

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, and 55), AND MARYLAND TOBACCO

Subpart—Proclamation of the Results of Marketing Quota Referenda for Fire-Cured Tobacco and Dark Air-Cured Tobacco

Basis and purpose. The purpose of this proclamation is to announce the results of the fire-cured tobacco and dark air-cured tobacco marketing quota referenda for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed national marketing quotas for fire-cured (type 21) tobacco, fire-cured (types 23, 23, and 24) tobacco, and dark air-cured (types 35 and 36) tobacco for the 1967-68, 1968-69 and 1969-70 marketing years, and announced the amounts of the national marketing quotas for such kinds of tobacco for the 1967-68 marketing year (32 F.R. 651). The Secretary announced (32 F.R. 680) that referenda would be conducted by mail ballots during the period February 13 to 17, 1967, each inclusive, to determine whether fire-cured tobacco and dark air-cured tobacco producers were in favor of or opposed to marketing quotas for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969. Since the only purpose of this proclamation is to announce the results of the referenda, it is hereby found and determined that with respect to this proclamation, application of the notice and procedure provisions of 5 U.S.C. 553 is unnecessary.

Sec.

724.360 Proclamation of the results of the fire-cured tobacco marketing quota referendum for the 3-year period beginning October 1, 1967.

724.36p Proclamation of the results of the dark air-cured tobacco marketing quota referendum for the 3-year period beginning October 1, 1967.

AUTHORITY: The provisions of this subpart issued under secs. 312, 375; 52 Stat. 46, as amended, 66, as amended; 7 U.S.C. 1312, 1375.

§ 724.360 Proclamation of the results of the fire-cured tobacco marketing quota referendum for the 3-year period beginning October 1, 1967.

In a referendum of farmers engaged in the production of the 1966 crop of fire-cured tobacco held during the period February 13 to 17, 1967, each inclusive, 13,783 farmers voted. Of those voting, 12,882 or 93.5 percent, favored quotas for a period of 3 years beginning October 1, 1967; 901 or 6.5 percent were opposed to quotas. Therefore, the national marketing quota of 11,192,000 pounds for fire-cured (type 21) tobacco, and the national marketing quota of 46,200,000 pounds for fire-cured (types 23, 23, and 24) tobacco, proclaimed January 19, 1967 (32 F.R. 651) for the 1967-68 marketing year will be in effect for such year, and marketing quotas on such kinds of tobacco will be in effect for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969.

§ 724.36p Proclamation of the results of the dark air-cured tobacco marketing quota referendum for the 3-year period beginning October 1, 1967.

In a referendum of farmers engaged in the production of the 1966 crop of dark air-cured tobacco held during the period February 13 to 17, 1967, each inclusive, 13,695 farmers voted. Of those voting, 12,742 or 93.0 percent, favored quotas for a period of 3 years beginning October 1, 1967; 953 or 7.0 percent were opposed to quotas. Therefore, the national marketing quota of 22,100,000 pounds proclaimed January 19, 1967 (32 F.R. 651) for dark air-cured (types 35 and 36) tobacco for the 1967-68 marketing year will be in effect for such year, and marketing quotas on such kind of tobacco will be in effect for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969.

Done at Washington, D.C., this 10th day of March 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-2845; Filed, Mar. 14, 1967; 8:49 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 70—SPECIAL NUCLEAR MATERIAL

Discontinuance of Procedures for Allocation and Distribution of Special Nuclear Material

On November 24, 1966, the Atomic Energy Commission published in the

FEDERAL REGISTER (31 F.R. 14881) proposed amendments to its regulations, 10 CFR Part 50, Licensing of Production and Utilization Facilities, and 10 CFR Part 70, Special Nuclear Material, which would discontinue the Commission's present regulatory procedure for allocating and distributing special nuclear material to production and utilization facility licensees and to special nuclear material licensees.

All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. After consideration of the comments received and other factors involved, the Commission has adopted the proposed amendments. The text of the amendments set forth below is identical with the text of the proposed amendments published on November 24, 1966.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments to 10 CFR Parts 50 and 70 are published as a document subject to codification to be effective thirty days after publication in the FEDERAL REGISTER.

§ 50.33 [Amended]

1. Paragraph (f) of § 50.33 of 10 CFR Part 50 is amended by deleting the last sentence.

§ 50.55 [Amended]

2. Paragraph (a) of § 50.55 of 10 CFR Part 50 is amended by deleting the words in the second sentence "and any scheduled delivery of materials from the Commission."

3. Section 50.60 of 10 CFR Part 50 is revised to read as follows:

§ 50.60 Allocation of special nuclear material.

(a) The Commission will not incorporate in construction permits or licenses issued after April 14, 1967, provisions allocating quantities of special nuclear material: *Provided, however*, That such provisions may be incorporated in a license if they have been incorporated in the construction permit for the facility. Any allocation granted by the Commission shall be deemed to be satisfied to the extent that (1) the Commission contracts to provide special nuclear material to a permittee or licensee under a contract for the supply of special nuclear material, whether by toll enrichment services, sale, lease, or otherwise, and/or (2) the Commission determines that special nuclear material is available, whether by toll enrichment services, sale, lease, or otherwise, from a source or sources other than the Commission on terms and conditions and at charges which are considered by the Commission to be reasonable and nondiscriminatory.

