

RULES AND REGULATIONS

MANKATO, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Mankato Municipal Airport (latitude 44°08'44" N., longitude 93°59'04" W.) and within 2 miles each side of the Mankato VOR 149° radial, extending from the 5-mile radius area to 8 miles southeast of the VOR, and that airspace extending upward from 1,200 feet above the surface within 5 miles southwest and 8 miles northeast of the Mankato VOR 149° and 329° radials, extending from 18 miles southeast to 7 miles northwest of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on October 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-11306; Filed, Oct. 21, 1965;
8:45 a.m.]

[Airspace Docket No. 65-CE-951]

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

Alteration of Transition Area

On August 19, 1965, a notice of proposed rule making was published in the **FEDERAL REGISTER** (30 F.R. 10296) stating that the Federal Aviation Agency proposed to alter controlled airspace in the vicinity of Appleton, Wis.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., January 6, 1966, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Appleton, Wis., transition area is amended to read:

APPLETON, WIS.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Outagamie County Airport, Appleton, Wis. (latitude 44°18'40" N., longitude 88°31'10" W.), within 2 miles each side of the 135° bearing from Outagamie County Airport extending from the 5-mile radius area to 8 miles southeast of the airport, and within 2 miles each side of the 285° bearing from Outagamie County Airport extending from the 5-mile radius area to 8 miles west of the airport.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Kansas City, Mo., on October 14, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-11307; Filed, Oct. 21, 1965;
8:45 a.m.]

[Airspace Docket No. 65-SW-27]

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

Alteration of Transition Area

On August 10, 1965, a notice of proposed rule making was published in the

FEDERAL REGISTER (30 F.R. 9957) stating that the Federal Aviation Agency proposed to alter the Lafayette, Louisiana, transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., January 6, 1966, as herein set forth.

In § 71.181 (30 F.R. 15948) the Lafayette, La., transition area is amended to read.

LAFAYETTE, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of latitude 30°02'15" N., longitude 91°53'00" W., within 2 miles each side of the Lafayette VOR 139° radial extending from the 5-mile radius area to the VOR, within 2 miles each side of the Lafayette ILS localizer north course extending from the OM to 1 mile south, within 2 miles each side of the Lafayette ILS localizer south course extending from the 5-mile radius area to 14 miles south of the airport, and within 2 miles each side of the Lafayette VOR 172° radial extending from the VOR to 8 miles south; and that airspace extending upward from 1,200 feet above the surface within an area bounded by a line beginning at latitude 30°46'20" N., longitude 91°50'40" W., to latitude 30°07'40" N., longitude 91°38'45" W., to latitude 30°13'00" N., longitude 90°57'00" W., to latitude 29°53'00" N., longitude 91°00'00" W., to latitude 29°47'00" N., longitude 91°11'00" W., to latitude 29°36'00" N., longitude 91°11'00" W., thence west via latitude 29°36'00" N., to and clockwise along the arc of a 35-mile radius circle centered at latitude 30°02'15" N., longitude 91°53'00" W., to latitude 29°56'00" N., thence north to latitude 30°32'00" N., longitude 92°15'00" W., to point of beginning; within 8 miles north and 5 miles south of the White Lake VOR 090° and 270° radials extending from 7 miles west to 13 miles east of the VOR, and within 8 miles south and 5 miles north of the White Lake VOR 091° and 271° radials extending from 7 miles east to 13 miles west of the VOR.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Fort Worth, Tex., on October 13, 1965.

A. L. COULTER,
Acting Director,
Southwest Region.

[F.R. Doc. 65-11308; Filed, Oct. 21, 1965;
8:45 a.m.]

[Airspace Docket No. 65-CE-65]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Positive Control Area and Revocation of Jet Advisory Areas

On August 10, 1965, a notice of proposed rule making was published in the **FEDERAL REGISTER** (30 F.R. 9956) stating that the Federal Aviation Agency proposed to extend positive control area to

the airspace in the vicinity of Aberdeen, S. Dak., and to revoke certain jet advisory areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0001 e.s.t., December 9, 1965, as hereinafter set forth.

