

Rules and Regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 982—FILBERTS GROWN IN OREGON AND WASHINGTON

Late Payment and Interest Charges

On January 22, 1973, a notice of proposed rule making was published in the FEDERAL REGISTER (38 FR 2178), regarding a proposal to amend the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR 982.432-982.471) by the addition of a new § 982.461 establishing late payment and interest charges for any handler failing to pay his assessments within the time prescribed by the Filbert Control Board. The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 982, as amended (7 CFR Part 982; 37 FR 588), regulating the handling of filberts grown in Oregon and Washington, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The proposal was unanimously recommended by the Filbert Control Board.

Interested persons were given until January 31, 1973, to submit written data, views, or arguments with respect to the proposal. None were received.

Section 982.61 of the order was amended (37 FR 588; January 14, 1972) to authorize the Board to impose a late payment charge on any handler who fails to pay his assessment within the time prescribed by the Board. If the handler thereafter fails to pay the amount outstanding, including the late payment charge, within the prescribed time, the Board shall impose an additional charge in the form of interest on the outstanding amount. Section 982.61 also provides for the rate of such charges to be prescribed by the Board, with the approval of the Secretary. The purpose of establishing a late payment and interest charge is to encourage handlers to pay their assessments promptly, thereby eliminating Board costs and avoiding inequities with respect to handlers who pay their assessments promptly.

Pursuant to § 982.461, the Board will impose a late payment charge of 5 percent of the unpaid balance on any handler failing to pay his assessment within 30 days after the billing date. The billing date will be shown on the handler's as-

essment statement which he receives from the Board. This charge is the same as that used in the industry for similar late payments. If the handler fails to pay the delinquent amount, including the late payment charge, within 60 days following the billing date, an additional 1 percent interest charge shall be applied monthly thereafter to the unpaid balance, including any accumulated interest. The monthly interest rate of 1 percent is the same as that generally used commercially in computing charges on delinquent accounts.

After consideration of all relevant matter presented, including that in the notice, the recommendation of the Filbert Control Board, and other available information, it is found and determined that the charges hereinafter set forth are necessary to effectuate other provisions of the order.

It is therefore ordered, That Subpart—Administrative Rules and Regulations (7 CFR 982.432-982.471) be amended by adding a new § 982.461 reading as follows:

§ 982.461 Late payment and interest charges.

The Board shall impose a late payment charge on any handler failing to pay his assessment within 30 days of the billing date shown on the handler's assessment statement received from the Board. Such amount shall be shown on the statement as the "Assessment Due". The late payment charge shall be 5 percent of the unpaid balance of that amount. In the event the handler fails to pay the delinquent amount, including the late payment charge, within 60 days following the billing date, an additional 1 percent interest charge shall be applied monthly thereafter to the unpaid balance, including any accumulated interest. Any amount paid by a handler as assessments, including any charges imposed pursuant to this paragraph, shall be credited when the payment is received in the Board's office.

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

Dated February 20, 1973, to become effective March 31, 1973.

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

[FR Doc. 73-3531 Filed 2-23-73; 8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—GENERAL REGULATIONS

[FHA Instruction 236.1]

PART 1800—ADMINISTRATIVE PROVISIONS

Subpart A—Organization and General Functions of the Farmers Home Administration

COUNTY OFFICES

Section 1800.4, Title 7, Code of Federal Regulations (31 FR 14109; November 4, 1966), is amended to clarify the composition and functions of county or area committees to agree with existing Farmers Home Administration policies and procedures. As amended, the last sentence of this section is revised to read as follows:

§ 1800.4 County offices.

*** County or area committees, composed of three individuals residing in the county or area, two of whom at the time of appointment shall be farmers deriving the principal part of their income from farming, review applications for certain Farmers Home Administration assistance and make certifications and recommendations with respect to certain loans, grants, debt settlement, and release from personal liability.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Orders of Acting Secretary of Agriculture, 36 FR 21529; 37 FR 22008)

Effective date. This revision shall become effective on February 26, 1973.

Dated: February 16, 1973.

