than the applicable amount in subdivision (i) or (ii) of this subparagraph (2), the acreage certified by the operator shall be considered as the crop or land use acreage.

(i) Tobacco. The larger of 0.01 acre or 2 percent of the certified acreage not to exceed 0.09 acre.

(ii) Other crop and land use. The larger of 0.1 acre or 2 percent of the certified acreage not to exceed 0.9 acre.

(d) Official acreages. If an acreage has been determined for an area delineated on an aerial photograph, such acreage may be recognized by the county committee as the "official acreage" for the area as delineated for purposes of acreage determinations until such time as the boundaries of such area are changed.

(e) Measurement of row crops. Measurements of any row crop shall extend beyond the planted area to a point equal to the larger of (1) 16 inches, or (2) one-half the distance between the rows.

(f) Deviations due to use of mechanical equipment. Deviations from prescribed

width requirements which are attributable to variations normal to the operation of mechanical equipment shall not disqualify a planting pattern or deductible strip.

(g) *Rule of fractions*—(1) *Tobacco*. Each field or subdivision computed for tobacco shall be recorded in acres and hundredth of acre, dropping all thousandths of acre, except where such field or subdivision is less than one-hundredth (0.01) acre, in which case the computation shall be carried to five decimal places and the acreage recorded in acres and thousandths of acre. The total farm acreage of each kind of tobacco shall be the sum of the field and subdivision acreages of each kind of tobacco and shall be recorded in acres and hundredths of acre, dropping all thousandths of acre.

(2) *Other crops and land uses*. For crops and land uses not covered by subparagraph (1) of this paragraph, each field or subdivision acreage shall be computed in acres and tenths of acre, dropping all hundredths of acre.

(h) *Acreage considered as devoted to crop or land use*. The entire acreage in an area devoted to a crop or land use shall be considered as devoted to the crop or land use subject to any allowable deductions or adjustments under this Part, except as otherwise provided in this paragraph (h).

(1) *Acreages of row crops, other than Burley tobacco planted in skip-row patterns*—(i) *Crop planted in strips of two or more rows alternating with idle land*. The entire area shall be considered as devoted to the crop where (a) the crop being measured is planted in strips of two or more rows alternating with idle land, and (b) the distance from plant row to plant row of the crop between strips of the crop is not more than 63 inches. However, if the distance from plant row to plant row between strips of the crop is more than 63 inches, the larger of one-half the distance between rows of the crop in the strip or 16 inches shall be considered as devoted to the crop.

(ii) *Crop being measured alternating with another crop*. The entire area shall be considered as devoted to the crop where (a) the crop being measured is planted in strips of one or more rows alternating with another crop, and (b) the distance from plant row to plant row between the strips of the crop being measured is not more than 63 inches. However, if the distance from plant row to plant row between the strips of the crop being measured is more than 63 inches, one-half the distance between the crops but not to exceed 32 inches shall be considered as devoted to the crop being measured; except that if the crop alternating with the crop being measured does not have substantially the same growing season or is not cared for in a workmanlike manner, the crop being measured shall be treated as alternating with idle land in accordance with subdivision (i) or (iii) of this subparagraph (1), as applicable.

(iii) *Single wide rows*. The entire area shall be considered as devoted to the crop

where (a) such crop is planted in single wide rows, and (b) the distance from plant row to plant row is not more than 63 inches. However, when the distance from plant row to plant row is more than 63 inches, 32 inches beyond the row shall be considered as devoted to the crop.

(2) *Acreage of Burley tobacco planted in skip-row patterns*. The entire area shall be considered as devoted to Burley tobacco when such tobacco is planted in a skip-row pattern alternating with idle or fallow land or another crop. However, where the strips planted to tobacco contain four or more rows and the strips of idle or fallow land or other crop are at least four normal rows in width (except that one strip on one side of the field may contain less than four rows of tobacco) only the area actually devoted to tobacco shall be considered as devoted to tobacco.

(i) *Deductions*. Any continuous area which is not devoted to the crop or land use being measured shall be deducted from the acreage of the crop or land use if such area meets the following minimum requirements:

(1) *Minimum width requirement*. Thirty-two inches.

(2) *Minimum area requirement*—(i) *Tobacco*. Three-hundredths (0.03) acre except that a minimum of one-hundredths (0.01) acre shall apply to turn rows and noncropland area which could not be planted to tobacco. Terraces, permanent irrigation and drainage ditches, and sod waterways of at least 32 inches width may be combined to meet the 0.03 acre minimum requirement.

(ii) *All other crops and land uses*. One-tenth (0.1) acre. Terraces, permanent irrigation and drainage ditches, and sod waterways of at least 32 inches width which contain 0.1 acre or more may be combined to meet any larger minimum prescribed for a State under a State committee option in § 718.4.

(j) *Adjustment credit*—(1) *General*. Any area of land which is not eligible for deductions under paragraph (i) of this section shall not be eligible for adjustment credit except that an area ineligible because of size may be enlarged to meet the minimum adjustment requirements. Otherwise, adjustment credit may be permitted under subparagraph (2) of this paragraph (j). Adjustment credit shall be given only for areas of reasonable shape, and for a reasonable number of such areas. If a crop is disposed of in alternating pattern so that a single wide row or skip-row pattern of the crop is left standing within the adjusted area, adjustment credit shall not exceed the acreage reduction obtained by recomputing the standing crop acreage of the adjusted area in the same manner as applicable for an initial acreage determination.

(2) *Crops and land uses*. Subject to the conditions of subparagraph (1) of this paragraph (j), adjustment credit shall be given for any area in which the crop or land use is adjusted in accordance with applicable regulations and which meets one of the following criteria:

(i) The area is 32 inches or more in width, and contains at least one-tenth

(0.1) acre for crops other than tobacco, and contains at least three-hundredths (0.03) acre for tobacco, or

(ii) An entire field or subdivision is adjusted, or

(iii) The area being adjusted constitutes the total excess or deficient acreage of the crop or land use for the farm or is the remaining area required for adjustment after adjusting entire fields or subdivisions.

(k) *Unusual cases*. The Deputy Administrator shall determine the method for determining acreage in the following two groups of unusual cases which require equitable treatment and cannot be equitably handled under this part:

(1) *Reliance by farm operator on erroneous advice*. The farm operator has acted in good faith in reliance upon advice, which is not in accordance with this part, given by a representative of the State or county committee who is authorized to furnish information concerning the determination of acreage.

(2) *Practices which defeat program intent*. The method of planting the crop or the method of adjusting the crop on land use acreage has the effect of defeating program provisions or is contrary to the intent of the program involved.

§ 718.9 *Reliance by producer on previously determined acreage*.

If a producer relies in good faith on an acreage for an identical area previously determined by the county committee, and the acreage is subsequently determined by the county committee to be incorrect, the county committee shall consider the acreage on which the producer relied to be correct for that program year upon obtaining satisfactory proof from the producer of the circumstances showing his good faith reliance.

§ 718.10 *Notice of acreage to farm operator*.

(a) *Written notice*. The county committee shall furnish written notice to the farm operator of acreages determined for the farm. Such notice shall be on a prescribed form and shall constitute notice to all producers on the farm.

(b) *Erroneous notice of acreage*—(1) *Within program requirements*. When an erroneous notice of acreage within program requirements is issued by the county committee for a farm determined to be out of compliance for marketing quota, price support, or other program purposes, such farm shall be deemed to be in compliance for such purposes if the county committee determines and the State committee concurs that lack of compliance was caused by all of the following:

(i) Reliance in good faith by the farm operator on the erroneous notice of acreage.

(ii) The erroneous notice was the result of an error made by an employee of the county or State office in reporting, computing, or recording an acreage for the farm.

(iii) Neither the farm operator nor any producer on the farm was in any way responsible for the error.



(iv) The extent of the error was such that the farm operator would not reasonably be expected to question the acreage of which he was erroneously notified.

(2) *Exceeds program requirements.* When an erroneous notice of acreage in excess or deficient of program requirements is issued by the county committee for a farm and such excess or deficiency is not adjusted in accordance with § 718.12, the farm shall not be deemed to be in compliance. However, if the four conditions listed in paragraph (b) (1) of this section are met with respect to additional excess or deficient acreage not shown on the notice, the acreage shown on the notice shall be used for program purposes.

(c) *Failure to measure crop or notify farm operator.* This paragraph shall not apply to tobacco or crops and land uses certified by the farm operator in certification counties. A farm shall be deemed to be in compliance with the program (and for cotton and rice not in excess for marketing quota purposes) in any case where it is determined by the county committee, upon approval by the State committee, that:

(1) Through no fault of the farm operator or any producer on the farm, the crop acreage was not measured, or the farm operator was not notified of the measured acreage in time to adjust the planted acreage, and

(2) The excess acreage was relatively small and the farm operator establishes that, because of the relative smallness of the excess and the unavailability to him of any recent measurements of the field acreages on the farm, he had no reason to believe the farm was not in compliance.

§ 718.11 Redetermination of acreage.

(a) *General.* A redetermination of crop and land use acreage for a farm may be initiated by the county committee, State committee, or Deputy Administrator at any time; or by any producer with an interest in the farm upon filing a request within the earlier of 15 days from the date of the notice of acreage or the disposition date for the crop and upon payment of the cost of making the remeasurement. Remeasurement shall be accomplished as prescribed by the Deputy Administrator, and the acreage of crop or land use measured under this section shall be used in lieu of any prior measurement or report of acreage in all cases where such acreage differs from the prior measurement or report.

(b) *Late filed request.* The county committee may accept a late filed request when such request is filed within a reasonable length of time after the final date and the county executive director is satisfied that the late filing was due to conditions beyond the control of producers on the farm.

(c) *Notice to farm operator.* The county committee shall notify the farm operator of the acreage on the farm as redetermined under this section in the manner prescribed under § 718.10.

(d) *Refund of deposit.* The county committee shall refund the deposit for cost of remeasurement of initially deter-

mined acreage or of the adjusted acreage where because of an error made in the determination of such acreage:

(1) The redetermined acreage is considered to be within the allotment, permitted acreage, or intended acreage, or

(2) The redetermination of the acreage involved results in a change from the previously determined acreage of as much as 3 percent or 0.5 acre, whichever is larger.

§ 718.12 Adjustment of acreage.

(a) *General.* If the farm operator or other producer on a farm elects to adjust the acreage of a crop or land use in accordance with applicable regulations, the farm shall be revisited for the purpose of determining the adjusted acreage. The adjusted acreage shall be used for program purposes except that if requirements of this section are not met, the acreage initially determined shall be considered as the crop or land use acreage for the farm.

(b) *Farmer certification.* No adjustment of crop or land use acreage is permitted after certification has been furnished to the county committee, except that:

(1) *Diverted acres—(i) Adjustment of a deficiency.* An adjustment of a deficiency in diverted acreage will be permitted when there is additional eligible land on the farm which does not require disposition of a crop to make it eligible. If a producer elects to designate additional diverted acreage, he must file a notification of intent to adjust within 15 days from the date of notice of failure to comply.

(ii) *Substitution.* Substitution of diverted acres will be permitted when there is additional eligible land on the farm which does not require disposition of a crop to make it eligible. If a producer elects to substitute diverted acres, he must notify the county office of his intention.

(2) *Reclassification.* A final crop certification may be revised to show a change in crop classification to comply with the applicable crop definition except that a revised certification shall not be allowed if such would enable a producer to regain program compliance or escape the consequences of an erroneous certification after the farm is found out of compliance under § 718.8.

(3) *Peanuts.* Adjustment of excess peanut acreage shall be made as provided in Part 729 of this chapter.

(4) *Sugar.* Adjustment of sugar crop acreage shall be made as provided in Parts 850 and 855 of this chapter.

(5) *Tobacco, except Flue-cured.* The farm operator may dispose of excess tobacco as provided in § 724.80 to avoid marketing quota penalty.

(6) *Late notification of intent or completion of adjustment.* Provisions of subparagraph (4) of paragraph (c) of this section, as applicable, shall apply.

(c) *Regular measurement.* Except as provided in paragraph (b) of this section, a farm operator or other producer on a farm may elect to adjust an acreage of crop or land use on the farm:

(1) *Timing requirements.* Except as provided in subparagraph (4) of this paragraph (c), when the operator or other producer on a farm elects to adjust an acreage, he shall notify the county executive director by the applicable date in subdivisions (i) through (v) of this subparagraph that he adjusted the acreage or, in the case of tobacco, that he intends to adjust the acreage. A request for remeasurement will extend the date sufficient to allow such request to be serviced.

(i) *Land uses other than tobacco, diverted and conserving acreage.* Except as provided by subdivision (v) of this subparagraph (1), not later than the established disposition date or 15 days from the date of the notice of acreage, whichever is later.

(ii) *Tobacco.* Except as provided in subdivision (v) of this subparagraph (1), not later than 15 days from the date of the notice of acreage for price support purposes or before any marketing to avoid marketing quota penalty. Disposition of excess tobacco shall be as provided in § 724.80.

(iii) *Deficient diverted or conserving acreage.* Except as provided in subdivision (v) of this subparagraph (1), not later than the latest established disposition date for feed grain or 15 days from the date of notice, whichever is later.

(iv) *Substitution of diverted acreage.* Disposition of a crop to make land eligible for substitution for previously designated diverted acreage shall not be permitted after the latest established disposition date for feed grain or the disposition date for the crop to be disposed of, whichever is earlier.

(v) *Revised notice for remeasurement and acreage adjustment.* Not later than the disposition date shown on the original notice or 7 days from the date of the notice, whichever is later.

(2) *Extension of time for adjustment.* If producers on a farm are unable to adjust an acreage within the time limit specified on the notice of acreage, any producer having an interest in the crop or program involved, may request an extension of time. Upon determination that such producers were prevented from adjusting the acreage in the specified time by reasons beyond their control, the date may be extended to provide a reasonable period of time to make the adjustment.

(3) *Adjustment after harvest.* No credit for adjustment of excess crop acreage shall be allowed for disposition of an acreage after any of the crop has been harvested from the area for which adjustment credit is claimed, except that adjustment after harvest may be made in accordance with applicable regulations for all tobacco not excepted by paragraph (b) of this section.

(4) *Late notification of intent or completion of adjustment—(i) Report of adjustment.* A report of an acreage adjustment filed after the applicable date specified in this paragraph (c) may be accepted if it is determined that the adjustment was made by the prescribed disposition date.

(ii) *Notice of intention.* A late notification of intention to adjust an acreage, when such notification is required, may be accepted upon determination that the notification was late due to reasons beyond the producer's control.

#### § 718.13 Designation of certification counties.

All counties in the continental United States are designated as certification counties except as follows:

##### ALASKA

All counties.

##### CONNECTICUT

Fairfield, Litchfield, Middlesex, New Haven, New London, Tolland, and Windham.

##### FLORIDA

Brevard, Broward, Citrus, Charlotte, Clay, Collier, Dade, De Soto, Duval, Flagler, Franklin, Gulf, Hardee, Hernando, Highlands, Hillsboro, Indian River, Lake, Lee, Manatee, Martin, Monroe, Okeechobee, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Seminole, St. Lucie, St. Johns, and Volusia.

##### KENTUCKY

Anderson, Bell, Bourbon, Bracken, Breathitt, Carroll, Casey, Clark, Clay, Elliott, Estill, Fayette, Floyd, Franklin, Grant, Harlan, Harrison, Jackson, Jessamine, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, McCreary, Madison, Magoffin, Martin, Menifee, Mercer, Montgomery, Morgan, Nicholas, Owen, Owsley, Pendleton, Perry, Pike, Powell, Rockcastle, Scott, Trimble, Washington, Whitley, Wolfe, and Woodford.

##### MAINE

Androscoggin, Cumberland, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo, Washington, and York.

##### MASSACHUSETTS

Barnstable, Berkshire, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester.

##### MINNESOTA

Aitkin, Beltrami, Carlton, Clearwater, Cook, Crow Wing, Itasca, Koochiching, Lake, Lake of the Woods, Pine, St. Louis, and Wadena.

##### NEVADA

Douglas, Elko, Esmeralda, Lander, Lincoln, Lyon, Mineral, Ormsby, Storey, Washoe, and White Pine.

##### NEW HAMPSHIRE

All counties.

##### NEW JERSEY

Bergen, Essex, Hudson, Passaic, and Union.

##### NEW MEXICO

Bernalillo, Catron, Guadalupe, Lincoln, McKinley, Mora, Sandoval, San Miguel, and Taos.

##### NEW YORK

Bronx, Hamilton, Kings, Nassau, New York, Putnam, Queens, Richmond, Rockland, Suffolk, Warren, and Westchester.

##### RHODE ISLAND

All counties.

##### TENNESSEE

Campbell, Carter, Claiborne, Clay, Cocke, Grainger, Greene, Hamblen, Hancock, Hawkins, Jackson, Jefferson, Johnson, Knox, Macon, Monroe, Overton, Pickett, Putnam, Sevier, Smith, Sullivan, Unicoi, Union, Washington, and White.

All counties.

##### VERMONT

Boone, Logan, McDowell, Mingo, Webster, and Wyoming.

#### § 718.14 Crop disposition dates.

(a) *General.* The final dates for disposal of excess acreage and certification of such acreage and program compliance when applicable under the cotton, rice, tobacco, wheat, and feed grain programs in a county or area within a county shall be the dates specified in paragraph (b) of this section except as otherwise provided in this part. The dates specified for each crop except tobacco are considered to be at least 30 days prior to the date harvest of such crop normally begins in the county or area within the county. In the case of tobacco, the disposition dates apply only to counties designated as certification counties for such tobacco and the dates specified are considered to be early enough to permit the making of acreage determinations for administrative control purposes prior to the normal start of harvest of such tobacco.

#### (b) Crop disposition dates.

##### ALABAMA

(1) *Wheat, barley, oats, and rye—(i) April 15.* Autauga, Baldwin, Barbour, Bullock, Butler, Chambers, Chilton, Choctaw, Clarke, Coffee, Conecuh, Coosa, Covington, Crenshaw, Dale, Dallas, Elmore, Escambia, Geneva, Greene, Hale, Henry, Houston, Lee, Lowndes, Macon, Marengo, Mobile, Monroe, Montgomery, Perry, Pickens, Pike, Russell, Sumter, Tallapoosa, Tuscaloosa, Washington, and Wilcox.

(ii) *May 2.* Bibb, Blount, Calhoun, Cherokee, Clay, Cleburne, Colbert, Cullman, De Kalb, Etowah, Fayette, Franklin, Jackson, Jefferson, Lamar, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan, Randolph, St. Clair, Shelby, Talladega, Walker, and Winston.

(2) *Cotton, corn, grain sorghums—(i) July 10.* Counties listed in subparagraph (1) (i) above.

(ii) *July 31.* Counties listed in subparagraph (1) (ii) above.

(3) *Tobacco—(i) Flue-cured—June 1.* All counties.

(ii) *Burley—July 31.* Blount, Clay, Cullman, Etowah, Lauderdale, Limestone, Madison, and Marshall.

##### ARIZONA

(1) *Wheat, barley, oats, and rye—(i) Winter-seeded—(a) May 1.* Maricopa, Pima, Pinal, Santa Cruz, and Yuma.

(b) *May 15.* Apache, Cochise, Coconino, Gila, Graham, Greenlee, Mohave, Navajo, and Yavapai.

(ii) *Spring-seeded—August 15.* Coconino, Navajo, and Yavapai.

(2) *Corn—(i) May 1.* Maricopa, Pinal, and Yuma.

(ii) *August 15.* Apache, Cochise, Coconino, Gila, Graham, Greenlee, Mohave, Navajo, Pima, Santa Cruz, and Yavapai.

(3) *Spring-seeded grain sorghums—(i) May 1.* Maricopa, Pinal, and Yuma.

(ii) *August 15.* Counties listed in subparagraph 2 (ii) above.

(4) *Summer-seeded grain sorghums—(i) August 15.* Maricopa and Pinal.

(ii) *October 1.* Yuma.

(5) *Cotton—July 15.* All counties.

(6) *Rice—(i) Spring-seeded—May 1.* Yuma.

(ii) *Fall-seeded—October 1.* Yuma.

##### ARKANSAS

(1) *Wheat, barley, oats, and rye—May 20.* All counties.

(2) *Corn, grain sorghums, cotton, and rice—July 20.* All counties.

(3) *Burley tobacco—July 20.* Boone, Carroll, Newton, and Randolph.

##### CALIFORNIA

(1) *Winter wheat, barley, oats, and rye—(i) May 1.* Imperial.

(ii) *May 15.* Amador, Butte, Calaveras, Colusa, Contra Costa (for Brentwood and Byron), El Dorado, Fresno, Kern (except Tehachapi and Temblor), Kings, Los Angeles, Madera, Marin, Mariposa, Merced, Nevada, Orange, Placer, Riverside (for Palo Verde), Sacramento, San Benito (for Panoche), San Bernardino, San Diego, San Joaquin, Santa Clara, Solano, Sonoma, Stanislaus, Sutter, Tulare, Tuolumne, and Yuba.

(iii) *June 1.* Alameda, Contra Costa (except Brentwood and Byron), Glenn, Kern (Tehachapi and Temblor), Monterey, Napa, Riverside (except Palo Verde), Tehama, Ventura, and Yolo.

(iv) *June 15.* Humboldt, Lake, Mendocino, San Benito (except Panoche), San Luis Obispo, Santa Barbara, and Shasta (wheat in Redding area only).

(v) *July 1.* San Mateo, Santa Cruz, and Siskiyou (Scott Valley, and Shasta Valley).

(vi) *July 15.* Lassen, Plumas, Shasta (Fall River—McArthur area), Sierra and Siskiyou (Butte Valley and Tulelake).

(vii) *August 1.* Alpine, Inyo, Modoc (except Tulelake), Mono, Shasta (except wheat in Redding area).

(2) *Spring wheat, barley, oats, and rye—(i) July 15.* Siskiyou (Scott Valley and Shasta Valley).

(ii) *August 1.* Lassen, Plumas, Sierra, and Shasta (Fall River—McArthur area).

(iii) *August 15.* Modoc, and Siskiyou (Butte Valley and Tulelake).

(3) *Corn and grain sorghums—(i) May 1.* Riverside (early seeding).

(ii) *June 1.* Imperial (early seeding).

(iii) *August 15.* Fresno, Imperial (late seeding), Kern, Kings, Madera, Merced, Sacramento, San Bernardino, San Diego, San Joaquin, Santa Barbara, Stanislaus, Tulare, and Ventura.

(iv) *September 1.* Alameda, Amador, Butte, Colusa, Contra Costa, El Dorado, Glenn, Lake, Mendocino, Napa, Orange, Placer, Riverside (late seeding), San Benito, Santa Clara, Shasta, Solano, Sonoma, Sutter, Tehama, Yolo, and Yuba.

(v) *September 15.* Los Angeles, Monterey, and San Luis Obispo.

(4) *Cotton—August 15.* All counties.

(5) *Rice—September 1.* All counties.

##### COLORADO

(1) *Wheat, barley, and rye—(i) June 1.* Baca, Bent, Cheyenne, Crowley, Kiowa, Las Animas, Otero, and Prowers.

(ii) *June 10.* Adams, Arapahoe, Elbert, El Paso, Huerfano, Kit Carson, Lincoln, Logan, Morgan, Phillips, Pueblo, Sedgwick, Washington, Weld, and Yuma.

(iii) *June 15.* Boulder, Douglas, Jefferson, and Larimer.

(iv) *June 25.* Archuleta, Custer, Delta, Dolores, Fremont, Gunnison, La Plata, Mesa, Montezuma, Montrose, Ouray, and San Miguel.

(v) *July 20.* Chaffee, Eagle, Garfield, Grand, Jackson, Moffat, Park, Pitkin, Rio Blanco, Routt, and Teller.

(vi) *August 1.* Alamosa, Conejos, Costilla, Rio Grande, and Saguache.

(2) *Oats—(i) July 1.* Baca, Bent, Cheyenne, Crowley, Kiowa, Otero, and Prowers.

(ii) *July 10.* Adams, Arapahoe, Kit Carson, Lincoln, Logan, Morgan, Phillips, Sedgwick, Washington, Weld, and Yuma.

(iii) July 15. Boulder, Jefferson, and Larimer.

(iv) August 10. Custer, Douglas, Elbert, El Paso, Fremont, Huerfano, Las Animas, and Pueblo.

(v) August 20. Archuleta, Chaffee, Delta, Dolores, Eagle, Garfield, Grand, Gunnison, Jackson, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Park, Pitkin, Rio Blanco, Routt, San Miguel, and Teller.

(vi) August 31. Alamosa, Conejos, Costilla, Rio Grande, and Saguache.

(3) Corn and grain sorghums—August 20. All counties.

CONNECTICUT

(1) Wheat and rye—June 1. All counties.

(2) Oats and barley—May 15. All counties.

(3) Corn and grain sorghums—August 1. All counties.

(4) Tobacco types 51 and 52—August 5. Hartford.

DELAWARE

(1) Wheat, barley, oats (winter), and rye—May 31. All counties.

(2) Oats (spring-seeded)—June 15. All counties.

(3) Corn and grain sorghums—July 1. All counties.

FLORIDA

(1) Wheat, barley, oats, and rye—April 1. All counties.

(2) Corn, cotton, and flue-cured tobacco—(i) June 1. All counties except those listed in subdivision (ii) below.

(ii) June 10. Bay, Calhoun, Escambia, Gulf, Holmes, Jackson, Okaloosa, Santa Rosa, Walton, and Washington.

(3) Grain sorghums—(i) June 10. Counties listed in subparagraph (2) (ii) above.

(ii) August 1. All other counties.

(4) Rice—October 15. All counties.

GEORGIA

(1) South Georgia—(i) Wheat, barley, oats, and rye—May 5.

(ii) Corn, cotton, and flue-cured tobacco—June 20.

(iii) Grain sorghums—July 15.

SOUTH GEORGIA COUNTIES

Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Bleckley, Brantley, Brooks, Bryan, Bulloch, Burke, Calhoun, Camden, Candler, Charlton, Chatham, Chattahoochee, Clay, Clinch, Coffee, Colquitt, Cook, Crisp, Decatur, Dodge, Dooly, Dougherty, Early, Echols, Effingham, Emanuel, Evans, Glassecock, Glynn, Grady, Houston, Irwin, Jeff Davis, Jefferson, Jenkins, Johnson, Lanier, Laurens, Lee, Liberty, Long, Lowndes, McIntosh, Macon, Marion, Miller, Mitchell, Montgomery, Peach, Pierce, Pulaski, Quitman, Randolph, Richmond, Schley, Screven, Seminole, Stewart, Sumter, Tattnall, Telfair, Terrell, Thomas, Tift, Toombs, Treutlen, Turner, Twiggs, Ware, Washington, Wayne, Webster, Wheeler, Wilcox, Wilkinson, and Worth.

(2) North Georgia—(i) Wheat, barley, oats, and rye—May 20.

(ii) Corn and cotton—July 15.

(iii) Grain sorghums—July 15.

NORTH GEORGIA COUNTIES

Baldwin, Banks, Barrow, Bartow, Bibb, Butts, Carroll, Catoosa, Chattooga, Cherokee, Clarke, Clayton, Cobb, Columbia, Coweta, Crawford, Dade, Dawson, De Kalb, Douglas, Elbert, Fannin, Fayette, Floyd, Forsyth, Franklin, Fulton, Gilmer, Gordon, Greene, Gwinnett, Habersham, Hall, Hancock, Haralson, Harris, Hart, Heard, Henry, Jackson, Jasper, Jones, Lamar, Lincoln, Lumpkin, McDuffie, Madison, Meriwether, Monroe, Morgan, Murray, Muscogee, Newton, Oconee, Oglethorpe, Paulding, Pickens, Pike, Polk, Putnam, Rabun, Rockdale, Spalding, Stephens, Talbot, Taliaferro, Taylor, Towns, Troup,

Union, Upson, Walker, Walton, Warren, White, Whitefield, and Wilkes.

IDAHO

(1) Wheat, barley, oats, rye, corn, and grain sorghums—(i) July 1. Ada, Canyon, Elmore, Gem, Kootenai, Nez Perce, Owyhee, Payette, and Washington.

(ii) July 10. Bannock, Cassia, Franklin, Gooding, Jerome, Lincoln, Minidoka, Oneida, Power, and Twin Falls.

(iii) July 15. Adams, Benewah, Bingham, Blaine, Boise, Bonner, Bonneville, Boundary, Butte, Camas, Caribou, Clark, Clearwater, Idaho, Jefferson, Latah, and Lewis.

(iv) August 1. Bear Lake, Custer, Fremont, Lemhi, Madison, Teton, and Valley.

ILLINOIS

(1) Wheat, barley, and rye—(i) June 1. Alexander, Bond, Calhoun, Christian, Clark, Clay, Clinton, Coles, Crawford, Cumberland, Douglas, Edgar, Edwards, Effingham, Fayette, Franklin, Gallatin, Greene, Hamilton, Hardin, Jackson, Jasper, Jefferson, Jersey, Johnson, Lawrence, Macoupin, Madison, Marion, Massac, Monroe, Montgomery, Morgan, Moultrie, Perry, Pike, Pope, Pulaski, Randolph, Richland, St. Clair, Saline, Sangamon, Scott, Shelby, Union, Washburn, Washington, Wayne, White, and Williamson.

(ii) June 15. All other counties.

(2) Oats—(i) June 15. Counties listed in (1) (i) above.

(ii) July 1. All other counties.

(3) Corn and grain sorghums—July 1. All counties.

(4) Cotton—July 15. All counties.

(5) Rice—September 15. All counties.

INDIANA

(1) Wheat, barley, and rye—(i) June 1. All counties except those listed in (ii) below.

(ii) June 15. Adams, Allen, Benton, Blackford, Carroll, Cass, De Kalb, Elkhart, Fulton, Grant, Howard, Huntington, Jasper, Jay, Kosciusko, Lagrange, Lake, La Porte, Marshall, Miami, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Tippecanoe, Washburn, Warren, Wells, White, and Whitley.

(2) Oats—(i) June 15. All counties except those listed in (1) (ii) above.

(ii) July 1. Counties listed in (1) (ii) above.

(3) Corn and grain sorghums—July 15. All counties.

(4) Barley tobacco—July 15. Clark, Dearborn, Floyd, and Scott.

IOWA

(1) Wheat, barley, and rye—June 10. All counties.

(2) Oats (winter)—June 25. All counties.

(3) Spring-seeded oats, corn, and grain sorghums—July 1. All counties.

KANSAS

(1) Wheat, barley, and rye—(i) May 15. Allen, Barber, Bourbon, Butler, Chautauqua, Cherokee, Comanche, Cowley, Crawford, Elk, Greenwood, Harper, Kingman, Labette, Montgomery, Neosho, Sedgwick, Sumner, Wilson, and Woodson.