a. Section 71.193 (30 F.R. 1836, 12386) is amended as follows: "latitude 46°00'00" N., longitude 100°00'00" W.; latitude 45°56'30" N., longitude 101°00'00" W.; latitude 44°37'00" N., longitude 101°00'00" W.; latitude 44°20'00" N., longitude 101°00'00" W.; latitude 43°30'00" N., longitude 100°26'00" W.; latitude 43°30'00" N., longitude 97°17'00" W.; latitude 43°35'30" N., longitude 97°23'30" W.;" is deleted and "latitude 46°14'00" N., longitude 100°00'00" W.; latitude 45°40'20" N., longitude 98°20'40" W.;" is substituted therefor.

b. Section 75.200 (30 F.R. 2440, 12386) is amended as follows:

1. Jet Route No. 16 jet advisory area is revoked.

2. Jet Route No. 70 jet advisory area is revoked.

3. Jet Route No. 82 jet advisory area is revoked.

4. Jet Route No. 90 jet advisory area is revoked.

5. The text of Jet Route No. 32 jet advisory area is amended to read: "Non-radar—From the positive control area boundary NE of Duluth, Minn., to the United States/Canadian border only from FL 370 to FL 390, inclusive."

c. Section 75.300 (30 F.R. 2440) is amended as follows: 1. The Minneapolis, Minn., jet advisory area is revoked.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C. on October 15, 1965.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-11309; Filed, Oct. 21, 1965;
8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 14—NONMAILABLE MATTER

PART 15—MATTER MAILABLE UNDER SPECIAL RULES

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

I. In Part 14, make the following change:

In § 14.2, paragraph (d) (4) is revised to update the list of operations offices of the Atomic Energy Commission. As so revised, paragraph (d) (4) reads as follows:

RULES AND REGULATIONS

§ 14.2 Harmful matter.

(d) Radioactive matter.

(4) Operations offices of the United States Atomic Energy Commission are as follows:

Operations office	Mail address	Telephone No.
Albuquerque Operations Office	Post Office Box 5400, Albuquerque, N. Mex., 87115.	264-4667.
Chicago Operations Office	9800 South Cass Ave., Argonne, Ill., 60430.	Lemont, Ill., 739-7711, Ext. 4011.
Richland Operations Office	Post Office Box 550, Richland, Wash., 99352.	Whitehall 2-1111, Ext. 6-5441.
Idaho Operations Office	Post Office Box 2108, Idaho Falls, Idaho, 83401.	Jackson 2-0640.
New York Operations Office	376 Hudson St., New York, N.Y., 10014.	Yukon 9-1000.
Oak Ridge Operations Office	Post Office Box E, Oak Ridge, Tenn., 37831.	Oak Ridge, Tenn., 483-8611, Ext. 3333.
San Francisco Operations Office	2111 Bancroft Way, Berkeley, Calif., 94704.	Thornwall 1-5620.
Savannah River Operations Office	Post Office Box A, Aiken, S.C., 29802.	North Augusta, S.C., 846-6331, Ext. 3333, Aiken, S.C., Midway 9-6211.

Note: The corresponding Postal Manual section is 124.244.

II. In Part 15 make the following changes:

A. In § 15.3, paragraph (f) is revised to permit acceptance of interstate shipments of meats and meat products bearing a mark of Federal meat inspection on the outside carton, wrapper or container in lieu of a certificate. Volume shippers whose shipments do not show a mark of Federal meat inspection on the outside container may place their certificate by hand stamp or otherwise directly on the address side of the outer wrapper or carton. Certificates of all other shippers will continue to be made on Form 3583, and only one copy of this form is to be completed for each shipment. However, Certificates 1 and 2 will continue to be mailed to the Meat Inspection Division of the U.S. Department of Agriculture, Washington, D.C., 20250. Certificate 3 will be mailed to the Investigator in Charge designated in § 15.3(f) (4) of this chapter. Duplicate copies of Form 3583 are no longer required and completed certificates on Form 3583 will no longer be retained in Post Office files. Those copies of completed Form 3583 now held in post offices will be retained for 1 year from the publication date of this rule in the *FEDERAL REGISTER* and then disposed of. As so revised, paragraph (f) reads as follows:

§ 15.3 Perishable matter.

(f) *Meat and meat products*—(1) *Certificate required*. Interstate shipments of meats and meat products may be sent through the mails only if they conform with regulations of the U.S. Department of Agriculture under Federal statutes. Each shipment must be accompanied with a certificate by the mailer unless the shipment shows on the outside the mark of Federal meat inspection in form of either a circular inspection legend or other domestic meat label. See subparagraph (2) of this paragraph. The mailer's certificate may be applied directly to the outside of the parcel, container or wrapper (in the case of volume shippers), or be submitted on Form 3583 filed at time of mailing. See subparagraph (3) of this paragraph.