Subject to paragraph (b) of this section, provisions allocating quantities of special nuclear material in construction permits and licenses issued prior to April 14, 1967, shall remain in effect in accordance with their terms.

(b) The Commission may, in accordance with the procedures provided in Part 2 of this chapter, reduce the quantities of special nuclear material allocated to a permittee or licensee pursuant to this part, upon the ground that the quantities allocated exceed those reasonably required, or estimated to be required, for use by the facility. Except as provided in paragraph (a) of this section, the expiration, revocation or other termination of a construction permit or license shall terminate all allocations incorporated in such permit or license.

NOTE: With respect to quantities of special nuclear material allocated to construction permittees and licensees prior to April 14, 1967, and pursuant to the provisions of this part, the Commission will continue its practice of not distributing the material to the permittee or licensee until the material is needed.

§ 50.103 [Amended]

4. Section 50.103(a) (2) of 10 CFR Part 50 is amended by deleting the word "distributed".

5. Paragraph (a) of § 70.1 of 10 CFR Part 70 is revised to read as follows:

§ 70.1 Purpose.

(a) The regulations in this part establish procedures and criteria for the issuance of licenses to receive title to, own, acquire, deliver, receive, possess, use, transfer, import, and export special nuclear material; and establish and provide for the terms and conditions upon which the Commission will issue such licenses.

§ 70.22 [Amended]

6. Subparagraph (5) of § 70.22(a) of 10 CFR Part 70 is deleted.

7. The "Note" following § 70.22(a) (8) of 10 CFR Part 70 is revised to read as follows:

NOTE: Where the nature of the proposed activities is such as to require consideration of the applicant's financial qualifications to engage in the proposed activities in accordance with the regulations in this chapter, the Commission may request the applicant to submit information with respect to his financial qualifications.

8. Paragraph (e) of § 70.23 of 10 CFR Part 70 is revised and paragraph (f) is deleted to read as follows:

§ 70.23 Requirements for the approval of applications.

A license application will be approved if the Commission determines that:

(e) Where the nature of the proposed activities is such as to require consideration by the Commission, that the appli-

cant appears to be financially qualified to engage in the proposed activities in accordance with the regulations in this part.

(f) [Deleted]

9. Paragraph (b) of § 70.31 of 10 CFR Part 70 is deleted and paragraph (d) revised to read as follows:

§ 70.31 Issuance of licenses.

(b) [Deleted]

(d) No license will be issued by the Commission to any person within the United States if the Commission finds that the issuance of such license would be inimical to the common defense and security or would constitute an unreasonable risk to the health and safety of the public.

10. Paragraph (a) of § 70.38 of 10 CFR Part 70 is revised to read as follows:

§ 70.38 Reduction and termination of allocations.

(a) The Commission may, in accordance with the procedures provided in Part 2 of this chapter, reduce the quantities of special nuclear material allocated to a licensee pursuant to this part, upon the ground that the quantities allocated exceed those reasonably required, or estimated to be required, for conduct of the activities authorized by the license. Any allocation granted by the Commission shall be deemed to be satisfied to the extent that (1) the Commission contracts to provide special nuclear material to a permittee or licensee under a contract for the supply of special nuclear material, whether by toll enrichment services, sale, lease, or otherwise, and/or (2) the Commission determines that special nuclear material is available, whether by toll enrichment services, sale, lease, or otherwise, from a source or sources other than the Commission on terms and conditions and at charges which are considered by the Commission to be reasonable and nondiscriminatory.

§ 70.43 [Deleted]

11. Section 70.43 of 10 CFR Part 70 is deleted.

§ 70.62 [Amended]

12. Paragraph (b) of § 70.62 of 10 CFR Part 70 is amended by deleting the word "distributed".

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 24th day of February 1967.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 67-2798; Filed, Mar. 14, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 67-WA-7]

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

Designation of Reporting Points

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Muzon Intersection, Alaska, and the Dixon Intersection, Alaska, low altitude reporting points.

Since this amendment is procedural in nature and does not involve the designation of airspace, notice and public procedure are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., May 25, 1967, as hereinafter set forth.

Section 71.211 (32 F.R. 2287) is amended by adding:

1. Dixon INT: INT SW course Annette Island, Alaska, RR, NW course Sandspit, British Columbia, Canada, RR.

2. Muzon INT: Annette Island, Alaska 236°, and Sandspit, British Columbia, Canada, 331° radials.

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

Issued in Washington, D.C., on March 8, 1967.