J. R. HANSON,
Acting Administrator,
Farmers Home Administration.

[FR Doc. 73-3532 Filed 2-23-73; 8:45 am]

Title 9—Animals and Animal Products

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY INSPECTION), DEPARTMENT OF AGRICULTURE

SUBCHAPTER A—MANDATORY MEAT INSPECTION

PART 318—ENTRY INTO OFFICIAL ESTABLISHMENTS; REINSPECTION AND PREPARATION OF PRODUCTS

Storage in and Distribution From Federally Inspected Establishments of State Inspected Meat Products

Statement of considerations. On March 2, 1972, there was published in the FEDERAL REGISTER (37 FR 4356) in accordance

with the administrative procedure provisions in 5 U.S.C. 553, a notice of proposed rule making under the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) to amend the Federal meat inspection regulations (9 CFR Chapter III, Subchapter A) for the purpose of permitting the storage in, intrastate distribution from, federally inspected establishments of State inspected meat and meat products. Interested persons were given 60 days in which to submit data, views or arguments regarding the proposed amendment.

Thirteen letters of comment were received, 11 of which favored the amendment and two were in opposition to the proposal. Those favoring the amendment did so because, in their judgment, it offered more opportunity for business, and was a positive gesture by the Department regarding Federal-State relations. However, two comments favoring the overall proposal did express opposition to the portion which would require that Federal and State inspected product be kept separate while stored in a federally inspected establishment.

Since the Act prohibits movement of State inspected product in interstate commerce unless it is within an exemption under the Federal Act, the Department decided that commingling of State and federally inspected products could not be permitted because of the increased difficulty of supervising their handling and distribution.

One comment opposed the amendment on the grounds that State inspected product is not equal to federally inspected product, and because the burden of the separate storage requirements offset any business advantages. A second opposing comment was on the grounds that it would be impossible for USDA inspectors to adequately supervise control of the storage and distribution of the State inspected product. The Department has determined that those States presently operating State inspection programs have requirements at least equal to the requisite Federal requirements. Further, the Department believes that its inspection personnel and procedures are adequate to assure compliance with the requirement for keeping separate the Federal and State inspected products.

Therefore, after due consideration of all relevant matters, including the comments, Part 318 is amended by redesignating the present provisions of § 318.1 (h) as § 318.1(h)(1), and by adding a new subparagraph (2) to § 318.1(h) as follows:

§ 318.1 Products and other articles entering official establishments.

(h) (1) * * *

(2) Meat, meat byproducts, and meat food products bearing official marks showing that they were inspected and passed under State inspection in any State not designated in § 331.2 of this subchapter may be received by official establishments for storage and distribution solely in intrastate commerce. The presence of such State inspected prod-

ucts must not create any unsanitary condition or otherwise result in adulteration of any products at the official establishment or interfere with the conduct of inspection under this subchapter. In addition, such State inspected products must be stored separately and apart from the federally inspected products in the official establishment.

(Sec. 21, 34 Stat. 1284, as amended, 21 U.S.C. 621; 37 FR 28464, 28477)

The amendment is the same as the proposal set forth in the notice of rule making except for editorial changes for grammatical improvement and coordination of the amendment with other provisions of the regulations (e.g., § 331.4) under which certain State inspected products may enter official establishments for preparation therein.

It does not appear that further public rule making procedures concerning the amendment would make additional information available to this Department. Therefore under the administrative procedure provisions in 5 U.S.C. 553 it is found upon good cause that such further proceedings are unnecessary and impracticable.

This amendment shall become effective upon April 1, 1973.

Done at Washington, D.C., on February 21, 1973.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc. 73-3578 Filed 2-23-73; 8:45 am]

Title 14—Aeronautics and Space
CHAPTER II—CIVIL AERONAUTICS BOARD
SUBCHAPTER B—PROCEDURAL REGULATIONS
[Reg. PR-134, Amdt. 5]

PART 310—INSPECTION AND COPYING OF BOARD OPINIONS, ORDERS, AND RECORDS

Records Available and Exempted

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of February 1973.

Appendix A of Part 310 contains a description and location of Board records generally available for public inspection and copying, and Appendix B lists Board records generally excluded from availability. The amendments herein bring the appendices up to date.