(2) *Mark of Federal Meat Inspection*. Outside containers used to mail meat or meat products bearing either of the following marks of Federal Meat Inspection may be accepted without requiring a certificate.

(i) DOMESTIC MEAT LABEL
ESTABLISHMENT 38

The meat or meat food product contained herein has been U.S. inspected and passed by Department of Agriculture.

(ii) The name and address of the establishment, or the name only, may be printed on the label at the bottom.

U.S.
INSPECTED
AND PASSED BY
DEPARTMENT OF
AGRICULTURE
EST. 38

(3) *Form of certificate*. (i) Volume shippers of U.S. inspected and passed products may elect to rubber hand stamp or by other means affix the following certificate to the address side of each package of meat and meat products:

I certify that the meat or meat-food products described hereon, which are offered for mailing in interstate or foreign commerce, have been United States inspected and passed by Department of Agriculture, are so marked, and at this date are sound, healthful, wholesome, and fit for human food.

(Name of shipper)

(Address of shipper)

(ii) Mailers not preparing their shipments as provided in subparagraph (2) of this paragraph or in subdivision (1) of this subparagraph should use Form 3583. The form is designed for use by all other shippers of meat or meat food products subject to the inspection regulations of the U.S. Department of Agriculture. Three types of certificates are included in the form. The shipper must complete both sides of the form and submit it to the postmaster with each shipment.

(4) *Disposition of Form 3583*. Copies of Form 3583 with certificate 1 or 2 shall be mailed in a post office penalty envelope to Director, Meat Inspection Division, U.S. Department of Agriculture,

Washington, D.C., 20250. Copies of Form 3583 having certificate 3 completed shall be mailed as follows:

Post offices within regions

Mail to

Atlanta, Ga., Dal- Investigator in Charge, las, Tex., Mem- Southern Region, Rm. phis, Tenn., St. T 12015, Federal Office Louis, Mo., and Bldg., 701 Loyola St., Wichita, Kans. New Orleans, La., 70113.

Boston, Mass., Cin- Investigator in Charge, cinnati, Ohio, Eastern Region, Rm. New York, N.Y., 514, 45 Broadway, New Philadelphia, Pa., York, N.Y., 10006. Washington, D.C.

Chicago, Ill., Min- Investigator in Charge, neapolis, Minn. Northern Region, 1058 Hillgrove Ave., West- ern Springs, Ill., 60558.

Denver, Colo., San Francisco, Calif., Investigator in Charge, Seattle, Wash. Western Region, Post Office Box 386, South San Francisco, Calif., 94083.

Note: The corresponding Postal Manual section is 125.36.

§ 15.4 [Amended]

B. In § 15.4, paragraph (b) is revised to reflect current information on plant quarantines. As so revised, paragraph (b) reads as follows:

(b) *Plant quarantines applying to the continental United States*. When any State or area is quarantined by order of the Secretary of Agriculture, under authority of the Plant Quarantine Act, or by an authorized State plant pest official cooperating with the Secretary of Agriculture, on account of a plant disease or insect infestation, the mailing of plants, plant products, or other articles covered by such quarantine or regulatory order from such State or area into or through any State or area is subject to the restrictions imposed by such order. A summary of these quarantines follows:

(1) *Black Stem Rust*. Federal Quarantine No. 38: (i) Prohibits movement of barberry, mahonia, and mahoberberis plants and parts thereof capable of propagation other than designated rust-resistant plants, which may be moved by nurseries and dealers listed by the Director of Plant Pest Control Division, U.S. Department of Agriculture, as sources authorized to ship such plants (shippers may be required to present evidence or authorization to ship before shipments of these plants are accepted for mailing). Parts of mahonia plants without roots intended for decorative purposes are exempted from these requirements; (ii) prohibits movement of seeds and fruits of any barberry, mahonia, and mahoberberis from the other States and the District of Columbia into the eradication States of Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, except under special permit. Seeds and fruits of rust-resistant plants may be moved between the eradication States only when accompanied by permits issued specifically for such movement. There are no restrictions on the move-

ment of seeds and fruits from the eradication States to points outside thereof or between points entirely outside the eradication States.