(ii) May 22. Anderson, Atchison, Barton, Brown, Chase, Clark, Clay, Cloud, Coffey, Dickinson, Doniphan, Douglas, Edwards, Ellis, Ellsworth, Finney, Ford, Franklin, Geary, Graham, Grant, Gray, Harvey, Haskell, Hodgeman, Jackson, Jefferson, Jewell, Johnson, Kiowa, Lane, Leavenworth, Lincoln, Linn, Lyon, McPherson, Marion, Marshall, Meade, Miami, Mitchell, Morris, Morton, Nemaha, Ness, Osage, Osborne, Ottawa, Pawnee, Phillips, Pottawatomie, Pratt, Reno, Republic, Rice, Riley, Rooks, Rush, Russell, Saline, Seward, Shawnee, Smith, Stafford, Stanton, Stevens, Trego, Wabaunsee, Washington, and Wyandotte.

(iii) June 1. Cheyenne, Decatur, Gove, Greeley, Hamilton, Kearny, Logan, Norton, Rawlins, Scott, Sheridan, Sherman, Thomas, Wallace, and Wichita.

(2) Oats—(i) May 30. Counties listed in (1) (i) above.

(ii) June 6. Counties listed in (1) (ii) above.

(iii) June 16. Counties listed in (1) (iii) above.

(3) Corn, grain sorghums, and cotton—All counties.

(4) Cotton—September 1. Montgomery.

KENTUCKY

(1) Wheat, barley, and rye—May 30. All counties.

(2) Oats—June 6. All counties.

(3) Corn, grain sorghums, and cotton—July 31. All counties.

(4) Barley tobacco—July 10. Clinton, Crittenden, Greenup, Spencer, and Oldham.

(5) Dark Air-cured and dark Fire-cured tobacco—July 10. Crittenden.

LOUISIANA

(1) Wheat, barley, oats, and rye—April 15. All parishes.

(2) Corn and cotton—August 1. All parishes.

(3) Rice—July 10. All parishes.

(4) Grain sorghums—July 15. All parishes.

MAINE

(1) Fall-seeded wheat, barley, and rye—June 15. All counties.

(2) Spring-seeded wheat, barley, oats, and rye—July 15. All counties.

(3) Corn and grain sorghums—August 1. All counties.

MARYLAND

(1) Wheat—(i) June 15. Allegany, Baltimore, Carroll, Frederick, Garrett, Harford, Howard, Montgomery, and Washington.

(ii) May 31. All other counties.

(2) Barley, oats, and rye—May 31. All counties except Garrett.

(3) Barley and rye—June 15. Garrett County.

(4) Spring-seeded oats—June 30. Garrett County.

(5) Corn and grain sorghums—August 1. All counties.

MASSACHUSETTS

(1) Wheat, barley, oats, and rye—July 1. All counties.

(2) Corn and grain sorghums—August 1. All counties.

(3) Tobacco types 51 and 52—August 1. Franklin, Hampden, and Hampshire.

MICHIGAN

(1) Wheat, barley, oats, and rye—June 20. All counties.

(2) Corn and grain sorghums—July 15. All counties.

MINNESOTA

(1) Wheat, barley, corn, and grain sorghums—July 15. All counties.

(2) Oats and rye—(i) Spring-seeded—July 15.—All counties.

(ii) Late-seeded—September 15. All counties.

(3) Tobacco cigar filler and binder—August 1. Fillmore, Freeborn, Houston, Meeker, and Stearns.

MISSISSIPPI

(1) Wheat, barley, oats, and rye—May 10. All counties.

(2) Corn, grain sorghums, and cotton—(i) July 1. Adams, Amite, Claiborne, Clarke, Copiah, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Hinds, Jackson, Jasper, Jefferson, Jefferson Davis, Jones, Lamar, Lauderdale, Lawrence, Lincoln, Marion, Newton, Pearl River, Perry, Pike, Rankin,

Scott, Simpson, Smith, Stone, Walthall, Warren, Wayne, and Wilkinson.

- (1) *July 15*. All other counties.
- (3) *Rice—June 25*. All counties.

## MISSOURI

(1) *Wheat, barley, and rye—(i) May 15*. Bollinger, Butler, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Perry, Scott, Stoddard, Ste. Genevieve, and Wayne.

(ii) *May 25*. Barry, Barton, Bates, Benton, Boone, Callaway, Camden, Carter, Cass, Cedar, Christian, Cole, Cooper, Crawford, Dade, Dallas, Dent, Douglas, Franklin, Gasconade, Greene, Henry, Hickory, Howard, Howell, Iron, Jackson, Jasper, Jefferson, Johnson, Laclède, Lafayette, Lawrence, Lincoln, McDonald, Madison, Maries, Miller, Monticau, Montgomery, Morgan, Newton, Oregon, Osage, Ozark, Pettis, Phelps, Polk, Pulaski, Reynolds, Ripley, St. Charles, St. Clair, St. Francois, St. Louis, St. Louis City, Saline, Shannon, Stone, Taney, Texas, Vernon, Warren, Washington, Webster, and Wright.

(iii) *June 1*. Adair, Andrew, Atchison, Audrain, Buchanan, Caldwell, Carroll, Chariton, Clark, Clay, Clinton, Daviess, De Kalb, Gentry, Grundy, Harrison, Holt, Knox, Lewis, Linn, Livingston, Macon, Marion, Mercer, Monroe, Nodaway, Pike, Platte, Putnam, Ralls, Randolph, Ray, Schuyler, Scotland, Shelby, Sullivan, and Worth.

- (2) *Oats—(i) June 10*. Counties listed in (1) (i) above.
- (ii) *June 20*. Counties listed in (1) (ii) above.
- (iii) *June 25*. Counties listed in (1) (iii) above.
- (3) *Corn, grain sorghums, and cotton—July 15*. All counties.
- (4) *Rice—August 1*. All counties.
- (5) *Burley tobacco—August 1*. Boone, Clay, and Knox.

## MONTANA

- (1) *Wheat, barley, corn, grain sorghums, and rye—August 1*. All counties.
- (2) *Oats—September 1*. All counties.

## NEBRASKA

(1) *Wheat, barley, and rye—(i) June 1*. Adams, Burt, Butler, Cass, Cedar, Clay, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Franklin, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Jefferson, Johnson, Kearney, Lancaster, Madison, Merrick, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York.

(ii) *June 5*. Antelope, Boone, Boyd, Blaine, Buffalo, Custer, Dawson, Dundy, Frontier, Garfield, Greeley, Hayes, Hitchcock, Holt, Howard, Knox, Loup, Nance, Red Willow, Sherman, Valley, and Wheeler.

(iii) *June 15*. Arthur, Brown, Chase, Cherry, Grant, Hooker, Keith, Keya Paha, Lincoln, Logan, McPherson, Perkins, Rock, and Thomas.

(iv) *June 25*. Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux.

(2) *Oats—(i) June 25*. Adams, Butler, Cass, Clay, Douglas, Fillmore, Franklin, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Jefferson, Johnson, Kearney, Lancaster, Merrick, Nemaha, Nuckolls, Otoe, Pawnee, Phelps, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Thayer, Webster, and York.

(ii) *July 5*. Antelope, Boone, Buffalo, Burt, Chase, Colfax, Cuming, Custer, Dakota, Dawson, Dodge, Dundy, Frontier, Garfield, Greeley, Hayes, Hitchcock, Howard, Keith, Lincoln, Loup, Madison, Nance, Perkins, Pierce, Platte, Red Willow, Sherman, Stanton, Thurston, Valley, Washington, Wayne, and Wheeler.

(iii) *July 15*. Arthur, Banner, Blaine, Box Butte, Boyd, Brown, Cedar, Cherry, Cheyenne, Dawes, Deuel, Dixon, Garden, Grant, Holt, Hooker, Keya Paha, Kimball, Knox, Logan, Morrill, McPherson, Rock, Scotts Bluff, Sheridan, Sioux, and Thomas.

(3) *Corn and grain sorghums—July 15*. All counties.

## NEVADA

(1) *Wheat, barley, oats, and rye—(i) June 15*. Churchill, Clark, Lincoln, Lyon, Nye, Storey, and Washoe.

(ii) *July 1*. All other counties.

(2) *Corn, grain sorghums, and cotton—July 15*. All counties.

## NEW HAMPSHIRE

(1) *Wheat, barley, oats, and rye—July 10*. All counties.

(2) *Corn—July 15*. All counties.

(3) *Grain sorghums—June 30*. All counties.

## NEW JERSEY

(1) *Wheat, barley, oats, and rye—June 10*. All counties.

(2) *Corn and grain sorghums—August 1*. All counties.

## NEW MEXICO

(1) *Wheat, barley (except spring-seeded), oats, and rye—(i) May 20*. Chaves, Curry, De Baca, Dona Ana, Eddy, Guadalupe, Hidalgo, Lea, Lincoln, Luna, Otero, Quay, Roosevelt, and Sierra.

(ii) *June 15*. Bernalillo, Catron, Colfax (except Aug. 10 for oats), Grant, Harding, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union, and Valencia.

(2) *Barley (spring-seeded)—June 30*. Chaves, Colfax, Curry, De Baca, Dona Ana, Eddy, Grant, Harding, Hidalgo, Lea, Luna, Otero, Quay, Roosevelt, Sierra, Socorro, and Valencia.

(3) *Corn and grain sorghums—(i) August 10*. Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, and Socorro.

(ii) *September 1*. Bernalillo, Catron, Colfax, Curry, De Baca, Guadalupe, Harding, Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Taos, Torrance, Union, and Valencia.

(4) *Cotton—(i) August 10*. Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, and Socorro.

(ii) *September 1*. Curry, De Baca, Harding Quay, and Roosevelt.

## NEW YORK

(1) *Wheat, barley, and rye—(i) June 10*. (Long Island) Nassau, and Suffolk.

(ii) *July 15*. All other counties.

(2) *Oats—(i) Winter—June 15*. All counties.

(ii) *Spring—July 1*. All counties.

(3) *Corn and grain sorghums—August 1*. All counties.

## NORTH CAROLINA

(1) *Wheat, barley, oats, and rye—May 31*. All counties.

(2) *Corn, grain sorghums, cotton, rice, and flue-cured tobacco—(i) June 20*. Anson, Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Gates, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Washington, Wayne, and Wilson.

(ii) *June 30*. All other counties.

(3) *Burley tobacco—July 15*. Brunswick, Burke, Caldwell, Cleveland, Davidson, Gaston, Granville, Haywood, Iredell, Mitchell, Polk, Rutherford, Stokes, Surry, and Wilkes.

## NORTH DAKOTA

(1) *Wheat, barley, oats (except late spring-seeded), rye, corn, and grain sorghums—(i) July 8*. Adams, Bowman, Dickey, Emmons, Grant, Hettinger, La Moure, Logan, McIntosh, Ransom, Richland, Sargent, Sioux, and Slope.

(ii) *July 15*. Barnes, Billings, Burleigh, Cass, Dunn, Foster, Golden Valley, Griggs, Kidder, McKenzie, McLean, Mercer, Morton, Oliver, Sheridan, Stark, Steele, Stutsman, Traill, and Wells.

(iii) *July 22*. Benson, Bottineau, Burke, Cavalier, Divide, Eddy, Grand Forks, McHenry, Mountrail, Nelson, Pembina, Pierce, Ramsey, Renville, Rolette, Towner, Walsh, Ward, and Williams.

(2) *Late-seeded spring oats—August 20*. All counties.

## OHIO

(1) *Wheat, barley, and rye—June 1*. All counties.

(2) *Oats—June 15*. All counties.

(3) *Corn and grain sorghums—July 1*. All counties.

(4) *Tobacco—(i) Burley—August 1*. Clermont, Meigs, and Pike.

(ii) *Cigar filler and binder—August 1*. Miami, and Montgomery.

## OKLAHOMA

(1) *Wheat, barley, oats, and rye—(i) May 15*. Beaver, Cimarron, and Texas.

(ii) *May 1*. All other counties.

(2) *Corn and grain sorghums—(i) September 1*. Beaver, Cimarron and Texas.

(ii) *August 10*. All other counties.

(3) *Cotton—August 10*. All counties.

(4) *Rice—August 10*. McCurtain.

## OREGON

(1) *Wheat, barley, oats (winter), and rye—(i) June 15*. Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Hood River, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, and Yamhill.

(ii) *July 1*. Baker (early areas), Gilliam (under 2,000 feet elevation), Malheur (under 3,000 feet elevation), Morrow (under 2,000 feet elevation), Sherman (under 2,000 feet elevation), Umatilla (under 2,000 feet elevation), Union (early area), and Wasco (except Antelope, Bakeoven, and Warm Springs communities).

(iii) *July 15*. Baker (late area), Gilliam (over 2,000 feet elevation), Jefferson, Malheur (over 3,000 feet elevation), Morrow (over 2,000 feet elevation), Sherman (over 2,000 feet elevation), Umatilla (over 2,000 feet elevation), Union (late area), and Wasco (Antelope, Bakeoven, and Warm Springs communities).

(iv) *August 1*. Crook, Deschutes, Grant, Harney, Klamath, Lake, Wallowa, and Wheeler.

(2) *Oats (spring)—(i) July 15*. Counties listed in (1) (i) above.

(ii) *August 15*. Wallowa.

(3) *Oats and rye (spring)—August 20*. Lake.

(4) *Corn and grain sorghums—August 1*. All counties.

## PENNSYLVANIA

(1) *Wheat, barley, and rye—(i) June 7*. Adams, Berks, Bucks, Chester, Cumberland, Dauphin, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Perry, Philadelphia, Schuylkill, and York.

(ii) *June 21*. All other counties.

(2) *Oats—July 1*. All counties.

(3) *Corn and grain sorghums—August 1*. All counties.

## RHODE ISLAND

(1) *Wheat, barley, oats, and rye—July 1*. All counties.

(2) *Corn and grain sorghums—August 1.* All counties.

SOUTH CAROLINA

(1) *Wheat, barley, oats, and rye—May 10.* All counties.

(2) *Cotton, corn, and flue-cured tobacco—(1) June 5.* Berkeley, Chesterfield, Clarendon, Darlington, Dillon, Dorchester, Florence, Georgetown, Horry, Kershaw, Lee, Marion, Marlboro, Richland, Sumter, and Williamsburg.

(ii) *June 20.* Abbeville, Aiken, Allendale, Anderson, Bamberg, Barnwell, Calhoun, Cherokee, Chester, Colleton, Edgefield, Fairfield, Greenville, Greenwood, Hampton, Jasper, Lancaster, Laurens, Lexington, McCormick, Newberry, Oconee, Orangeburg, Pickens, Saluda, Spartanburg, Union, and York.

(iii) *June 30.* All other counties.  
(3) *Grain sorghums and rice—August 15.* All counties.

SOUTH DAKOTA

(1) *Wheat, barley, oats, and rye—(i) June 20.* Bennett, Bon Homme, Charles Mix, Clay, Fall River, Gregory, Jackson, Jones, Lyman, Mellette, Pennington, Shannon, Todd, Tripp, Union, Washabaugh, and Yankton.

(ii) *July 1.* Aurora, Beadle, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Clark, Codrington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Edmunds, Faulk, Grant, Haakon, Hamlin, Hand, Hanson, Harding, Hughes, Hutchinson, Hyde, Jerauld, Kingsbury, Lake, Lawrence, Lincoln, McCook, McPherson, Marshall, Meade, Miner, Minnehaha, Moody, Perkins, Potter, Roberts, Sanborn, Spink, Stanley, Sully, Turner, Walworth, and Zieback.

(2) *Corn and grain sorghums—July 1.* All counties.

TENNESSEE

(1) *Wheat, barley, oats, and rye—May 31.* All counties.

(2) *Corn, cotton, grain sorghums, and rice—July 15.* All counties.

(3) *Burley tobacco—July 15.* Blount, Cannon, Coffee, Dickson, Henry, Scott, Trousdale, and Washington.

(4) *Dark Air-cured and dark Fire-cured tobacco—July 15.* Dickson and Henry.

TEXAS

(1) *Wheat, barley, oats, and rye—(i) May 15.* Archer, Armstrong, Bailey, Baylor, Briscoe, Carson, Castro, Childress, Clay, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Fisher, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Hutchinson, Jones, Kent, Knox, Lamb, Lipscomb, Lubbock, Montague, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Throckmorton, Wheeler, Wichita, Wilbarger, and Young.

(ii) *May 1.* All other counties.  
(2) *Corn, cotton, and spring-seeded grain sorghums—(1) May 15.* Cameron, Hidalgo, Starr, and Willacy.

(ii) *June 1.* Arkansas, Bee, Brooks, Duval, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, Refugio, San Patricio, and Zapata.

(iii) *June 15.* Atascosa, Austin, Bexar, Brazoria, Caldwell, Calhoun, Colorado, Comal, De Witt, Dimmit, Fort Bend, Frio, Galveston, Goliad, Gonzales, Guadalupe, Harris, Hays, Jackson, Karnes, Kinney, La Salle, Lavaca, Live Oak, McMullen, Matagorda, Maverick, Medina, Uvalde, Val Verde, Victoria, Waller, Webb, Wharton, Wilson, and Zavala.

(iv) *July 1.* Bastrop, Bell, Bosque, Brazos, Burleson, Ellis, Falls, Fayette, Freestone, Grimes, Hill, Johnson, Lee, Limestone, McLennan, Milam, Navarro, Robertson, Tarrant, Travis, Washington, and Williamson.

(v) *July 15.* Anderson, Angelina, Bandera, Blanco, Bowie, Camp, Cass, Chambers, Cherokee, Collins, Cooke, Crockett, Dallas, Delta, Denton, Edwards, Fannin, Franklin, Gillespie, Grayson, Gregg, Hardin, Harrison, Henderson, Hopkins, Houston, Hunt, Jasper, Jefferson, Kaufman, Kendall, Kerr, Kimble, Lamar, Leon, Liberty, Madison, Marion, Menard, Montgomery, Morris, Nacogdoches, Newton, Orange, Panola, Polk, Rains, Real, Red River, Rockwall, Rusk, Sabine, San Augustine, San Jacinto, Shelby, Smith, Sutton, Titus, Trinity, Tyler, Upshur, Van Zandt, Walker, and Wood.

(vi) *August 1.* Andrews, Bailey, Borden, Brewster, Briscoe, Brown, Burnet, Callahan, Castro, Clay, Cochran, Coke, Coleman, Comanche, Concho, Coryell, Crane, Crosby, Culberson, Dawson, Eastland, Ector, El Paso, Erath, Fisher, Floyd, Gaines, Garza, Glasscock, Hale, Hamilton, Hockley, Hood, Howard, Hudspeth, Irion, Jack, Jeff Davis, Jones, Lamb, Lampasas, Llano, Loving, Lubbock, Lynn, McCulloch, Martin, Mason, Midland, Mills, Mitchell, Montague, Nolan, Palo Pinto, Parker, Parmer, Pecos, Presidio, Reagan, Reeves, Runnels, San Saba, Schleicher, Scurry, Shackelford, Somervell, Stephens, Sterling, Swisher, Taylor, Terrell, Terry, Tom Green, Upton, Ward, Winkler, Wise, Yoakum, and Young.

(vii) *August 15.* Archer, Armstrong, Baylor, Carson, Childress, Collingsworth, Cottle, Dallam, Deaf Smith, Dickens, Donley, Foard, Gray, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hutchinson, Kent, King, Knox, Lipscomb, Moore, Motley, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Stonewall, Throckmorton, Wheeler, Wichita, and Wilbarger.

(3) *Summer-seeded grain sorghums—(1) September 1.* Anderson, Andrews, Angelina, Bastrop, Bell, Blanco, Borden, Bosque, Bowie, Brazos, Brewster, Brown, Burleson, Burnet, Caldwell, Callahan, Camp, Cass, Cherokee, Coke, Coleman, Collins, Comal, Comanche, Concho, Cooke, Coryell, Crane, Crockett, Culberson, Dallas, Dawson, Delta, Denton, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Franklin, Freestone, Gaines, Garza, Gillespie, Glasscock, Grayson, Gregg, Grimes, Hamilton, Hardin, Harrison, Hayes, Henderson, Hill, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Irion, Jack, Jasper, Jeff Davis, Johnson, Jones, Kaufman, Kendall, Kerr, Kimble, Kinney, Lamar, Lampasas, Lee, Leon, Limestone, Llano, Loving, Lynn, McCulloch, McLennan, Madison, Marion, Martin, Mason, Menard, Midland, Milam, Mills, Mitchell, Montague, Montgomery, Morris, Nacogdoches, Navarro, Newton, Nolan, Palo Pinto, Panola, Parker, Pecos, Polk, Presidio, Rains, Reagan, Real, Red River, Reeves, Robertson, Rockwell, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Saba, Schleicher, Scurry, Shackelford, Shelby, Smith, Somervell, Stephens, Sterling, Sutton, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Val Verde, Van Zandt, Walker, Ward, Washington, Williamson, Winkler, Wise, Wood, Yoakum, and Young.

(ii) *September 15.* Aransas, Atascosa, Austin, Bandera, Bee, Bexar, Brazoria, Brooks, Calhoun, Cameron, Chambers, Colorado, De Witt, Dimmit, Duval, Fort Bend, Frio, Galveston, Goliad, Gonzales, Guadalupe, Harris, Hidalgo, Jackson, Jefferson, Jim Hogg, Jim Wells, Karnes, Kenedy, Kleberg, La Salle, Lavaca, Liberty, Live Oak, McMullen, Matagorda, Maverick, Medina, Nueces, Orange, Refugio, San Patricio, Starr, Uvalde, Victoria, Waller, Webb, Wharton, Willacy, Wilson, Zapata, and Zavalia.

(4) *Rice—(1) June 15.* Austin, Brazoria, Calhoun, Colorado, Fort Bend, Galveston, Harris, Jackson, Lavaca, Matagorda, Victoria, Waller, and Wharton.

(ii) *July 1.* Bastrop, Travis, and Washington.

(iii) *July 15.* Chambers, Hardin, Jasper, Jefferson, Liberty, Newton, Orange, Polk, and Walker.

(iv) *September 1.* Bowie.

UTAH

(1) *Wheat, barley, oats, rye, corn, and grain sorghums—(1) June 20.* Box Elder, Cache, Davis, Grand, Jaub, Kane, Millard, Salt Lake, San Juan, Sevier, Tooele, Utah, Washington (except grain sorghums), and Weber.

(ii) *July 1.* Beaver, Carbon, Duchesne, Emery, Iron, Plute, Sanpete, and Uintah.

(iii) *July 10.* Daggett, Garfield, Morgan, Rich, Summit, Wasatch, and Wayne.

(2) *Grain sorghums—July 20.* Washington County.

VERMONT

*Wheat, barley, oats, rye, corn, and grain sorghums—July 10.* All counties.

VIRGINIA

(1) *Wheat, barley, and rye—(1) June 1.* Accomack, Albemarle, Amelia, Amherst, Appomattox, Bedford, Brunswick, Buckingham, Campbell, Caroline, Charles City, Charlotte, Chesapeake, Chesterfield, Cumberland, Dinwiddie, Essex, Fluvanna, Franklin, Gloucester, Goochland, Greene, Greensville, Halifax, Hampton, Hanover, Henrico, Henry, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Louisa, Lunenburg, Mathews, Mecklenburg, Middlesex, Nansemond, Nelson, New Kent, Newport News, Northampton, Northumberland, Nottoway, Orange, Pittsylvania, Powhatan, Prince Edward, Prince George, Richmond, Southampton, Spotsylvania, Stafford, Surry, Sussex, Virginia Beach, Westmoreland, and York.

(ii) *June 15.* All other counties.

(2) *Oats—(1) July 1.* Clarke, Frederick, and Loudoun.

(ii) *June 1.* Counties listed in (1) (i) above.

(iii) *June 15.* All other counties.

(3) *Corn and cotton—June 30.* All counties.

(4) *Grain sorghums—(1) June 30.* All counties except those listed in (ii) below.

(ii) *July 31.* Chesapeake, Greensville, Isle of Wight, Nansemond, Prince George, Southampton, Surry, Sussex, and Virginia Beach.

(5) *Flue-cured, Sun-cured, and Fire-cured tobacco—June 30.* All counties.

(6) *Burley tobacco—June 30.* Floyd, Grayson, and Scott.

WASHINGTON

(1) *Wheat, barley, oats, and rye—(1) June 25.* Asotin (area 2), and Garfield (area 1).

(ii) *June 30.* Benton, Franklin, Klickitat, Walla Walla (under 1,205 feet elevation), and Yakima.

(iii) *July 1.* Grant.

(iv) *July 5.* Columbia (area 1).

(v) *July 10.* Adams, and Whitman (area 1).

(vi) *July 15.* Douglas (area 1), Kittitas, Lincoln, Okanogan (area 2), Spokane, and Walla Walla (over 1,205 feet elevation).

(vii) *July 20.* Chelan, Clallam, Clark, Cowitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum, and Whatcom.

(viii) *July 25.* Asotin (area 1), Garfield (area 2), and Whitman (area 2).

(ix) *August 1.* Douglas (area 2), Pend Oreille, and Stevens.

(x) *August 5.* Columbia (area 2).

(xi) *August 15.* Asotin (area 3), Ferry, and Okanogan (area 1).

(2) *Spring-seeded oats—August 10.* Lincoln, Pend Oreille, Spokane, and Stevens.

(3) *Corn and grain sorghums—August 15.* All counties.

## WEST VIRGINIA

- (1) *Wheat, barley, and rye*—June 15. All counties.  
 (2) *Oats*—June 30. All counties.  
 (3) *Corn and grain sorghums*—August 15. All counties.  
 (4) *Burley tobacco*—July 20. Mason.

## WISCONSIN

(1) *Wheat, barley, and rye*—(1) June 20. Adams, Buffalo, Columbia, Crawford, Dane, Dodge, Dunn, Eau Claire, Fond du Lac, Grant, Green, Green Lake, Iowa, Jackson, Jefferson, Juneau, Kenosha, La Crosse, Lafayette, Marquette, Milwaukee, Monroe, Pepin, Pierce, Portage, Racine, Richland, Rock, St. Croix, Sauk, Trempealeau, Vernon, Walworth, Waukesha, Waushara, and Winnebago.

(ii) July 5. Barron, Brown, Burnett, Calumet, Chippewa, Clark, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Manitowoc, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Ozaukee, Polk, Price, Rush, Sawyer, Shawano, Sheboygan, Taylor, Vilas, Washburn, Washington, Waupaca, and Wood.

(iii) July 15. Ashland, Bayfield, Douglas, and Iron.

(2) *Oats*—(i) July 11. Counties listed in (1) (i) above.

(ii) July 26. Counties listed in (1) (ii) above.

(iii) August 5. Counties listed in (1) (iii) above.

(3) *Corn and grain sorghums*—August 1. All counties.

## WYOMING

(1) *Wheat, barley, oats, and rye*—(i) June 30. Goshen, Laramie, and Platte.

(ii) July 8. Albany, Converse, and Niobrara.

(iii) July 13. Big Horn, Campbell, Carbon, Crook, Fremont, Hot Springs, Johnson, Natrona, Park, Sheridan, Washakie, and Weston.

(iv) August 1. Lincoln, Sublett, Sweetwater, Teton, and Uinta.

(2) *Corn and grain sorghums*—(i) June 30. Goshen and Laramie.

(ii) August 1. All other counties.

## §§ 718.15-718.30 [Reserved]

*Effective date.* Upon publication in the FEDERAL REGISTER. Signed at Washington, D.C., on July 13, 1970.

KENNETH E. FRICK,  
 Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 70-9208; Filed, July 17, 1970; 8:45 a.m.]

## PART 728—WHEAT

**Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields and Wheat Certificate Program for 1968 and Subsequent Crop Years and Wheat Diversion Program for Crop Years 1969-70**

## MISCELLANEOUS AMENDMENTS

The regulations pertaining to farm acreage allotments, yields, wheat certificate program for crop years 1968-70 and wheat diversion program for crop years 1969-70 (33 F.R. 6508), as amended, are amended by revising the title of the subpart "1971-72 Marketing Year," 35 F.R. 6181, to read as set forth above, by redesignating §§ 728.301, 728.302, and 728.303 as §§ 728.351, 728.352, and

728.353, respectively, and by revising §§ 728.354 and 728.355 (34 F.R. 13316) and § 728.357 (34 F.R. 16596) as provided herein, effective for the 1971 crop of wheat. The material previously appearing under centerheads "1970 National Acreage Allotment" and "1970 County Acreage Allotments" remain in full force and effect as to the crops to which they were applicable.

## Sec.

728.354 Apportionment of the 1971 national acreage allotment for wheat among the several States.

728.355 Designation of the commercial wheat producing area for the 1971-72 marketing year.

728.356 Reserved.

728.357 Apportionment of the 1971 State acreage allotments for wheat among their respective counties.

(Secs. 334, 334a, 375, 377, 379b, 52 Stat. 53, as amended, 76 Stat. 620, 52 Stat. 66, as amended, 70 Stat. 206, as amended, 76 Stat. 626, as amended; 7 U.S.C. 1334, 1334b, 1375, 1377, 1379b)

*Basis and purpose.* (a) The regulations contained in §§ 728.354 to 728.357 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, to (1) apportion the national acreage allotment among the several States, (2) designate the commercial wheat producing area, and (3) apportion the 1971 State acreage allotments, less reserves, among their respective counties.

(b) (1) Section 334(a) of the Act, as amended, provides that the 1971 national acreage allotment for wheat less (1) a reserve of not to exceed 1 per centum thereof for apportionment to counties in addition to the county allotments made under section 334(b) of the Act on the basis of relative needs of counties for additional allotment because of reclamation and other new areas coming into production of wheat, or in counties meeting certain conditions because alternative income-producing crops are no longer profitable because of plant disease or sustained loss of market in areas which shifted from wheat to alternative crops prior to 1951, and less (2) a special reserve not in excess of 1 million acres (for the purpose explained in a later paragraph) shall be apportioned by the Secretary among the several States on the basis of the preceding year's allotment for each such State, including all amounts allotted to the State, adjusted to the extent deemed necessary by the Secretary to establish a fair and equitable apportionment base for each State, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history and other relevant factors.

(2) The national reserve acreage needed for 1971 is determined to be 5,000 acres. This acreage shall be used (i) to make allotments to counties in addition to the county allotments made under subsection (b) of section 334 on the basis of the relative needs of counties for additional allotments because of reclamation or other new areas coming into production of wheat or (ii) to increase the allotment for any county, in which wheat

is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allotment to cropland on old wheat farms in such county is less by at least 20 per centum than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 per centum of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 per centum than such average ratio on the remaining old wheat farms in such county: *Provided*, That such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (ii) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in adjoining areas or counties. Since there have been no requests for additional allotment for reclamation or other new areas coming into wheat production in recent years, this reserve will be used primarily for counties or areas affected by plant disease or sustained loss of markets where alternative crops are no longer profitable.

