PART 1915—IDENTIFICATION OF SPECIAL HAZARD AREAS

List of Communities With Special 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 communities with special hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Arizona	Cochise	Huachuca City				Mar. 31, 1972.
California	San Mateo	Colma				Do.
Do	Sacramento	Unincorporated areas.				Do.
Connecticut	Middlesex	Old Saybrook				Do.
Illinois	Henry	Geneseo				Do.
Minnesota	Sterns	St. Cloud				Do.
New Jersey	Burlington	Riverton Borough.				Do.
Do	Bergen	Waldwick Borough.				Do.
New York	Erie	West Seneca				Do.
Pennsylvania	Delaware	Edgmont Township.				Do.
Texas	Tarrant	North Richland Hills.				Do.
Wisconsin	Rock	Janesville	H 55 105 2320 01 through H 55 105 2320 08	Department of Natural Resources, Post Office Box 450, Madison, WI 53701. Wisconsin Insurance Department, 212 North Bassett St., Madison, WI 53703.	Office of the City Planner, Municipal Bldg., Janesville, Wis. 53545.	Mar. 27, 1971.
Do	Langlade	Antigo				Mar. 31, 1972.

(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: March 23, 1972.

George K. Bernstein,
Federal Insurance Administrator.

[FR Doc.72-4738 Filed 3-29-72;8:45 am]

Title 42—PUBLIC HEALTH

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

SUBCHAPTER F—QUARANTINE, INSPECTION AND LICENSING

PART 75—PREPAID MEDICAL SERVICE PLANS

Authorization for Issuance of Prepaid Medical Service Contracts by Carriers

On September 28, 1971, a notice of proposed rule making was published in the Federal Register (36 F.R. 19089) proposing the adoption of a "Subpart A—Authorization for Issuance of Prepaid Medical Service Contracts by carriers" designed to implement Title IV of Public Law 91–515 (84 Stat. 1309).

Interested persons were invited to submit written comments, suggestions, or objections regarding the proposed regulations within 30 days of such publication.

A number of responses were received. These included suggestions for clarification and editorial revision of the proposed regulation, as well as substantive comments. Many of the editorial suggestions were accepted, and have been included in the final regulations. The Department's response to the major substantive comments are below.

1. *The constitutionality of Title IV.* One set of comments challenged the constitutional basis of Title IV. Since the resolution of this question is not within the competence and authority of the Department, the argument was rejected.

2. *Requirement of "group practice unit or organization".* Several comments were addressed to the requirement that contracts issued by the carrier, pursuant to an authorization under the Act, entitle the beneficiary "to receive comprehensive medical services * * * from a group practice unit or organization * * * with which such carrier has contracted or otherwise arranged for the provision of such services."

The general thrust of these objections was in the direction of eliminating the "group practice unit or organization" as a required element in the provision of, or the arrangement for the provision of, services. Since the requirement that a "group practice unit or organization" provide the medical services is imposed by section 401(a) of the statute, and not by the proposed regulations, the elimination of this requirement would require a legislative amendment, and cannot be accomplished by a change in the regulations. Accordingly, the recommended change was not accepted.

In the course of considering this question, the Department reexamined the proviso in § 75.4 which would have exempted a carrier which itself was a group practice unit or organization authorized to provide comprehensive medical services under State law from the requirement that it contract or otherwise arrange with a group practice unit or organization to provide comprehensive medical services to beneficiaries under a contract issued pursuant to an authorization.

In light of the arguments concerning the elimination of the requirement, and the reexamination of the issue, it was concluded that the proviso was not legally authorized. The proviso has, therefore, been deleted.

3. *Nonprofit status of group practice unit or organization.* A number of objections were raised to the requirement that the "group practice unit or organization" be non-profit. Again, it was the conclusion of the Department that the "non-profit" requirement was mandated by section 401(c)(1) of the Act and legally could not be waived by regulations.

As the regulations are necessary to permit the issuance of authorizations under Title IV, any delay in their effective date would not be in the public interest. Accordingly, Subpart A revised as set out below, is hereby adopted, and will become effective on publication in the Federal Register.

Dated: February 17, 1972.

Vernon E. Wilson,
Administrator, Health Services and Mental Health Administration.

Approved: March 19, 1972.

Elliot L. Richardson,
Secretary of Health, Education, and Welfare.