(2) *Gypsy moth and brown-tail moth*. Federal Quarantine No. 45: Prohibits, except when accompanied by a Federal certificate or permit or when exempted by administrative instructions, the movement to any point outside the regulated areas, or from the generally infested area to points in the suppressive area of: (i) Timber and timber products; (ii) plants having persistent woody stems, and parts thereof, including Christmas trees; (iii) stone and quarry products; and (iv) any other commodities or articles when found on inspection to be infested with gypsy or brown-tail moths. The regulated areas include the entire States of Connecticut, Massachusetts, and Rhode Island, and parts of Maine, New Hampshire, New York, and Vermont. The suppressive area includes parts of the regulated area in New York.

(3) *Japanese beetle*. Federal Quarantine No. 48: Prohibits, except when accompanied by Federal certificates or permits or when exempted from certification by administrative instructions, the movement from the regulated areas of: (i) Soil, humus, compost, and decomposed manure; (ii) nursery stock; and (iii) fresh fruits and vegetables from seasonally designated areas during part of the year, when shipped by truck or in carload lots. The regulated areas include the District of Columbia, the entire States of Connecticut, Delaware, Indiana, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and parts of the States of Georgia, Kentucky, Maine, Ohio, and South Carolina.

(4) *Pink bollworm*. Federal Quarantine No. 52: Prohibits, except when accompanied by a Federal certificate or permit or when exempted from certification by administrative instructions, the movements from the regulated areas of: (i) Gin trash and cotton waste from gins and mills; (ii) cotton and wild cotton plants and products thereof, including seed cotton, cottonseed, cotton lint, linters, and all other forms of unmanufactured cotton fiber, cottonseed hulls, cake, and meal, and all other parts of such plants; (iii) okra plants including seed and edible and dry pods; and (iv) when infested with pink bollworms or contaminated with regulated cotton products, bagging and other containers of cotton, and farm products, farm household goods, and farm equipment. The regulated areas include the entire States of New Mexico, Oklahoma, and Texas, and parts of the States of Arizona, Arkansas, and Louisiana.

(5) *White-pine blister rust*. Federal Quarantine No. 63: Prohibits (i) the movement of five-leaved pines into the States of Arizona, Colorado, Nevada, New Mexico, Utah, and that part of California comprising the counties of Contra Costa, Mariposa, Mono, San Francisco, San Joaquin, Stanislaus, and all those

south thereof unless originating in such areas, except when intended for reforestation purposes; (ii) the movement of European black currant plants (*Ribes nigrum*) into the District of Columbia and all States except Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas; (iii) the movement of all currant and gooseberry plants into parts of the States of Georgia, Idaho, Maine, Montana, New Hampshire, New Jersey, New York, Tennessee, and West Virginia; and (iv) except when accompanied by a Federal control-area permit, the movement of all currant and gooseberry plants into the States of Connecticut, Delaware, Maryland, Massachusetts, Rhode Island, Vermont, and parts of the States of Michigan, Minnesota, North Carolina, Ohio, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin.

(6) *Mexican fruit fly*. Federal Quarantine No. 64: Prohibits, except as provided in the regulations and administrative instructions supplemental thereto, the movement from the regulated areas in Texas of citrus and other specified fruits.

(7) *White-fringe beetle*. Federal Quarantine No. 72: Prohibits, except when accompanied by a Federal certificate or permit or when specifically exempted from certification requirements by administrative instruction, the movement from the regulated areas in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia of (i) soil independent of or in connection with nursery stock, plants, or other things; (ii) nursery stock and other stipulated plants or plant products; and (iii) other specified articles.

(8) *Khapra beetle*. Federal Quarantine No. 76: Prohibits movement from the regulated area, unless accompanied by Federal certificates or permits, of grains and grain products, dried seeds and seed products, bags, bagging, dried milk, dried blood, fish meal, and meat scraps. The regulated areas are limited to properties in parts of Arizona, California, and New Mexico which are designated as regulated areas in administrative instructions.

(9) *European chafer*. Federal Quarantine No. 77: Prohibits movement from the regulated area unless accompanied by Federal certificates or permits of nursery stock, sand, soil, gravel, humus, compost, and decomposed manure. The regulated areas include parts of Connecticut, New York, and West Virginia.