(3) A special reserve acreage of not in excess of 1 million acres is also provided for in addition to the national acreage reserve. Such special acreage reserve shall be made available to the States to make additional allotments to counties on the basis of relative need of counties, as determined by the Secretary, for additional allotments to make adjustments in the allotments on old wheat farms (i.e., farms on which wheat has been seeded or regarded as seeded to one or more of the three crops immediately preceding the crop for which the allotment is established) on which the ratio of wheat acreage allotment to cropland on the farms is less than one-half the average ratio of wheat acreage allotment to cropland on old wheat farms in the county. Such adjustments shall not provide an allotment for any farm which would result in an allotment-cropland ratio for the farm in excess of one-half of such county average ratio and the total of such adjustments in any county shall not exceed the acreage made available therefor in the county. Such apportionment from the special acreage reserve shall be made only to counties where wheat is a major income-producing crop, only to farms on which there is limited opportunity for the production of an alternative income-producing crop,

and only if an efficient farming operation on the farm requires the allotment of additional acreage from the special acreage reserve. For the purpose of making adjustments from the special acreage reserve, the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year. In determining the amount of the reserve, consideration was given to the acreage required for making such adjustments for past programs. The acreage apportioned to farms for 1969 was 12,142 and for 1970 was 7,755. Accordingly, it is determined that 10,000 acres will be adequate for the purpose of this special reserve for the 1971 crop.

(4) The 1971 national wheat allotment was apportioned among the various States as follows:

To each 1970 State wheat allotment determined under section 334(a) of the Act, as amended, and published in the FEDERAL REGISTER of August 16, 1969 (34 F.R. 13316), was added the sum of 1970 allotment acreage allocated to counties in each State from the national and special national acreage reserve to increase allotments on eligible farms in designated counties. The resulting preliminary apportionment bases for each State were (1) adjusted to reflect the net plus or minus change in 1970 wheat allotment resulting from the transfer of farms to other States for administrative purposes, and (2) were adjusted downward to the extent of the sum of 1970 wheat allotments removed from farms going out of agricultural production and farms losing history for failure to meet the 75 percent planting provision. This resulted in a considerable number of farms losing part of their allotment in 1970 since history is not fully preserved in 1968 and subsequent years as it was in prior years. Adjustment in State preliminary apportionment bases for established crop rotation practices was determined to be necessary only in the States of Colorado, Oregon, and Washington. The national wheat allotment of 43.5 million acres, less the national reserve and the special reserve, was distributed pro rata to States on the basis of each State's apportionment base determined in accordance with the foregoing.

(c) Section 334(a) of the Act provides that if the acreage allotment for any State for any crop of wheat is 25,000 acres or less, the Secretary may designate such State as outside the commercial wheat-producing area for the marketing year for such crop in order to promote efficient administration of the Act and the Agricultural Act of 1949. From the standpoint of efficient and equitable administration of the marketing allocation program for the 1971-72 marketing year, it is considered desirable that wheat marketing certificates be made available to wheat producers in all States on precisely the same basis. Therefore, no State for which a State acreage allotment was determined will be designated outside the commercial wheat-producing area for the 1971-72 marketing year.

(d) Section 334(b) of the Agricultural Adjustment Act of 1938, as amended, provides that the State acreage allotment

for wheat, less a reserve of not to exceed 3 per centum thereof for new farms, shall be apportioned by the Secretary among the counties in the State on the basis of the preceding year's wheat allotment in each county, including all amounts allotted to the county, adjusted to the extent deemed necessary by the Secretary in order to establish a fair and equitable apportionment base for each county, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history and other relevant factors.

(e) The 1971 State acreage allotments for wheat, less reserves for (1) new farms, and (2) appeals, corrections, and missed farms, were apportioned among the counties in the various States as follows:

(f) (1) To each 1970 county wheat allotment determined under section 334(b) of the Act, as amended, and published in the FEDERAL REGISTER of October 17, 1969 (34 F.R. 16596), was added the sum of 1970 allotment acreage allocated to the county in each State from the national acreage reserve and the special acreage reserve allocated to the county to increase allotments on eligible farms in designated counties where wheat is a major income-producing crop. The resulting preliminary apportionment bases for each county were (i) adjusted to reflect the net plus or minus change in 1970 wheat allotment resulting from the transfer of farms to other counties for administrative purposes and (ii) adjusted downward to the extent of the sum of 1970 wheat allotment removed from farms going out of agricultural production and farms losing history for failure to meet the 75 percent planting provision.

(2) Adjustments in county preliminary apportionment bases for established crop rotation practices and other relevant factors were made to the extent deemed necessary to establish a fair and equitable apportionment base for each county. The State wheat acreage allotment less a reserve for new farms and a reserve for appeals and corrections and missed farms was distributed pro rata to counties on the basis of each county's apportionment base determined in accordance with the foregoing.

(g) The tables contained in § 728.357 hereof show the apportionment of the 1971 State wheat acreage allotment to counties. The reserve acreage for new farms and the reserve for appeals, corrections of errors and missed farms withheld from the State allotment are listed at the end of the allotment tabulation for each State. The reserve acreage withheld by county committees for appeals, corrections of errors and missed farms prior to apportioning the county allotment to individual farms is indicated in the appropriate column on the tabulation.

(h) The findings and determinations by the Secretary contained in §§ 728.354 through 728.357 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the Act.

(i) Since the Act requires that notices of farm acreage allotments shall insofar as practicable be mailed to farm operators in sufficient time to be received prior to the date of the referendum to be held not later than August 1, 1970, to determine whether farmers favor or oppose the quota, since farm acreage allotments cannot be determined until the national acreage allotment is apportioned among States and counties and since farmers need to know their 1971 farm acreage allotments as soon as possible in order to plan their 1971 seeding operations, it is hereby found that the apportionment and determinations herein shall become effective upon the date of the filing of this document with the Director, Office of the Federal Register.

§ 728.354 Apportionment of the 1971 national acreage allotment of wheat among the several States.

The national acreage allotment, less a national reserve of 5,000 acres and a special acreage reserve of 10,000 acres for additional allotments to counties, is hereby apportioned among the several States as follows:

State	Acreage allotment
Alabama	48,437
Arizona	30,879
Arkansas	107,470
California	295,119
Colorado	2,003,366
Connecticut	272
Delaware	19,481
Florida	13,731
Georgia	101,132
Idaho	922,645
Illinois	1,297,610
Indiana	979,533
Iowa	98,312
Kansas	8,279,804
Kentucky	162,846
Louisiana	30,203
Maine	197
Maryland	116,691
Massachusetts	115
Michigan	867,868
Minnesota	778,045
Mississippi	43,892
Missouri	1,223,069
Montana	3,054,998
Nebraska	2,448,134
Nevada	12,069
New Jersey	35,533
New Mexico	367,284
New York	240,142
North Carolina	307,624
North Dakota	5,710,319
Ohio	1,191,200
Oklahoma	3,814,596
Oregon	652,938
Pennsylvania	402,045
Rhode Island	107
South Carolina	142,092
South Dakota	2,143,388
Tennessee	142,783
Texas	3,160,122
Utah	226,886
Vermont	382
Virginia	201,898
Washington	1,541,145
West Virginia	19,726
Wisconsin	38,913
Wyoming	209,959
Total	43,485,000
Special reserve	10,000
National reserve	5,000
National allotment	43,500,000

§ 728.355 Designation of States outside the commercial wheat-producing area for the 1971-72 marketing year.

No State for which a State acreage allotment was determined is designated as outside the commercial wheat-producing area for the 1971-72 marketing year. Accordingly, the commercial wheat-producing area for the 1971-72 marketing year shall consist of all States in the United States except New Hampshire, Alaska, and Hawaii.

§ 728.357 Apportionment of the 1971 State wheat acreage allotment to counties.

ALABAMA		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Autauga	909	
Baldwin	6,016	
Barbour	45	
Bibb	20	
Blount	85	
Bullock	20	
Butler		
Calhoun	141	
Chambers	351	
Cherokee	1,099	
Chilton	51	
Choctaw		
Clarke	93	
Clay	61	
Cleburne	104	
Coffee	170	
Colbert	7,849	
Conecuh	105	
Coosa	16	
Covington	116	
Crenshaw	33	
Cullman	45	
Dale	214	
Dallas	493	
De Kalb	214	
Elmore	347	
Escambia	1,936	
Etowah	73	
Fayette	44	
Franklin	304	
Geneva	669	
Greene	19	
Hale	256	
Henry	232	
Houston	644	
Jackson	991	
Jefferson	84	
Lamar	41	
Lauderdale	7,720	
Lawrence	4,493	
Lee	200	
Limestone	2,768	
Lowndes	242	
Macon	142	
Madison	3,400	
Marengo	25	
Marion	147	
Marshall	152	
Mobile	348	
Monroe	205	
Montgomery	657	
Morgan	1,219	
Perry	107	
Pickens	122	
Pike	104	
Randolph	177	
Russell	30	
St. Clair	23	
Shelby	67	
Sumter	52	
Talladega	548	
Tallapoosa	44	
Tuscaloosa	41	
Walker	62	
Washington	309	
Wilcox	10	
Winston	3	
Total to counties	48,237	
Reserve for new farms	100	
Reserve for appeals, corrections, and missed farms	100	
State total	48,437	

ARIZONA		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Apache	66	2
Cochise	809	5
Cocouino	1,313	5
Gila		
Graham	23	2
Greenlee	47	1
Maricopa	10,759	10
Mohave	184	1
Navajo	656	5
Pima	278	0
Pinal	9,136	5
Santa Cruz		
Yavapai	545	1
Yuma	7,060	5
Total to counties	30,874	42
Reserve for new farms, appeals, corrections and missed farms	5	
State total	30,879	

ARKANSAS		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Arkansas	496	
Ashley	29	
Baxter	52	
Benton	1,706	
Boone	109	
Bradley		
Calhoun		
Carroll	73	
Chicot	853	
Clark		
Clay	11,085	
Cleburne	11	
Cleveland		
Columbia		
Conway	1,413	
Craighead	10,866	
Crawford	2,327	
Crittenden	8,150	
Cross	2,509	
Dallas		
Desha	584	
Drew	28	
Faulkner	261	
Franklin	675	
Fulton	49	
Garland	2	
Grant	12	
Greene	4,698	
Hempstead	32	
Hot Spring	32	
Howard		
Independence	4,463	
Izard	29	
Jackson	3,244	
Jefferson	313	
Johnson	762	
Lafayette	6	
Lawrence	2,197	
Lee	2,249	
Lincoln	34	
Little River	41	
Logan	1,463	
Lonoke	522	
Madison	149	
Marion	24	
Miller	16	
Mississippi	23,577	
Monroe	308	
Montgomery	2	
Nevada		
Newton	1	
Onachita		
Perry	330	
Phillips	2,599	
Pike		
Poinsett	3,703	
Polk	4	
Pope	1,101	
Prairie	397	
Pulaski	2,463	
Randolph	2,469	
St. Francis	4,123	
Saline	2	
Scott		
Searcy	29	
Sebastian	434	
Seyler		
Sharp	80	
Stone	143	
Union		
Van Buren	21	
Washington	362	
White	451	

ARKANSAS—Continued		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Woodruff	1,751	
Yell	881	
Total to counties	107,395	
Reserve for new farms, appeals, corrections and missed farms	75	
State total	107,470	

CALIFORNIA		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Alameda	860	
Alpine	5	
Amador	109	
Butte	5,596	
Calaveras		
Colusa	5,007	
Contra Costa	703	
Del Norte		
El Dorado		
Fresno	11,194	
Glenn	2,574	
Humboldt		
Imperial	1,249	
Inyo	1	
Kern	27,775	
Kings	1,608	
Lake	201	
Lassen	5,191	
Los Angeles	18,113	
Madera	6,964	
Marin	6,295	
Mariposa	42	
Mendocino	372	
Merced	2,235	
Modoc	12,705	
Mono	6	
Monterey	11,279	
Napa	519	
Nevada		
Orange	235	
Placer	7,569	
Plumas	416	
Riverside	11,018	
Sacramento	12,388	
San Benito	736	
San Bernardino	24	
San Diego	333	
San Francisco		
San Joaquin	7,169	
San Luis Obispo	65,259	
San Mateo	18	
Santa Barbara	6,655	
Santa Clara	35	
Santa Cruz		
Shasta	895	
Sierra	224	
Siskiyou	14,777	
Solano	9,800	
Sonoma	233	
Stanislaus	506	
Sutter	11,577	
Tehama	1,346	
Trinity		
Tulare	20,064	
Tuolumne		
Ventura	324	
Yolo	7,969	
Yuba	843	
Total to counties	295,016	
Reserve for new farms	50	
Reserve for appeals, corrections and missed farms	53	
State total	295,119	

COLORADO		
County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Adams	99,200	
Alamosa	405	
Arapahoe	47,957	
Archuleta	970	
Baca	191,764	
Bent	21,966	
Boulder	7,813	
Chaffee	55	
Cheyenne	107,716	
Clear Creek		
Conejos	596	
Costilla	572	
Crowley	8,928	
Custer	227	
Delta	741	



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COLORADO—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Denver		
Dolores	21,239	
Douglas	8,102	
Eagle	213	
Elbert	48,630	
El Paso	11,242	
Fremont	444	
Garfield	3,274	
Gilpin		
Grand	698	
Gunnison		
Hinsdale		
Huerfano	3,868	
Jackson	352	
Jefferson	5,910	
Kiowa	168,996	
Kit Carson	184,721	
Lake		
La Plata	14,487	
Larimer	15,920	
Las Animas	15,399	
Lincoln	104,268	
Logan	101,132	
Mesa	1,024	
Mineral		
Moffat	24,585	
Montezuma	14,622	
Montrose	2,708	
Morgan	47,367	
Otero	2,914	
Ouray	436	
Park		
Phillips	83,150	
Pitkin	75	
Prowers	118,625	
Pueblo	12,796	
Rio Blanco	4,516	
Rio Grande	1,238	
Routt	17,619	
Saguache	339	
San Juan		
San Miguel	2,338	
Sedgwick	48,906	
Summit		
Teller	6	
Washington	176,249	
Weid	140,125	
Yuma	105,582	
Total to counties	2,002,916	
Reserve for new farms	250	
Reserve for appeals, corrections and missed farms	200	
State total	2,003,366	

CONNECTICUT

Fairfield	2	
Hartford	86	
Litchfield	24	
Middlesex	44	
New Haven	47	
New London		
Tolland	34	
Windham	31	
Total to counties	268	
Reserve for new farms	2	
Reserve for appeals, corrections and missed farms	2	
State total	272	

DELAWARE

Kent	8,522	15
New Castle	7,883	30
Sussex	3,550	20
Total to counties	19,955	65
Reserve for new farms, appeals, corrections and missed farms	26	
State total	19,981	

FLORIDA

Alachua	385	
Baker	6	
Bay		
Bradford		
Brevard		
Broward		
Calhoun	483	

FLORIDA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Charlotte		
Citrus		
Clay		
Collier		
Columbia	251	
Dade		
De Soto		
Dixie		
Duval		
Escambia	6,155	
Flagler		
Franklin		
Gadsden	48	
Gilchrist	296	
Glades		
Gulf		
Hamilton	121	
Hardee		
Hendry		
Hernando		
Highlands		
Hillsborough		
Holmes	58	
Indian River		
Jackson	622	
Jefferson	75	
Lafayette	42	
Lake		
Lee		
Leon	12	
Levy	557	
Liberty	34	
Madison	1,144	
Manatee		
Marion	13	
Martin		
Monroe		
Nassau		
Okaloosa	1,047	
Okeechobee		
Orange		
Osceola		
Palm Beach		
Pasco		
Pinellas		
Polk		
Putnam		
St. Johns		
St. Lucie	1,517	
Santa Rosa		
Sarasota		
Seminole		
Sumter	3	
Suwannee	581	
Taylor		
Union		
Volusia		
Wakulla		
Walton	163	
Washington	43	
Total to counties	13,656	
Reserve for new farms	25	
Reserve for appeals, corrections and missed farms	50	
State total	13,731	

GEORGIA

Appling	27	
Atkinson	22	
Bacon	16	
Baker	358	
Baldwin	33	
Banks	1,304	
Barrow	743	
Bartow	2,036	
Ben Hill	12	
Berrien	189	
Bibb	479	
Bleckley	357	
Brantley		
Brooks	842	
Bryan	5	
Bulloch	246	
Burke	1,215	
Butts	997	
Calhoun	188	
Camden		
Candler	301	
Carroll	637	
Catoosa	145	
Charlton		
Chatham	12	
Chattahoochee		
Chattooga	144	
Cherokee	90	
Clarke	1,238	

GEORGIA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Clay		103
Clayton		195
Clinch		
Cobb		43
Coffee		126
Colquitt		24
Columbia		192
Cook		56
Coweta		227
Crawford		861
Crisp		1,381
Dade		36
Dawson		168
Decatur		113
De Kalb		80
Dodge		248
Dooly		2,563
Dougherty		569
Douglas		86
Early		1,021
Echols		
Effingham		65
Elbert		2,797
Emanuel		555
Evans		62
Fannin		12
Fayette		359
Floyd		511
Forsyth		317
Franklin		4,645
Fulton		117
Gilmer		17
Glascok		470
Glynn		
Gordon		595
Grady		262
Greene		231
Gwinnett		936
Habersham		125
Hall		436
Hancock		183
Haralson		158
Harris		84
Hart		6,477
Heard		397
Henry		1,290
Houston		4,321
Irwin		22
Jackson		2,070
Jasper		338
Jeff Davis		12
Jefferson		8,681
Jenkins		270
Johnson		552
Jones		44
Lamar		409
Lanier		15
Laurens		1,582
Lee		358
Liberty		
Lincoln		204
Long		
Lowndes		250
Lumpkin		31
McDuffie		263
McIntosh		
Macon		1,885
Madison		7,584
Marion		204
Meriwether		436
Miller		494
Mitchell		38
Monroe		188
Montgomery		83
Morgan		774
Murray		876
Muscogee		4
Newton		362
Oconee		2,312
Oglethorpe		4,201
Paulding		136
Peach		1,826
Pickens		72
Pierce		9
Pike		948
Polk		695
Pulaski		832
Putnam		93
Quitman		25
Rabun		6
Randolph		292
Richmond		617
Rockdale		193
Schley		185
Screven		344
Seminole		404
Spalding		871
Stephens		545
Stewart		48
Sumter		1,580
Talbot		99

RULES AND REGULATIONS

GEORGIA—Continued

Table with 3 columns: County, Acreage apportioned to counties from State allotments, County reserve for appeals and corrections. Lists counties like Tallahassee, Tattnall, Taylor, etc.

IDAHO

Table with 3 columns: County, Acreage apportioned to counties from State allotments, County reserve for appeals and corrections. Lists counties like Ada, Adams, Bannock, Bear Lake, etc.

ILLINOIS

Table with 3 columns: County, Acreage apportioned to counties from State allotments, County reserve for appeals and corrections. Lists counties like Adams, Alexander, Bond, Boone, Brown, etc.

ILLINOIS—Continued

Table with 3 columns: County, Acreage apportioned to counties from State allotments, County reserve for appeals and corrections. Lists counties like White, Whiteside, Will, Williamson, Winnebago, Woodford.

INDIANA

Table with 3 columns: County, Acreage apportioned to counties from State allotments, County reserve for appeals and corrections. Lists counties like Adams, Allen, Bartholomew, Benton, Blackford, Boone, Brown, Carroll, etc.

RULES AND REGULATIONS

INDIANA—Continued

IOWA—Continued

KANSAS—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Tippecanoe.....	16,412	75
Tipton.....	9,488	28
Union.....	7,700	21
Vanderburgh.....	8,141	23
Vermillion.....	8,327	23
Vigo.....	12,084	45
Wabash.....	12,881	38
Warren.....	11,729	40
Warrick.....	7,810	22
Washington.....	7,503	20
Wayne.....	10,508	40
Wells.....	12,155	35
White.....	13,100	50
Whitley.....	12,407	35
Total to counties.....	979,293	3,127
Reserve for new farms.....	200	
Reserve for appeals, corrections and missed farms.....	50	
State total.....	979,533	

IOWA

Adair.....	187	5
Adams.....	947	5
Albany.....	33	
Appanoose.....	487	
Audubon.....	71	
Benton.....	159	
Black Hawk.....	28	
Boone.....	32	
Bremer.....	22	
Buchanan.....	27	
Buena Vista.....		
Butler.....	7	
Calhoun.....	15	
Carroll.....	35	
Cass.....	803	10
Cedar.....	27	
Cerro Gordo.....	1,026	20
Cherokee.....	9	
Chickasaw.....	22	
Clarke.....	147	
Clay.....	18	
Clayton.....	83	
Clinton.....	53	
Crawford.....	312	
Dallas.....	285	
Davis.....	1,245	15
Decatur.....	657	4
Delaware.....	7	
Des Moines.....	3,158	10
Dickinson.....	141	
Dubuque.....	32	
East Pottawattamie.....	1,432	
Emmet.....	26	
Fayette.....	39	
Floyd.....	22	
Franklin.....	18	
Fremont.....	7,817	30
Greene.....	7	
Grundy.....	8	
Guthrie.....	363	2
Hamilton.....	383	
Hancock.....	216	
Hardin.....	6	
Harrison.....	11,877	10
Henry.....	961	10
Howard.....	42	
Humbolt.....	7	
Ida.....	27	
Iowa.....	65	
Jackson.....	10	
Jasper.....	647	
Jefferson.....	1,199	
Johnson.....	58	
Jones.....	53	
Keokuk.....	66	
Kossuth.....	886	
Lee.....	5,950	14
Linn.....	70	
Louisa.....	957	
Lucas.....	371	10
Madison.....	287	
Mahaska.....	1,255	8
Marion.....	350	
Marshall.....	554	5
Mills.....	21	
Mitchell.....	6,900	30
Monona.....	360	
Monroe.....	11,598	20
Montgomery.....	484	
Muscatine.....	3,088	25
O'Brien.....	872	
Osceola.....	13	
Page.....	710	
Palo Alto.....	4,265	
	24	

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Plymouth.....	644	
Pocahontas.....	15	
Polk.....	2,078	
Poweshiek.....	57	
Ringgold.....	1,489	
Sac.....	2	
Scott.....	131	
Shelby.....	82	
Sioux.....	62	
Story.....	69	
Tama.....	21	
Taylor.....	1,936	30
Union.....	207	5
Van Buren.....	2,544	11
Wapello.....	1,232	5
Warren.....	2,325	
Washington.....	130	
Wayne.....	169	
Webster.....	66	
West Pottawattamie.....	4,507	20
Winnebago.....	1,892	50
Winneshiek.....	68	
Woodbury.....	3,097	5
Worth.....	761	10
Wright.....	86	

Total to counties.....	98,111	369
Reserve for new farms.....	101	
Reserve for appeals, corrections, and missed farms.....	100	
State total.....	98,312	

KANSAS

Allen.....	23,413	25
Anderson.....	24,796	50
Atchison.....	21,733	40
Barber.....	95,460	50
Barton.....	186,660	50
Bourbon.....	18,135	30
Brown.....	28,251	15
Butler.....	51,676	50
Chase.....	15,092	20
Chautauqua.....	10,877	10
Cherokee.....	48,813	50
Cheyenne.....	88,294	20
Clark.....	77,663	30
Clay.....	73,748	35
Cloud.....	93,204	50
Coffey.....	21,530	30
Comanche.....	78,201	30
Cowley.....	78,548	50
Crawford.....	29,103	30
Decatur.....	76,904	20
Dickinson.....	110,601	25
Doniphan.....	13,360	35
Douglas.....	24,056	40
Edwards.....	117,188	30
Elk.....	11,237	25
Ellis.....	117,120	50
Ellsworth.....	89,868	25
Finney.....	144,941	30
Ford.....	201,287	50
Franklin.....	22,119	25
Geary.....	19,494	25
Gove.....	90,382	20
Graham.....	88,889	20
Grant.....	67,824	20
Gray.....	152,784	20
Greenwood.....	107,079	20
Hamilton.....	15,234	25
Harper.....	107,445	20
Harvey.....	151,967	50
Haskell.....	78,320	50
Hodgeman.....	112,854	20
Jackson.....	118,167	40
Jefferson.....	27,308	40
Jewell.....	22,520	25
Johnson.....	94,010	50
Kearny.....	17,656	50
Kingman.....	80,304	20
Kiowa.....	132,060	50
Labette.....	90,954	25
Lane.....	47,015	35
Leavenworth.....	90,685	30
Lincoln.....	18,135	50
Linn.....	89,448	25
Logan.....	21,109	50
Lyon.....	87,771	10
McPherson.....	30,300	50
Marion.....	156,444	50
Marshall.....	93,729	30
Marshall.....	61,889	50
Meade.....	125,970	20
Miami.....	23,233	35
Mitchell.....	130,488	25
Montgomery.....	34,941	25
Morris.....	33,566	25

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Morton.....	66,863	20
Nemaha.....	26,949	25
Neosho.....	35,195	25
Ness.....	154,329	40
Norton.....	66,587	30
Osage.....	21,835	30
Osborne.....	112,030	30
Ottawa.....	90,106	50
Pawnee.....	155,781	30
Phillips.....	74,138	30
Pottawatomie.....	29,272	25
Pratt.....	135,471	50
Rawlins.....	93,632	10
Reno.....	213,970	50
Republic.....	71,352	50
Rice.....	128,222	50
Riley.....	21,010	25
Rooks.....	110,630	20
Rush.....	144,710	30
Russell.....	115,621	30
Saline.....	95,850	25
Scott.....	91,277	30
Sedgwick.....	147,152	50
Seward.....	77,291	20
Shawnee.....	27,647	50
Sheridan.....	91,667	25
Sherman.....	117,488	25
Smith.....	87,149	10
Stafford.....	130,435	50
Stanton.....	96,786	20
Stevens.....	77,626	20
Sumner.....	224,679	50
Thomas.....	141,746	10
Trego.....	99,348	30
Wabunsee.....	21,396	50
Wallace.....	64,654	20
Washington.....	67,799	30
Wichita.....	85,279	20
Wilson.....	35,596	30
Woodson.....	12,348	25
Wyandotte.....	2,479	20

Total to counties.....	8,278,804	3,380
Reserve for new farms.....	500	
Reserve for appeals, corrections and missed farms.....	500	
State total.....	8,279,804	

KENTUCKY

Adair.....	668	
Allen.....	1,370	
Anderson.....	125	
Ballard.....	1,644	
Barren.....	1,281	
Bath.....	864	
Bell.....		
Boone.....	489	
Bourbon.....	3,328	
Boyd.....	1	
Boyle.....	1,383	
Bracken.....	821	
Breathitt.....		
Breckinridge.....	4,101	
Bullitt.....	914	
Butler.....	677	
Caldwell.....	1,574	
Calloway.....	3,194	
Campbell.....	147	
Carlisle.....	669	
Carroll.....	144	
Carter.....	35	
Casey.....	302	
Christian.....	14,698	
Clark.....	423	
Clay.....		
Clinton.....	374	
Crittenden.....	1,297	
Cumberland.....	64	
Daviess.....	4,682	
Edmonson.....	268	
Elliott.....	10	
Estill.....	10	
Fayette.....	1,113	
Fleming.....	696	
Floyd.....		
Franklin.....	313	
Fulton.....	2,897	
Gallatin.....	104	
Garrard.....	479	
Grant.....	60	
Graves.....	3,448	
Grayson.....	2,417	
Green.....	970	
Greenup.....	73	
Hancock.....	1,048	
Hardin.....	2,614	
Harlan.....		