The following items and reports not previously listed in the appendices are added to Appendix A:

- (1) Accounting and reporting directives to supplement the Uniform System of Accounts and Reports.
- (2) ADP instruction directives to supplement Traffic and Capacity Data Collection ADP Manual.
- (3) Cooperative shippers associations reports (Form 244A).
- (4) Extension of credit to political candidates reports (Form 183).
- (5) Freight loss and damage claims reports (Form 239).
- (6) International Civil Aviation Organization statistical reports (ICAO Form C).

(7) Manual of ADP instructions for traffic and capacity data collection and related materials.

(8) Manual of instructions to air carriers for passenger origin-destination survey statistics and related materials.

(9) Observations of the Director to air carriers, requesting or transmitting specific information to supplement or amplify reports.

(10) Passenger origin-destination directives, to supplement passenger O & D Manual.

(11) International Civil Aviation Organization reports: Summarization of selected financial and statistical data.

(12) Reports of a miscellaneous nature filed pursuant to Board order.

(13) Reports of ownership of stock and other interests filed pursuant to Part 245, Subpart B.

(14) Settlement documentation filed under Rule 215 of the Board's rules of practice.

(15) Civil penalty compromise records under Subpart H of the Board's rules of practice.

(16) Blind Sector Applications: Part 216—copies of applications and authorizations in connection therewith.

(17) Travel Group Charters: Filings and other documents relating to Travel Group Charter filings under Part 372a (excluding names, addresses and phone numbers of TGC participants).

(18) Study Group Charters: Tour Prospectuses and other documents relating to Study Group Charters under Part 373.

(19) Overseas Military Personnel Charter applications and authorizations, and filings in connection therewith.

(20) Application of foreign charter carriers for approval of charter flights, as required by specific Board order.

Most of the above items represent new reports first required subsequent to the last update of the appendices in April 1970.¹ In regard to items in existence prior thereto, the settlement documentation filed under Rule 215 of the Board's rules of practice is added to Appendix A in light of the Board's recent affirmation of the public status of such materials.² Similarly, civil penalty compromise records filed under Subpart H of the Board's rules of practice are now included in Appendix A to reflect the recent staff release of the subject materials in furtherance of the Board's informational policies.³

In addition to the above listed items, to reflect the Board's recent decision to release IATA documents to the public,⁴ there is included in Appendix A, and deleted from Appendix B, reference to all IATA materials maintained at Board offices.

The following items are deleted from Appendix A:

- (1) General interpretation letters, interpreting provisions of Uniform System of Accounts and Reports.

¹ See PR-110, effective Apr. 9, 1970.

² See PR-127, effective May 16, 1972.

³ The staff release has been noted and approved by the Board. See Order 72-11-122, adopted Nov. 28, 1972.

(2) Letters to Chief Accounting Officers of air carriers requesting specific information to supplement or amplify reports.

(3) Standard practice letters prescribing standard accounting and reporting procedures, supplemental to Uniform System of Accounts and Reports.

(4) Air freight forwarder statistics, compiled from Form 244 semiannually.

(5) Financial results of scheduled all-cargo operations, semiannual compilation.

(6) Quarterly reports of traffic and financial data.

(7) Documents relating to bulk inclusive tours under Part 378A.

Each of the deleted categories of materials and reports are no longer compiled or maintained at Board offices. In most instances, information and data contained therein are now found in other compilations and reports.²

Two items are being added to Appendix B of Part 310. The first item, "Air carrier service segment data submitted under Part 241," constitutes confidential commercial information and trade secrets and is therefore being added to the list of confidential matters set forth in section 4 of Appendix B. In addition, we are adding to Appendix B reference to the names, addresses, and phone numbers of TGC participants listed in Travel Group Charter filings under Part 372a. Such information constitutes both commercial and investigatory matter of the type exempted from disclosure under the Freedom of Information Act and is therefore being added to the items set forth in sections 4 and 7 of Appendix B.