(10) *Soybean cyst nematode*. Federal Quarantine No. 79: Prohibits movement, unless accompanied by Federal certificates or permits, of soil, nursery stock and other plants with roots attached, true bulbs, corms, rhizomes, and tubers, root crops, soybeans, small grains, ear corn, hay, straw, fodder, and plant litter of any kind, seed cotton, used farm tools and implements, burlap bags, cotton picking sacks, and other farm products. The regulated areas include parts of the States of Arkansas, Illinois,

Kentucky, Mississippi, Missouri, North Carolina, Tennessee, and Virginia.

(11) *Witch weed*. Federal Quarantine No. 80: Prohibits movement from the regulated area, unless accompanied by Federal certificates or permits, of soil, nursery stock, and other plants with roots attached, bulbs, corms, rhizomes, and tubers, root crops, seed cotton, tobacco, peanuts in shells, ear corn, soybeans, and small grains. The regulated areas include parts of North Carolina and South Carolina.

(12) *Imported fire ant*. Federal Quarantine No. 81: Prohibits movement, unless accompanied by Federal certificates or permits, of soil, plants with soil, grass sod, and forest products. The regulated areas include parts of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

(13) *Peach mosaic*. Standard State quarantines on account of the peach mosaic disease prohibit, except when accompanied by certificates issued by authorized officials of the States of origin, the movement of all peach, plum, prune, nectarine, apricot, and almond trees, and propagative parts except fruit pits, into, within or from Arizona and New Mexico and parts of Arkansas, California, Colorado, Oklahoma, Texas, and Utah.

(14) *Phony peach*. Standard State quarantines on account of the Phony peach disease prohibit, except when accompanied by certificates issued by authorized officials of the States of origin, the movement of all almond, apricot, nectarine, peach, and plum nursery stock into, within or from Alabama, Florida, Georgia, Louisiana, and Mississippi and parts of Arkansas, Missouri, North Carolina, Tennessee, and Texas.

(15) *Sweet potato weevil*. Live sweet potato weevils in any stage of development may be accepted for mailing only when accompanied by a permit issued by the U.S. Department of Agriculture. State sweetpotato weevil quarantines of Alabama, Arizona, Arkansas, California, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas prohibit movement from regulated areas of sweetpotatoes (tubers) and sweetpotato and morningglory (*Ipomoea*) plants and parts thereof, including vines, cuttings, draws, and roots, unless they are accompanied by sweetpotato weevil quarantine or inspection certificates issued by authorized inspectors of the States of origin. The regulated areas include parts of the States of Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas.

(16) *Cereal leaf beetle*. Standard State quarantines on account of the cereal leaf beetle prohibit, except when accompanied by certificates issued by authorized officials of the State of origin, the movement of grain, uncleared grass and forage crop seed, hay, straw, fodder, and plant litter of any kind, and sod. The regulated areas include parts of Indiana, Michigan, and Ohio.

Detailed information regarding these quarantines may be obtained by writing

RULES AND REGULATIONS

the U.S. Department of Agriculture, Washington, D.C., 20250.

NOTE: The corresponding Postal Manual section is 125.42.

C. In § 15.4, present paragraph (c) is redesignated paragraph (e), and new paragraphs (c) and (d) are inserted therein. New paragraph (c) gives information regarding plant quarantines applying to Hawaii and Puerto Rico. New paragraph (d) shows regulations concerning plant materials from the Canal Zone and Samoa. As so added, paragraphs (c) and (d) read as follows:

(c) *Plant quarantines applying to Hawaii and Puerto Rico.* Federal plant quarantines prohibit the shipment by mail or otherwise from Hawaii and Puerto Rico of the following plants and plant products into or through any other State, Territory, or District of the United States: Sugarcane or cuttings or parts thereof, or sugarcane leaves (Quarantine No. 16, revised), except that bagasse may be shipped under permit when accompanied by certificates issued by Federal plant quarantine inspectors for such shipment, or by special green and yellow mailing tags furnished by the U.S. Department of Agriculture, Plant Quarantine Division, and bearing the address of one of the following stations of that Bureau: Hoboken, N.J., San Francisco, Calif., Laredo, Tex., and Seattle, Wash.; also prohibited are sweet-potatoes, except under permit or certificate from an inspector of the Commonwealth of Puerto Rico (Quarantine No. 30, revised); cotton, seed cotton, cottonseed, cottonseed hulls, cake and meal, cotton waste, and bale covers, except under certificate or permit issued by an inspector of the Plant Quarantine Division in the Territory, District, or Insular Possession of origin (Quarantine No. 47); sand (other than clean ocean sand), soil, or earth around the roots of plants (Quarantine No. 60). Fruits and vegetables in the natural or raw state from Puerto Rico and fruits and vegetables in the natural or raw state, peel of fruits of all citrus and citrus relatives, certain cut flowers, rice straw, and mango seeds from Hawaii are prohibited from moving into or through any other State, Territory, or District of the United States; except that certificates may be issued by Federal plant quarantine inspectors for the shipment from Hawaii of specified fruits and vegetables on special determination in each case (Quarantine No. 13) and, for shipment from Puerto Rico, of grapefruit, oranges, and other citrus fruits, pineapples, bananas, plantains, avocados, dasheens, sweet corn on cob, and certain other articles, on special determination in each case (Quarantine No. 58). The regulations do not however apply to the shipment from Puerto Rico of coconuts either in, or free from, the husk when shipped through the mail without wrapping or packing as individual parcels. Federal permits are required from Hawaii and Puerto Rico to ship cotton, cottonmill waste and cottonseed cake, meal, and other cottonseed products other than