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

[F.R. Doc. 67-2801; Filed, Mar. 14, 1967; 8:46 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER B—STANDARD REFERENCE MATERIALS

PART 230—STANDARD REFERENCE MATERIALS

Miscellaneous Amendments

Under the provisions of 15 U.S.C. 275a and 277, the following amendment relating to standard reference materials issued by the National Bureau of Standards is effective upon publication in the FEDERAL REGISTER.

The amendment (1) revises § 230.7-22 *Isotopic reference standards*, to add

standard reference material 980, and (2) revises § 230.8-5 *Radioactivity standards*, to renew and change the price of standard reference material 4203, and renumber the material.

The following amends 15 CFR Part 230.

Sample Nos.	Kind	Element	Price
980	Magnesium metal	Magnesium	\$29.00

Subpart D—Standards of Certified Properties and Purity

Section 230.8-5 *Radioactivity standards* is amended to renew and change the price of standard reference material 4203, and renumber the material.

Sample Nos.	Radionuclide	Approximate emission rate at time of calibration (month, year)	Price
4203-A	Cobalt-60	$6 \times 10^4 \pm 10$ (8/66)	\$95.00
4203-B	Cobalt-60	$2 \times 10^4 \pm 10$ (8/66)	\$5.00

(Sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277. Interprets or applies Sec. 7, 70 Stat. 959; 15 U.S.C. 275a)

Dated: March 3, 1967.

A. V. ASTIN,
Director.

[F.R. Doc. 67-2800; Filed, Mar. 14, 1967; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1177]

PART 13—PROHIBITED TRADE PRACTICES

Pacific Gamble Robinson Co.

Subpart—Discriminating in price under section 5, FTC Act: § 13.892 *Knowingly inducing or receiving discriminatory payments*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Pacific Gamble Robinson Co., Seattle, Wash., Docket C-1177, Feb. 28, 1967]

Consent order requiring a Seattle, Wash., wholesale and retail grocer to cease knowingly inducing or receiving from its suppliers any discriminatory service or facility or any discriminatory treatment forbidden by section 2 of the Clayton Act.

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

It is ordered, That respondent Pacific Gamble Robinson Co., its officers, employees, agents, and representatives, di-

Subpart C—Standards of Certified Chemical Composition

Section 230.7-22 *Isotopic reference standards* is amended to add standard reference material 980.

§ 230.7-22 *Isotopic reference standards*.

§ 230.8-5 *Radioactivity standards*.

(b) * * *

(5) *Point-source gamma-ray standards*. * * *

rectly or through any corporate or other device, in or in connection with any purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of products purchased for resale, do forthwith cease and desist from:

1. Inducing and receiving, receiving or contracting for the receipt of any service or facility, or contribution thereto, furnished by any supplier in connection with the processing, handling, sale, or offering for sale of produce or any commodity purchased from such supplier when respondent knows or should know that such service or facility, or contribution thereto, is not affirmatively offered and otherwise accorded by such supplier on proportionally equal terms to all other purchasers competing with respondent in the sale and distribution of such supplier's products, including other purchasers who resell to customers who compete with respondent in the resale of such supplier's products.

2. Knowingly inducing and receiving, receiving or contracting for the receipt of any discriminatory treatment as prescribed by section 2 of the Clayton Act, as amended, from any supplier in connection with the processing, handling, sale, or offering for sale of produce or any commodity purchased from any supplier.

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

Issued: February 28, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-2809; Filed, Mar. 14, 1967; 8:46 a.m.]

[Docket No. C-1178]

PART 13—PROHIBITED TRADE PRACTICES

Peter Pan Foundations, Inc.

Subpart—Discriminating in price under sec. 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.824 *Advertising expenses*. § 13.825 *Allowances for services or facilities*. Discriminating in price under sec. 2, Clayton Act—Furnishing services or facilities for processing, handling, etc. under 2(e): § 13.835 *Demonstrators*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 2, 49 Stat. 1526; 15 U.S.C. 43) [Cease and desist order, Peter Pan Foundations, Inc., New York City, N.Y., Docket C-1178, Mar. 1, 1967]

Consent order requiring a New York City marketer of women's foundation garments to cease discriminating among competing customers in paying promotional allowances and in furnishing services or facilities.

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

It is ordered, That respondent Peter Pan Foundations, Inc., a corporation, and its officers, directors, representatives, agents, and employees, directly or through any corporate or other device, in or in connection with the sale and distribution of women's wearing apparel such as brassieres and other related products, in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from:

1. Paying, or contracting to pay to or for the benefit of any customer, an advertising allowance, push money, or anything of value as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of respondent's products, unless such payment or consideration is offered and otherwise made available on proportionally equal terms to all other customers competing in the distribution or resale of such products;

2. Discriminating, directly or indirectly, among competing purchasers of its products, by contracting to furnish, furnishing, or contributing to the furnishing of the services of stylists or any other services or facilities connected with the processing, handling, sale, or offering for sale of respondent's products, to any purchaser from respondent of such products bought for resale, unless such services or facilities are offered and otherwise made available on proportionally equal terms to all purchasers competing in the distribution or resale of such products.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the man-