Aside from the aforementioned reference to IATA materials, certain other items listed in Appendix B are amended. Section 7 of Appendix B is amended to indicate that the exemption governing law enforcement investigatory files solely covers formal and informal investigatory files of the Bureau of Enforcement or other Bureaus regarding alleged violations of the Federal Aviation Act or requirements thereunder. Finally, we are amending the statement in section 4 of Appendix B that "past or future matter submitted to the Board in confidence but for which no formal request under § 302.39 of the Board's rules of practice has been made and granted will be held in confidence by the Board to the extent deemed allowable." The amendment will clearly indicate, in accordance with Board practice, that this provision refers solely to unpublished materials the disclosure of which would be inconsistent with the intent of the Freedom of Information Act.

² See Order 72-11-121, adopted Nov. 28, 1972.

³ In an additional revision of Appendix A, reference to Form 41 is deleted from "monthly listing of summarized passenger loads by flight stages (Schedule T-5, Form 41) except subally ineligible portion." The reason for the change is that the Schedule T-5 is not a part of the Form 41 filed by the carriers.

In addition to the foregoing amendments, the locations of certain listed items are being revised to reflect recent organizational changes. Accordingly, references to "Costs and Statistics Division" are amended to "Statistical Division"; references to "Regulations and Reports Division" are amended to "Accounting Regulations Division"; references to "Statistical Reports Section" are amended to "Financial and Traffic Reports Section"; and references to "Bureau of Enforcement, Consumer Complaint Section" are amended to "Office of Consumer Affairs."

Finally, the text of Part 310 is amended to express the Board's policy to release any record authorized to be withheld under the exemptions of the Freedom of Information Act unless it is determined that the release of the record would be inconsistent with the purpose of the exemption. This amendment serves to clarify the current regulations by providing a clear statement of the guiding principle behind all Board determinations regarding the release of information since the inception of the Freedom of Information Act.

Since the regulation is a rule of agency procedure and practice, notice and public procedure hereon are not necessary. Furthermore, since the amendments reflect present practice, policy and organi-

zation, they will be made effective immediately.

Accordingly, the Board hereby amends Part 310 and Appendices A and B thereto, effective February 20, 1973, as follows:

1. Amend § 310.3(b) to read as follows:

§ 310.3 Exempted records.

(b) Appendix B to this part lists various kinds of records which are "exempted records" and therefore may be excluded from public availability. Appendix B to this part is for the convenience and guidance of the public and is not an exhaustive listing; other records not listed therein may be subject to withholding as "exempted records." Any "exempted record" will be withheld from public disclosure only where it is determined that the release of the record would be inconsistent with the purpose of the exemption.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 734; 49 U.S.C. 1324; Freedom of Information Act, 81 Stat. 54, 5 U.S.C. 552)

2. Amend Appendices A and B in the form attached below.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

APPENDIX A

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE

(NOTE: Any item may be withheld from disclosure if exempted, whether or not the item is listed herein.)

Agreements filed under section 412 of Federal Aviation Act; Copies of, and filings and records in connection therewith.	Bureau of Operating Rights, Agreements Division.
Air freight forwarder applications and operating authorizations, and filings in connection therewith.	Bureau of Operating Rights, Supplementary Services Division.
Aircraft lease or purchase transactions under Part 299, Economic Regulations; Filings in connection therewith.	Bureau of Operating Rights, Agreements Division.
Applications of foreign charter carriers for approval of charter flights, as required by specific Board Order.	Bureau of Operating Rights, Supplementary Services Division.
Blind sector applications; Part 216—Copies of applications and authorizations in connection therewith.	Do.
Civil Aeronautics Board Manual: Instructions to staff and index thereof.	Public Reference Room.
Certification of Secretary of Civil Aeronautics Board.	Office of Secretary, Minutes Section. (Request to be made to Public Reference Room.)
Charters: Requests for waivers of Board regulations.	Bureau of Operating Rights, Supplementary Services Division.
Civil penalty compromise records filed under Subpart H of the Board's rules of practice.	Office of Secretary, Docket Section.
Conferences between Civil Aeronautics Board and other persons, transcripts of.	Do.
Consumer complaint files, as distinguished from investigation files.	Office of Consumer Affairs.
Contracts of the Civil Aeronautics Board: Contracts awarded; invitations to bid.	Office of Facilities and Operations.
Correspondence relating to items listed in Appendix A.	Office of Facilities and Operations, Communications Services Section, and various Board offices. (Request to be made to Public Reference Room.)