oil, except that samples of raw or unmanufactured ginned cotton, including cottonmill waste, and samples of cottonseed cake and meal may be shipped by parcel post when the parcels are securely wrapped to prevent leakage and are conspicuously addressed to the Plant Quarantine Division at Hoboken, N.J., San Francisco, Calif., or Seattle, Wash. The name and address of the ultimate addressee must be indicated in the lower left corner. Upon arrival of such parcels at the Plant Quarantine Division they will be examined and fumigated and forwarded to the ultimate addressee under the original postage (Quarantine No. 47).

(d) *Plant materials from Canal Zone and Samoa.* Plant material from Tutuila, Manua, and the Canal Zone moving to the continental United States, Hawaii, and Puerto Rico is subject to the plant quarantines that affect the importation of plant material from foreign countries.

NOTE: The corresponding Postal Manual sections are 125.43 and 125.44.

D. In § 15.4 *Plant quarantines*, amend subdivision (iv) of paragraph (e) (6) by adding "Broderick, El Cerrito, and Orinda" in the alphabetical list therein of terminal inspection places in California.

NOTE: The corresponding Postal Manual section is 125.456d.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-11212; Filed, Oct. 21, 1965;
8:45 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 11—Coast Guard, Department of the Treasury

[CGFR 65-39]

MISCELLANEOUS AMENDMENTS

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 167-17 (20 F.R. 4976) and Treasury Department Order 167-50 (28 F.R. 530):

PART 11-1—GENERAL

Subpart 11-1.3—General Policies

1. Section 11-1.302-3 is added, reading as follows:

§ 11-1.302-3 Contracts between the Government and Government employees or business concerns substantially owned or controlled by Government employees.

When a contracting officer has reason to believe that an exception as described in § 1-1.302-3 should be made, approval of the decision to make such an exception for any such contract must be obtained from Commandant (F).

§ 11-1.317 [Amended]

2. In § 11-1.317 the second line is amended by changing "§ 1-1.317(b)" to read "§ 1-1.317(e)."

3. Section 11-1.320-50 is added, reading as follows:

§ 11-1.320-50 Reporting possible violations.

Coast Guard contracting officers, auditors, technical inspectors, and other personnel responsible for the administration of negotiated contracts and subcontracts thereunder shall, through proper channels, report to Commandant (PS) any instances which come to their attention involving possible violations of the Anti-Kickback Act (41 U.S.C. 51-54). Such reports shall set forth all details of the transaction known to the reporting personnel, or available to them in the normal course of performance of their duties.

4. Section 11-1.351 is added, reading as follows:

§ 11-1.351 Variation in quantity.

To the extent that a variation in quantity is caused by the conditions specified in the clause in 1-7.101-4 that quantity may be accepted only to the extent specified in the Schedule. The permissible variation shall be stated as a percentage and may be an increase, a decrease, or a combination of both. There should be no standard or usual percentage or variation. Each procurement for which an overrun or underrun is permissible should be based upon the normal commercial practices of the particular industry for particular items, and the permitted percentage should be no larger than is necessary to afford a contractor reasonable protection. In no event shall the permissible variation exceed plus or minus 10 percent. The clause set forth below shall be included in the Schedule, only when one or more of the causes of quantity variation foreseeable exists at the time of solicitation.