KENTUCKY—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Harrison	1,331	
Hart	173	
Henderson	3,660	
Henry	729	
Hickman	3,356	
Hopkins	3,053	
Jackson	18	
Jefferson	1,137	
Jessamine	443	
Johnson		
Kenton	40	
Knott		
Knox	4	
Larue	1,331	
Laurel	14	
Lawrence		
Lee	6	
Leslie		
Letcher		
Lewis	252	
Lincoln	909	
Livingston	474	
Logan	13,700	
Lyon	831	
McCracken	748	
McCreary		
McLean	1,987	
Madison	249	
Magoffin		
Marion	1,063	
Marshall	959	
Martin		
Mason	2,674	
Meade	2,958	
Menifee		
Mercer	886	
Metcalf	251	
Monroe	953	
Montgomery	620	
Morgan	4	
Muhlenberg	1,990	
Nelson	2,520	
Nicholas	620	
Ohio	622	
Oldham	1,219	
Owen	98	
Owsley		
Pendleton	434	
Perry		
Pike	7	
Powell	703	
Pulaski	112	
Robertson	53	
Rockcastle	15	
Rowan	245	
Russell	1,478	
Scott	1,982	
Shelby	9,523	
Simpson	479	
Spencer	2,543	
Taylor	8,518	
Todd	4,347	
Trigg	954	
Trimble	6,044	
Union	3,587	
Warren	1,253	
Washington	1,071	
Wayne	4,141	
Webster		
Whitley		
Wolfe		
Woodford	1,316	
Total to counties	162,496	
Reserve for new farms	200	
Reserve for appeals, corrections and missed farms	150	
State total	162,846	

LOUISIANA

Parish	Acreage apportioned to parishes from State allotments	Parish reserve for appeals and corrections
Acadia	149	
Allen	39	
Ascension		
Assumption		
Avoyelles	12	
Beauregard		
Bienville		
Bossier	542	

LOUISIANA—Continued

Parish	Acreage apportioned to parishes from State allotments	Parish reserve for appeals and corrections
Caddo	211	
Calcasieu		
Caldwell	123	
Cameron		
Catahoula	37	
Claiborne	2	
Concordia	831	
De Soto	13	
East Baton Rouge	37	
East Carroll	12,384	
East Feliciana	1	
Evangeline	15	
Franklin	333	
Grant		
Iberia		
Iberville		
Jackson	2	
Jefferson		
Jefferson Davis	61	
Lafayette	19	
Lafourche		
La Salle	7	
Lincoln		
Livingston		
Madison	5,155	
Morehouse	1,015	
Natchitoches	127	
Orleans		
Ouachita	104	
Plaquemines		
Pointe Coupee	84	
Rapides	58	
Red River	443	
Richland	281	
Sabine		
St. Bernard		
St. Charles		
St. Helena		
St. James	11	
St. John the Baptist		
St. Landry	193	
St. Martin		
St. Mary		
St. Tammany		
Tangipahoa		
Tensas	5,703	
Terrebonne		
Union		
Vermillion	5	
Vernon		
Washington		
Webster	42	
West Baton Rouge		
West Carroll	2,164	
West Feliciana		
Winn		
Total to parishes	30,203	
Reserve for new farms	0	
Reserve for appeals, corrections and missed farms	0	
State total	30,203	

MAINE

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Androscoggin		
Aroostook	115	
Cumberland		
Franklin		
Hancock		
Kennebec	7	
Knox		
Lincoln		
Oxford		
Penobscot	8	
Piscataquis		
Sagadahoc		
Somerset	21	
Washington	22	
Waldo	1	
York	11	
Total to counties	185	
Reserve for new farms	6	
Reserve for appeals, corrections and missed farms	6	
State total	197	

MARYLAND

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Allegany	679	5
Anne Arundel	1,022	10
Baltimore	3,964	10
Calvert	672	3
Caroline	8,085	26
Carroll	12,229	75
Cecil	5,747	25
Charles	2,848	10
Dorchester	7,347	40
Frederick	13,538	80
Garrett	883	20
Harford	3,150	20
Howard	2,881	20
Kent	8,351	20
Montgomery	5,222	25
Prince Georges	2,045	10
Queen Annes	11,983	25
St. Marys	4,430	20
Somerset	324	5
Talbot	10,856	30
Washington	9,509	50
Wicomico	190	1
Worcester	588	10
Total to counties	116,541	534
Reserve for new farms	100	
Reserve for appeals, corrections and missed farms	50	
State total	116,691	

MASSACHUSETTS

Barnstable		
Berkshire	62	
Bristol	4	
Dukes	5	
Essex	10	
Franklin	16	
Hampden	18	
Hampshire		
Middlesex		
Nantucket		
Norfolk		
Plymouth		
Suffolk		
Worcester	6	
Total to counties	111	
Reserve for new farms	2	
Reserve for appeals, corrections and missed farms	2	
State total	115	

MICHIGAN

Alcona	2,007	19
Alger	3	
Allegan	18,974	35
Alpena	5,242	5
Antrim	650	5
Arenac	4,616	10
Baraga	4	
Barry	16,420	40
Bay	19,077	25
Benzie	161	1
Berrien	12,671	10
Branch	20,187	25
Calhoun	24,533	50
Cass	12,996	40
Charlevoix	701	5
Cheboygan	652	5
Chippewa	479	5
Clare	2,716	10
Clinton	27,621	50
Crawford	9	
Delta	138	
Dickinson	3	
Eaton	27,346	30
Emmet	599	5
Genesee	21,387	25
Gladwin	3,941	5
Gogebic		
Grand Traverse	1,764	6
Gratiot	20,031	50
Hillsdale	21,400	100
Houghton	18	
Huron	44,377	25
Ingham	20,421	50
Ionia	25,323	50
Iosco	1,332	10
Iron		
Isabella	16,394	10
Jackson	18,037	50
Kalamazoo	19,074	30

RULES AND REGULATIONS

MICHIGAN—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Kalkaska	297	2
Kent	16,535	60
Keweenaw		
Lake	588	3
Lapeer	21,207	50
Leelanau	751	5
Lenawee	36,471	25
Livingston	15,901	25
Luce	25	
Mackinac	78	
Macomb	11,392	25
Manistee	828	5
Marquette		
Mason	4,399	
Mecosta	6,685	20
Menominee	144	5
Midland	8,937	15
Missaukee	2,673	10
Monroe	26,701	10
Montcalm	20,104	30
Montmorency	1,127	20
Muskegon	3,943	10
Newaygo	5,544	50
Oakland	9,638	30
Oceana	3,221	10
Ogemaw	2,257	10
Ontonagon	22	
Oscoda	4,161	5
Oscoda	149	
Otsego	296	5
Ottawa	13,548	50
Presque Isle	3,080	10
Roscommon	90	1
Saginaw	37,599	25
St. Clair	24,237	25
St. Joseph	18,653	25
Sanilac	42,016	10
Schoolcraft	10	
Shiawassee	27,528	50
Tuscola	38,944	40
Van Buren	9,320	30
Washtenaw	22,268	50
Wayne	5,032	50
Wexford	905	12
Total to counties	867,668	1,585
Reserve for new farms	175	
Reserve for appeals, corrections and missed farms	25	
State total	867,868	

MINNESOTA

Aitkin	157	1
Anoka	91	1
Becker	13,963	25
Beltrami	1,362	5
Benton	144	2
Big Stone	14,185	25
Blue Earth	11,121	10
Brown	4,425	5
Carlton	8	
Carver	1,545	2
Cass	67	2
Chippewa	8,335	15
Chisago	185	5
Clay	60,127	25
Clearwater	4,733	5
Cook		
Cottonwood	4,509	20
Crow Wing	58	2
Dakota	4,867	20
Dodge	2,540	5
Douglas	8,566	15
East Ottertail	4,319	10
East Polk	10,094	50
Faribault	10,374	10
Fillmore	914	5
Freeborn	7,616	25
Goodhue	5,086	15
Grant	12,497	10
Hennepin	394	5
Houston	294	5
Hubbard	406	2
Isanti	611	2
Itasca	97	2
Jackson	2,280	10
Kanabe	52	1
Kandiyohi	4,962	15
Kittson	70,876	25
Koochiching	966	
Lac qui Parle	15,803	25
Lake		
Lake of the Woods	4,038	5
Le Sueur	8,164	15
Lincoln	3,334	10
Lyon	3,407	15

MINNESOTA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
McLeod	2,927	10
Mahnomen	9,999	15
Marshall	83,525	75
Martin	950	5
Meeker	3,853	5
Mille Lacs	160	8
Morrison	527	3
Mower	3,009	5
Murray	1,471	5
Nicollet	5,187	15
Nobles	1,671	5
Norman	49,325	10
St. Louis	222	2
Olmsted	1,755	10
Pennington	9,922	35
Pine	46	1
Pipestone	165	3
Pope	7,721	12
Ramsey		
Red Lake	8,663	15
Redwood	8,051	20
Renville	12,699	25
Rice	4,622	5
Rock	343	5
Roseau	22,402	25
Scott	2,257	5
Sherburne	582	2
Sibley	7,125	20
S. St. Louis	33	1
Stearns	2,274	20
Steele	3,918	10
Stevens	11,679	20
Swift	10,129	20
Todd	986	15
Traverse	17,053	20
Wabasha	1,699	10
Wadena	230	1
Waseca	8,902	10
Washington	572	10
Watsonwan	1,313	5
West Ottertail	22,966	20
West Polk	87,186	50
Wilkin	39,949	20
Winona	570	5
Wright	3,384	15
Yellow Medicine	10,730	30
Total to counties	777,744	1,085
Reserve for new farms, appeals, corrections and missed farms	301	
State total	778,045	

MISSISSIPPI

Adams	19	
Alcorn	24	
Amite		
Attala	9	
Benton	41	
Bolivar	7,223	
Calhoun	4	
Carroll	114	
Chickasaw	51	
Choctaw		
Clabornne	42	
Clarke		
Clay	113	
Coahoma	4,827	
Copiah	12	
Covington	16	
De Soto	2,568	
Forrest		
Franklin		
George	3	
Greene		
Grenada		
Hancock		
Harrison		
Hinds	61	
Holmes	122	
Humphreys	1,787	
Issaquena	756	
Itawamba	24	
Jackson	10	
Jasper		
Jefferson	43	
Jefferson Davis	35	
Jones	7	
Kemper	50	
Lafayette	11	
Lamar		
Lauderdale		
Lawrence	3	
Leake		
Lee	52	
Leflore	785	
Lincoln		
Lowndes	682	

MISSISSIPPI—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Madison		80
Marion		
Marshall		100
Monroe		33
Montgomery		13
Neshoba		3
Newton		
Noxubee		144
Oktibbeha		41
Panola		556
Pearl River		
Perry		8
Pike		8
Pontotoc		319
Prentiss		4
Quitman		1,935
Rankin		
Scott		8
Sharkey		1,637
Simpson		
Smith		
Stone		
Sunflower		2,605
Tallahatchie		2,530
Tate		228
Tippah		5
Tishomingo		12
Tunica		7,471
Union		54
Walthall		
Warren		12
Washington		2,904
Wayne		
Webster		80
Wilkinson		7
Winston		
Yalobusha		61
Yazoo		3,092
Total to counties	43,834	
Reserve for new farms	50	
Reserve for appeals, corrections and missed farms	8	
State total	43,892	

MISSOURI

Adair	5,690
Andrew	8,288
Atchison	8,715
Audrain	19,986
Barry	5,581
Barton	33,085
Bates	27,470
Benton	7,834
Bollinger	5,018
Boone	12,902
Buchanan	17,950
Butler	11,928
Caldwell	11,611
Callaway	13,488
Camden	577
Cape Girardeau	13,293
Carroll	33,685
Carter	240
Cass	16,324
Cedar	9,837
Chariton	22,896
Christian	3,007
Clark	9,252
Clay	8,988
Clinton	8,392
Cole	8,609
Cooper	16,524
Crawford	1,771
Dade	17,022
Dallas	3,297
Daviess	16,562
De Kalb	11,228
Dent	1,384
Douglas	9,02
Dunklin	23,899
Franklin	15,783
Gasconade	9,429
Gentry	9,670
Greene	8,961
Grundy	5,300
Harrison	10,337
Henry	18,497
Hickory	8,420
Holt	12,326
Howard	12,524
Howell	1,378
Iron	190
Jackson	12,264
Jasper	32,934
Jefferson	5,062
Johnson	17,398

RULES AND REGULATIONS

MISSOURI—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Knox	9,026	
Laclede	2,906	
Lafayette	22,323	
Lawrence	15,713	
Lewis	14,520	
Lincoln	17,389	
Linn	8,293	
Livingston	12,636	
McDonald	2,631	
Macon	10,237	
Madison	968	
Maries	4,327	
Marion	14,772	
Mercer	3,626	
Miller	5,461	
Mississippi	15,216	
Moniteau	9,862	
Monroe	17,259	
Montgomery	15,304	
Morgan	6,372	
New Madrid	25,240	
Newton	14,825	
Nodaway	9,231	
Oregon	1,027	
Ossage	8,729	
Ozark	689	
Pemiscot	18,021	
Perry	13,367	
Pettis	18,835	
Phelps	2,381	
Pike	14,631	
Platte	21,961	
Polk	8,881	
Pulaski	935	
Putnam	1,286	
Ralls	13,064	
Randolph	9,973	
Ray	20,894	
Reynolds	458	
Ripley	1,855	
St. Charles	28,030	
St. Clair	14,879	
St. Francois	1,812	
St. Louis	11,346	
Ste. Genevieve	5,274	
Saline	25,639	
Schuyler	1,557	
Scotland	5,366	
Scott	17,935	
Shannon	492	
Shelby	14,576	
Stoddard	29,618	
Stone	739	
Sullivan	3,121	
Taney	98	
Texas	3,442	
Vernon	28,597	
Warren	11,911	
Washington	1,763	
Wayne	1,354	
Webster	3,069	
Worth	3,402	
Wright	1,350	
Total to counties	1,221,867	
Reserve for new farms	800	
Reserve for appeals, corrections and missed farms	402	
State total	1,223,069	

MONTANA

Beaverhead	7,161	
Big Horn	51,036	
Blaine	64,320	
Broadwater	19,786	
Carbon	22,224	
Carter	21,399	
Cascade	97,804	
Chouteau	253,770	
Custer	16,744	
Daniels	149,779	
Dawson	97,585	
Deer Lodge	794	
Fallon	62,751	
Fergus	117,637	
Flathead	19,475	
Gallatin	49,006	
Garfield	31,963	
Glacier	40,638	
Golden Valley	13,394	
Granite	705	
Hill	232,438	
Jefferson	6,577	
Judith Basin	59,985	
Lake	12,857	
Lewis and Clark	10,764	
Liberty	121,360	

MONTANA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Lincoln	357	
McCone	123,156	
Madison	7,486	
Meagher	3,235	
Mineral	478	
Missoula	5,850	
Musselshell	12,493	
Park	17,242	
Petroleum	4,922	
Phillips	66,986	
Pondera	111,539	
Powder River	21,971	
Powell	3,264	
Prairie	27,518	
Ravalli	4,689	
Richland	105,473	
Roosevelt	189,725	
Rosebud	17,031	
Sanders	4,789	
Sheridan	162,581	
Silver Bow	24	
Stillwater	45,932	
Sweet Grass	8,316	
Teton	122,466	
Toole	116,045	
Treasure	4,054	
Valley	171,547	
Wheatland	7,832	
Wibaux	40,418	
Yellowstone	62,627	
Total to counties	3,052,898	
Reserve for new farms	600	
Reserve for appeals, corrections and missed farms	1,500	
State total	3,054,998	

NEBRASKA

Adams	70,150	50
Antelope	4,473	5
Arthur	8	
Banner	40,950	30
Blaine	1	
Boone	8,959	25
Box Butte	71,510	25
Boyd	1,047	5
Brown	1,554	5
Buffalo	33,373	50
Burt	7,414	5
Butler	36,151	30
Cass	23,519	25
Cedar	160	1
Chase	56,191	40
Cherry	846	6
Cheyenne	119,930	40
Clay	65,548	50
Colfax	14,544	20
Cumming	1,309	5
Custer	40,726	40
Dakota	185	2
Dawes	34,352	25
Dawson	14,743	30
Deuel	50,209	10
Dixon	62	
Dodge	10,629	30
Douglas	3,064	3
Dundy	23,407	50
Fillmore	65,176	75
Franklin	34,631	50
Frontier	41,271	50
Furnas	47,756	10
Gage	63,770	50
Garden	30,839	25
Garfield	257	1
Gosper	23,309	30
Grant		
Greeley	8,450	25
Hall	28,031	50
Hamilton	45,580	50
Harlan	41,751	40
Hayes	31,612	20
Hitchcock	53,144	40
Holt	4,388	5
Hooker		
Howard	20,149	30
Jefferson	45,317	50
Johnson	18,648	25
Kearney	53,717	25
Keith	52,931	50
Keya Paha	740	3
Kimball	96,717	30
Knox	2,475	5
Lancaster	54,072	50
Lincoln	42,709	50
Logan	5,821	5
Loup	146	1
McPherson	124	

NEBRASKA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Madison	4,128	15
Merrick	18,123	25
Morrill	26,898	50
Nance	17,011	25
Nemaha	18,954	25
Nuckolls	39,803	50
Otoe	31,375	30
Pawnee	12,691	20
Perkins	99,737	50
Phelps	42,127	25
Pierce	939	2
Platte	18,123	30
Polk	27,645	20
Red Willow	48,855	30
Richardson	21,428	25
Rock	30	1
Saline	58,281	50
Sarpy	4,265	4
Saunders	29,097	50
Scotts Bluff	12,539	15
Seward	43,809	50
Sheridan	43,716	15
Sherman	12,380	25
Sioux	5,945	5
Stanton	1,240	1
Thayer	58,932	50
Thomas	6	
Thurston	276	1
Valley	13,042	25
Washington	8,042	25
Wayne	149	2
Webster	35,288	40
Wheeler	53	1
York	40,263	50
Total to counties	2,447,833	2,234
Reserve for new farms	100	
Reserve for appeals, corrections and missed farms	201	
State total	2,448,134	

NEVADA

Churchill	1,188	
Clark	25	
Douglas	104	
Elko	941	
Esmeralda	13	
Eureka	1,262	
Humboldt	3,638	
Lander	376	
Lincoln	26	
Lyon	406	
Mineral	13	
Nye	325	
Ormsby	11	
Pershing	3,104	
Storey	1	
Washoe	574	
White Pine	62	
Total to counties	12,069	
Reserve for new farms, appeals, corrections and missed farms	0	
State total	12,069	

NEW JERSEY

Atlantic	2	
Bergen		
Burlington	2,410	
Camden	160	
Cape May	38	
Cumberland	990	
Essex		
Gloucester	571	
Hudson		
Hunterdon	6,023	
Mercer	6,326	
Middlesex	4,272	
Monmouth	7,137	
Morris	289	
Ocean	167	
Passaic		
Salem	2,266	
Somerset	2,766	
Sussex	109	
Union	17	
Warren	1,939	
Total to counties	35,482	
Reserve for new farms	25	
Reserve for appeals, corrections and missed farms	26	
State total	35,533	

NEW MEXICO

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Bernalillo	875	
Catron	49	
Chaves	241	
Colfax	6,316	
Curry	154,660	50
De Baca	411	
Dona Ana	3	
Eddy	14	
Grant	85	
Guadalupe	72	
Harding	18,425	
Hidalgo	113	
Lea	704	
Lincoln	75	
Luna		
Mc Kinley	448	
Mora	940	
Otero	26	
Quay	99,645	50
Rio Arriba	5,405	
Roosevelt	46,260	10
Sandoval	620	
San Juan	375	
San Miguel	836	
Santa Fe	2,894	
Sierra	9	
Socorro	2,934	1
Taos	1,165	
Torrance	13,871	
Union	6,785	
Valencia	2,692	
Total to counties	366,948	111
Reserve for new farms, appeals, corrections, and missed farms	336	
State total	367,284	

NEW YORK

Albany	1,133	10
Allegany	2,737	10
Broome	139	
Cattaraugus	671	
Cayuga	16,967	25
Chautauqua	1,675	2
Chemung	1,593	2
Chenango	383	
Clinton	6	
Columbia	952	
Cortland	349	
Delaware	34	
Dutchess	274	
Erle	8,962	10
Essex	234	
Franklin	13	
Fulton	97	2
Genesee	18,013	10
Greene	796	
Hamilton		
Herkimer	498	
Jefferson	1,435	2
Lewis	43	
Livingston	22,830	50
Madison	1,725	
Monroe	20,325	25
Montgomery	1,366	10
Nassau	186	
New York City		
Niagara	17,277	50
Oneida	1,347	
Onondaga	7,306	11
Ontario	22,339	15
Orange	109	
Orleans	14,039	10
Oswego	1,465	
Otsego	260	
Putnam		
Rensselaer	1,007	10
Richmond		
Rockland		
St. Lawrence	53	
Saratoga	523	10
Schenectady	258	
Schoharie	1,064	10
Schuyler	4,155	7
Seneca	13,843	25
Steuben	10,570	20
Suffolk	1,262	
Sullivan	39	
Tioga	1,626	
Tompkins	5,376	25
Ulster	860	
Warren		
Washington	303	
Wayne	12,964	50
Westchester	32	
Wyoming	8,749	15

NEW YORK—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Yates	10,522	30
Total to counties	240,694	446
Reserve for new farms, appeals, corrections and missed farms	48	
State total	240,142	

NORTH CAROLINA

Alamance	6,203	
Alexander	2,309	
Alleghany	78	
Anson	5,038	
Ashe	15	
Avery	3	
Beaufort	1,453	
Bertie	149	
Bladen	1,239	
Brunswick	297	
Buncombe	170	
Burke	1,401	
Cabarrus	6,143	
Caldwell	960	
Camden	1,992	
Carteret	340	
Caswell	5,884	
Catawba	9,540	
Chatham	3,710	
Cherokee	20	
Chowan	185	
Clay	12	
Cleveland	10,909	
Columbus	1,222	
Craven	1,594	
Cumberland	5,486	
Currituck	1,879	
Dare		
Davidson	7,974	
Davie	3,180	
Duplin	2,708	
Durham	1,337	
Edgecombe	2,387	
Forsyth	3,865	
Franklin	5,437	
Gaston	4,851	
Gates	649	
Graham		
Granville	3,669	
Greene	2,275	
Guilford	8,344	
Halifax	2,363	
Harnett	7,780	
Haywood	11	
Henderson	77	
Hertford	456	
Hoke	2,795	
Hyde	1,075	
Iredell	11,996	
Jackson	3	
Johnston	8,017	
Jones	533	
Lee	2,631	
Lenoir	2,631	
Lincoln	7,883	
McDowell	390	
Macon	15	
Madison	72	
Martin	198	
Mecklenburg	3,756	
Mitchell		
Montgomery	2,146	
Moore	3,882	
Nash	6,502	
New Hanover	104	
Northampton	1,487	
Orange	448	
Onslow	3,115	
Pamlico	731	
Pasquotank	2,091	
Pender	704	
Perquimans	1,306	
Person	5,682	
Pitt	2,408	
Polk	874	
Randolph	7,834	
Richmond	2,966	
Robeson	6,037	
Rockingham	8,018	
Rowan	12,183	
Rutherford	4,109	
Sampson	4,856	
Scotland	1,336	
Stanly	10,909	
Stokes	2,894	
Surry	2,887	
Swain		
Transylvania	5	
Tyrrell	383	
Union	11,673	
Vance	3,253	

NORTH CAROLINA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Wake	7,211	
Warren	5,668	
Washington	566	
Watauga	19	
Wayne	4,003	
Wilkes	1,925	
Wilson	5,368	
Yadkin	6,153	
Yancey	3	
Total to counties	307,328	
Reserve for new farms, appeals, corrections and missed farms	296	
State total	307,624	

NORTH DAKOTA

Adams	111,024	0
Barnes	138,117	100
Benson	140,956	150
Billings	28,184	0
Bottineau	195,333	200
Bowman	93,941	20
Burke	106,721	109
Burleigh	76,608	78
Cass	147,444	125
Cavalier	163,157	167
Dickey	54,805	10
Divide	138,362	141
Dunn	99,088	0
Eddy	44,416	45
Emmons	101,855	105
Foster	52,768	54
Golden Valley	58,362	0
Grand Forks	133,009	137
Grant	104,436	90
Griggs	52,949	50
Hettinger	156,160	50
Kidder	60,699	62
La Moure	103,212	106
Logan	77,313	79
McHenry	146,618	150
McIntosh	90,396	92
McKenzie	118,572	100
McLean	208,301	213
Mercer	75,940	60
Morton	116,861	50
Mountrail	163,918	168
Nelson	90,806	93
Oliver	43,684	45
Pembina	130,443	60
Pierce	114,349	117
Ramsey	149,878	75
Ransom	50,655	50
Renville	97,696	100
Richland	69,233	50
Rolette	79,277	0
Sargent	55,091	0
Sheridan	85,004	86
Sioux	33,319	34
Slope	77,782	30
Stark	122,847	0
Steele	61,644	50
Stutsman	190,502	100
Towner	137,283	141
Trail	76,489	78
Walsh	145,256	148
Ward	200,666	200
Wells	131,972	135
Williams	199,828	200
Total to counties	5,709,319	4,503
Reserve for new farms	400	
Reserve for appeals, corrections and missed farms	600	
State total	5,710,319	

Ohio

Adams	8,795	25
Allen	19,151	150
Ashland	15,032	20
Ashtabula	7,577	20
Athens	902	10
Angazela	18,244	150
Belmont	2,191	15
Brown	11,039	25
Butler	12,696	50
Carroll	5,995	30
Champaign	17,717	50
Clark	16,755	25
Clermont	5,764	25
Clinton	22,155	25
Columbiana	9,475	25
Coshocton	8,212	25

OHIO—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Crawford	19,594	60
Cuyahoga	440	5
Darke	28,079	150
Defiance	21,705	150
Delaware	14,203	75
Eric	11,581	40
Fairfield	22,334	75
Fayette	25,399	20
Franklin	15,133	100
Fulton	21,019	100
Gallia	1,070	8
Geauga	2,607	20
Greene	18,967	50
Guernsey	2,428	15
Hamilton	1,866	15
Hancock	31,302	100
Hardin	20,289	100
Harrison	1,804	20
Henry	27,610	200
Highland	22,456	40
Hocking	2,590	20
Holmes	12,255	25
Huron	22,892	50
Jackson	1,568	10
Jefferson	2,387	20
Knox	16,587	50
Lake	939	25
Lawrence	379	5
Licking	18,462	125
Logan	14,616	90
Lorain	11,304	50
Lucas	11,756	25
Madison	23,092	50
Mahoning	6,836	50
Marion	17,073	65
Medina	10,654	30
Melgs	1,319	10
Mercer	22,305	75
Miami	21,287	75
Monroe	949	10
Montgomery	14,962	75
Morgan	1,688	10
Morrow	13,089	100
Muskingum	6,749	25
Noble	6,697	10
Ottawa	14,686	50
Paulding	22,469	80
Perry	6,943	40
Pickaway	31,109	50
Pike	3,005	25
Portage	7,394	50
Preble	18,041	100
Putnam	30,628	100
Richland	16,525	55
Ross	22,930	75
Sandusky	22,822	50
Scioto	2,540	10
Seneca	32,010	15
Shelby	18,419	50
Stark	14,248	75
Summit	2,720	20
Trumbull	5,795	15
Tuscarawas	8,469	25
Union	15,775	40
Van Wert	23,872	100
Vinton	821	10
Warren	12,356	25
Washington	2,501	15
Wayne	22,892	100
Williams	20,655	100
Wood	42,040	175
Wyandot	22,170	35
Total to counties	1,190,897	4,578
Reserve for new farms	200	
Reserve for appeals, corrections and missed farms	103	
State total	1,191,200	

OKLAHOMA

Adair	582	
Alfalfa	166,945	
Atoka	104	
Beaver	201,876	
Beckham	36,425	
Blaine	122,328	
Bryan	3,751	
Caddo	77,084	
Canadian	107,363	
Carter	608	
Cherokee	435	
Choctaw	110	
Cimarron	145,608	
Cleveland	7,211	
Coal	300	
Comanche	43,303	
Cotton	78,564	
Craig	14,720	

OKLAHOMA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Creek	1,329	
Custer	126,053	
Delaware	5,921	
Dewey	86,332	
Ellis	90,159	
Garfield	210,480	
Garvin	7,670	
Grady	41,878	
Grant	210,856	
Greer	51,440	
Harmon	48,290	
Harper	101,635	
Haskell	1,327	
Hughes	412	
Jackson	104,633	
Jefferson	6,730	
Johnston	511	
Kay	144,947	
Kingfisher	161,763	
Kiowa	144,590	
Latimer	6	
Le Flore	3,124	
Lincoln	8,438	
Logan	56,159	
Love	901	
McClain	10,247	
McCurtain	58	
McIntosh	1,115	
Major	105,381	
Marshall	949	
Mayes	7,177	
Murray	1,714	
Muskogee	7,897	
Noble	86,462	
Nowata	1,510	
Okfuskee	8,642	
Oklahoma	18,241	
Okmulgee	1,042	
Osage	18,471	
Ottawa	18,997	
Pawnee	14,392	
Payne	16,620	
Pittsburg	754	
Pontotoc	655	
Pottawatomie	8,736	
Pushmataha	8	
Roger Mills	40,432	
Rogers	8,113	
Seminole	1,012	
Sequoyah	4,020	
Stephens	13,650	
Texas	303,372	
Tillman	129,618	
Tulsa	5,406	
Wagoner	10,773	
Washington	5,020	
Washita	125,277	
Woods	135,339	
Woodward	79,996	
Total to counties	3,813,996	
Reserve for new farms, appeals, corrections and missed farms	600	
State total	3,814,596	

OREGON

Baker	12,096	25
Benton	3,835	30
Chackamas	6,675	60
Clatsop		
Columbia	79	
Coos		
Crook	2,537	20
Curry		
Deschutes	710	
Douglas	428	5
Gilliam	70,309	150
Grant	1,471	
Harney	1,655	
Hood River	3	
Jackson	652	10
Jefferson	21,215	150
Josephine	21	10
Klamath	7,941	50
Lake	12,359	20
Lane	3,556	10
Lincoln		
Linn	5,074	50
Malheur	11,985	75
Marion	14,720	350
Morrow	93,415	200
Multnomah	362	
Polk	10,764	20
Sherman	76,731	100
Tillamook		
Umatilla	156,786	25
Union	34,185	100
Wallowa	18,629	100

OREGON—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Wasco	51,002	
Washington	13,384	
Wheeler	4,653	50
Yamhill	14,658	100
Total to counties	652,140	1,710
Reserve for new farms	300	
Reserve for appeals, corrections and missed farms	498	
State total	652,938	

PENNSYLVANIA

Adams	13,588	15
Allegheny	1,546	10
Armstrong	5,870	5
Beaver	2,572	5
Bedford	7,170	25
Berks	19,654	50
Blair	4,021	10
Bradford	1,709	5
Bucks	11,849	15
Butler	7,226	
Cambria	3,208	10
Cameron	19	
Carbon	1,896	15
Centre	10,307	20
Chester	9,052	25
Clarion	4,985	8
Clearfield	1,745	10
Clinton	3,359	15
Columbia	11,616	43
Crawford	5,400	30
Cumberland	15,285	30
Dauphin	8,621	10
Delaware	249	10
Elk	195	3
Erie	5,048	25
Fayette	2,680	10
Forest	138	2
Franklin	19,791	50
Fulton	5,021	15
Greene	673	10
Huntingdon	5,643	18
Indiana	5,946	10
Jefferson	3,201	5
Junata	6,148	15
Lackawana	80	2
Lancaster	33,892	30
Lawrence	6,161	15
Lebanon	8,489	20
Lehigh	10,786	30
Luzerne	2,848	5
Lycoming	8,773	20
McKean	71	
Mercer	7,820	10
Mifflin	4,889	15
Monroe	1,743	5
Montgomery	7,433	30
Montour	5,217	10
Northampton	7,443	10
Northumberland	10,893	20
Perry	9,097	50
Philadelphia		
Pike	31	
Potter	599	5
Schuylkill	7,004	20
Snyder	7,430	50
Somerset	4,048	25
Sullivan	131	8
Susquehanna	133	
Tioga	1,180	5
Union	5,967	20
Venango	2,247	5
Warren	548	10
Washington	3,605	5
Wayne	26	
Westmoreland	6,353	25
Wyoming	390	10
York	31,054	50
Total to counties	401,866	1,030
Reserve for new farms, appeals, corrections and missed farms	179	
State total	402,045	

RHODE ISLAND

Bristol		
Kent		
Newport	32	
Providence		



RULES AND REGULATIONS

RHODE ISLAND—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Washington	74	
Total to counties	106	
Reserve for new farms, appeals, corrections and missed farms	1	
State total	107	

SOUTH CAROLINA

Abbeville	4,387	
Alken	5,813	
Allendale	3,109	
Anderson	17,332	
Bamberg	2,034	
Barnwell	2,348	
Beaufort	4	
Berkeley	237	
Calhoun	6,410	
Charleston	110	
Cherokee	4,390	
Chester	1,375	
Chesterfield	2,530	
Clarendon	2,236	
Colleton	360	
Darlington	5,387	
Dillon	1,732	
Dorchester	1,148	
Edgefield	2,331	
Fairfield	566	
Florence	2,649	
Georgetown	1,153	
Greenville	5,534	
Greenwood	1,801	
Hampton	1,755	
Horry	898	
Jasper	34	
Kershaw	2,088	
Lancaster	1,091	
Laurens	6,455	
Lee	4,839	
Lexington	3,532	
McCormick	520	
Marion	469	
Marlboro	2,074	
Newberry	3,504	
Oconee	3,841	
Orangeburg	8,897	
Pickens	2,747	
Richland	3,028	
Saluda	3,016	
Spartanburg	10,980	
Sumter	4,674	
Union	1,216	
Williamsburg	842	
York	3,032	
Total to counties	142,018	
Reserve for new farms	25	
Reserve for appeals, corrections and missed farms	49	
State total	142,092	

SOUTH DAKOTA

Aurora	8,784	15
Beadle	62,935	50
Bennett	36,429	20
Bon Homme	3,495	15
Brookings	5,492	15
Brown	146,122	100
Brule	10,124	30
Buffalo	4,077	10
Butte	11,440	10
Campbell	65,489	30
Charles Mix	25,060	50
Clark	50,636	25
Clay	3,683	25
Codington	23,769	25
Corson	88,028	25
Custer	2,896	10
Davison	1,696	10
Day	58,426	25
Deuel	4,189	25
Dewey	45,766	30
Douglas	5,382	10
Edmunds	97,870	50
Fall River	12,098	15
Faulk	64,415	35
Grant	14,135	25
Gregory	12,493	30
Haakon	28,546	10
Hamlin	9,842	25
Hand	54,686	25
Hanson	1,587	10
Harding	31,969	25
Hughes	35,190	30