Subpart A—Authorization for Issuance of Prepaid Medical Service Contracts by Carriers

AUTHORITY: The provisions of this Subpart A issued under 80 Stat. 379; 5 U.S.C. 301.

§ 75.1 Statutory provisions.

The applicable statutory provision, Title IV of Public Law 91-515 (84 Stat. 1309), reads as follows:

SECTION 401. (a) The Secretary of Health, Education, and Welfare may, in accordance with the provisions of this section, authorize any carrier, which is a party to a contract entered into under Chapter 89 of title 5, United States Code (relating to health benefits for Federal employees), or under the Retired Federal Employees Health Benefits Act, or which participates in the carrying out of any such contract, to issue in any State contracts entitling any person as a beneficiary to receive comprehensive medical services (as defined in paragraph (b) of this section) from a group practice unit or organization (as defined in paragraph (c) of this section) with which such carrier has contracted or otherwise arranged for the provision of such services.

(b) As used in this paragraph, the term "comprehensive medical services" means comprehensive preventive, diagnostic, and therapeutic medical services (as defined in regulations of the Secretary), furnished on a prepaid basis; and may include, at the option of a carrier, such other health services including mental health services, and equipment and supplies, furnished on such terms and conditions with respect to copayment and other matters, as may be authorized in regulations of the Secretary.

(c) As used in this paragraph:

(1) The term "group practice unit or organization" means a nonprofit agency, cooperative, or other organization undertaking to provide, through direct employment of, or other arrangements with the members of a medical group, comprehensive medical services (or such services and other health services) to members, subscribers, or other persons under contract of carriers.

(2) The term "medical group" means a partnership or other association or group of persons who are licensed to practice medicine in a State (or of such persons and persons licensed to practice dentistry or optometry) who (i) as their principal professional activity and as a group responsibility, engage in the coordinated practice of their profession primarily in one or more group practice facilities, (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged plan, or enter into an employment arrangement with a group practice unit or organization for the provision of their services, (iii) share common overhead expenses (if and to the extent such expenses are paid by members of the group), medical and other records, and substantial portions of the equipment and professional, technical and administrative staff, and (iv) include within the group at least such professional personnel, and make available at least such health services, as may be specified in regulations of the Secretary.

(d) Nothing in this section shall preclude any State or State agency from regulating the amounts charged for contracts issued pursuant to paragraph (a) of this section or the manner of soliciting and issuing such contracts, or from regulating any carrier issuing such contracts in any manner not inconsistent with the provisions of this section.

§ 75.2 Definitions.

All terms not defined herein shall have the same meaning given them in the Act. As used in this subpart:

(a) "Act" means Title IV of Public Law 91-515, 84 Stat. 1309.

(b) "Secretary" means the Secretary of Health, Education, and Welfare, and the officer or employee to whom the authority involved has been delegated.

(c) "Eligible carrier" means any carrier which is a party to a contract entered into under 5 U.S.C. Ch. 89 or which participates in the carrying out of any such contract by direct assumption of liability, reinsurance, or otherwise.

(d) "Comprehensive medical services" means that combination of preventive, diagnostic, and therapeutic medical and health services which the Secretary finds, on the basis of information submitted to him by an eligible carrier, is reasonably calculated to assure the protection, maintenance, and support of health and the satisfactory diagnosis and treatment of illness and injury of persons enrolled under the contract proposed to be issued by such carrier, taking into consideration such factors as the nature and size of the population to be served, the geographic area to be served, the availability of resources, and other related elements.

(e) The term "nonprofit" as applied to any agency, cooperative, or other organization under section 401(c)(1) means an agency, cooperative, or other organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual. However, in the case of an organization the purposes of which include the provision of personal health services to its members or subscribers or their dependents under a plan of such organization for the provision of such services to them (which plan may include the provision of other services or insurance benefits to them), the net earnings may be distributed through the provision of such health services (or such other services or insurance benefits) to such members or subscribers or dependents under such plan.

§ 75.3 Application for authorization.

(a) Any eligible carrier may submit an application to the Secretary for an authorization pursuant to § 75.4.

(b) Such application shall be in writing, executed by an officer of the carrier authorized for such purpose, and shall set forth the following:

(1) The name, address, and home office of the carrier.

(2) The status of the carrier as a contractor under 5 U.S.C. Ch. 89, or as a participant in carrying out any such contract.