EXTENT OF QUANTITY VARIATION (APR. 1965)

The permissible variation under the clause of the General Provisions entitled "Variation in Quantity" shall be limited to:

Increase (Insert: _____ Percent or None)
Decrease (Insert: _____ Percent or None)
This increase or decrease shall apply to _____.

Consideration shall be given to the quantity to which the percentage variation applies. For example, when it is contemplated that delivery will be made to multiple destinations and it is desired that the quantity variation extend to the item quantity for each destination, this requirement must be set forth with particularity. Similarly, when it

*Insert in the blank the destination(s) to which the percentages apply, such as: (1) the total contract quantity; (2) item 1 only; (3) each quantity specified in the delivery schedule of the "Time of Delivery" clause; (4) the total item quantity for each destination; (5) the total quantity of each item without regard to destination.

is desired that the quantity variation extend to the total quantity of each item and not to the quantity for each destination, it may be desirable to express a percentage limitation for each destination to prevent unrealistic distribution of any increase or decrease.

Subpart 11-1.7—Small Business Concerns

1. Section 11-1.708-2 is added, reading as follows:

§ 11-1.708-2 Applicability and procedure.

(a) (6) Referrals pursuant to 1-1.708-2(a) (6) will be made to Commandant (P).

2. Section 11-1.709 is added, reading as follows:

§ 11-1.709 Records and reports.

Commandant (FS). District Commanders and Commanding Officers of Headquarters units shall summarize and report such procurements on Standard Form 37 (Report on Procurement by Civilian Executive Agencies) in accordance with § 1-16.804 as implemented by § 11-16.804.

PART 11-2—PROCUREMENT BY FORMAL ADVERTISING

Subpart 11-2.2—Solicitation of Bids

1. In § 11-2.201 paragraphs (a) (1)-(21); (a) (23)-(49); (b) (1)-(4); (b) (6)-(49) are deleted from the Code of Federal Regulations as publication of this material in Chapter 11, Title 41 CFR is not required. Paragraph (a) (50) is deleted as this provision is now covered in § 1-2.201(a) (11). Paragraph (a) (50) is reserved.

§ 11-2.201 Preparation of invitations for bids.

(a) (1)-(21) [Deleted]
 (a) (23)-(49) [Deleted]
 (a) (50) [Deleted]
 (a) (50) [Reserved]
 (b) (1)-(4) [Deleted]
 (b) (6)-(49) [Deleted]

§ 11-2.201-51 [Corrected]

2. In the document adding § 11-2.201-51 of Chapter 11 of Title 41 of the Code of Federal Regulations, published on page 8520 in the *FEDERAL REGISTER* dated July 3, 1965, correction is made by redesignating paragraph "f" to read "e".

Subpart 11-2.4—Opening of Bids and Award of Contracts

1. Section 11-2.407-3 is deleted. This material is now covered in § 1-2.407-3.

§ 11-2.407-3 Discounts. [Deleted]

PART 11-3—PROCUREMENT BY NEGOTIATION

Subpart 11-3.8—Price Negotiation Policies and Techniques

The provisions in Subpart 11-3.8, Price Negotiation Policies and Techniques, are no longer required in view of the regulations which are currently prescribed in Subpart 1-3.8, of the Federal Procure-

RULES AND REGULATIONS

ment Regulations. Accordingly, Subpart 11-3.8 is rescinded in its entirety.

PART 11-5—SPECIAL AND DIRECTED SOURCES OF SUPPLY

Subpart 11-5.51—Procurement of Supplies From General Services Administration Stores Depot and of Services for Repair and Refinishing From General Services Administration Sources

§ 11-5.5100 [Amended]

1. In Section 11-5.5100 the last sentence, reading "It does not apply to any order for items or group of items which amount to \$25 or less; however, items or groups of items costing \$25 or less may be procured from GSA stores depots when it is determined that such procurement would be more economical than from commercial sources when such procurement is authorized under small purchase procedures", is deleted.

§ 11-5.5102 [Amended]

2. In Section 11-5.5102 the last sentence, reading "Copies of the Catalog may be obtained from any of the depots or offices listed in § 11-5.5103", is deleted.

3. Section 11-5.5103 is deleted from the Code of Federal Regulations in its entirety. Publication of this material in Chapter 11 Title 41 CFR is not required.