SOUTH DAKOTA—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Hutchinson	5,748	25
Hyde	15,533	25
Jackson	10,479	20
Jerauld	16,064	25
Jones	36,312	20
Kingsbury	24,617	25
Lake	2,452	5
Lawrence	3,338	
Lincoln	2,277	10
Lyman	69,044	50
McCook	1,208	10
McPherson	70,747	10
Marshall	42,793	25
Meade	49,379	30
Mellette	20,764	25
Miner	4,312	15
Minnehaha	348	
Moody	454	
Pennington	34,917	
Perkins	108,200	75
Potter	75,028	50
Roberts	38,486	65
Sanborn	2,987	10
Shannon	14,769	10
Spink	181,498	100
Stanley	20,956	30
Sully	54,047	50
Todd	7,867	10
Tripp	58,989	50
Turner	2,338	15
Union	6,593	10
Walworth	66,136	15
Washabaug	11,575	20
Yankton	1,701	20
Ziebach	28,425	20
Total to counties	2,141,290	1,705
Reserve for new farms	1,000	
Reserve for appeals, corrections and missed farms	998	
State total	2,143,388	

TENNESSEE

Anderson	32	
Bedford	4,362	
Benton	630	
Bledsoe	512	
Blount	2,007	
Bradley	628	
Campbell	73	
Cannon	325	
Carroll	706	
Carter	158	
Cheatham	1,412	
Chester	109	
Claiborne	1,377	
Clay	462	
Coke	905	
Coffee	2,600	
Crockett	484	
Cumberland	134	
Davidson	492	
Decatur	50	
De Kalb	625	
Dickson	942	
Dyer	4,687	
Fayette	4	
Fentress	322	
Franklin	5,142	
Gibson	1,726	
Giles	2,803	
Grainger	997	
Greene	4,735	
Grundy	465	
Hamblen	2,627	
Hamilton	271	
Hancock	454	
Hardeman	117	
Hardin	648	
Hawkins	3,070	
Haywood	388	
Henderson	84	
Henry	2,415	
Hickman	511	
Houston	368	
Humphreys	646	
Jackson	117	
Jefferson	3,619	
Johnson	213	
Knox	617	
Lake	2,413	
Lauderdale	1,618	
Lawrence	4,508	
Lewis	77	
Lincoln	3,005	
Loudon	1,670	
McMinn	816	

TENNESSEE—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
McNairy		29
Macon		829
Madison		225
Marion		247
Marshall		2,531
Maury		7,494
Meigs		616
Monroe		2,064
Montgomery		5,177
Moore		231
Morgan		98
Obion		6,220
Overton		710
Perry		149
Pickett		397
Polk		392
Putnam		887
Rhea		518
Roane		360
Robertson		16,473
Rutherford		2,747
Scott		
Squatchie		163
Sevier		1,961
Shelby		540
Smith		397
Stewart		324
Sullivan		1,090
Sumner		3,796
Tipton		1,360
Trousdale		317
Union		55
Union		108
Van Buren		114
Warren		2,002
Washington		2,335
Wayne		566
Weakley		2,950
White		1,080
Williamson		3,995
Wilson		947
Total to counties	142,632	
Reserve for new farms, appeals, corrections and missed farms	151	
State total	142,783	

TEXAS

Anderson		
Andrews		
Angelina		
Aransas		
Aicher		22,539
Armstrong		65,811
Atascosa		154
Austin		
Bailey		18,946
Bandera		21
Bastrop		16
Baylor		51,016
Bee		24
Bell		5,993
Bexar		1,172
Blanco		527
Borden		973
Bosque		3,664
Bowie		168
Brazoria		
Brazos		7
Brewster		
Briscoe		39,492
Brooks		
Brown		12,636
Burleson		
Burnet		902
Caldwell		5
Calhoun		
Callahan		14,856
Cameron		
Camp		
Carson		117,250
Cass		
Castro		77,254
Chambers		
Cherokee		4
Childress		34,059
Clay		22,274
Cochran		2,619
Coke		1,528
Coleman		20,427
Collin		39,115
Collingsworth		19,884
Colorado		4
Comal		286
Comanche		1,346
Concho		18,150
Cooke		17,688

RULES AND REGULATIONS

TEXAS—Continued

TEXAS—Continued

TEXAS—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Coryell	9,758	
Cottle	19,821	
Crane		
Crockett		
Crosby	27,218	
Culberson	5	
Dallam	54,852	
Dallas	16,110	
Dawson	644	
Deaf Smith	144,549	
Delta	1,405	
Denton	25,972	
De Witt	2	
Dickens	17,631	
Dimmit	4	
Donley	12,191	
Duval		
Eastland	3,175	
Ector		
Edwards	4	
Ellis	12,456	
El Paso		
Erath	723	
Falls	1,335	
Fannin	15,430	
Fayette		
Fisher	22,811	
Floyd	98,645	
Foard	52,947	
Fort Bend		
Franklin		
Freestone		
Frio	35	
Gaines	1,762	
Galveston		
Garza	904	
Gillespie	5,571	
Glasscock	200	
Gollad		
Gonzales	9	
Gray	64,673	
Grayson	37,538	
Gregg		
Grimes		
Guadalupe	777	
Hale	46,726	
Hall	9,656	
Hamilton	5,136	
Hansford	173,407	
Hardeman	66,967	
Hardin		
Harris		
Harrison		
Hartley	67,834	
Haskell	39,158	
Hayes	38	
Hemphill	26,583	
Henderson	46	
Hidalgo		
Hill	6,507	
Hockley	626	
Hood	113	
Hopkins	53	
Houston	7	
Howard	1,296	
Hudspeth		
Hunt	8,973	
Hutchinson	50,373	
Irion	38	
Jack	2,956	
Jackson	55	
Jasper		
Jeff Davis		
Jefferson		
Jim Hogg		
Jim Wells		
Johnson	3,167	
Jones	46,859	
Karnes	1,076	
Kaufman	3,452	
Kendall	1,564	
Kenedy		
Kent	3,766	
Kerr	1,152	
Kimble	186	
King	4,358	
Kinney		
Kleberg		
Knox	39,539	
Lamar	3,211	
Lamb	5,011	
Lampasas	2,088	
La Salle		
Lavaca	2	
Lee		
Leon	6	
Liberty		
Limestone	88	
Lipscomb	84,839	
Live Oak	59	
Llano	60	

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Loving		
Lubbock	3,330	
Lynn	599	
McCulloch	10,662	
McLennan	10,150	
McMullen		
Madison		
Marion		
Martin	245	
Mason	53	
Matagorda		
Maverick	19	
Medina	452	
Menard	869	
Midland	19	
Milam	854	
Mills	2,421	
Mitchell	5,323	
Montague	2,078	
Montgomery		
Moore	109,890	
Morris		
Motley	8,026	
Naacogdoches		
Navarro	2,311	
Newton		
Nolan	11,030	
Nueces		
Ochiltree	187,782	
Oldham	47,177	
Orange		
Palo Pinto	2,207	
Panola		
Parker	385	
Parmer	80,659	
Pecos	72	
Folk		
Potter	24,136	
Presidio	7	
Rains	23	
Randall	100,501	
Reagan	6	
Real		
Red River	234	
Reeves	84	
Refugio		
Roberts	22,970	
Robertson		
Rockwall	4,172	
Runnels	28,258	
Rusk		
Sabine		
San Augustine		
San Jacinto		
San Patricio		
San Saba	1,455	
Schleicher	454	
Scurry	8,136	
Shackelford	13,257	
Shelby		
Sherman	131,383	
Smith		
Somervell	30	
Starr		
Stephens	9,127	
Sterling	232	
Stonewall	16,626	
Sutton		
Swisher	92,301	
Tarrant	2,256	
Taylor	48,495	
Terrell		
Terry	6,927	
Throckmorton	24,969	
Titus		
Tom Green	1,958	
Travis	60	
Trinity		
Tyler		
Upsher		
Upton		
Uvalde	82	
Val Verde		
Van Zandt	281	
Victoria	1	
Walker	6	
Waller	29	
Ward		
Washington	11	
Webb		
Wharton	68	
Wheeler	16,916	
Wichita	42,619	
Wilbarger	68,350	
Willacy		
Williamson	937	
Wilson	582	
Winkler		
Wise	3,347	
Wood		
Yoakum	1,665	

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Young	37,544	
Zapata		
Zavala	65	
Total to counties	3,159,121	
Reserve for new farms, appeals, corrections and missed farms	1,001	
State total	3,160,122	

UTAH

Beaver	1,092
Box Elder	72,813
Cache	24,674
Carbon	836
Daggett	9
Davis	2,524
Duchesne	1,268
Emery	1,805
Garfield	847
Grand	271
Iron	4,335
Juab	15,398
Kane	487
Millard	21,026
Morgan	1,455
Piute	114
Rich	2,657
Salt Lake	13,355
San Juan	24,645
Sanpete	8,078
Sevier	1,926
Summit	692
Tooele	4,841
Uintah	2,040
Utah	12,212
Wasatch	123
Washington	4,924
Wayne	117
Weber	2,122
Total to counties	226,680
Reserve for new farms	50
Reserve for appeals, corrections and missed farms	150
State total	226,886

VERMONT

Addison	253
Bennington	
Caledonia	
Chittenden	77
Essex	
Franklin	
Grand Isle	32
Lamoille	
Orange	
Orleans	11
Rutland	
Washington	
Windham	4
Windsor	
Total to counties	377
Reserve for new farms, appeals, corrections and missed farms	5
State total	382

VIRGINIA

Accomack	640
Albemarle	915
Alleghany	61
Amelia	4,887
Amherst	949
Appomattox	4,436
Augusta	5,955
Bath	103
Bedford	4,442
Bland	573
Botetourt	955
Brunswick	3,768
Buchanan	2
Buckingham	3,657
Campbell	6,205
Caroline	4,103
Carroll	274
Charles City	2,152
Charlotte	4,945
Chesapeake	1,742
Chesterfield	1,064

RULES AND REGULATIONS

VIRGINIA—Continued

County	Acres apportioned to counties from State allotments	County reserve for appeals and corrections
Clarke	2,040	
Craig	270	
Culpeper	1,379	
Cumberland	2,851	
Dickenson	1	
Dinwiddie	2,367	
Essex	4,879	
Fairfax	624	
Fauquier	3,378	
Floyd	659	
Fluvanna	1,055	
Franklin	3,646	
Frederick	2,244	
Giles	255	
Gloucester	481	
Goochland	1,294	
Grayson	171	
Greene	658	
Greensville	372	
Halifax	11,060	
Hampton	15	
Hanover	4,904	
Hanrico	1,358	
Henry	786	
Highland	104	
Isle of Wight	434	
James City	526	
King and Queen	2,015	
King George	1,867	
King William	1,841	
Lancaster	913	
Lee	899	
Loudoun	5,376	
Louisa	2,626	
Lunenburg	2,810	
Madison	1,390	
Mathews	206	
Mecklenburg	7,732	
Middlesex	1,290	
Montgomery	618	
Nansemond	1,037	
Nelson	764	
New Kent	1,065	
Newport News		
Northampton	147	
Northumberland	3,344	
Nottoway	2,187	
Orange	1,563	
Page	2,211	
Patrick	517	
Pittsylvania	16,323	
Powhatan	783	
Prince Edward	4,889	
Prince George	1,171	
Prince William	1,219	
Pulaski	475	
Rappahannock	561	
Richmond	3,050	
Roanoke	420	
Rockbridge	1,690	
Rockingham	5,636	
Russell	891	
Scott	750	
Shenandoah	2,847	
Smyth	780	
Southampton	1,143	
Spotsylvania	1,336	
Stafford	948	
Surry	466	
Sussex	954	
Tazewell	802	
Virginia Beach	2,660	
Warren	1,093	
Washington	1,978	
Westmoreland	4,849	
Wise	2	
Wythe	1,747	
York	96	
<b>Total to counties</b>	<b>201,604</b>	
Reserve for new farms, appeals, corrections and missed farms		204
<b>State total</b>	<b>201,898</b>	

WASHINGTON

Adams	206,762	200
Asotin	21,258	50
Benton	79,720	50
Chelan	3,202	
Clallam	38	
Clark	203	
Columbia	52,954	20
Cowlitz	8	
Douglas	139,831	150
Ferry	2,702	
Franklin	77,225	25
Garfield	50,448	50
Grant	107,539	100

WASHINGTON—Continued

County	Acres apportioned to counties from State allotments	County reserve for appeals and corrections
Grays Harbor		18
Island		669
Jefferson		6
King		
Kitsap		
Kittitas	6,252	5
Klickitat	47,019	50
Lewis	1,780	
Lincoln	211,578	50
Mason		
Okanogan	18,961	50
Pacific		
Pend Oreille	697	
Pierce	7	
Sah Juan	91	
Skagit	812	
Skamania		
Snohomish	71	
Spokane	87,631	100
Stevens	14,693	50
Thurston	226	
Wahkiakum		
Walla Walla	134,857	15
Whatcom	135	
Whitman	261,241	100
Yakima	20,461	50
<b>Total to counties</b>	<b>1,540,395</b>	<b>1,115</b>
Reserve for new farms, appeals, corrections and missed farms		750
<b>State total</b>	<b>1,541,145</b>	

WEST VIRGINIA

Barbour	100	
Berkeley	2,120	
Boone		
Braxton	3	
Brooke	224	
Cabell	45	
Calhoun		
Clay		
Doddridge		
Fayette	51	
Gilmer		
Grant	799	
Greenbrier	826	
Hampshire	1,187	
Hancock	260	
Hardy	1,011	
Harrison	7	
Jackson	104	
Jefferson	5,058	
Kanawha	1	
Lewis	7	
Lincoln		
Logan		
McDowell		
Marion	4	
Marshall	270	
Mason	1,016	
Mercer	119	
Mineral	465	
Mingo		
Monongalia	40	
Monroe	1,672	
Morgan	1,062	
Nicholas	179	
Ohio	149	
Pendleton	1,097	
Pleasants	14	
Pocahontas	272	
Preston	597	
Putnam	136	
Raleigh	24	
Randolph	87	
Ritchie	2	
Roane	9	
Summers	248	
Taylor	34	
Tucker	13	
Tyler	11	
Upshur	40	
Wayne	6	
Webster	1	
Wetzel	10	
Wirt	16	
Wood	241	
Wyoming		
<b>Total to counties</b>	<b>19,637</b>	
Reserve for new farms, appeals, corrections and missed farms		89
<b>State total</b>	<b>19,726</b>	

WISCONSIN

County	Acres apportioned to counties from State allotments	County reserve for appeals and corrections
Adams		134
Ashland		11
Barron		34
Bayfield		121
Brown		220
Buffalo		416
Burnett		36
Calumet		1,041
Chippewa		112
Clark		45
Columbia		1,292
Crawford		40
Dane		1,132
Dodge		1,338
Door		816
Douglas		80
Dunn		91
Eau Claire		125
Florence		1
Fond du Lac		777
Forest		21
Grant		160
Green		48
Green Lake		373
Iowa		173
Iron		2
Jackson		114
Jefferson		768
Juneau		63
Kenosha		2,454
Kewaunee		667
La Crosse		100
Lafayette		37
Lanai		93
Lincoln		53
Manitowoc		644
Marathon		242
Marinette		111
Marquette		423
Menominee		
Milwaukee		1,066
Monroe		85
Oconto		160
Oneida		38
Outagamie		218
Ozaukee		1,708
Pepin		423
Pierce		1,390
Polk		137
Portage		175
Price		11
Racine		5,819
Richland		55
Rock		2,041
Rusk		11
St. Croix		596
Sauk		637
Sawyer		7
Shawano		150
Sheboygan		1,521
Taylor		21
Trempealeau		431
Vernon		12
Vilas		3
Walworth		1,963
Washburn		1,016
Washington		2,871
Waukesha		1,486
Waupaca		103
Waushara		275
Winnebago		957
Wood		21
<b>Total to counties</b>	<b>38,813</b>	
Reserve for new farms		50
Reserve for appeals, corrections and missed farms		50
<b>State total</b>	<b>38,913</b>	

WYOMING

Albany		
Big Horn		429
Campbell		21,986
Carbon		7,683
Converse		4,384
Crook		20,432
Fremont		1,315
Goshen		44,855
Hot Springs		36
Johnson		3,520
Laramie		50,585
Lincoln		2,573
Natrona		44

## WYOMING—Continued

County	Acreage apportioned to counties from State allotments	County reserve for appeals and corrections
Niobrara	6,829	
Park	1,359	
Platte	29,185	
Sheridan	7,456	
Sublette		
Sweetwater		
Teton	660	
Uinta	40	
Washakie	62	
Weston	6,396	
Total to counties	209,829	
Reserve for new farms, appeals, corrections and missed farms		130
State total	209,959	

**Effective date.** These regulations shall be effective upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on July 8, 1970.

KENNETH E. FRICK,  
Administrator, Agricultural  
Stabilization and Conservation  
Service.

[F.R. Doc. 70-8926; Filed, July 9, 1970;  
1:00 p.m.]

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

[Valencia Orange Reg. 322]

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

##### Limitation of Handling

##### § 908.622 Valencia Orange Regulation 322.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section 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 section is based became available and the time when this section must

become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 14, 1970.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 17, 1970, through July 23, 1970, are hereby fixed as follows:

- (i) District 1: 253,000 cartons;
- (ii) District 2: 297,000 cartons;
- (iii) District 3: 30,703 cartons.

(2) As used in this section, "handler", "District 1", "District 2", "District 3", and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: July 15, 1970.

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

[F.R. Doc. 70-9235; Filed, July 17, 1970;  
8:46 a.m.]

[Lemon Reg. 436]

#### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### Limitation of Handling

##### § 910.736 Lemon Regulation 436.

(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 recom-

mendations 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 to engage in public rule-making procedure, and postpone the effective date of this section 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 section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 15, 1970.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period July 19, 1970, through July 25, 1970, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 279,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: July 16, 1970.

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

[F.R. Doc. 70-9314; Filed, July 17, 1970;  
8:50 a.m.]

**Title 24—HOUSING AND HOUSING CREDIT**

**Chaper VII—Federal Insurance Administration, Department of Housing and Urban Development**

**SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM**

**PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE**

**List of Designated Areas**

Section 1914.4 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1914.4 List of designated areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
Arkansas	Pope	Russellville	E 05 115 3450 01 E 05 115 3450 02	Arkansas Soil and Water Conservation Commission, Room 151 State Capitol, Little Rock, Ark. 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72201.	Office of the City Building Official, City of Russellville, Russellville, Ark. 72801.	July 17, 1970.
California	Marin	Corte Madera	E 05 041 0570 01	Department of Water Resources, Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012, and 1407 Market St., San Francisco, Calif. 94103.	Corte Madera Town Hall, Tamalpais and Willow Aves., Corte Madera, Calif. 94025.	Do.
Florida	Collier	Everglades	E 12 021 0970 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	City Clerk's Office, City of Everglades, Everglades, Fla. 33929.	Do.
Do.	Palm Beach	Manalapan	E 12 099 1910 01 E 12 099 1910 02	do	Town Office, Manalapan Club, Landes End Rd., Manalapan, Fla. 33462.	Do.
Do.	Pinellas	Belleaire	E 12 103 0200 01	do	Town of Belleaire, Town Hall, 901 Ponce de Leon Rd., Belleaire, Clearwater, Fla. 33516.	Do.
Do.	do	Indian Rocks Beach	E 12 103 1479 01	do	City Hall, City of Indian Rocks Beach, 1507 Bay Palm Blvd., Indian Rocks Beach, Fla. 33535.	Do.
Louisiana	Terrebonne (Parish)	Unincorporated areas.	E 22 109 0000 01 through E 22 109 0000 04	Louisiana Department of Public Works, Baton Rouge, La. 70804. Commissioner of Insurance, State of Louisiana, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Office of the Secretary-Treasurer, Terrebonne Parish, Post Office Box 367, Houma, La. 70360.	Do.
Mississippi	Harrison	Unincorporated areas.	E 28 047 0000 01 et seq.	State of Mississippi, Governor's Emergency Council, 429 Mississippi St., Room 409, Jackson, Miss. 39205. Mississippi Research and Development Center, Information Services Division, Post Office Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., Jackson, Miss. 39205.	Clerk of the Board of Supervisors, Harrison County, Post Office Drawer CC, Gulfport, Miss. 39501.	Do.
Do.	Jackson	Pascagoula	E 28 059 1900 01	do	Office of the City Clerk, City of Pascagoula, Post Office Drawer 908, Pascagoula, Miss. 39567.	Do.
New Jersey	Morris	Pequanock Township.	E 34 027 2567 01	Dept. of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Township Clerk, Township of Pequanock, Municipal Bldg., 530 Turnpike, Pompton Plains, N.J. 07444.	Do.
Texas	Harris	Baytown	E 48 201 0480 02 et seq.	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the Planning Director, City Hall, 2401 Market St., Baytown, Tex. 77520.	Do.
Do.	Jefferson	Griffing Park	E 48 245 2880 01	do	City Hall, Town of Griffing Park, 3101 Bernhardt Dr., Port Arthur, Tex. 77642.	Do.
Virginia		Chesapeake	E 51 550 0468 01 through E 51 550 0468 11	Division of Water Resources, Seventh Floor, 911 East Broad St., Richmond, Va. 23219. Virginia Insurance Department, 700 Blanton Bldg., Richmond, Va. 23209.	Department of Planning, Public Service Bldg., 300 Cedar Road, Chesapeake, Va. 23320.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: July 17, 1970.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[F.R. Doc. 70-9195; Filed, July 17, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:  
 § 1915.3 List of flood hazard areas.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Arkansas	Pope	Russellville	H 05 115 3450 01 H 05 115 3450 02	Arkansas Soil and Water Conservation Commission, Room 151 State Capitol, Little Rock, Ark., 72201. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72201.	Office of the City Building Official, City of Russellville, Russellville, Ark. 72801.	July 17, 1970.
California	Marin	Corte Madera	T 06 041 0870 01	Department of Water Resources, Box 388, Sacramento, Calif. 95802. California Insurance Department, 107 South Broadway, Los Angeles, Calif. 90012, and 1407 Market St., San Francisco, Calif. 94103.	Corte Madera Town Hall, Tamalpais and Willow Ave., Corte Madera, Calif. 94925.	Do.
Florida	Collier	Everglades	T 12 021 0070 01	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32303.	City Clerk's Office, City of Everglades, Everglades, Fla. 33929.	Do.
Do.	Palm Beach	Manalapan	H 12 099 1910 01 H 12 099 1910 02	do.	Town Office, Manalapan Club, Landes End Rd., Manalapan, Fla. 33462.	June 16, 1970.
Do.	Pinellas	Belleaire	T 12 163 6290 01	do.	Town of Belleaire, Town Hall, 901 Ponce de Leon Rd., Belleaire, Clearwater, Fla. 33516.	July 17, 1970.
Do.	do.	Indian Rocks Beach	H 12 103 1479 01	do.	City Hall, City of Indian Rocks Beach, 1507 Bay Palm Blvd., Indian Rocks Beach, Fla. 33535.	Do.
Louisiana	Terrebonne (Parish)	Unincorporated areas.	T 22 109 0000 01 through T 22 109 0000 04	Louisiana Department of Public Works, Baton Rouge, La. 70804. Commissioner of Insurance, State of Louisiana, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Office of the Secretary-Treasurer, Terrebonne Parish, Post Office Box 367, Houma, La. 70360.	Do.
Mississippi	Harrison	Unincorporated areas.	T 28 047 0000 01 et seq.	State of Mississippi, Governor's Emergency Council, 429 Mississippi St., Room 409, Jackson, Miss. 39205. Mississippi Research and Development Center, Information Services Division, Post Office Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., Jackson, Miss. 39205.	Clerk of the Board of Supervisors, Harrison County, Post Office Drawer CC, Gulfport, Miss. 39501.	Do.
Do.	Jackson	Pascagoula	T 28 059 1900 01	do.	Office of the City Clerk, City of Pascagoula, Post Office Drawer 908, Pascagoula, Miss. 39567.	Do.
New Jersey	Morris	Pequanook Township.	T 34 027 2567 01	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Township Clerk, Township of Pequanook, Municipal Bldg., 530 Turnpike, Pompton Plains, N.J. 07444.	Do.
Texas	Harris	Baytown	T 48 201 0480 02 et seq.	Texas Water Development Board, 301 West Second St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78701.	Office of the Planning Director, City Hall, 2401 Market St., Baytown, Tex. 77520.	Do.
Do.	Jefferson	Griffing Park	T 48 245 2880 01	do.	City Hall, Town of Griffing Park, 3101 Bernhardt Dr., Port Arthur, Tex. 77642.	Do.
Virginia	Chesapeake		H 51 550 0468 01 through H 51 550 0468 11	Division of Water Resources, Seventh Floor, 911 East Broad St., Richmond, Va. 23219. Virginia Insurance Department, 700 Blanton Bldg., Richmond, Va. 23206.	Department of Planning, Public Service Bldg., 300 Cedar Road, Chesapeake, Va. 23320.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408-410, Public Law 91-152, Dec. 24, 1969), 42 U.S.C. 4001-4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: July 17, 1970.

GEORGE K. BERNSTEIN,  
Federal Insurance Administrator.

[F.R. Doc. 70-9196; Filed, July 17, 1970; 8:45 a.m.]

# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Consumer and Marketing Service

[ 7 CFR Parts 907, 908 ]

[Dockets Nos. AO-245-A7, AO-250-A5]

### NAVEL AND VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

#### Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Further Amendment of the Marketing Agreements and Orders

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to the proposed further amendment of the respective marketing agreements and orders (7 CFR Parts 907 and 908), hereinafter referred to collectively as the "orders" regulating, respectively, the handling of Navel oranges grown in Arizona and designated part of California and the handling of Valencia oranges grown in Arizona and designated part of California, be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act". Interested persons may file written exceptions to this recommended decision with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the close of business of the 15th day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate. All such communications will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

**Preliminary statement.** The public hearing, on the record of which the proposed amendment of the orders is formulated, was initiated by the Consumer and Marketing Service as a result of proposals submitted by the Navel Orange Administrative Committee and the Valencia Orange Administrative Committee (established pursuant to the respective orders). A notice that such public hearing would be held on May 13, 1970, in Room 1540, Courthouse Building, 312 North Spring Street, Los Angeles, Calif., was published in the FEDERAL REGISTER on April 4, 1970 (35 F.R. 5587).

**Material issues.** The material issues presented on the record of the hearing were concerned with amending the orders to:

(1) Increase the maximum rate of compensation that may be paid committee members and alternates;

(2) Require a certification by the handler that he has control of the oranges described in his application for a prorate base and allotments instead of submitting written contracts or agreements;

(3) Authorize lending of allotment for short life oranges through the committee to any handler in any prorate district;

(4) Change the early maturity allotment provisions;

(5) Permit using short life allotments for handling nonshort life oranges;

(6) Authorize the Navel Orange Administrative Committee to establish, subject to approval of the Secretary, a separate prorate district under Order 907 (7 CFR Part 907) for that part of the production area north of the 38th parallel;

(7) Change the text of the provisions on expenses to conform with the act; and

(8) Make conforming changes.

**Findings and conclusions.** The following findings and conclusions on the material issues are based upon the evidence adduced at the hearing and the record thereof:

(1) The orders should provide that members, including alternates acting as members, of the Administrative Committees shall be compensated at a rate not to exceed \$25 per day, or portion thereof, spent in performing their duties. Current provisions of the orders limit such compensation to an amount not exceeding \$15 per day or portion thereof. All the evidence adduced at the hearing concerning the proposal to increase the rate of compensation, as aforesaid, supported such increase. The substance of the testimony favoring the increase did not suggest that the recommended rate of compensation was considered to be adequate payment for services rendered by the respective committee members. It recognized that such persons are nominated to positions on the committee because they have shown a genuine interest in the welfare of the industry and have demonstrated a capacity for dealing with problems on an industry wide basis. However, costs have increased substantially since the current maximum rate of compensation was fixed, and an increase in such rate to a maximum of \$25 per day, would tend to offset such increase. It is therefore concluded that the orders should be amended in the manner hereinafter set forth.

(2) Under the orders, each handler's prorate base is computed as the ratio between the quantity of oranges available for current shipment he has under his control and the total quantity of such oranges controlled by all handlers in the same prorate district. Except for oranges

which the handler controls by virtue of his possession or ownership of them, the handler is required to control oranges by a written contract giving him authority to handle such oranges, or by a written agreement to purchase such oranges. Along with his application for a prorate base, the handler is required to submit to the committee a copy of each type of contract together with a statement that no other types of contracts are used. The orders should be amended to delete the requirement that the handler shall submit copies of contracts or agreements as evidence of his control of oranges, and require instead that he shall certify on his application for a prorate base that he has the requisite control for all purposes relating to the applicable one of the orders of the oranges described in the application.

The requirement of each of the orders that handlers control oranges pursuant to written contracts and agreements and that copies of such be submitted to the committee each year with their applications for prorate bases has proved to be burdensome to the handlers and the committees. Some growers object to signing written contracts, and handlers question the requirement that they submit copies of contracts to the committee each year, particularly when the contract is the same as that submitted the previous year. Moreover, examination of contracts by the committee staff for qualification with order provisions has proved unduly time consuming since the committee's employees do not have legal training and the orders require that the written arguments executed by the grower and handler meet all the basic requirements of a legal contract. The magnitude of the task is indicated by the fact that in the past 3 crop years the numbers of Navel orange growers and handlers have been at least 4,287 and 136, respectively, and the numbers of Valencia orange growers and handlers 4,543 and 154, respectively. The primary reason handlers were required under the orders to submit copies of contracts and agreements was to assure that only one handler would receive credit for the fruit in a given grove in the computation of prorate bases. Such requirement was essential when the orders were first established as the committees had no grove records or basis for identifying groves with particular handlers. Since the committees through required reports and the activities of their field staff, have come into possession of detailed records of each grove and have developed a system of record control which enables the committees' staff to keep abreast of any shifts of grove control between handlers and eliminates the possibility that the fruit in a given grove is included in the computation of the prorate base of more than one handler.

Current provisions of the orders require each handler to submit with his application for a prorated base a list of growers whose oranges he controls showing the names and addresses of such growers and the location, acreage, and estimated yield of each grove. The groves on these lists are checked for duplications by the committee staff. If a duplication is discovered, and the evidence indicates that there are 10 to 12 cases of duplicate grove reporting each year, the field staff contacts the handlers involved and ascertains which has the control. In the case of a disagreement by such handlers, the committee does not include the oranges involved in the dispute in either handler's prorated base computation until it becomes clear which handler has "control", of the fruit.

Most handlers file their applications for prorated bases and allotments well in advance of the shipping season. Hence, the committee has ample time to discover any conflicts in applications and effect agreement between handlers before allotments are issued.