(3) A full description of the medical services proposed to be furnished on a prepaid basis and a statement designed to show that such services constitute comprehensive medical services as defined herein.

(4) A full description of health services to be furnished at the option of the carrier, such as dental, mental health, hospital, optometric, or nursing home services, or equipment and other supplies, and the terms and conditions upon which such services and supplies are to be furnished.

(5) Identification of the group practice unit or organization, and medical groups considered to meet the requirements of the Act and of this part, and of other organizations and facilities, proposed to be utilized in the provision of services under the contract, together with a description of the services or resources to be provided by each such group, organization or facilities under arrangements made by the carrier.

(6) The method which will be used for monitoring and evaluating the quality and utilization of services provided under the contract.

(7) A copy of the proposed contract to be issued to persons enrolled in the plan which shall not exclude an individual because of race, color, sex, religion, or national origin and which shall set forth a detailed statement of benefits offered, including out-of-area benefits.

(8) Identification of the State in which the carrier proposes to issue contracts, and a citation to the provisions of State law or other legal requirements of the State which in the opinion of legal counsel restricts the issuance of such contracts by the carrier, or which restricts the operation of any group practice unit or organization with which the carrier has contracted or proposes to contract insofar as such requirement operates to prevent such group from arranging with the carrier for payment on a prepaid basis for services provided to persons under contract of such carrier or from providing such services through a medical group together with a copy of the opinion of such counsel.

(9) An agreement to furnish such reports as the Secretary may reasonably require as to operations under the authorization.

(10) An agreement that the carrier will require any individual, agency, organization, or other entity with which it contracts or otherwise arranges for the provision of services, pursuant to an authorization under the Act, to provide such services without discrimination on account of race, color, sex, religion, or national origin.

(11) An agreement to report promptly any change in the contract or benefits provided thereunder, and insofar as

practicable, at least 90 days before such change becomes effective.

(12) An agreement to provide such other information as the Secretary may reasonably require.

§ 75.4 **Issuance of authorization.**

(a) The Secretary may, upon the basis of an application approved by him as meeting the requirements of the Act and of this part, authorize an eligible carrier to issue in one or more States contracts entitling any person as a beneficiary to receive comprehensive medical services furnished on a prepaid basis either from a group practice unit or organization with which such carrier has contracted or otherwise arranged for the provision of such services, if he finds that such authorization is necessary, by reason of the laws of the State with respect to which the application is made, to permit the carrier to issue such contracts.

(b) The issuance of such an authorization shall preclude the application of any law, regulation or other requirement of the State with respect to which the authorization is issued which, except as authorized in section 401(d) of the Act, prohibits, restricts, or limits—

(1) The issuance of any contract by the carrier in accordance with such authorization, including, but not limited to restrictions on the provision of medical care or services on a prepaid, capitation basis or on the number of plans operating in a given geographical area, prohibitions on the issuance of such contracts by an out-of-State corporation or a corporation for profit or requirements that a percentage or given number of professional personnel or medical facilities in any area participate or be allowed to participate in the provision of services as a condition to the operation of the plan in such area, or that the members of the carrier's governing board meet specified qualifications or conditions as to their appointment, or

(2) The operation of any group practice unit or organization with which the carrier has contracts insofar as such requirement operates to prevent such group from arranging with the carrier for payment on a prepaid basis for services provided to persons under contract of such carrier or from providing such services through a medical group.

(c) An authorization issued under this section, unless suspended or terminated as provided herein, shall be valid so long as the carrier maintains its status as an eligible carrier and for such additional period as the Secretary finds necessary to permit the carrier to liquidate any obligations for service it may have incurred and to permit beneficiaries under the plan to make other arrangements for coverage.

(d) An authorization may be suspended or terminated upon reasonable notice to the carrier, with opportunity for hearing if the carrier fails to comply with any assurance, representation, or agreement contained in its application, or fails to meet any requirement of the Act or regulations for the provision of services under contracts issued pursuant to this part.

§ 75.5 **Services to be provided by medical group.**

(a) A medical group utilized in the provision of medical services under a contract issued in accordance with this part shall include at least a general practitioner and representatives of each of the following medical specialties: General surgery, obstetrics and gynecology, internal medicine, pediatrics, and ear-nose-throat, provided that, for good cause shown in the application, services in the medical specialties may be provided under contract or other suitable arrangements by a nonmember of the group.

(b) The medical group shall make available health services constituting comprehensive medical services as defined herein.