RULES AND REGULATIONS

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE—continued

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE--continued

Pockets and related material:

Orders and Opinions of the Civil Aeronautics

Agents: File showing agents designated for service under section 1005(b) of Federal Aviation Act.

Copies of, including published bound vol-

Public Reference Room.

Office of Secretary, Docket Section.

Office of Secretary Indices Section.

On the Defense of Proton

Overseas military personnel charter applications and authorizations, and filings in connection with operating rights, supplementary services division.

Public Reference Room.

3

8

88

88

Bureau of Accounts and Statistics, Accounting Regulation Division.

Bureau of Accounts and Statistics, Data Processing Division.

Bureau of Operating Rights, Agreements
Division.

Public Reference Room.

128

Bureau of Accounts and Statistics, Statistical Division.

Public Reference Room.

Bureau of Accounts and Statistics, Reports
Control and Administration Division.

Control and Management
Public Reference Room

Bureau of Operating Rights, Supplemental Services Division.

100.

Public Reference Room.

Bureau of Operating Rights, Agreements
Division.

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE—CONTINUED

Charter services performed for Military Air-lift Command (Form 243).	Public Reference Room.
Cooperative shippers association reports (Form 244A).	Do.
Extension of credit to political candidates report (Form 183).	Do.
Extensions of time for report filing.	Do.
Foreign air carriers reports of civil aircraft charters (Form 217).	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Foreign indirect air carrier reports.	Public Reference Room.
Freight loss and damage claims reports (Form 239).	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Freight traffic and revenues in Puerto Rico market (Form T-84).	Do.
Insurance certificates and notices:	
Air freight forwarders certificates of insurance (Form 350).	Bureau of Operating Rights, Supplementary Services Division.
Air taxi operators certificates of insurance (Form 257) and standard endorsements (Form 262).	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Supplemental air carriers: Certificates of insurance and endorsements (Forms 605, 607 and 608).	Do.
Notice of cancellation of insurance by insurer (Form 609A).	Do.
Notice of cancellation of insurance by carrier (Form 609B).	Do.
International Civil Aviation Organization statistical report (ICAO Form C).	Office of Comptroller.
Local service carrier summarized passenger loads by flight schedule (Schedule T-5), except subsidy ineligible portions.	Public Reference Room.
MAC charter services reports, consisting of financial and statistical schedules (Form 243).	
Magnetic tapes prepared by the Board from reports filed by air carriers.	Bureau of Accounts and Statistics, Data Processing Division.
Manual of ADP instructions for traffic and capacity data collection and related materials.	Do.
Manuals of air carrier accounts and reporting instructions prescribed by the Board.	Bureau of Accounts and Statistics Accounting Regulation Division.
Manual of instructions to air carriers for passenger origin-destination survey statistics and related materials.	Bureau of Accounts and Statistics, Statistical Division.
National Air Carrier Association (NACA), commercial charter exchange activity, membership roster and flight data (Form 492).	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Origin-destination survey of airline passenger traffic, domestic data and outputs.	Bureau of Accounts and Statistics, Statistical Division.
Observations of the Director to air carriers, requesting or transmitting specific information to supplement or amplify reports.	Bureau of Accounts and Statistics, Accounting Regulation Division.
Passengers denied confirmed space (Form 251).	Public Reference Room.
Passenger origin-destination directives, to supplement Passenger O&D Manual.	Bureau of Accounts and Statistics, Statistical Division.