It was advanced that there are ample considerations, exclusive of the orders, which prompt growers and handlers to enter into written agreements specifying the terms governing the handling of growers' oranges and it is likely that such would continue to be practiced even though the requirement that copies be furnished the committee is deleted from the orders. However, handlers who enter into written contracts with growers regarding the control of oranges should not be required to submit copies of such agreements to the committee for examination as to legal sufficiency. Handlers are familiar with the fact that control of oranges is required if they are to be included in their applications for prorated bases. They are also familiar with the need for accuracy in connection with the certification of reports and information required to be submitted under the orders. It is therefore concluded that the orders should be amended as hereinafter set forth.

(3) and (5) The orders should be amended, as hereinafter set forth, to provide that short life allotment may be loaned under specified conditions to any handler in any district, who has been issued an allotment and may be used to ship any oranges for which an allotment is required.

The orders now provide for the issuance, under specified conditions, of "short life" allotments to a handler who controls "short-life" oranges, i.e., oranges which have a shorter shipping life than other oranges in the same prorated district. The provision of such allotments is designed to enable the handler to ship oranges at an accelerated rate while the oranges are in good condition, and to provide the handler an opportunity to market as large a proportion of his oranges in regulated channels as the average which will be marketed by all handlers in the same prorated district. The orders further provide that loans of short life allotment may be made only to other handlers within the same prorated district who also have been issued

short life allotment, and may be used to ship short life oranges only.

Prior to 1968, the orders provisions limited all loans of allotment to persons in the same prorated district. In that year the orders were amended to permit loans of allotment, other than short life allotment, across prorated district lines. The amended provisions has made available to eligible handlers increased loan flexibility which facilitates dealing with adverse or unusual circumstances by providing them a greater opportunity to loan their allotment in times when they are unable to use it. The orders should be further amended to extend this more flexible provision to handlers of short life oranges, i.e., the orders should provide that short life allotments may be loaned to any handler in any prorated district who has been issued allotment and may be used to ship any oranges for which an allotment is required.

Handlers of short life oranges need the same flexibility in the loaning of allotment as handlers of any other oranges. The limitations on lending short life allotment have made it more difficult for handlers of short life oranges to cope with situations which hamper harvest or shipment of such oranges, particularly since the number of short life handlers in any district is small, and all may be located in a relatively small area within a prorated district. Hence, if inclement weather prevents harvest of oranges a short life handler has planned to ship with his allotment, he may have little opportunity to loan the allotment since the same weather often affects other short life handlers in his district and they do not have any oranges to ship either. An example cited is the Sacramento Valley area which is included in District 1 of Order No. 907. Weather conditions in this area create a particularly difficult situation for orange handlers. This area is subject to frequent weather disturbances which prevent harvesting. All handlers in this area are subject to practically the same weather conditions and since there are few short life handlers in other parts of District 1, it has been practically impossible to find handlers who are in position to accept loans. In such circumstances, handlers who are unable to pick oranges or to loan their allotment have no alternative but to forfeit that portion of their allotment which can not be carried forward to the succeeding week.

Authorization for nonshort life handlers to borrow and use short life allotment in the shipment of regular life oranges would broaden the opportunity for short life handlers and enable them to avoid forfeiting their allotments by loaning it when they are unable or do not wish to use it, and to have it repaid at a more favorable time. The season for short life oranges occurs in the early portion of the shipping season. At such time handlers generally are anxious to ship fruit as promptly as possible. Therefore, there should be an ample number of willing borrowers who would accept short life allotment and agree to repay with regular allotment within the shipping season of the short life handler.

While the order should authorize interdistrict loans of short life allotment, such loans should be effected through and under control of the committee. Likewise, loans of such allotment to regular allotment handlers should be through the committee. Intradistrict loans of short life allotment between short life handlers should continue as currently permitted. To the extent practicable equities of growers and handlers within prorated districts should be preserved. Hence, allotment from one district should be made available in other districts only after it is reasonably certain that no other handler within the same district wishes to borrow the allotment. To assure that every effort will be made to place the allotment within the district, short life allotment available for loan for which a handler has been unable to find a short life borrower within the district should be turned over to the committee for placement. If the committee has requests to borrow from handlers within the district it should fill such requests. Any allotment which the committee is unable to place within the district should then be loaned to handlers in other districts who have lodged requests for loans with the committee.

To provide an orderly basis for handling interdistrict loans of short life allotment and any intradistrict loan of such allotment involving a nonshort life handler, the committee should establish procedures covering the time and manner that lenders and borrowers shall follow in loaning and borrowing short life allotment. Current provisions of the committee's rules and regulations governing allotment loans should be made applicable insofar as practicable. Authorization of loans as herein recommended would place the lending of short life allotment on the same basis as loans of regular allotment, hence it is anticipated that such provisions, except in a few minor details could be made uniformly applicable.

(4) The orders provide that special allotments may be issued to handlers who control oranges which reach maturity before the oranges generally are mature in that district. Handlers who control such early "maturity oranges" apply to the committee for allotment to handle a specified quantity of such oranges, and the committee determines the extent to which allotment shall be granted to handle such oranges. Total early maturity allotments approved by the committee for each prorated district is allocated to each requesting handler on the basis of the relationship the quantity he requested bears to the total quantity requested by all handlers. If the quantity of early maturity oranges approved for shipment is equal to the total quantity requested by all requesting handlers, each such handler is granted all the allotment he requested. If, however, the quantity requested exceeds the quantity approved, only a portion of each handler's request is granted. For example, if the quantity of early maturity oranges approved for shipment is equal only to 75 percent of the quantity



requested by all handlers, the allotment granted any requesting handler would be only 75 percent of the quantity he requested.

The fact that the quantity of early maturity oranges approved for shipment often is less than the total quantity requested has tended to result in some handlers inflating their requests in an effort to assure they will receive all they need in the event the total amount authorized is less than requests. The evidence indicates that the extent to which handlers inflate their requests varies among handlers with some requesting double the quantity actually needed, and others requesting only the quantity they believe they actually will need. This tends to distort the early maturity situation and, the amount of early maturity allotments requested may bear little relationship to the amount of early maturity oranges actually available in the district. Likewise the amount requested may be out of proportion to the tree crop of the requesting handler. Hence, the allocation based entirely on the requests of handlers may result in an inequitable apportionment of allotment among handlers, and can result in the committee establishing general maturity in advance of the time general maturity should be established. Establishment of general maturity marks the time when allotment is apportioned among all handlers on the basis of the relative quantity of the total tree crop each controls in the district. If such is established prior to the time each handler has oranges sufficiently mature for shipment it results in some handlers receiving allotment for which they have no use. The evidence shows that the committee's appraisal of the maturity situation has been confused by the overstatement on early maturity applications of the quantity of mature oranges available for shipment. Because of this the committee has sometimes declared general maturity too early in the season and this has tended to complicate administration of the order.

In the issuance of general maturity allotments, the proportion of the tree crop controlled by each handler governs the distribution of allotment among handlers. The record indicates that it may be appropriate to allocate early maturity allotment to requesting handlers on this same basis when requests are in excess of the quantity of allotment the committee deems should be granted in a district. It was advanced that a procedure similar to that prescribed in the rules and regulations under the orders for the allocation of allotment in freeze damage situations (§§ 907.117(d) and 908.117(d)) could be followed in the allocation of early maturity allotment. Such procedure adapted for early maturity allotments could be added as a new paragraph in §§ 907.113 and 908.113 and could read as follows: "Whenever the total amount of early maturity allotment the committee determines should be granted to handlers within a prorate district equals or is larger than the amount applied for in such district, the full amount applied for shall be granted. Whenever the total amount applied for exceeds the total amount of early maturity allotment

the committee deems should be granted in the district, the request of each handler in such district shall be granted in the same proportion as the handler's tree crop bears to the total tree crop of requesting handlers in that district, but not in excess of the amount requested, and any allotment then remaining shall be granted in successive increments, as necessary, to the handlers filing requests, in the same proportion as aforesaid, but not in excess of the amount requested."

While the evidence indicates that the foregoing is likely to be the procedure initially established and that such procedure would be appropriate at this time, it also indicates that in the interest of flexibility, it is desirable that the precise procedure should not be prescribed in the orders as a fixed procedure which can be changed only in a formal amendment proceeding. Rather, it was advanced that the orders should authorize establishment of an equitable procedure by recommendation of the committee subject to approval of the Secretary and publication in the rules and regulations under the orders so that if conditions arise which make it desirable or necessary to alter the procedure established, the implementing rules and regulations can be changed without the expense of a formal hearing.

It is desirable that flexibility be provided under the orders for dealing with situations which are subject to change. It is also desirable that the committees conduct operations as efficiently as possible. The committees are in position to review their operations and procedures and to recommend improvements. It is therefore concluded that the orders should be amended, as hereinafter set forth, to provide that total early maturity allotments approved by the committee for each prorate district shall be allocated in an equitable manner among the requesting handlers who qualify therefor. The orders currently contain provisions (§§ 907.60 and 908.60) for the establishment of implementing procedures in the form of rules and regulations. Hence, no new authority need be added to enable such establishment since the provisions direct the committees to adopt, with approval of the Secretary, such procedural rules and regulations as are necessary to effectuate provisions of the orders.

(6) The marketing agreement, as amended, and Order No. 907, as amended, should be further amended, as hereinafter set forth, to add authority in § 907.66 for the committee with approval of the Secretary to establish as a separate prorate district that part of the production area north of the 38th parallel.

The area in question was brought under regulation by enlargement of the production area through amendment of the amended marketing agreement and order program in 1968. It is now a part of District 1. Since then it has become manifest that the area has problems associated with weather peculiar to that area which tend to disrupt harvesting and marketing schedules which should be followed in shipping fruit under reg-

ulation. Most of the Navel oranges produced in this area are short life and must be shipped on accelerated shipping schedules under the short life provisions of the program. It has been found, however, that frequent rains often restrict harvesting so that handlers are unable to use the allotment issued under current short life provisions. As previously discussed herein it is believed that liberalized order provisions for loaning and using short life allotments should enable short life handlers to cope more effectively with problems aggravated by adverse weather, and to market a proportion of their fruit in regulated channels similar to that which can be marketed by handlers in other parts of District 1. However, because experience may disclose that such liberalized loan and use provisions do not operate to alleviate the problem as contemplated, the program should provide for establishment of the described area as a separate prorate district without the necessity of a formal amendment proceeding. Establishment of such prorate district should be on the basis of a recommendation by the committee. The committee is familiar with all operations under the program, and would be in an advantageous position to appraise whether or not such establishment is desirable and necessary in the circumstances. Along with any such recommendation to the Secretary, the committee should submit the information it considered in reaching its decision. The establishment procedure should be that normally followed in establishing rules and regulations under the program. Once established, such prorate district should be administered in the same manner as any other prorate district under the program, and should be continued in effect so long as it tends to support the purposes of the program.

(7) The orders should be amended as hereinafter set forth to bring the provisions of the sections pertaining to expenses and assessments (§§ 907.40, 907.41, 908.40, and 908.41) into conformity with the currently applicable provisions of the act. Such conformity would make available the latitude afforded by the act in connection with the expenses recommended by the committees for approval and would thus contribute to the efficient administration of the orders.

(8) A proposal in the notice of hearing was that consideration be given to making such other changes in the orders as may be necessary to make each entire order conform to any amendments that may result from this proceeding. This proposal was supported at the hearing, without opposition, and such conforming changes as are necessary are incorporated in each order.

*Rulings on proposed findings and conclusions.* June 15, 1970, was fixed as the latest date for filing briefs with respect to the facts presented in evidence at the hearing and on findings and conclusions which should be drawn therefrom. Briefs were filed by Karl D. Loos, counsel, on behalf of Sunkist Growers, Inc., Los Angeles, Calif., and C. D. Martin, manager, on behalf of Martin Ranch, Fresno, Calif.

Each point in each brief was fully and carefully considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that any suggested findings or conclusions contained in either brief are inconsistent with the findings and conclusions contained herein, they are denied on the basis of the facts found and stated in connection with this decision.

*General findings.* (a) The said orders, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The said orders, as amended, and as hereby proposed to be further amended, regulate the handling of Navel oranges and Valencia oranges, respectively, grown in the designated production areas in the same manner as, and are applicable only to persons in the respective classes of industrial or commercial activity specified in, proposed marketing agreements and orders upon which hearings have been held;

(c) The said orders, as amended, and as hereby proposed to be further amended, are limited in their applications to the smallest regional production areas practicable, consistently with carrying out the declared policy of the act;

(d) The said orders, as amended, and as hereby proposed to be further amended, prescribe, so far as practicable, such different terms applicable to different parts of the respective production areas as are necessary to give due recognition to differences in the production and marketing of Navel oranges and Valencia oranges; and

(e) All handling of Navel oranges and Valencia oranges grown in the designated production areas is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

*Recommended further amendment of the marketing agreements and orders.* The following amendments of the amended marketing agreements and orders are recommended as the detailed means by which the aforesaid conclusions may be carried out:

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

##### § 907.31 [Amended]

1. Section 907.31 *Expenses and compensation* is amended by deleting "\$15" in the first sentence and substituting in lieu thereof "\$25".

2. Section 907.53 *Prorate bases* is amended by deleting paragraph (c) and substituting in lieu thereof a new paragraph (c) to read as follows:

##### § 907.53 Prorate bases.

(c) Such application shall include a certification by the handler that he has control, for all purposes relating to this part, of the oranges described in the application.

3. Section 907.57 *Allotment loans* is amended by deleting the first sentence, including the proviso, in paragraph (a) and the second sentence in paragraph (b), and substituting in lieu thereof new sentences to read as follows:

##### § 907.57 Allotment loans.

(a) A person to whom allotments have been issued under general maturity or the short life provisions of this subpart may, in accordance with the provisions of this section, lend such allotments to other persons, within any prorate district, to whom allotments also have been issued. \* \* \*

(b) \* \* \* A person desiring to loan allotment to persons outside his own district shall request the committee to arrange the loan on his behalf with the committee first offering the loan to persons within the district who file requests for such loans and, failing to do so, may then arrange to offer the loan outside of the district in an equitable manner: *Provided*, That offers to loan short life allotment to persons within any district to whom allotments have been issued under general maturity shall be arranged through the committee. \* \* \*

4. Section 907.60 *Early maturity allotments* is amended by revising the fourth sentence to read as follows:

##### § 907.60 Early maturity allotments.

\* \* \* Total early maturity allotments approved by the committee for each prorate district shall be allocated in an equitable manner among the requesting handlers who qualify therefor. \* \* \*

##### § 907.61 [Amended]

5. Section 907.61 *Short life allotments* is amended by deleting the sentence reading, "Short life allotments may be used only in the handling of short life oranges".

6. Section 907.66 *Prorate districts* is amended by adding a new paragraph (d) to read as follows:

##### § 907.66 Prorate districts.

(d) Upon a determination by the committee that such action is necessary and appropriate it may, with the approval of the Secretary, establish a separate district for that part of the production area north of the 38th Parallel.

7. The text of § 907.40 *Expenses* is revised to read as follows:

##### § 907.40 Expenses.

The Navel Orange Administrative Committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred to carry out the functions of the committee under this subpart during each fiscal year.

8. The first sentence of paragraph (a) in § 907.41 *Assessments* is revised to read as follows:

##### § 907.41 Assessments.

(a) Each person who first handles oranges shall, with respect to the oranges handled by him, pay to the committee

upon demand, such person's pro rata share of the expenses which the Secretary finds are reasonable and likely to be incurred each fiscal year. \* \* \*

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

##### § 908.31 [Amended]

1. Section 908.31 *Expenses and compensation* is amended by deleting "\$15" in the first sentence and substituting in lieu thereof "\$25".

2. Section 908.53 *Prorate bases* is amended by deleting paragraph (c) and substituting in lieu thereof a new paragraph (c) to read as follows:

##### § 908.53 Prorate bases.

(c) Such application shall include a certification by the handler that he has control, for all purposes relating to this marketing order, of the oranges described in the application.

3. Section 908.57 *Allotment loans* is amended by deleting the first sentence, including the proviso, in paragraph (a) and the second sentence in paragraph (b), and substituting in lieu thereof new sentences to read as follows:

##### § 908.57 Allotment loans.

(a) A person to whom allotments have been issued under general maturity or the short life provision of this subpart may, in accordance with the provisions of this section, lend such allotments to other persons, within any prorate district, to whom allotments also have been issued. \* \* \*

(b) \* \* \* A person desiring to loan allotment to persons outside his own district shall request the committee to arrange the loan on his behalf with the committee first offering the loan to persons within the district who file requests for such loans and, failing to do so, may then arrange to offer the loan outside of the district in an equitable manner: *Provided*, That offers to loan short life allotment to persons within any district to whom allotments have been issued under general maturity shall be arranged through the committee. \* \* \*

4. Section 908.60 *Early maturity allotments* is amended by revising the fourth sentence to read as follows:

##### § 908.60 Early maturity allotments.

\* \* \* Total early maturity allotments approved by the committee for each prorate district shall be allocated in an equitable manner among the requesting handlers who qualify therefor. \* \* \*

##### § 908.61 [Amended]

5. Section 908.61 *Short life allotments* is amended by deleting the sentence reading, "Short life allotments may be used only in the handling of short life oranges".

7. The text in § 908.40 *Expenses* is revised to read as follows:

**§ 908.40 Expenses.**

The Valencia Orange Administrative Committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred to carry out the functions of the committee under this subpart during each fiscal year.

8. The first sentence of paragraph (a) in § 908.41 Assessments is revised to read as follows:

**§ 908.41 Assessments.**

(a) Each person who first handles oranges shall, with respect to the oranges handled by him, pay to the committee upon demand, such person's pro rata share of the expenses which the Secretary finds are reasonable and likely to be incurred each fiscal year. \* \* \*

Dated: July 15, 1970.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 70-9270; Filed, July 17, 1970;  
8:49 a.m.]

**[ 7 CFR Part 923 ]**

**SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON**

**Approval of Expenses and Fixing of Rate of Assessment for 1970-71 Fiscal Period and Carryover of Unexpended Funds**

Consideration is being given to the following proposals submitted by the Washington Cherry Marketing Committee, established under the marketing agreement and Order No. 923 (7 CFR Part 923) regulating the handling of sweet cherries grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(1) That expenses that are reasonable and likely to be incurred by said committee, during the period April 1, 1970, through March 31, 1971, will amount to \$13,623.

(2) That there be fixed, at \$1 per ton of sweet cherries, the rate of assessment payable by each handler in accordance with § 923.41 of the aforesaid marketing agreement and order.

(3) That unexpended assessment funds, in excess of expenses incurred during the fiscal period ended March 31, 1970, shall be carried over as a reserve in accordance with the applicable provisions of § 923.42 of said marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made

pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: July 15, 1970.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Consumer and Marketing Service.

[F.R. Doc. 70-9269; Filed, July 17, 1970;  
8:49 a.m.]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

**Food and Drug Administration**

**[ 21 CFR Part 1 ]**

**"CENTS-OFF" AND "ECONOMY SIZE" PACKAGE PROMOTIONS**

**Extension of Time for Filing Comments**

The notice published in the FEDERAL REGISTER of May 21, 1970 (35 F.R. 7811), proposing new regulations (21 CFR 1.1d, 1.1e) regarding "cents-off" and "economy size" package promotions, provided for the filing of comments within 60 days after said date.

The Commissioner of Food and Drugs has received a request to extend this time and, good reason therefor appearing, the time for filing comments on the subject proposal is hereby extended to September 1, 1970.

This action is taken pursuant to provisions of the Fair Packaging and Labeling Act (secs. 5, 6, 80 Stat. 1298-1300; 15 U.S.C. 1454-55) and the Federal Food, Drug, and Cosmetic Act (secs. 403 (e), (f), 502(b), 602(b), 701, 52 Stat. 1047, 1050, 1054, 1055, as amended; 21 U.S.C. 343 (e), (f), 352(b), 362(b), 371), and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: July 9, 1970.

SAM D. FINE,  
Acting Associate Commissioner  
for Compliance.

[F.R. Doc. 70-9227; Filed, July 17, 1970;  
8:45 a.m.]

**CIVIL SERVICE COMMISSION**

**[ 5 CFR Part 711 ]**

**LABOR-MANAGEMENT RELATIONS**

**Notice of Proposed Rule Making**

Notice is hereby given that under authority of section 6(e) of Executive Order 11491 (34 F.R. 17605) it is proposed to amend Subchapter B of Chapter I of Title 5 of the Code of Federal Regulations by adding a new Part 711, "Labor-Management Relations". Subpart A of the new Part 711 sets forth the procedures for processing and resolving matters that arise under section 6(a) of Executive Order 11491 which involve the Department of Labor. Interested persons

are invited to submit written comments, suggestions, or objections regarding the proposal to the General Counsel, U.S. Civil Service Commission, Washington, D.C. 20415.

The proposed regulations read as follows:

**Subpart A—Procedures Under Section 6(e) of Executive Order 11491**

**§ 711.101 Designation.**

In accordance with section 6(e) of Executive Order 11491, the Chairman of the Commission designates the Vice Chairman of the Commission to perform the duties of the Assistant Secretary of Labor for Labor-Management Relations in matters arising under section 6 (a) and (b) of that order which involve the Department of Labor. In the absence of the Vice Chairman, the Chairman designates the remaining member of the Commission to perform these duties.

**§ 711.102 Controlling principles and procedures.**

(a) In carrying out the responsibilities described in § 711.101, the Vice Chairman or the Commissioner, as appropriate, and others acting in his behalf shall be governed by the basic principles and procedures as may be appropriate in the regulations of the Assistant Secretary of Labor for Labor-Management Relations to implement section 6 of Executive Order 11491. These regulations, which comprise Chapter II of Title 29 of the Code of Federal Regulations, are incorporated herein by reference and are hereinafter referred to as the "regulations of the Assistant Secretary".

(b) Notwithstanding the provisions of paragraph (a) of this section, administration of the reporting and disclosure requirements of Subpart A of Part 204 of the regulations of the Assistant Secretary remain the responsibility of the Assistant Secretary. However, the Vice Chairman or the Commissioner, as appropriate, is responsible for receiving complaints of alleged violations of the standards of conduct and taking action thereon in accordance with the provisions of Subpart B of Part 204 of the regulations of the Assistant Secretary.

(c) A petition or complaint under this subpart shall be filed with the General Counsel, U.S. Civil Service Commission, Washington, D.C. 20415, utilizing the forms prescribed by the Assistant Secretary.

**§ 711.103 Operating responsibilities.**

(a) The Vice Chairman or the Commissioner, as appropriate, is responsible for taking the actions and making the decisions of the Assistant Secretary which are referred to in §§ 202.16, 203.25, 203.26, and 204.73 of the regulations of the Assistant Secretary.

(b) In addition to receiving petitions and complaints under this subpart, the General Counsel of the Commission is primarily responsible for providing such staff assistance as the Vice Chairman or the Commissioner, as appropriate, may need in order to carry out his responsibilities under this subpart. For example,

he shall perform the duties of those officials of the Department of Labor who are described in §§ 201.15 and 201.16 of the regulations of the Assistant Secretary.

(c) The Vice Chairman or the Commissioners, as appropriate, and the General Counsel may request other employees of the Commission to assist in carrying out their responsibilities under this subpart; and, in accordance with section 6(c) of Executive Order 11491, they may request and use the services of employees of other agencies for this purpose.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 70-9247; Filed, July 17, 1970;  
8:47 a.m.]

## FEDERAL POWER COMMISSION

[18 CFR Parts 35, 101]

[Docket No. R-391]

### TRANSPORTATION COSTS FOR OPERATION OF UTILITY-OWNED CARRIERS AND LIMITATION ON APPLICATION OF FUEL ADJUSTMENT

#### Notice of Proposed Rule Making

JULY 13, 1970.

Pursuant to section 553 of title 5 of the United States Code, notice is hereby given that the Federal Power Commission proposes to amend certain accounts in the Uniform System of Accounts for Class A and Class B public utilities and licensees, prescribed by Part 101, Chapter I, Title 18 of the Code of Federal Regulations, to update and clarify the accounting procedures for cost of fuel. These proposed changes involve the specific addition of transportation costs to Account 151, Fuel stock, when the fuel is transported to utilities' plants by carriers owned, leased, or rented by the utility. Notice herein is further given that the Commission proposes to revise subparagraphs (2) and (3) in § 35.14(a) of its regulations under the Federal Power Act to provide that fuel cost adjustment clauses shall only apply to energy supplied from fossil fuel generation and that the transportation costs proposed to be included in Account 151 shall be proper costs for the base cost of fuel in future filed fuel cost adjustment clauses.

It has come to the Commission's attention that several utilities use company-owned unit trains or other transportation to transport coal or other fuel from company-owned or privately owned coal mines or other fuel sources to their generating stations. Account 151, Fuel stock, presently includes the cost of fuel, freight charges, taxes, commissions, insurance and other expenses directly assignable to the cost of fuel. However, transportation

costs are not included in that account. We believe that those costs should be included therein since the cost of fuel will be more accurately reflected. Further, we do not propose that these changes should automatically activate fuel clauses that are presently on file with this Commission.

The proposed revision to subparagraph (3) in § 35.14(a) of the regulations is intended to exclude charges for fuel used in nuclear generation from the automatic monthly adjustments presently allowed for energy generated in fossil-fueled plants. Presently, § 35.14(a)(3) excludes only energy generated by hydro-electric generating stations from the application of fuel adjustment clauses. Fuel used in nuclear power reactors remains in the reactor for a year or longer before being reprocessed and its price, therefore, is not subject to the frequent fluctuations experienced by fossil fuels.

Accordingly, it is proposed to amend Part 101, Uniform System of Accounts for Class A and Class B Public Utilities and Licensees and § 35.14(a) of the Commission's regulations under the Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations, in the manner set forth below.

These proposed revisions to the Commission's Uniform System of Accounts for Class A and Class B Public Utilities and Licensees and to § 35.14 of its regulations under the Federal Power Act would be issued under the authority granted to the Federal Power Commission by the Federal Power Act, as amended, particularly sections 205, 206, 304, 309, and 311 thereof (49 Stat. 851, 852, 855, 858, 859; 16 U.S.C. 824d, 824e, 825c, 825h, 825j).

Any interested person may submit to the Federal Power Commission, Washington, DC, 20426, not later than August 27, 1970, data views, and comments in writing concerning the proposed revisions as hereinbefore set forth. An original and 14 conformed copies should be filed with the Commission. Submissions to the Commission should indicate the name, address, and telephone number of persons to whom correspondence in regard to the proposal should be addressed and whether the person filing them requests a conference at the Federal Power Commission to discuss the proposed revisions to the Uniform System of Accounts and the regulations. The Commission will consider all such written submissions before acting on the matters herein proposed.

A. The following are proposed amendments to the Uniform System of Accounts for Class A and Class B Public Utilities and Licensees in Part 101, Chapter I, Title 18 of the Code of Federal Regulations:

1. In account "151 Fuel stock", add new items 4. and 5. to the list of items. New items 4. and 5. will read:

151 Fuel stock.  
\* \* \* \* \*  
ITEMS  
\* \* \* \* \*

4. Operating, maintenance, depreciation, and other expenses and ad valorem taxes on utility-owned transportation equipment used to transport fuel from the point of acquisition to the unloading point.

5. Lease or rental costs of transportation equipment used to transport fuel from the point of acquisition to the unloading point.

2. In account "403 Depreciation expense", add a new Note C. which will read:

#### 403 Depreciation expense.

\* \* \* \* \*  
NOTE C: Depreciation expense applicable to transportation equipment used for transportation of fuel from the point of acquisition to the unloading point shall be charged to Account 151, Fuel stock.

3. In account "501 Fuel", in the list of items, immediately following the heading "Materials and Expenses:", add new items 7. and 8., and beginning with item "7. Cost of fuel including freight, switching, demurrage and other transportation charges", renumber items 7. through 13. as 9. through 15. New items 7. and 8. will read:

501 Fuel.  
\* \* \* \* \*  
B. \* \* \* \* \*  
ITEMS  
\* \* \* \* \*

Materials and Expenses:  
7. Operating, maintenance, depreciation and other expenses and ad valorem taxes on utility-owned transportation equipment used to transport fuel from the point of acquisition to the unloading point.

8. Lease or rental costs of transportation equipment used to transport fuel from the point of acquisition to the unloading point.

\* \* \* \* \*  
B. The proposed revisions of paragraph (a) (2) and (3) in § 35.14 Fuel cost adjustment clauses, in Part 35 of the Commission's regulations under the Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations will read:

#### § 35.14 Fuel cost adjustment clauses.

(a) \* \* \* \* \*  
(2) The base cost of fuel shall be stated in cents per million BTU and, for clauses presently on file with this Commission, shall include no items other than items 1, 2, and 3 of Account 151 of the Commission's Uniform System of Accounts. Fuel clauses filed after enactment of this change may include all costs included in Account 151.

(3) The fuel adjustment shall apply only to that energy supplied from fossil fuel generation.

\* \* \* \* \*  
The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 70-9251; Filed, July 17, 1970;  
8:47 a.m.]

# Notices

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

### UNIVERSITY OF KENTUCKY ET AL.

#### Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Articles

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

A copy of the record pertaining to this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C. 20230.

**Decision.** Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

**Reasons.** Subsection 602.5(e) of the regulations provides in pertinent part:

The applicant shall on or before the 20th day following the date of such notice [of denial without prejudice to resubmission], inform the Administrator whether it intends to resubmit another application for the same article to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Administrator in writing prior to the expiration of the 90-day period. \* \* \* If the applicant fails within the applicable time periods specified above, to either (1) inform the Administrator whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (2) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Administrator on the application within the context of the paragraph (d) of this section.

The meaning of the subsection is that should an applicant either fail to notify the Administrator of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20-day period, or fails to resubmit a new application within the 90-day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above,

therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 602.5(e) further provides:

\* \* \* the Administrator shall submit a summary of the prior denial without prejudice to resubmission to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Administrator.

Docket No. 67-00130-01-77040. Applicant: University of Kentucky, Chemistry-Physics Building, Room 120, Lexington, Ky. 40506. Article: Mass spectrometer RMU-6E. Date of denial without prejudice to resubmission: June 26, 1967.

Docket No. 68-00010-33-46500. Applicant: Salisbury St. College, Salisbury, Md. 21801. Article: Reichert ultramicrotome, Model "OmU2". Date of denial without prejudice to resubmission: August 3, 1967.

Docket No. 68-00128-01-77040. Applicant: University of Illinois, Urbana, Ill. 61801. Article: Mass spectrometer, Model RMU-6E. Date of denial without prejudice to resubmission: February 27, 1968.

Docket No. 69-00222-33-46040. Applicant: University of California at Irvine, Irvine, Calif. 92664. Article: Electron microscope, Model EM 300. Date of denial without prejudice to resubmission: March 3, 1969.