[FR Doc.72-4806 Filed 3-29-72;8:45 am]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER K—REGULATIONS UNDER PUBLIC LAW 91-469

[General Order 109, Rev., Amdt. 4]

PART 390—CAPITAL CONSTRUCTION FUND

Reporting Requirements

In F.R. Doc. 71-17994 appearing in the FEDERAL REGISTER of December 9, 1971 (36 F.R. 23395), the Maritime Administration, Department of Commerce, invited comments to be submitted within 30 days with respect to a rule, among others, concerning Capital Construction Fund reporting requirements (proposed § 390.9). Comments were received, considered, and a final form of the reporting requirement rule adopted. The important changes incorporated in the final rule are: (1) Ninety (90) days, instead of sixty (60), is allowed for making reports; (2) examples of reporting statements are not included; and (3) the regulation has been renumbered.

While samples of reporting statements may be obtained from the Maritime Administration, interested parties are urged to refer to the proposed rule, 36 F.R. 23395 (December 9, 1971), for such samples.

New § 390.3 reads as follows:

§ 390.3 **Reporting requirements.**

(a) The purpose of this section is to provide the format of reports concerning the overall operation of the Capital Construction Fund which are to be submitted to the Secretary.

(b) Submission dates: Reports are to be made semiannually on a fiscal year basis and should reach the Secretary not later than ninety (90) days after the close of a period.

(c) Cumulation: The report submitted following the close of the fiscal year shall be cumulative for the entire year.

(d) Certification: The semiannual report required under this section shall be accompanied by an affidavit of the official responsible for the maintenance and accuracy of the financial records of the party and the annual report by an affidavit of an independent certified public accountant to the effect that:

(1) The exhibits and schedules composing the accounting have been prepared in accordance with this section; and

(2) The report, including all exhibits and schedules, reflects true and complete statements in accordance with all applicable orders, rules, regulations, and instructions issued or adopted by the Secretary pertaining thereto.

(e) Variance: The party may vary the design of any of these reports provided that the reports submitted conform as closely as possible and include all of the information required.

(f) Summary statement: The summary statement shall be entitled "Exhibit A" and contain a summation of cash on deposit (Schedule A-1), summation of securities on deposit (adjusted basis) (Schedule A-2), a subtotal of cash and securities on deposit, net amount of accrued deposits and withdrawals (Schedule A-3), and a total of the fund.

(g) Analysis of cash on deposit: This statement shall be entitled "Schedule A-1" and shall contain a listing of balances in all cash accounts at the end of the period.

(h) Analysis of securities: This statement shall be entitled "Schedule A-2" and shall contain a listing of the securities (adjusted basis) in the fund at the close of the period.

(i) Net accrued deposits and withdrawals: This statement shall be entitled "Schedule A-3" and shall list the accrued deposits and withdrawals at the end of the period.

(j) Transcript of transactions: This statement shall be entitled "Exhibit B" and shall contain a summary of all transactions occurring in the period by date.

(k) Transactions affecting tax account balances: This statement shall be entitled "Exhibit C" and shall show total transactions within the Fund by three separate accounts: the ordinary income account, capital gains account, and capital account.

(l) Sample reports: Interested parties may obtain samples of these reports from the Secretary, Maritime Administration, Department of Commerce, Washington, D.C. 20235.

Effective date. This regulation shall be effective on March 31, 1972.

NOTE: The reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with 44 U.S.C. sections 3501-11.

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114; Public Law 91-469, 84 Stat. 1018, sec. 21(a), 84 Stat. 1026)

Dated: March 27, 1972.

By order of the Assistant Secretary of Commerce for Maritime Affairs.

JAMES S. DAWSON, Jr.,
Secretary,
Maritime Administration.

[FR Doc.72-4982 Filed 3-29-72;8:54 am]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 17—CONSERVATION OF ENDANGERED SPECIES AND OTHER FISH OR WILDLIFE

List of Endangered Foreign Fish and Wildlife

By notice of proposed rule making published in the FEDERAL REGISTER on February 3, 1972 (37 F.R. 2589), notice was given that it was proposed to amend Appendix A to Part 17 of Title 50 CFR by adding additional mammals to the list of foreign endangered species.

Interested persons were invited to submit their views, data, or arguments regarding the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Department of the Interior, Washington, D.C. 20240, within 30 days following the date of the publication of the notice. All relevant matters presented have been considered and the proposal is adopted.