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE—CONTINUED

Public accountants reports and reconciliation with Form 41 reports.	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Reports of ownership of stock and other interests filed pursuant to Part 245, Subpart B.	Bureau of Operating Rights, Agreements Division.
Reports of a miscellaneous nature filed pursuant to Board order.	Office of Secretary, Docket Section.
Scheduled all-cargo services report (Form 242).	Public Reference Room.
Supplemental air carrier special reports, as required under § 385.17(j).	Bureau of Accounts and Statistics, Reports Control and Administration Division.
Unaccommodated passenger reports (Form 250).	Public Reference Room.
Waivers of accounting and reporting requirements and record retention.	Do.
Route and service authorizations:	
"Book of Official CAB Airline Route Maps and Airport-to-Airport Mileages" (publications).	Office of Facilities and Operations, Records Services Section.
Certificates of public convenience and necessity.	
Foreign air carrier permits.	Office of Secretary, Docket Section.
Historic and current records and indexes of points served, airports, dates of service inauguration, service deletions, suspensions and restorations, and Board actions affecting carrier service authorizations.	Bureau of Operating Rights, Supplementary Services Division.
Settlement documentation filed under Rule 215 of the Board's rules of practice.	
Statements of authorization for off-route charter trips by foreign air carriers (Part 212); Copies of applications for, filings in connection therewith and copies of authorizations.	Office of Secretary, Docket Section.
Study group charters: Tour prospectuses and other documents relating to study group charters under Part 373.	Bureau of Operating Rights, Supplementary Services Division.
Tariff matters:	
Agent matters:	Bureau of Economics, Tariffs Section.
Alternate agents' affidavits as to disability of principal tariff publishing agent.	
Corporate tariff agents' designation of issuing officer.	
Powers of attorney (issued by carriers to tariff publishing agents).	
Tariff publishing instructions (from carriers to agents).	
Certifications of tariff publications and requests for copies.	
Concurrences (issued by carriers to tariff publishing carriers).	
Correspondence with carriers or agents requesting correction of Part 231 violations in tariffs.	
Free or reduced-rate transportation:	
Access to aircraft or free-transportation requests (SF 160).	
Application for, under § 223.8 of Economic Regulations.	

DESCRIPTION AND LOCATION OF RECORDS GENERALLY AVAILABLE—continued

Carrier manuals containing instructions, rules, regulations and practices governing issuance and interchange of passes. Reports by carriers of free transportation of technical representatives of aircraft manufacturers (§ 223.2 (c), (d) of Economic Regulations).

Postponed Board actions: Notices of, on tariffs filed on 45 days' notice, and not acted upon by Board 15 days prior to effective date, under § 399.36 of Policy Statements.

Rejection notices.

Special tariff permissions.

Tariffs and tariff transmittal letters.

Tariff embargo notices.

Trade agreements filed under Part 225 of Economic Regulations.

Waivers from Part 221 of Economic Regulations.

Trade association manuals.

Travel group charters: Filings and other documents relating to travel group charter filings under Part 372a (excluding names, addresses and phone numbers of TGC participants).

Unpublished statistical compilations:

Air carrier route miles statistics, quarterly compilations.

Interim quarterly financial reports of air carriers: Selective summarization of balance sheet factors, first three quarters.

International Civil Aviation Organization reports: Summarization of selected financial and statistical data.

Votes of Board members: Final votes of Board members in Board proceedings.

Bureau of Operating Rights, Agreements Division.

Bureau of Operating Rights, Supplementary Services Division.

Bureau of Accounts and Statistics, Financial and Traffic Reports Section.

Do.

Bureau of Accounts and Statistics, Reports Control and Administration Division.

Office of Secretary, Minutes Section. (Request to be made to Secretary.)

APPENDIX B

TYPES OF RECORDS GENERALLY EXCLUDED FROM AVAILABILITY

The following list contains by way of example those records which are "exempted records" under this part. The examples of exempted records are listed according to the applicable subsections of 5 U.S.C. 552(b).

(1) Documents classified pursuant to Executive Order No. 10501. Classified Board minutes and classified exhibits in formal proceedings.

(2) Personnel rules and practices. Files pertaining to the Board's personnel.

Technical manuals and instructions pertaining to the Board's audit of carrier accounts.

(3) Material exempted by statute. Matter which heretofore has been exempted from public disclosure under sections 902(f) and 1104 of the Federal Aviation Act, or by specific Board order will continue to be exempt. Such matters include carrier audit papers and correspondence relating thereto, and matters on which the Board has granted a motion for nondisclosure pursuant to § 302.39 of its rules of practice.