Docket No. 68-00256-33-90000. Applicant: Southern Arizona Mental Health Center, 1930 East Sixth Street, Tucson, Ariz. 85719. Article: Faradic stimulator-battery operated. Date of denial without prejudice to resubmission: February 29, 1968.

Docket No. 68-00434-38-80045. Applicant: New York State Department of Transportation, 1220 Washington Avenue, Albany, N.Y. 12226. Article: Telescope, probe camera. Date of denial without prejudice to resubmission: June 21, 1968.

Docket No. 68-00476-75-77095. Applicant: Vanderbilt University, Nashville, Tenn. 37203. Article: Iron free double focusing spectrometer. Date of denial without prejudice to resubmission: June 12, 1968.

Docket No. 68-00558-01-77030. Applicant: University of California, Santa Barbara, Calif. 93106. Article: NMR spectrometer and water conditioner, JNM-C-60H. Date of denial without prejudice to resubmission: September 24, 1968.

Docket No. 68-00651-33-46500. Applicant: Vanderbilt University, Department of Anatomy, Nashville, Tenn. 37203. Article: Ultramicrotome, LKB 8800. Date of denial without prejudice to resubmission: October 21, 1968.

Docket No. 68-00660-00-54800. Applicant: Florida State University, Tallahassee, Fla. 32306. Article: Optical bench components parts. Date of denial without prejudice to resubmission: October 31, 1968.

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

[F.R. Doc. 70-9218; Filed, July 17, 1970; 8:45 a.m.]

### CORNELL UNIVERSITY

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

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

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

Docket No. 70-00530-65-46040. Applicant: Cornell University, Ithaca, N.Y. 14850. Article: Electron microscope, Model JEM-200, and accessories. Manufacturer: Japan Electron Optics Laboratory, Ltd., Japan.

Intended use of article: The article will be used for materials science research involving the study of:

- (1) Void formation in aluminum.
- (2) The interaction of dislocations with grain boundaries in gold.
- (3) The formation of a second phase in titanium and zirconium alloys.
- (4) The interaction of radiation damage with precipitate particles in copper alloys.
- (5) The interaction of dislocations with the second phase in titanium and zirconium alloys.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a maximum accelerating voltage of 200 kilovolts. The most closely comparable

domestic instrument is the Model EMU-4B which was formerly manufactured by the Radio Corp. of America (RCA), and which is presently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B has a specified maximum accelerating voltage of 100 kilovolts.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated June 12, 1970, that the higher accelerating voltage provides proportionately greater penetrating power and, consequently, higher resolution for a specimen of a given thickness. NBS further advises that due to the nature of the material on which research will be conducted with the use of the foreign article, relatively thick specimens must be used in the experiments and, therefore, the higher accelerating voltage of the foreign article is a pertinent characteristic.

For these reasons, we find that the Model EMU-4B is not of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used.

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

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

[F.R. Doc. 70-9219; Filed, July 17, 1970; 8:45 a.m.]

#### FRESNO STATE COLLEGE

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

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

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

Docket No. 70-00441-99-46040. Applicant: Fresno State College, State of California, Cedar and Shaw Avenues, Fresno, Calif. 93726. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for teaching and training purposes in the Biology Department at the applicant institution. An undergraduate course, biology 130-electron microscopy, will be offered for the first time in the fall of 1970 and each semester thereafter. Within a period of 15 weeks (one semester), 12 to 15 students will need to be instructed in preparative techniques, microscope operation, and ac-

cessory photographic techniques. Other biology courses in botany, zoology, parasitology, entomology, and microbiology will include laboratory exercises in which preparations will be made and examined by students by light and electron microscopy. Graduate students will receive instruction in the use of the article. Faculty members with a variety of research interest will also use the instrument.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 18, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[F.R. Doc. 70-9220; Filed, July 17, 1970; 8:45 a.m.]

#### UNIVERSITY OF RHODE ISLAND

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

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

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

Docket No. 70-00465-56-46040. Applicant: University of Rhode Island, Graduate School of Oceanography, Kingston, R.I. 02881. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, West Germany.

Intended use of article: The article will be used for teaching and research purposes in the fields of phytoplankton systematics, morphology, biogeography, and life history. Accurate identification of phytoplankton organisms from different areas of the world will be the main research purpose. The electron microscope will be used as a teaching and demonstration instrument for technicians and graduate students who are involved with phytoplankton biology.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated May 18, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

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

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

[F.R. Doc. 70-9221; Filed, July 17, 1970; 8:45 a.m.]

**UNIVERSITY OF SOUTH ALABAMA**  
**Notice of Decision on Application for**  
**Duty-Free Entry of Scientific Article**

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

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

Docket No. 70-00591-33-46040. Applicant: University of South Alabama, Mobile, Ala. 36608. Article: Electron microscope, Model EM 9S. Manufacturer: Carl Zeiss, Inc., West Germany.

Intended use of article: The article will serve primarily as an educational instrument in four courses, Biology 355, Laboratory Methods in Biology; Biology 462, Histology; and Biology 429, Undergraduate Research. The electron microscope will also be used for a research project concerning a study of the holotrich ciliate *Dileptus cygnus*, investigating the trichocysts and trichites of the pharyngeal basket.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The applicant requires an electron microscope which is suitable for instruction in the basic principles of electron microscopy. The foreign article is a relatively simple, medium resolution electron microscope designed for confident use by beginning students with a minimum of detailed programming. The most closely comparable domestic instrument is the Model EMU-4B electron microscope which was formerly being manufactured by the Radio Corp. of America (RCA), and which is currently being supplied by the Forgflo Corp. (Forgflo). The Model EMU-4B electron microscope is a relatively complex instrument designed for research, which requires a skilled electron microscopist for its operation.

We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated June 24, 1970, that the relative simplicity of design and ease of operation of the foreign article is pertinent to the applicant's educational purposes.

We, therefore, find that the Model EMU-4B electron microscope is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign

article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,  
*Assistant Administrator for In-*  
*dustry Operations, Business*  
*and Defense Services Admin-*  
*istration.*

[F.R. Doc. 70-9222; Filed, July 17, 1970;  
 8:45 a.m.]

**DEPARTMENT OF HEALTH,**  
**EDUCATION, AND WELFARE**

**Food and Drug Administration**  
**2,6-DICHLORO-4-NITROANILINE**

**Notice of Reextension of Temporary**  
**Tolerance**

The Upjohn Co., Kalamazoo, Mich. 49001, was granted a temporary tolerance of 20 parts per million for residues of the fungicide 2,6-dichloro-4-nitroaniline in or on the raw agricultural commodity nectarines on June 27, 1967 (notice was published in the FEDERAL REGISTER of July 6, 1967; 32 F.R. 9853). At the request of the firm it was extended to June 27, 1970 (extension notices were published May 17, 1968; 33 F.R. 7333, and July 9, 1969; 34 F.R. 11386).

The firm has requested a reextension to permit obtaining additional experimental data. The Commissioner of Food and Drugs concludes that such a reextension will protect the public health.

A condition under which this temporary tolerance is reextended is that the fungicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Upjohn Co. name.

This temporary tolerance will expire December 31, 1970.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: July 2, 1970.

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

[F.R. Doc. 70-9226; Filed, July 17, 1970;  
 8:45 a.m.]

**Office for Civil Rights**

**IDENTIFICATION OF DISCRIMINATION**  
**AND DENIAL OF SERVICES ON THE**  
**BASIS OF NATIONAL ORIGIN**

The following memorandum has been sent by the Director, Office for Civil Rights, to selected school districts with students of National Origin-Minority Groups:

Title VI of the Civil Rights Act of 1964, and the Departmental Regulation (45 CFR Part 80) promulgated thereunder, require that there be no discrimination on the basis of race, color, or national

origin in the operation of any federally assisted programs.

Title VI compliance review conducted in school districts with large Spanish-surnamed student populations by the Office for Civil Rights have revealed a number of common practices which have the effect of denying equality of educational opportunity to Spanish-surnamed pupils. Similar practices which have the effect of discrimination on the basis of national origin exist in other locations with respect to disadvantaged pupils from other national origin-minority groups, for example, Chinese or Portuguese.

The purpose of this memorandum is to clarify D/HEW policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin-minority group children deficient in English language skills. The following are some of the major areas of concern that relate to compliance with Title VI:

(1) Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

(2) School districts must not assign national origin-minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin-minority group children access to college preparatory courses on a basis directly related to the failure of the school system to inculcate English language skills.

(3) Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.

(4) School districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

School districts should examine current practices which exist in their districts in order to assess compliance with the matters set forth in this memorandum. A school district which determines that compliance problems currently exist in that district should immediately communicate in writing with the Office for Civil Rights and indicate what steps are being taken to remedy the situation. Where compliance questions arise as to the sufficiency of programs designed to meet the language skill needs of national origin-minority group children already operating in a particular area, full information regarding such programs should be provided. In the area of special language assistance, the scope of the program and the process for identifying need

and the extent to which the need is fulfilled should be set forth.

School districts which receive this memorandum will be contacted shortly regarding the availability of technical assistance and will be provided with any additional information that may be needed to assist districts in achieving compliance with the law and equal educational opportunity for all children. Effective as of this date the aforementioned areas of concern will be regarded by regional Office for Civil Rights personnel as a part of their compliance responsibilities.

Dated: July 10, 1970.

[SEAL] J. STANLEY POTTINGER,  
*Director,*  
*Office for Civil Rights.*

[F.R. Doc. 70-9236; Filed, July 17, 1970;  
8:46 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[CGFR 70-88]

### EQUIPMENT, CONSTRUCTION, AND MATERIALS

#### Termination of Approval Notice

1. Certain laws and regulations (46 CFR, Chapter I) require that various items of lifesaving, firefighting and miscellaneous equipment, construction, and materials used on board vessels subject to Coast Guard inspection, on certain motorboats and other recreational vessels, and on the artificial islands and fixed structures on the outer Continental Shelf be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all interested persons that certain approvals have been terminated as herein described during the period from August 14, 1969 to May 11, 1970 (List No. 11-70). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50.

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

3. Notwithstanding the termination of approval listed in this document, the equipment affected may be used as long as it remains in good and serviceable condition.

### BUOYS, LIFE, RING, CORK OR Balsa WOOD, FOR MERCHANT VESSELS AND MOTORBOATS

The Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, no longer manufactures certain Balsa Wood ring life buoys and Approval No. 160.009/37/1 was therefore terminated, effective March 19, 1970.

### PUMPS, BILGE, LIFEBOAT, FOR MERCHANT VESSELS

The Blackmer Bilge Pump, Grand Rapids, Mich., Approval No. 160.044/11/1, expired and was terminated, effective March 16, 1970.

### BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, Ill., Approval Nos. 160.052/229/1 and 160.052/230/1 expired and were terminated, effective May 11, 1970.

### BOILERS (HEATING)

The Way-Wolf Associates, Inc., 45-10 Vernon Boulevard, Long Island City 1, N.Y., Approval No. 162.003/183/0, expired and was terminated, effective August 14, 1969.

### BOILERS, AUXILIARY, AUTOMATICALLY CONTROLLED, PACKAGED, FOR MERCHANT VESSELS

The Clayton Manufacturing Co., Post Office Box 550, El Monte, Calif. 91734, Approval No. 162.026/1/1, expired and was terminated, effective February 24, 1970.

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

The Bendix Corp., Fuel Devices Division, 696 Hart Avenue, Detroit, Mich. 48214, Approval Nos. 162.041/109/0, 162.041/110/0, 162.041/111/0, and 162.041/112/0, were terminated, effective May 5, 1970, and replaced by 162.041/118/0, 162.041/119/0, 162.041/120/0, and 162.041/121/0.

Dated: July 10, 1970.

T. R. SARGENT,  
*Vice Admiral, U.S. Coast Guard,*  
*Acting Commandant.*

[F.R. Doc. 70-9258; Filed, July 17, 1970;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Dockets Nos. 22326, 22327]

### COMMUTER AIR SERVICES, LTD.

#### Notice of Prehearing Conference and Hearing

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional or infrequent nature, in common carriage, into the United States.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 23, 1970, at 11 a.m. e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., July 14, 1970.

[SEAL] THOMAS L. WRENN,  
*Chief Examiner.*

[F.R. Doc. 70-9263; Filed, July 17, 1970;  
8:48 a.m.]

[Docket No. 20291; Order 70-7-66]

## INTERNATIONAL AIR TRANSPORT ASSOCIATION

### Order Regarding Fare Matters

Issued under delegated authority July 14, 1970.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement incorporates within the framework of IATA currently effective inclusive tour basing fares for groups of 24, 48, or 96 passengers, traveling between Chicago and Mexico City/Acapulco. These fares, which were earlier implemented by order of the Government of Mexico, are available to tour operators for the development of prepaid travel packages and impose a maximum-stay provision of 30 days.

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.

Accordingly, it is ordered, That:

Action on Agreement CAB 21872 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

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

[F.R. Doc. 70-9264; Filed, July 17, 1970;  
8:48 a.m.]



[Docket No. 20993; Order 70-7-64]

INTERNATIONAL AIR TRANSPORT  
ASSOCIATION

## Order Regarding Cargo Matters

Issued under delegated authority  
July 14, 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 Traffic Conferences of the International Air Transport Association (IATA), and adopted as a result of the Second Meeting of the Cargo Traffic Procedures Committee held January 19-28, 1970 in Montreal.

The agreement proposes to amend an existing IATA resolution which provides procedures for the institution of embargoes<sup>1</sup> affecting the interline carriage of cargo. Among other things, advance notice of embargoes would be increased by permitting an embargo to become effective on the second day after declaration by a carrier, as opposed to current provisions which permit effectiveness on the day immediately following such declaration; however, an embargo would be allowed to become effective immediately in cases of complete cessation of service over any route or to any point. Whereas carriers currently accept consignments tendered on air waybills executed as late as 2 days after an embargo's effectiveness, acceptance would now be confined to shipments covered by air waybills executed prior to effectiveness of the embargo.

The agreement would also amend an existing resolution governing charges for the preparation of an air waybill by a carrier so as to extend to those areas of Asia/Australasia where now precluded a provision which permits agents performing such a service to retain this charge. Other amendments contemplated by the agreement are of a technical or editorial nature.

We propose herein to approve the amendments encompassed in the agreement, provided that approval of the amendments relating to the institution of embargoes shall not be construed as relieving air carriers as defined by the Act of their obligations as set forth in the Board's economic regulations.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14:

1. It is not found, on a tentative basis, that the following resolutions, which are incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act, provided that, insofar as they apply in air transportation as defined by the Act, approval shall be subject to the following condition:

<sup>1</sup> Defined, by amendment, as the refusal by a member of IATA "for a limited period, to accept for transportation over any route or segment thereof, and to or from any area, or point, or connecting carrier, any commodity, type or class of cargo duly tendered."

Agreement CAB 21807: IATA Resolutions

R-5 ----- 102 (CTPC) 599.  
202 (CTPC) 599.  
302 (CTPC) 599.

Provided, That approval shall not relieve any air carrier, as defined by the Act, of its obligation to comply with Part 228 of the Board's economic regulations.

2. It is not found, on a tentative basis, that the following resolutions, incorporated in the agreement as indicated, are adverse to the public interest or in violation of the Act:

Agreement CAB 21807: IATA Resolutions

R-1 ----- 102 (CTPC) 509.  
202 (CTPC) 509.  
302 (CTPC) 509.  
JT12 (2/CTPC) 509.  
JT23 (2/CTPC) 509.  
JT31 (2/CTPC) 509.  
JT123 (2/CTPC) 509.  
R-3 ----- 302 (CTPC) 512c.  
R-4 ----- 102 (CTPC) 513.  
202 (CTPC) 513.  
302 (CTPC) 513.  
JT12 (2/CTPC) 513.  
JT23 (2/CTPC) 513.  
JT31 (2/CTPC) 513.  
JT123 (2/CTPC) 513.

Accordingly, it is ordered, That: Action on Agreement CAB 21807, R-1, R-3 through R-5 be and hereby is deferred with a view toward eventual approval, subject to the condition stated in finding paragraph 1.

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. 70-9265; Filed, July 17, 1970;  
8:48 a.m.]

[Docket No. 20291; Order 70-7-65]

INTERNATIONAL AIR TRANSPORT  
ASSOCIATION

## Order Regarding Fare Matters

Issued under delegated authority  
July 14, 1970.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

Insofar as it applies in air transportation, the agreement would amend an existing IATA resolution governing group inclusive tour (GIT) fares to/from the Caribbean by the inclusion of \$135 round-trip GIT fares to apply between Baltimore/Philadelphia/Washington and Kingston/Montego Bay.

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 Resolution 100 (Mail 849) 084i, incorporated in the above-indicated agreement, is adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

Action on Agreement CAB 21837 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL] HARRY J. ZINK,  
Secretary.

[F.R. Doc. 70-9266; Filed, July 17, 1970;  
8:49 a.m.]

[Docket No. 22317]

ONTARIO CENTRAL AIRLINES, LTD.  
Notice of Prehearing Conference and  
Hearing

Application for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional, or infrequent nature, in common carriage, into the United States.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on July 23, 1970, at 10 a.m., e.d.s.t., in Room 805, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless at or prior to the conference a person objects or shows reason for further postponement.

Dated at Washington, D.C., July 14, 1970.

[SEAL] THOMAS L. WRENN,  
Chief Examiner.

[F.R. Doc. 70-9262; Filed, July 17, 1970;  
8:48 a.m.]

FEDERAL COMMUNICATIONS  
COMMISSION

[Dockets Nos. 18912, 18913; FCC 70-736]

FOLKWAYS BROADCASTING CO.,  
INC., AND HARRIMAN BROAD-  
CASTING CO.Order Designating Applications for  
Consolidated Hearing on Stated  
Issues

In regard applications of Folkways  
Broadcasting Co., Inc., Harriman, Tenn.,

docket No. 18912, file No. BPH-5495, requests: 92.7 mcs, No. 224; 1.26 kw. (H); 1.26 kw. (V); 436 feet; and F. L. Crowder, trading as Harriman Broadcasting Co., Harriman, Tenn., docket No. 18913, file No. BPH-5537, requests: 92.7 mcs, No. 224; 800 w(H); 800 w(V); 527 feet; for construction permits.

1. The Commission has under consideration the above-captioned and described applications which are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference.

2. According to its application Folkways Broadcasting Co., Inc. (Folkways), would require \$18,780 to construct and operate its proposed station for 1 year without reliance on revenues. However, Folkways appears to have only \$16,836 available to meet these costs and, in addition, its financial data is over 4 years old and, for that reason, unreliable. Accordingly, a financial issue will be specified against Folkways.

3. According to its application F. L. Crowder, trading as Harriman Broadcasting Co. (Crowder or Harriman) would require \$80,078 to construct and operate its proposed station for 1 year without reliance on revenues. To meet this requirement, Harriman relies upon a \$60,000 bank loan and certain liquid assets. However, because it appears that applicant's current liabilities exceed current assets, only the \$60,000 bank loan would appear to be available to meet its \$80,078 requirements. Accordingly, a financial issue will be specified.

4. In our Public Notice on Broadcast Applicant's Ascertainment of Community Needs, FCC 68-847, released August 22, 1968, 13 RR 2d 1903, in City of Camden, et al., 18 FCC 2d 412, 16 RR 2d 555, and more recently in our Primer on Ascertainment of Community Problems by Broadcast Applicants, FCC 69-1402, released December 19, 1969, we stated that applicants are expected to provide full information as to their awareness of local community problems. In this case, neither applicant appears to have contacted a representative cross-section of the community, and Folkways has further failed to provide a list of persons contacted or comments elicited, or an adequate listing of specific programs responsive to specific community problems. As a result, we are unable at this time to determine whether either of the applicants is aware of and responsive to the problems of their community. Accordingly, Suburban issues are required.

5. After a remand from the Court of Appeals, Folkways Broadcasting Company, Inc. v. FCC, 375 F 2d 299 (1967), we found that Mr. F. L. Crowder had engaged in the trafficking of broadcast stations when he sold standard broadcast stations WHBT, Harriman, and WDEH, Sweetwater, Tenn., at a profit. In F. L. Crowder, tr/as Harriman Broadcasting Co., 9 FCC 2d 731, 734 (1967), we held that Crowder should not be granted a radio station in Harriman because of his conduct with respect to the stations he had previously held in Harriman and Sweetwater. Specifically, the Commission found that he had not acquired

those stations for the principal purpose of operating in the public interest, but instead had treated them as properties to be bought and sold for profit. These findings also bear upon Mr. Crowder's qualifications to hold a construction permit in this case, and an appropriate issue will be specified.

6. Folkways proposes approximately 66 percent duplicated programming, while Harriman proposes all independent programming. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming is proposed, the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication, and a full comparison of the applicants' program proposals will not be permitted in the absence of a specific programming inquiry. Jones T. Sudbury, 8 FCC 2d 360, FCC 67-614 (1967).

7. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, because the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

8. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine whether Folkways Broadcasting Co., Inc., has available \$18,780 required for construction and first-year operation of its proposed station without reliance on revenues to thus demonstrate its financial qualifications.

(2) To determine whether Harriman Broadcasting Co. has available the additional \$20,087 required for construction and first-year operation of its proposed station without reliance on revenues to thus demonstrate its financial qualifications.

(3) To determine the efforts made by Folkways Broadcasting Co., Inc., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(4) To determine the efforts made by Harriman Broadcasting Co., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposes to meet those needs and interests.

(5) To determine in light of the Commission's decision in F. L. Crowder, tr/as Harriman Broadcasting Co., supra, whether Harriman Broadcasting Co. is qualified to be a permittee of the Commission.

(6) To determine which of the proposals would, on a comparative basis, better serve the public interest.

(7) To determine in the light of the evidence adduced pursuant to the foregoing issues, which, if either, of the applications for construction permit should be granted.

9. It is further ordered, That to avail themselves of the opportunity to be

heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

10. It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: July 8, 1970.

Released: July 14, 1970.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>1</sup>

[SEAL] BEN F. WAPLE,  
Secretary.

[F.R. Doc. 70-9249; Filed, July 17, 1970;  
8:47 a.m.]

## APPLICATIONS FOR SPECIALIZED COMMON CARRIER MICROWAVE FACILITIES

### Order Extending Time for Filing Pleadings

In regard applications for specialized common carrier microwave facilities which appeared on the Commission's Common Carrier Public Notices of April 13, 20, 27, 1970.

1. By order released on May 26, 1970, the Chief, Common Carrier Bureau, granted an extension of time for the filing of pleadings with respect to applications for specialized common carrier microwave facilities which appeared on the Commission's Common Carrier Public Notices of April 13, 20, and 27, 1970. The order specified a schedule for the filing of petitions to deny applications listed therein, and accorded 30 days for oppositions or other responses, and 21 days for replies. The first due date on the schedule falls on July 13, 1970, with subsequent due dates at weekly intervals thereafter.

2. The Commission is currently considering how it should proceed generally to process these and similar applications and pleadings, and may shortly indicate its views on this question. In view of this possibility, we think that it would serve the convenience of the parties and the Commission to defer further filings until the nature of the Commission's action, if any, is known. Accordingly, it is hereby ordered, That the time schedule for filing pleadings with respect to the applications listed in the order of May 26, 1970, and any other applications of a similar nature is extended pending further order of the Commission or of the Chief of the Common Carrier Bureau.

Adopted: July 8, 1970.

<sup>1</sup> Commissioner Bartley absent; Commissioner Robert E. Lee concurring in the result.

Released: July 9, 1970.

[SEAL] BERNARD STRASSBURG,  
Chief, Common Carrier Bureau.

[P.R. Doc. 70-9250; Filed, July 17, 1970;  
8:47 a.m.]

**FEDERAL POWER COMMISSION**

[Dockets Nos. G-4269, G-7223, etc.]

**CALIFORNIA CO. AND CHEVRON OIL CO.**

**Order Amending Orders Issuing Certificates of Public Convenience and Necessity, Redesignating FPC Gas Rate Schedules, Substituting Respondents, and Redesignating Proceedings**

JULY 9, 1970.

On April 22, 1970, The California Co., a division of Chevron Oil Co., filed in Docket No. G-4269 et al., and Chevron Oil Co., Western Division, filed in Docket No. G-7223 et al., petitions to amend orders issued pursuant to section 7(c) of the Natural Gas Act in said dockets by substituting petitioners in lieu of Standard Oil Company of Texas, a division of Chevron Oil Co., as certificate holders, all as more fully set forth in the petitions to amend and in the appendices hereto.

Pursuant to a plan of reorganization Standard Oil Company of Texas has ceased to exist as an operating entity and responsibility for natural gas sales has been transferred to petitioners. Petitioners propose to continue without change the sales of natural gas in interstate commerce heretofore authorized to be made pursuant to the FPC gas rate schedules of Standard Oil Company of Texas. Therefore, petitioners will be substituted in lieu of Standard Oil Company of Texas as certificate holders and the related rate schedules will be redesignated accordingly. Petitioners will be substituted in lieu of Standard Oil Company of Texas as respondents in the latter's rate proceedings and the proceedings will be redesignated accordingly. Petitioners have heretofore filed general undertakings to assure the refunds of amounts collected in excess of amounts determined to be just and reasonable in proceedings under section 4(e) of the Natural Gas Act.

The Commission's staff has reviewed the petitions to amend and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petition to intervene, notice of intervention, or protest to the granting of the petitions to amend have been filed.

The Commission finds:

(1) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity required that the orders issuing certificates of public convenience and necessity to Standard Oil Company of Texas, a division of Chevron Oil Co., should be amended as hereinafter ordered and that the related FPC gas rate

schedules should be redesignated accordingly.

(2) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that petitioners should be substituted in lieu of Standard Oil Company of Texas, a division of Chevron Oil Co., as respondents in the latter's rate proceedings and that said proceedings should be redesignated accordingly.

The Commission orders:

(A) The orders issuing certificates of public convenience and necessity to Standard Oil Company of Texas, a division of Chevron Oil Co., are amended by substituting The California Co., a division of Chevron Oil Co., and Chevron Oil Co., Western Division, as certificate holders and the related FPC gas rate schedules are redesignated accordingly.

all as hereinbefore described and as more fully described in the appendices hereto. In all other respects said orders shall remain in full force and effect.

(B) Petitioners are substituted in lieu of Standard Oil Company of Texas, a division of Chevron Oil Co., as respondents in the latter's rate proceedings and said proceedings are redesignated accordingly, all as hereinbefore described and as more fully described in the appendices hereto. Petitioners shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

By the Commission.

[SEAL] GORDON M. GRANT,  
Secretary.

APPENDIX A

Standard Oil Co. of Texas, a division of Chevron Oil Co. rate schedule	Redesignate as The California Co., a division of Chevron Oil Co. rate schedule	Certificate docket	Related rate proceedings
1.....	53.....	G-4269.....	G-19895, <sup>1</sup> RI60-266, <sup>1</sup>
2.....	54.....	G-7214 and G-13962.....	G-14072, <sup>1</sup> G-16676, <sup>1</sup> G-19773, <sup>1</sup> RI61-162, <sup>1</sup> RI62-172, <sup>1</sup> RI63-431, <sup>1</sup> RI64-515, <sup>1</sup> RI65-329, <sup>1</sup> RI66-151, <sup>1</sup> RI67-85, <sup>1</sup> RI68-305.
6.....	55.....	G-7216.....	RI60-317.
10.....	56.....	G-10413.....	G-13605, <sup>1</sup> G-16676, <sup>1</sup> G-19973, <sup>1</sup> RI61-162, <sup>1</sup> RI62-172, <sup>1</sup> RI63-431, <sup>1</sup> RI64-515, <sup>1</sup> RI65-329, <sup>1</sup> RI66-151, <sup>1</sup> RI67-85, <sup>1</sup> RI68-305.
14.....	57.....	G-12563.....	RI65-517, RI68-573.
26.....	58.....	CI61-1377.....	RI69-195.
28.....	59.....	CI62-134.....	RI64-501. <sup>1</sup>
34 (Operator).....	60.....	CI62-1140.....	RI69-196.
36.....	61.....	CI64-607.....	RI70-87.
39.....	62.....	CI65-1013.....	RI70-630.
47.....	63.....	CI69-994.....	

<sup>1</sup> Indicates that proceeding is consolidated with the Texas Gulf Coast Area Rate Proceeding, Docket No. AR64-2.

APPENDIX B

Standard Oil Co. of Texas, a division of Chevron Oil Co. rate schedule	Redesignate as Chevron Oil Co., Western division rate schedule	Certificate docket	Related rate proceedings
3.....	13.....	G-7223.....	
4.....	14.....	G-7217.....	
5 (Operator).....	15.....	G-7215.....	
7 (Operator).....	16.....	G-7212.....	RI62-370, <sup>1</sup> RI65-131, <sup>1</sup> RI69-747, RI70-550, RI70-134L.
8.....	17.....	G-9274.....	RI62-368, <sup>1</sup> RI64-60, <sup>1</sup> RI65-132, <sup>1</sup> RI69-684, RI70-1340.
9.....	18.....	G-10536.....	RI62-368, <sup>1</sup> RI65-132, <sup>1</sup> RI69-684, RI70-1340.
11.....	19.....	G-13661.....	RI62-369, <sup>1</sup> RI65-132, <sup>1</sup> RI69-684, RI70-519, RI70-1340.
13.....	20.....	G-13861.....	RI66-192, RI70-519, RI70-1340.
15.....	21.....	G-18241.....	G-20284, RI60-397, RI65-324, RI70-87.
17.....	22.....	G-7204.....	RI62-369, <sup>1</sup> RI64-60, <sup>1</sup> RI65-132, <sup>1</sup> RI69-684.
18.....	23.....	G-7211.....	RI62-369, <sup>1</sup> RI64-60, <sup>1</sup> RI65-132, <sup>1</sup> RI69-684.
19 (Operator, et al.).....	24.....	G-7207.....	RI62-371, <sup>1</sup> RI64-61, <sup>1</sup> RI64-88, <sup>1</sup> RI65-134, <sup>1</sup> RI69-684.
21.....	25.....	CI61-35.....	RI64-188, <sup>1</sup> RI69-748, RI70-551.
22.....	26.....	CI60-87.....	RI64-40, <sup>1</sup> RI69-748.
23.....	27.....	G-18023.....	RI69-748, RI70-519.
24.....	28.....	G-18024.....	RI69-748, RI70-519.
25.....	29.....	G-18025.....	RI69-748, RI70-519.
29.....	30.....	CI62-765.....	RI68-266.
30.....	31.....	CI62-592.....	RI63-462, <sup>1</sup> RI68-170.
31.....	32.....	CI62-833.....	RI68-712.
32.....	33.....	CI62-1264.....	RI65-132. <sup>1</sup>
33.....	34.....	CI62-1238.....	RI66-417, RI69-684, RI70-519.
35.....	35.....	CI63-280.....	RI65-132, <sup>1</sup> RI69-684, RI70-519, RI70-1340.
37 (Operator, et al.).....	36.....	CI64-1326.....	RI68-267, RI70-328.
38.....	37.....	CI65-709.....	RI70-551.
40.....	38.....	CI65-1018.....	
41.....	39.....	CI65-564.....	RI69-701.
43.....	40.....	CI67-42.....	RI69-684, RI70-519, RI70-1340.
44.....	41.....	CI67-589.....	RI70-551.
45.....	42.....	CI68-274.....	RI70-684, RI70-1437.
46 (Operator, et al.).....	43.....	CI68-962.....	RI69-71.