Accordingly, Appendix A of 50 CFR is amended by adding to the "U.S. List of Endangered Foreign Fish and Wildlife" the following species of mammals:

Common name	Scientific name	Where found
Cheetah	*Acinonyx jubatus*	Africa, Asia Minor, India.
Leopard	*Panthera pardus*	Africa, Asia Minor, India, Southeast Asia, Korea.
Tiger	*Panthera tigris*	Central Asia, China and Korea, to India, Indonesia and Malaysia.
Snow leopard	*Panthera uncia*	Central Asia.
Jaguar	*Panthera onca*	Central and South America.
Ocelot	*Felis pardalis*	Do.
Margay	*Felis wiedii*	Do.
Tiger cat	*Felis tigrina*	Costa Rica to northern South America.

Consistent with the foregoing, and in recognition of the fact that by listing the species the law will apply to their subspecies as well, the "U.S. List of Endangered Foreign Fish and Wildlife" is further amended by deleting the following subspecies of the species named above:

Common name	Scientific name	Where found
Asiatic cheetah	*Acinonyx jubatus venaticus*	U.S.S.R., Afghanistan, Iran, Pakistan (formerly India, Iraq, and Saudi Arabia).
Sinai leopard	*Panthera pardus jarvisi*	Sinai, Saudi Arabia.
Barbary leopard	*Panthera pardus panthera*	Morocco, Algeria, Tunisia.
Antolian leopard	*Panthera pardus tulliana*	Lebanon, Israel, Jordan, Turkey, Syria.
Bali tiger	*Panthera tigris balica*	Bali (Indonesia).
Javan tiger	*Panthera tigris sondaica*	Indonesia.
Caspian tiger	*Panthera tigris virgata*	Russia, Afghanistan, Iran.
Sumatran tiger	*Panthera tigris sumatrae*	Indonesia

It is determined that these animals should be added to the "U.S. List of Endangered Foreign Fish and Wildlife" at this time in order to give them immediate protection without further delay. Consequently, for good cause found, it is determined that this amendment is to be effective upon publication in the FEDERAL REGISTER.

(16 U.S.C. 668aa et seq.)

Effective date: Upon publication in the FEDERAL REGISTER (3–30–72).

ROGERS C. B. MORTON,
Secretary of the Interior.

MARCH 28, 1972.

[FR Doc.72-4955 Filed 3-29-72;8:53 am]

PART 28—PUBLIC ACCESS, USE, AND RECREATION

Kenai National Moose Range, Alaska

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (3–30–72).

§ 28.28 Special regulations, public access, use, and recreation; for individual wildlife refuge areas.

ALASKA

KENAI NATIONAL MOOSE RANGE

The use of engines, motorized boats, motorized canoes, and other motorized water craft is prohibited on the Kenai National Moose Range Canoe System. This Canoe System includes those lakes and their associated shore areas and portages within the existing Swan Lake Canoe Route and the Swanson River Canoe Route as described on the maps available at Kenai National Moose Range Headquarters, Kenai, Alaska.

The provisions of this special regulation supplement the regulations which govern public access, use, and recreation on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 28, and are effective through April 30, 1973.

LOREN W. CROXTON,
Deputy Area Director, Bureau of Sport Fisheries and Wildlife, Anchorage, Alaska.

MARCH 22, 1972.

[FR Doc.72-4868 Filed 3-29-72;8:48 am]

PART 33—SPORT FISHING

Salt Plains National Wildlife Refuge, Okla.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (3–30–72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

OKLAHOMA

SALT PLAINS NATIONAL WILDLIFE REFUGE

Sport fishing on the Salt Plains National Wildlife Refuge, Okla., is permitted only on areas designated by signs as open to fishing. These open areas, comprising 7,800 acres, are delineated on maps available at refuge headquarters, Jet, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from April 15 through October 15, 1972, inclusive, in Great Salt Plains Lake as posted, in Sand Creek, the three main channels of Salt Fork River, and the right-of-way of Oklahoma State Highway 11 as posted.

(2) It is illegal to take game fish by any means other than hook and line. Trotlines must be removed from waters at the close of the fishing season.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through December 31, 1972.

RONALD S. SULLIVAN,
Refuge Manager, Salt Plains National Wildlife Refuge, Jet, Okla.

MARCH 20, 1972.