PART 11-7—CONTRACT CLAUSES

Subpart 11-7.1—Fixed-Price Supply Contracts

1. Section 11-7.101-60 is deleted and reserved. Publication of this material in Chapter 11 Title 41 CFR is not required as that provision of the terms and conditions of the Invitations for Bids concerning discounts is now prescribed on new Standard Form 33A, § 1-16.901-33A.

§ 11-7.101-60 Discounts. [Deleted]

PART 11-16—PROCUREMENT FORMS

Subpart 11-16.8—Miscellaneous Forms

1. Section 11-16.804 is added, reading as follows:

§ 11-16.804 Report on procurement by civilian executive agencies.

(a) *Form prescribed.* In addition to the requirements of § 1-16.804, Form CG-4090 may be used to record data on a daily basis.

(b) *Frequency and due date.* Reports (Reports Control Symbol FS-6129) shall be prepared semi-annually to cover the periods January 1 through June 30, and July 1 through December 31 of each year. The district office report will include data compiled from district unit reports. District Commanders and Commanding Officers of Headquarters units will submit their reports, in an original only, to Commandant (FS) prior to July 10 and January 10 for consolidation and submission of a Coast Guard report, in an

original only, to the Treasury Department prior to July 20 and January 20.

(14 U.S.C. 633, 10 U.S.C. Ch. 137)

[SEAL] E. J. ROLAND,
 Admiral, U.S. Coast Guard,
 Commandant.

OCTOBER 12, 1965.

[F.R. Doc. 65-11328: Filed, Oct. 21, 1965; 8:47 a.m.]

Chapter 60—President's Committee on Equal Employment Opportunity

TRANSFER OF FUNCTIONS

EDITORIAL NOTE: Under Executive Order 11246, 30 F.R. 12319, the President's Committee on Equal Employment Opportunity is abolished and its functions transferred to the Secretary of Labor. Accordingly, the heading of Chapter 60 is changed to read: "Chapter 60—Office of Federal Contract Compliance, Equal Employment Opportunity, Department of Labor". See *FEDERAL REGISTER* Document 65-11364, *infra*, for adoption of the Committee's regulations as those of the Secretary of Labor and issuance of temporary regulations.

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

TRANSFER OF FUNCTIONS

Parts II and III of Executive Order No. 11246 (30 F.R. 12319, September 28, 1965) vested in the Secretary of Labor the functions previously exercised by the President's Committee on Equal Employment Opportunity under Executive Orders 10925 (3 CFR, 1959-1963 Comp. p. 448), 11114, June 22, 1963 (3 CFR 1959-1963 Comp. p. 774), and 11162, July 28, 1964 (3 CFR 1964 Comp. p. 154). Section 201 of Executive Order 11246 provides that the Secretary shall adopt such rules, regulations and orders as he deems necessary and appropriate to achieve the purposes of the Order. In the interest of continuity of the program it has been determined necessary and appropriate to adopt the current regulations on this subject hitherto prescribed by the President's Committee on Equal Employment Opportunity as those of the Secretary of Labor.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these rules only involve matters that relate to public contracts. I do not believe such procedures will serve a useful purpose here.

Accordingly, the following temporary regulations are prescribed to become effective October 24, 1965:

(a) All rules, regulations, orders, instructions, and other directives, issued by the President's Committee on Equal Employment Opportunity (see, Parts 60-1 and 60-80 of this chapter), to the extent not inconsistent with Executive Order 11246 of September 24, 1965 (30

RULES AND REGULATIONS

F.R. 12319, September 28, 1965), remain in full force and effect as those of the Secretary of Labor.

(b) All references in rules, regulations, orders, instructions and other directives of the President's Committee on Equal Employment Opportunity to "Committee", "Chairman", "Vice-Chairman" and "Executive Vice-Chairman" shall, for purposes of these temporary regulations mean the Director of the Office of Fed-

eral Contract Compliance of the United States Department of Labor and all references to "a panel of the Committee" in said rules and regulations shall mean an appropriate panel of three appointed by the Director.

(c) *Effective date.* These temporary regulations are effective on October 24, 1965. With respect to invitations for bids and requests for proposals or similar documents, these temporary regulations

apply to such documents first initiated on or after that date.

(Sec. 201, E.O. 11246, Sept. 24, 1965; 30 F.R. 12319)

Signed at Washington, D.C., this 19th day of October 1965.

W. WILLARD WIRTZ,
Secretary of Labor.
[P.R. Doc. 65-11364; Filed, Oct. 21, 1965;
8:48 a.m.]