<sup>1</sup> Indicates proceeding consolidated in Permian Basin Show Cause Proceeding, Docket No. AR61-1.

<sup>2</sup> Indicates proceeding consolidated in Area Rate Proceeding (Other Southwest Area), Docket No. AR67-1.

[P.R. Doc. 70-9182; Filed, July 17, 1970; 8:45 a.m.]

[Docket No. RP71-1]

**TRANSWESTERN PIPELINE CO.****Notice of Proposed Changes in Rates and Charges**

JULY 14, 1970.

Take notice that Transwestern Pipeline Co. (Transwestern) on July 8, 1970, tendered for filing proposed changes in its FPC Gas Tariff, First Revised Volume No. 1,<sup>1</sup> to become effective July 1, 1970. The proposed rate changes contained in the revised tariff sheet would increase charges for jurisdictional sales by \$3,036,172 based upon sales volumes for the 12-month period ended August 31, 1969, as adjusted.

Transwestern states that the basis for the proposed rate change is to reflect a claimed increase in cost of service from the use of liberalized depreciation with normalization, the discontinuance of amortization of the balance in Account 282 and the reduction in surtax to an effective 2½ percent applicable to 1970.

In Docket No. RP70-40, Transwestern tendered for filing a petition requesting authorization to use liberalized depreciation with normalization for accounting and rate purposes on all utility property and to discontinue effective July 1, 1970, the amortization of the balance in FPC Account No. 282. The proposed 13th Revised Tariff Sheet No. 4 reflects the alleged increase in costs allocable to the CDQ-1 rate which will result if Transwestern's Petition in Docket No. RP70-40 is granted. In order to coincide with the proposed effective date in Docket No. RP70-40, Transwestern requests that the proposed revised tariff sheet be made effective on July 1, 1970, subject to refund, or in the alternative that the increase be suspended for a period of 1 day from the date of filing and thereafter be placed into effect, subject to refund.

Transwestern suggests that the reasonableness of this proposed increase be determined in the pending rate proceeding in Docket No. RP70-19.

Copies of the petition were served on jurisdictional customers and interested State regulatory agencies. Any person desiring to be heard or to make any protest with reference to said application should on or before July 23, 1970, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Persons wishing to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-9239; Filed, July 17, 1970;  
8:46 a.m.]

<sup>1</sup> 13th Revised Sheet No. 4.

[Docket No. RI68-673]

**CITIES SERVICE GAS CO. AND MOBIL OIL CORP.****Notice Fixing Oral Argument**

JULY 13, 1970.

The Commission has before it the Presiding Examiner's initial decision issued on March 23, 1970, the briefs on exceptions, and the briefs opposing exceptions. A request for oral argument was filed by Mobil Oil Corp.

Take notice that an oral argument in the above-designated proceeding will be heard by the Commission en banc, on August 3, 1970, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. The time of the argument will be announced later.

All parties desiring to participate in such oral argument shall notify the Secretary of the Commission in writing on or before July 22, 1970, of the amount of time desired for presentation of their respective arguments.

By direction of the Commission.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-9253; Filed, July 17, 1970;  
8:47 a.m.]

[Docket No. CP70-196]

**DISTRIGAS CORP.****Order Granting Interventions and Fixing Dates for the Submittal of Statements of Issues, Prehearing Conference, and Formal Hearing**

JULY 13, 1970.

On February 17, 1970, Distrigas Corp. (Distrigas) filed in Docket No. CP70-196 an application pursuant to section 3 of the Natural Gas Act for an order of the Commission authorizing the importation of liquefied natural gas (LNG) from Algeria as follows: Distrigas proposes to import up to 6 shiploads of LNG, each containing approximately 1 million Mcf natural gas equivalent, per year beginning in 1971 and for a term of 20 years. Distrigas will purchase such LNG from Alocean, Ltd., a Bermuda corporation organized by Gazocean International, S.A., a Swiss corporation and Sonatrach, the Algerian national oil company. The natural gas will be produced and liquefied in Algeria for delivery to Alocean, Ltd., and then transported from Algeria by cryogenic tanker for delivery at Distrigas' proposed deepwater terminal near Everett, Mass., on the East Coast of the United States.

Petitions seeking leave to intervene in these proceedings were timely filed (except where noted) by the following parties:

Alogonquin Gas Transmission Co.  
Atlantic Richfield Co.<sup>1</sup>  
Brooklyn Union Gas Co., The  
Lowell Gas Co.<sup>2</sup>

<sup>1</sup> Petitions to intervene were filed late by these parties.

<sup>2</sup> Lowell Gas Co. has petitioned to amend its petition to intervene to include its recently formed affiliate, New England LNG Co. Lowell's petition is granted as amended.

Philadelphia Gas Works, Division of UGI Corp.  
Phillips Petroleum Co.  
Sinclair Mediterranean Petroleum Co.  
Superior Oil Co., The  
Texas Eastern Transmission Corp.  
United Gas Pipe Line Co.<sup>1</sup>

A notice of intervention was filed by the Texas Railroad Commission.

We find that, in order to expeditiously process this matter, the parties should be required to set forth the issues which they believe are involved herein. To accomplish that end, we will require that the parties to the proceeding submit, in writing, and serve on all other parties, on or before August 17, 1970, a detailed specification of the issues which they believe must be resolved in this proceeding. We note that, in addition to any issues raised by a section 3 application, issues relating to section 7 certification and the issuance of a Presidential Permit pursuant to Executive Order No. 10485 may be present in this proceeding. A prehearing conference shall be held before an Examiner on August 26, 1970. At this conference all parties should attempt further to limit and define the issues in this proceeding, to stipulate as to evidentiary matters, to resolve those issues which are capable of resolution on agreed evidence, and to use any other possible means to dispose of this matter consistent with due process and the Natural Gas Act.

The Commission finds:

(1) It is desirable to allow the above-named petitioners to intervene in this proceeding.

(2) It appears that the scheduling of a prehearing conference prior to the formal hearing may be in the public interest. The processing of this proceeding will be expedited by the filing of statements of proposed issues by the participants herein and discussion thereafter at the prehearing conference, prior to the submittal of prepared testimony on the issues involved.

The Commission orders:

(A) Each of the above-mentioned Petitioners and the State Commission is permitted to intervene in these proceedings subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenors shall be limited to matters affecting asserted rights and interests specifically set forth in the petitions to intervene: *And provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they or any of them might be aggrieved by any order or orders entered in these proceedings.

(B) The parties to this proceeding, including Commission Staff, shall submit in writing on or before August 17, 1970, a statement of the issues which they believe have been raised by the above-docketed application. Said statement of issues shall be served on the other parties to the proceeding, the Commission Staff, and the Office of Hearing Examiners, in accordance with the Commission's rules.

(C) A prehearing conference be convened in the proceeding entitled "Distrigas Corporation," Docket No. CP70-196, in a hearing room of the Federal Power

Commission, 441 G Street NW., Washington, D.C., on August 26, 1970, at 10 a.m., e.d.s.t. Thereafter, formal hearings shall commence in a hearing room of the Federal Power Commission on September 23, 1970, at 10 a.m., e.d.s.t. The Chief Examiner will designate an appropriate officer of the Commission to preside at the prehearing conference and at the formal hearing of these matters, pursuant to the Commission's rules of practice and procedure.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 70-9254; Filed, July 17, 1970;  
8:48 a.m.]

## FEDERAL RESERVE SYSTEM COMBANKS CORP.

### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), by Combanks Corp., Winter Park, Fla., for prior approval by the Board of Governors of action whereby applicant would become a bank holding company through the acquisition of not less than 51 percent of the voting shares of South Seminole Bank, Fern Park; not less than 51 percent of the voting shares of The Commercial Bank at Apopka, Apopka; Applicant already owns and proposes to retain 25 percent or more of the voting shares of The Commercial Bank at Winter Park, Winter Park; Applicant already owns and proposes to retain more than 5 percent but less than 25 percent of the voting shares of North Orlando Bank, Fairville (Post Office Orlando); First State Bank of Winter Garden, Winter Garden; and The Commercial Bank at Pine Castle, Pine Castle, all in Florida.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3 which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

By order of the Board of Governors, July 13, 1970.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[F.R. Doc. 70-9259; Filed, July 17, 1970;  
8:48 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regs.,  
Temporary Reg. F-73]

### SECRETARY OF DEFENSE

#### Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the customer interest of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d)(4) U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the interests of the executive agencies of the Federal Government before the North Carolina Utilities Commission in a proceeding (Docket No. E-2, Sub 193) involving electric service rates of the Carolina Power & Light Co.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and further, shall be exercised in cooperation with the responsible officers, officials, and employees thereof.

ROBERT L. KUNZIG,  
Administrator of General Services.

JULY 10, 1970.

[F.R. Doc. 70-9230; Filed, July 17, 1970;  
8:46 a.m.]

## OFFICE OF ECONOMIC OPPORTUNITY

### DIRECTOR, BUREAU OF THE BUDGET

#### Delegation of Authority

1. Pursuant to section 602(d) of the Economic Opportunity Act, as amended (42 U.S.C. 2942(d)), I delegate to the

Director of the Bureau of the Budget those powers and functions vested in me by the first sentence of section 635(b) of the Economic Opportunity Act which provides that "The Director shall publish and maintain on a current basis, a catalog of Federal programs relating to individual and community improvement."

2. I further delegate to the Director of the Bureau of the Budget the powers vested in me under section 602 (except section 602(d)) of the Economic Opportunity Act to the extent he deems necessary or appropriate for performance of functions delegated to him in paragraph 1. above.

3. The powers delegated herein shall be exercised in accordance with such memoranda of agreement as have been or shall be entered into by the Bureau of the Budget and the Office of Economic Opportunity.

4. The powers delegated herein may be redelegated by the Director of the Bureau of the Budget with or without authority for further delegation.

5. All operating information and other data concerning the publication of the "Catalog of Federal Domestic Assistance" shall be freely exchanged pursuant to section 602(d) of the Economic Opportunity Act.

6. This delegation shall take effect on June 30, 1970.

Dated: June 24, 1970.

DONALD RUMSFELD,  
Director,

Office of Economic Opportunity.

Approved: July 2, 1970.

RICHARD NIXON,  
President of the United States.

BUREAU OF THE BUDGET AND OFFICE OF  
ECONOMIC OPPORTUNITY

#### MEMORANDUM OF AGREEMENT

In anticipation of the delegation of the "Catalog of Federal Domestic Assistance" to the Bureau of the Budget, the Office of Economic Opportunity and the Bureau of the Budget agree to the following:

A. *Purpose.* The purpose of this document is to implement the anticipated delegation of certain statutory functions of the Director of the Office of Economic Opportunity for the periodic publication of a "catalog of Federal programs relating to individual and community improvement" to the Director of the Bureau of the Budget.

B. *Background.* Section 635(b) of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2977(b)), provides in part that: "The Director shall publish and maintain on a current basis, a catalog of Federal programs relating to individual and community improvement."

On April 30, 1968, an interagency task force established by the Bureau of the Budget recommended that:

"One Catalog on domestic Federal programs and activities, which is the basic Government-wide document of its type should be developed and published by the Executive Branch of the Government," to replace the numerous duplicative documents published by various departments and agencies.

"The OEO Catalog of Federal Assistance Programs (June 1, 1967) should serve as the starting point for the development of the recommended catalog."

On August 23, 1968, the task force recommendations were promulgated by Bureau of the Budget Circular No. A-89. This Circular established policies for the development of a broad Government-wide "Catalog of Federal Domestic Assistance," and prohibited publication of similar documents of a more limited scope by various departments and agencies. Based on these policies, the Office of Economic Opportunity undertook the compilation of this broader Government-wide document.

Subsequent evolutionary refinement and expansion of the comprehensive "Catalog of Federal Domestic Assistance" has necessitated progressively closer integration of catalog information with the President's Budget to assure that programmatic, financial, and performance information accurately reflect the Administration's domestic programs. This consistency can best be assured by assignment of full responsibility for the catalog to the Bureau of the Budget. Consequently, it is believed that the best interests of the Government will be served by delegation of the Director of the Office of Economic Opportunity's related statutory responsibilities to the Director of the Bureau of the Budget. This delegation is also consistent with the intent of the Reorganization Plan No. 2 of 1970 to place greater responsibilities for Government-wide information system development activities in the new Office of Management and Budget, effective July 1, 1970.

C. *Transfer of funds.* In accordance with the provisions of section 602 (d) and (h) of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2942 (d) and (h)), the Director of the Office of Economic Opportunity hereby authorizes the transfer of applicable fiscal year 1971 funds in the amount of \$200,000 to the Director of the Bureau of the Budget, from such funds as Congress may appropriate for fiscal year 1971. It is agreed that the Bureau of the Budget will assume funding responsibility for this activity in the fiscal year 1972 and the Office of Economic Opportunity will request no funds for such purposes.

D. *Other provisions.* 1. The Director of the Bureau of the Budget will coordinate any changes in policies in regard to the "Catalog of Federal Domestic Assistance" which may be issued with the Director of the Office of Economic Opportunity.

2. Pursuant to section 602(d) of the Economic Opportunity Act the Director of the Bureau of the Budget will provide the Director of the Office of Economic Opportunity complete operating information and full access to any catalog data files compiled by the Bureau of the Budget.

3. The Director of the Office of Economic Opportunity will transfer to the Director of the Bureau of the Budget all current files and records pertaining to the catalog.

4. The Director of the Office of Economic Opportunity will transfer to the Director of the Bureau of the Budget all copies of the 1970 catalog from the undistributed contingency allowance for subsequent distribution as may be required.

5. Neither the personnel nor the property of the Office of Economic Opportunity shall be transferred to the Bureau of the Budget except as may be provided herein.

*Effective date.* The provisions of this agreement shall be effective on June 30, 1970.

DONALD RUMSFELD,  
Director,  
Office of Economic Opportunity.

JUNE 24, 1970.

JAMES R. SCHLESINGER,  
Acting Director,  
Bureau of the Budget.

JUNE 25, 1970.

[F.R. Doc. 70-9329; Filed, July 17, 1970;  
8:50 a.m.]

## OFFICE OF EMERGENCY PREPAREDNESS NORTH DAKOTA

### Notice of Major Disaster; Amendment

Notice of Major Disaster for the State of North Dakota, dated June 9, 1970, and published June 16, 1970 (35 F.R. 9880), is hereby amended to include the following counties among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 5, 1970:

The Counties of:  
Cass. Ransom.  
Ramsey. Traill.

Dated: July 14, 1970.

G. A. LINCOLN,  
Director,  
Office of Emergency Preparedness.

[F.R. Doc. 70-9255; Filed, July 17, 1970;  
8:48 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

JULY 14, 1970.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period July 15, 1970, through July 24, 1970, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-9256; Filed, July 17, 1970;  
8:48 a.m.]

[70-4867]

## MISSISSIPPI POWER & LIGHT CO. AND SUNSET PLAZA APARTMENTS, INC.

### Notice of Proposed Acquisition of Capital Stock and Notes of Newly Organized Housing Company

JULY 14, 1970.

Notice is hereby given that Mississippi Power & Light Co. (MP&L), a public-utility subsidiary company of Middle South Utilities, Inc. (Middle South), a registered holding company, and its wholly owned subsidiary company, Sunset Plaza Apartments, Inc. (Sunset Plaza), P.O. Box 1640, Jackson, Mississippi 39205, a nonutility company recently organized under Mississippi law, have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6, 7, 9, 10, and 12 of the Act and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

MP&L distributes electric energy at retail in various cities and towns in the State of Mississippi, including the city of Jackson. Sunset Plaza was organized for the purpose of constructing, owning and operating low and moderate income housing projects under section 221(d)(3) of the National Housing Act, as amended. It is stated that Sunset Plaza is a "limited dividend" corporation under regulations issued by the Federal Housing Administration, which would qualify that company for 40-year mortgage loans at 8½ percent per annum under the provisions of the Housing Act.

It is stated that MP&L desires, through Sunset Plaza, to construct, as a pilot project, 120 housing units for low and moderate income families in the inner-city area in the city of Jackson. MP&L proposes to equip each unit with an electric range, electric refrigerator and electric heat. The estimated total cost of the project is \$1,637,400, of which approximately 90 percent will be financed by a mortgage loan from the Federal National Mortgage Association upon completion of construction. It is stated that much of the inner-city area consists of run-down poorly-maintained houses and apartments; that there are presently no federally financed apartment projects; and that the absence of public housing has created a critical need for low and moderate income housing in the city of Jackson.

As of December 31, 1969, MP&L had operating revenues of \$89,006,825 and net plant of \$255,615,289. MP&L proposes to acquire, and Sunset Plaza proposes to issue, up to 5,000 shares of no par value common stock of Sunset Plaza to provide up to \$200,000 of equity capital for the project. MP&L also proposes to acquire, and Sunset Plaza proposes to issue, up

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-H]

### REGIONAL DIRECTOR, REGION II, ET AL.

#### Delegation of Authority To Conduct Program Activities in the Field Offices

to \$2 million of promissory notes to provide construction funds for the project and other expenses, which will be repaid by Sunset Plaza from the proceeds of the mortgage loan. The notes will bear interest at the prime rate or such other rate as may be obtained by MP&L, whichever is less. The notes will mature 18 months after the date of the first borrowing and will be prepayable at any time without penalty.

MP&L contemplates no additional housing projects and requests that the Commission approve the pending proposal as a pilot project, urging that such approval would not be inconsistent with the Commission's recent decision on June 22, 1970, in Michigan Consolidated Homes Corp. (Holding Company Act Release No. 16763).

The application-declaration states that no approval or consent of any regulatory body, other than this Commission, is necessary for the proposed transactions. Fees and expenses to be incurred by MP&L and Sunset Plaza in connection with the proposed transactions are estimated at \$2,000, including legal fees of \$1,000.

The Division advises that the record in this proceeding appears to be complete and the applicants-declarants have agreed to file additional information and documents as may be requested by the Division. The applicants-declarants request that, if no interested person requests a hearing, the matter be considered by the Commission on the basis of the record and in light of the Commission's decision in Michigan Consolidated Homes Corp. The Commission considers this procedure appropriate in the light of the issues presented.

Notice is further given that any interested person may, not later than July 27, 1970, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500-miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. 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.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 70-9257; Filed July 17, 1970;  
8:48 a.m.]

Pursuant to the authority vested in the Administrator by the Small Business Act, 72 Stat. 334, as amended; the Small Business Investment Act of 1958, 72 Stat. 689, as amended; title IV of the Economic Opportunity Act of 1964, 78 Stat. 526, as amended; and the Disaster Relief Act of 1969, 83 Stat. 125, the following authority is hereby delegated:

I. *Regional Director, Region II—A. Financing Program.* 1. To approve or decline business loans not exceeding \$350,000 (SBA share) and economic opportunity loans not exceeding \$25,000 (SBA share).

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

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

3. To enter into business, economic opportunity and disaster loan participation agreements with banks.

4. To execute loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Regional Director.

5. To cancel, reinstate, modify, and amend authorizations for business, economic opportunity, and disaster loans.

6. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve service charges by participating banks not to exceed 2 percent per annum on the outstanding principal balance of construction loans and loans involving accounts receivable and inventory financing.

8. To establish disaster field offices upon receipt of advice of the designation of a disaster area; to advise on the mak-

ing of disaster loans; to appoint as a processing representative any bank in the disaster area; and to close disaster field offices when no longer advisable to maintain such offices.

9. To approve or reject the request of an applicant to file for a disaster loan after the period for acceptance under the original disaster declaration, or extension thereof, has expired.

10. No authority is hereby delegated to declare the nonapplicability of eligibility limitations to a community emergency as set forth in section 120.2(e) of SBA Loan Policy Regulations.

B. *Community Economic Development Program.* 1. To approve or decline section 501 State development company loans without dollar limitation and section 502 local development company loans up to \$350,000 (SBA share).

2. To extend the disbursement period on sections 501 and 502 loan authorizations or undisbursed portions of sections 501 and 502 loans.

3. To execute sections 501 and 502 loan authorizations for Central Office approved loans and for loans approved under delegated authority, said execution to read, as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Regional Director.

4. To cancel, reinstate, modify, and amend authorizations for sections 501 and 502 loans.

5. To enter into section 502 loan participation agreements with banks.

6. To approve or decline applications for the direct guarantee of payment of rent not to exceed \$1 million.

7. To issue and modify commitment letters, said issuance to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Regional Director.

8. To disburse approved EDA Loans, as authorized.

C. *Loan Administration Program.* 1. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans, with the exception of those loans classified as in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, except as to loans classified as in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, except as to loans classified as in litigation.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

d. To advertise regarding the public sale of (1) collateral in connection with the nonjudicial liquidation of loans, and (2) acquired property.

e. Except: (1) To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

2. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are not classified as in litigation and acquired collateral, when and as authorized by EDA.

3. To service claims arising under all lease insurance policies issued in the region, approving the payment, or recommending denial of such claims.

4. To take all actions necessary to mitigate losses from lease guarantees.

D. *Procurement and Management Assistance Program.* 1. To approve applications for Certificates of Competency up to but not exceeding \$250,000 bid value received from small business concerns which are located within the geographical jurisdiction of his regional office, with the exception of rereferred cases.\*\*

2. To deny an application for a Certificate of Competency when the regional director agrees with an adverse survey report as to production or credit, unless application for an SBA loan is being filed, which, if approved, might change the credit aspects of the case.\*\*

E. *Administrative.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. attorneys in foreclosure cases.

2. To (a) purchase office supplies and equipment, including office machines and rent regular office equipment and furnishings; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits; and (d) issue Government bills of lading.

3. In connection with the establishment of disaster loan offices, to obligate Small Business Administration to reimburse General Services Administration for the rental of office space.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

F. *Eligibility determinations.* To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies.

G. *Size determinations.* To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

H. *Legal services.* 1. To close and disburse approved SBA loans and rehabilitation loans for Department of Housing and Urban Development.

2. To close approved EDA loans, as authorized.

3. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

4. To conduct all litigation activities, including SBIC matters, as assigned, and to take all action necessary in connection with the liquidation of all loans classified as in litigation; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing.

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator, as to loans classified as in litigation.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale of special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates, and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing, as to loans classified as in litigation.

c. Except: (1) To sell any primary obligation or other evidence of indebtedness owed to the Agency for a sum less than the total amount due thereon; and (2) to deny liability of the Small Business Administration under the terms of a participation or guaranty agreement, or the assertion of a claim for recovery from a participating bank under any alleged violation of a participation or guaranty agreement.

5. To take all necessary action in liquidating Economic Development Administration (EDA) loans which are classified as in litigation, when and as authorized by EDA.

II. The specific authority in the subsections (except subsections I.D.1 and I.D.2) may be redelegated.

III. All authority delegated herein may be exercised by any Small Business Administration employee designated as acting regional director, Region II.

Effective date: June 29, 1970.

HILARY SANDOVAL, JR.,  
Administrator.

[F.R. Doc. 70-9232; Filed, July 17, 1970;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 116]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JULY 15, 1970.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 92633 (Sub-No. 15 TA), filed July 10, 1970. Applicant: ZIRBEL TRANSPORT, INC., 420 28th Street North, Lewiston, Idaho 83501. Applicant's representative: Donald A. Ericson, Suite 708, Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap automobiles and parts and used automobile parts*, from points in Idaho to points in Multnomah and Washington Counties, Oreg., and Pierce, King, and Spokane Counties, Wash., for 180 days. Supporting shipper: For-Mark, Inc., Post Office Box G, Lewiston, Idaho 83501. Send protests to: District Supervisor Lawrence C. Taylor, Interstate Commerce Commission, Bureau of Operations, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 110525 (Sub-No. 979 TA), filed July 9, 1970. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520



East Lancaster Avenue, Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silicate of soda*, in bulk, in tank vehicles, from plantsite of Pennwalt Corp. at Wyandotte, Mich., to Skaneateles Falls, N.Y., for 150 days. Supporting shipper: Pennwalt Corp., 3 Penn Center, Philadelphia, Pa. 19102. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 113514 (Sub-No. 106 TA), filed July 9, 1970. Applicant: SMITH TRANSIT, INC., 1200 Simons Building, Dallas, Tex. 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Catalyst*, in bulk, from Lake Charles, La., to points in New Jersey and Pennsylvania, for 180 days. Supporting shipper: W. R. Grace Co., Davidson Chemical Division, 101 North Charles Street, Baltimore, Md. 21203. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 114647 (Sub-No. 21 TA), filed July 9, 1970. Applicant: ROBERT E. PLETCHER, doing business as PLETCHER TRANSFER & STORAGE, Highway 69 South, Forest City, Iowa 50436. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers and pickup camper coaches*, in truckaway service, from Forest City, Iowa, to points in Utah, with *return of damaged, defective, rejected, or returned shipments*, for 180 days. Supporting shipper: Kayot, Inc., Forester Division, Forest City, Iowa 50436. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 115793 (Sub-No. 9 TA), filed July 10, 1970. Applicant: CALDWELL FREIGHT LINES, INC., Post Office Box 672, U.S. Highway 321 South, Lenoir, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packing or packaging material*, from plantsites of Cellu-Products Co. and subsidiary plants located at or near Patterson (Caldwell County), N.C., to points in Missouri, for 180 days. Supporting shipper: Cellu-Products Co., Patterson, N.C. Send protests to: District Supervisor Jack K. Huff, Interstate Commerce Commission, Bureau of Operations, Suite 417, BSR Building, 316 East Morehead Street, Charlotte, N.C.

No. MC 118904 (Sub-No. 19 TA), filed July 9, 1970. Applicant: MOBILE HOME EXPRESS, LTD., 1915 F Avenue, Lawton, Okla. 73501. Applicant's representative:

David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Mayes County, Okla., to points in Texas, New Mexico, Kansas, Nebraska, Missouri, Arkansas, Louisiana, and Colorado, for 180 days. Supporting shipper: Cherokee Manufacturing Co., Pryor, Okla. 74361. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 125338 (Sub-No. 2 TA), filed July 10, 1970. Applicant: SUPER SPEED TRANSPORT, INC., Clark Hill, Waterloo, Province of Quebec, Canada. Applicant's representative: Claude J. Clark, 58 West Main Street, Malone, N.Y. 12953. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ski-doo snowmobiles*, from Valcourt, Quebec, Canada, to the United States-Canadian border at Trout River, N.Y., thence south on Route 30 to Malone, N.Y., for 180 days. Supporting shipper: Elliott & Hutchins, Inc., East Main Street Road, Malone, N.Y. 12953. Send protests to: District Supervisor Martin P. Monaghan, Jr., Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 127042 (Sub-No. 61 TA), filed July 10, 1970. Applicant: HAGEN, INC., 4120 Floyd Blvd., Post Office Box 6, Leeds Station, Sioux City, Iowa 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, from Estherville, Iowa, to points in Illinois, Indiana, Kansas, Minnesota, Missouri, Nebraska, and South Dakota, for 180 days. Supporting shipper: John Morrell & Co., Estherville, Iowa 51334. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Federal Building, Sioux City, Iowa 51101.

No. MC 128250 (Sub-No. 1 TA), filed July 10, 1970. Applicant: EUGENE NANNEY, 827 Harvard Road, Sikeston, Mo. 63801. Applicant's representative: Kenneth L. Dement, 310 West North Street, Sikeston, Mo. 63801. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in kegs, bottles, and cans, from Peoria, Ill.; Evansville, Ind.; and St. Louis, Mo.; to Sikeston and Poplar Bluff, Mo., for 180 days. Supporting shipper: Bess Supply Co., Highway 61 South, Sikeston, Mo. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 128320 (Sub-No. 3 TA), filed July 10, 1970. Applicant: ART QUIRING, 2301 Washington Street, Hamburg, Iowa

51640, Coin, Iowa 51636. Applicant's representative: Charles J. Kimball, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper tissue, paper napkins, paper towels, wax paper, paper bags, and wrapping paper*, from warehouse facilities of Crown Zellerbach Paper Co., at or near Portland, Ore., to points in Iowa, for 150 days. Supporting shipper: Hoxie Institutional Wholesale Co., Portland, Ore. (James H. Knittel). Send protests to: District Supervisor Carroll Russell, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 129557 (Sub-No. 3 TA), filed July 1, 1970. Applicant: PAONE TRUCKING, INC., 88 Briggs Street, Cranston, R.I. 02910. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed pumice*, in bulk, in dump vehicles, from Portsmouth, N.H., to Cranston, R.I., for 150 days. Supporting shipper: Park Avenue Cement Block Co., Inc., 30 Budlong Road (off 1350 Park Avenue), Post Office Box 3530, Cranston, R.I. 02910. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 187 Westminster Street, Providence, R.I. 02903.

By the Commission.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

[F.R. Doc. 70-9268; Filed, July 17, 1970;  
8:49 a.m.]

[Finance Docket No. 26106 etc.]

## PENN CENTRAL TRANSPORTATION CO.

### Discontinuance of 34 Passenger Trains

JULY 15, 1970.

At the continued hearings in these proceedings held at Washington, D.C., on July 6, 1970, Exhibit A-76 introduced by the Post Office Department, intervener, was received in evidence. Certain errors and omissions in this exhibit were indicated in the testimony of Joseph F. Jones, witness for the Department. Counsel for the Department has supplied this office with corrected pages to be inserted in this exhibit. These corrected pages, page 2 (corrected) and exhibit No. 35 (corrected), are being furnished to active participants at the July 6 hearing. A supply of these corrected sheets, and of Exhibit A-76, is available at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, and will be sent to all other parties of record requesting same. This notice shall be published in the FEDERAL REGISTER.

[SEAL] JOSEPH M. HARRINGTON,  
Acting Secretary.

Andrew P. Goldstein, 1730 Rhode Island Avenue NW., Washington, D.C. 20036.  
 A. W. Johnson, Pennsylvania P.U.C., Post Office Box 3265, Harrisburg, Pa. 17120.  
 Walter E. Zullig, Jr., 44 Holland Avenue, Albany, N.Y. 12208.  
 Walter J. Myskowski, 712 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.

Carl E. Van Dorn, 807 State Office Building, Indianapolis, Ind.  
 Louis L. Walters, Assistant Corporation Counsel, Law Department, Municipal Building, New York, N.Y. 10007.  
 Mark Goldstein, Room 511, City Hall, Chicago, Ill. 60602.  
 T. P. Shearer, 711 Frick Building, Pittsburgh, Pa. 15219.

Gordon P. MacDougall, 705 Ring Building, 1200 18th Street NW., Washington, D.C. 20036.  
 Donald A. Brinkworth, 234 Penn Central Station, 30th Street, Philadelphia, Pa. 19104.  
 [F.R. Doc. 70-9267; Filed, July 17, 1970; 8:49 a.m.]

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