[FR Doc.72-4867 Filed 3-29-72;8:48 am]

Title 7—AGRICULTURE

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

[Navel Orange Reg. 262]

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

Limitation of Handling

§ 907.562 Navel Orange Regulation 262.

(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impractical and contrary to the public interest to give preliminary notice, 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 Navel 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 Navel 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 March 28, 1972.

(b) *Order*. (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period March 31, 1972, through April 6, 1972, are hereby fixed as follows:

(i) District 1: 913,000 cartons.

(ii) District 2: 187,000 cartons.

(iii) District 3: Unlimited.

(2) As used in this section, "handled," "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: March 29, 1972.

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

[FR Doc.72-5002 Filed 3-29-72;11:35 am]

[Valencia Orange Reg. 383]

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

Limitation of Handling

§ 908.683 Valencia Orange Regulation 383.

(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 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 Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendations 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 March 28, 1972.

(b) *Order*. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period March 31, 1972, through April 6, 1972, are hereby fixed as follows:

(i) District 1: 61 cartons;

(ii) District 2: 11,014 cartons;

(iii) District 3: 126,288 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: March 29, 1972.

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

[FR Doc.72-5001 Filed 3-29-72;11:35 am]

[Valencia Orange Reg. 382]

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

Limitation of Handling

§ 908.682 Valencia Orange Regulation 382.

(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) The recommendations by the Valencia Orange Administrative Committee reflect its appraisal of the crop and current and prospective marketing conditions and other factors required by the order. The committee estimates that the 1971-72 season crop of Valencia oranges will be 43,000 carlots. It further estimates that the demand in regulated market channels will require about 47 percent of this volume, and the remaining 53 percent will be available for utilization in export, processing, and other outlets. The volume and size composition of the crop are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. Therefore, the smaller sizes of oranges should be eliminated from regulated market channels so as to assure consumers of desirable sizes of fruit and to improve returns to growers consistent with declared policy of the act.

(3) It is further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) notice of proposed rule making concerning this section, with an effective date as herein specified, was published in the FEDERAL REGISTER (37 F.R. 5483) and no objection to this section or such effective date was received; (2) the recommendation and supporting information for regulation during the period specified herein were submitted to the Department after an open meeting of the Valencia Orange Administrative Committee on March 7, 1972, which was held to consider recommendations for regulation, after giving due notice of this meeting, at which interested persons were afforded an opportunity to submit their views; (3) shipments of Valencia oranges are currently being made and the regulation should be effective on the specified date to be of maximum benefit during the current season; and (4) compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) During the period April 14, 1972, through January 15, 1973, no handler shall handle any Valencia oranges grown in District 1, which are of a size smaller than 2.32 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided,* That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.32 inches in diameter.

(2) As used in this section, "handle," "handler," and "District 1," shall 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: March 27, 1972.

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

[FR Doc.72-4897 Filed 3-29-72;8:53 am]

[Valencia Orange Reg. 384]

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

Limitation of Handling

§ 908.684 Valencia Orange Regulation 384.

(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) The recommendations by the Valencia Orange Administrative Committee reflect its appraisal of the crop and current and prospective marketing conditions and other factors required by the order. The committee estimates that the 1971-72 season crop of Valencia oranges will be 43,000 carlots. It further estimates that the demand in regulated market channels will require about 47 percent of this volume, and the remaining 53 percent will be available for utilization in export, processing, and other outlets. The volume and size composition of the crop are such that ample supplies of the more desirable sizes are available to satisfy the demand in regulated channels. Therefore, the smaller sizes of oranges should be eliminated from regulated market channels so as to assure consumers of desirable sizes of fruit and to improve returns to growers consistent with declared policy of the act.

(3) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this 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, 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 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 March 21, 1972.

(b) *Order.* (1) During the period March 31, through April 27, 1972, no handler shall handle any Valencia oranges grown in District 2, which are of a size smaller than 2.32 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided,* That not to exceed 5 percent, by count, of the Valencia oranges contained in any type of container may measure smaller than 2.32 inches in diameter.

(2) As used in this section, "handle," "handler," and "District 2," shall 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: March 27, 1972.

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

[FR Doc.72-4899 Filed 3-29-72;8:53 am]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

PART 1004—MILK IN THE MIDDLE ATLANTIC MARKETING AREA

Order Regulating Handling

This order regroups and recodifies the provisions of the marketing order, issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7