(4) Trade secrets and commercial or financial information. Past or future matter submitted to the Board in confidence but for which no formal request under § 302.39 of the Board's rules of practice has been made and granted will be held in confidence by the Board to the extent deemed allowable. This provision refers solely to unpublished materials the disclosure of which would be inconsistent with the intent of the Freedom of Information Act. No assurance of withholding material is implied by this, however, and affected persons should formally request withholding under § 302.39 where they deem it necessary to protect their interests.

Examples of confidential matters under this subsection include: Carrier accounting manuals; local service carrier passenger loads by flight schedules (Schedule T-5, subsidy ineligible portion); origin-destination survey

of airline passenger traffic (international); MAC charter rate information submitted in advance of MAC rate proceedings; on-line origin and destination of traffic of commuter air carriers (Schedule T-1, Form 298-C); materials related to informal subsidy conferences; air carrier service segment data submitted under Part 241; air carrier or air carrier organization letters, information or views used in developing U.S. positions in international aviation matters; and names, addresses, and phone numbers of TGC participants listed in Travel Group Charter filings under Part 372a.

(5) Inter/intra-agency memoranda. Board Minutes involving items that are pending, and Minutes not approved.

Reference or supporting material keyed to the Board Minutes.

Copies of Board decisions awaiting Presidential action.

Notation, calendar, and for information memoranda.

Budget, management, program evaluation, records disposal, research planning and program files.

Internal memoranda on the Administrative Conference of the United States.

Staff analyses not published by the Board. Files regarding Board requisitions, equipment, and space.

Memoranda regarding interagency commitments.

Intergovernmental communications on loan guarantee matters.

Research and legislative reference files of the General Counsel.

Memoranda and studies regarding Board positions in international aviation matters.

Developmental files, research materials, and workpapers.

(6) Invasion of personal privacy. Correspondence and inquiries regarding Board personnel.

Individual personnel files and records.

(7) Law enforcement investigatory files. Formal and informal internal investigatory files of the Bureau of Enforcement or other Bureaus regarding alleged violations of the

Federal Aviation Act or requirements thereunder; and names, addresses, and phone numbers of TGC participants listed in Travel Group Charter filings under Part 372a.

[FR Doc.73-3574 Filed 2-23-73;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2342]

PART 13—PROHIBITED TRADE PRACTICES

Colonial Carpet Mills, Inc., and Henry Franco

Subpart — Importing, manufacturing, selling, or transporting flammable wear: § 13.1060 Importing, manufacturing, selling, or transporting flammable wear:

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46, Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Colonial Carpet Mills, Inc. et al., Union City, Calif., Docket No. C-2342, Jan. 16, 1973]

In the Matter of Colonial Carpet Mills, Inc., a Corporation, and Henry Franco, Individually and as an Officer of the Corporation.

Consent order requiring a Union City, Calif., manufacturer and seller of carpets and rugs, among other things, to cease manufacturing for sale, selling, importing, or distributing any fabric, material, or related product which fails to conform to an applicable standard of flammability or regulation issued under the provisions of the Flammable Fabrics Act, as amended.

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

It is ordered, That respondent Colonial Carpet Mills, Inc., a corporation, its successors and assigns, and its officers, and respondent Henry Franco, individually and as an officer of said corporation and respondents' agents, representatives, and employees directly or through any corporation, subsidiary, division, or other device, do forthwith cease and desist from manufacturing for sale, selling, offering for sale, in commerce, or importing into the United States, or introducing, delivering for introduction, transporting or causing to be transported in commerce, or selling or delivering after sale or shipment in commerce, any product, fabric, or related material; or manufacturing for sale, selling, or offering for sale, any product made of fabric or related material which has been shipped or received in commerce, as "commerce," "product," "fabric," and "related material," as defined in the Flammable Fabrics Act, as amended, which product, fabric, or related material fails to conform to an applicable standard or regulation continued in effect, issued or amended under the provisions of the aforesaid Act.

It is further ordered, That respondents notify all of their customers who have purchased or to whom have been delivered the products which gave rise to this complaint, of the flammable nature of said products and effect the recall of said products from such customers.

It is further ordered, That the respondents herein either process the