

§ 225.8 Free and reduced price meals.

(a) Each approved service institution shall serve meals without cost or at a reduced price to children determined by the service institution to be unable to pay the full price of the meal. Such determination and the serving of such meals shall be in accordance with the regulations of the Department with respect to determining eligibility for free and reduced price meals (notice of October 18, 1968, 33 FR 15674): *Provided, however*, That no service institution shall adopt criteria for free meals or for reduced price meals which would result in eligibility of children from families whose incomes exceeded the family-size income standards prescribed by the State agency, or FNSRO where applicable, for determining eligibility for free or reduced price meals under the national school lunch and school breakfast programs (7 CFR part 245).

(b) Each approved service institution shall publicly announce a policy statement setting forth the criteria for determining the eligibility of children for free and reduced price meals.

(c) When a service institution has evidence that all children at a given site meet the eligibility requirements of paragraph (a) of this section for free meals, it need not make individual determinations of need for free meals. Instead, it may submit with its application (for such site) a statement setting forth such evidence and stating that all children attending such site will receive a free meal because they meet the eligibility standards for such meal and that, if information comes to the attention of the service institution that any child, on the basis of the level of family income, the number in the family unit, and the number of children in the family unit attending schools or service institutions, is able to pay the full or reduced price of the meal, the service institution shall collect from such a child the full or reduced price of the meal or take appropriate steps to enroll the child in another program site.

8. In § 225.9, paragraph (a), and the first sentences of paragraphs (b) and (f) are revised, and new paragraphs (b-1), (b-2), and (b-3) are added, as follows:

§ 225.9 Requirements for meals.

(a) Each service institution participating in the year-round program shall serve one or more of the following types of meals, as provided in its approved application: (1) Breakfast; (2) lunch; (3) supper; (4) supplemental food served between such other meals.

(b) Except as otherwise provided in this section, each meal served in the year-round program shall contain, as a minimum, the indicated food components:

(b-1) Each service institution participating in the special summer program shall serve one or more of the following meals as provided in its approved application: (1) A regular meal, (2) a summer meal, (3) supplemental food.

(b-2) Except as otherwise provided in this section, each meal served in the spe-

cial summer program shall contain, as a minimum, the indicated food components: (1) A regular meal shall contain:

(i) One-half pint of milk as a beverage.

(ii) Two ounces (edible portion as served) of lean meat, poultry or fish; or two ounces of cheese; or one egg; or one-half cup of cooked dry beans or peas; or four tablespoons of peanut butter, or an equivalent quantity of any combination of the above listed foods.

(iii) A three-fourth cup serving consisting of two or more vegetables or fruit or both. Full-strength vegetable or fruit juice may be counted to meet not more than one-fourth cup of this requirement.

(iv) One slice of whole-grain or enriched bread, or an equivalent quantity of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour.

(v) One teaspoon of butter or fortified margarine.

(2) A summer meal shall contain:

(i) One-half pint of milk or one-half pint of full-strength fruit or vegetable juice.

(ii) Two ounces (edible portion as served) of lean meat, poultry or fish; 2 ounces of cheese; or one egg; or one-half cup of cooked dry beans or peas; or four tablespoons of peanut butter, or an equivalent quantity of any combination of the above-listed foods.

(iii) One-half cup of fruit or vegetable.

(iv) Two slices of whole-grain or enriched bread or an equivalent quantity of cornbread, biscuits, rolls, muffins, etc., made of whole-grain or enriched meal or flour.

(3) Supplemental food shall include:

(i) One-half pint of milk or 8-fluid ounces of full-strength fruit or vegetable juice or (1 cup) of fruit or vegetable.

(ii) One slice of whole-grain or enriched bread, or three-quarters cup of cereal, or an equivalent quantity of cornbread, biscuits, rolls, muffins, or crackers or cookies, made of whole-grain or enriched meal or flour.

(b-3) The quantities of foods specified in subparagraphs (1), (2), and (3) of paragraph (b-2) are approximate amounts of food to serve 10-to-12-year-old boys and girls. Greater or lesser amounts of these foods may be served if participating children are older or younger.

(f) Substitutions may be made in food listed in paragraphs (b), (1), (2), and (3) and in paragraph (b-2) of this section if individual participating children are unable, because of medical or other special dietary needs, to consume such foods.

9. In § 225.10, paragraphs (a) and (b) and the proviso of paragraph (e), are revised, and a new section (b-1) is added as follows:

§ 225.10 Reimbursement payments.

(a) Reimbursement shall be paid to service institutions participating in the

year-round program only in connection with types of meals specified in approved applications, and meeting the requirements of paragraph (b) of § 225.9.

(b) The maximum rates of reimbursement for meals served in year-round programs shall be 30 cents for a lunch or supper, 15 cents for a breakfast, and 10 cents for supplemental food.

(b-1) Reimbursement shall be paid to service institutions participating in the special summer program only in connection with types of meals specified in approved applications, and meeting the requirements of paragraph (b-2) of § 225.9. The maximum rates of reimbursement for meals served in special summer programs shall be 30 cents for a regular meal, 25 cents for a summer meal, and 10 cents for supplemental food.

(e) * * * *Provided, however*, That such financial assistance shall not exceed 60 cents for a lunch, regular meal, or supper, 48 cents for a summer meal, 20 cents for a breakfast, and 15 cents for supplemental food.

10. A proviso is added at the end of § 225.11, as follows:

§ 225.11 Effective date for reimbursement.

* * * *Provided, however*, That no reimbursement payments shall be made in connection with meals served in the special summer program prior to May 15 and after September 15 of any calendar year.

11. In § 225.18, paragraph (a-1) is revoked and a new paragraph (e-1) is added as follows:

(e-1) *Program supervision—special summer programs.*—Beginning January 1, 1974, each State agency, or FNSRO where applicable, shall provide adequate personnel to monitor all service institutions under its jurisdiction, including not less than 10 percent of the food service sites under each such institution, at least once during the operation of the special summer program each calendar year.

Effective date.—These amendments shall be effective May 8, 1973.

Dated May 4, 1973.

CLAYTON YEUTTER,
Assistant Secretary.

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CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1973-Crop Oats Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1973-Crop Oats Loan and Purchase Program

On October 7, 1972, notice of proposed rulemaking regarding loan and purchase rates for 1973-crop oats and detailed operating provisions to carry out the

RULES AND REGULATIONS

1973 oat loan program was published in the FEDERAL REGISTER (37 FR 21332). No data, views, or recommendations were filed by interested persons. The general regulations governing price support for the 1970 and subsequent crops, published at 35 FR 7363, and the 1970 and subsequent crop oats loan and purchase program regulations published at 35 FR 8340, and any amendments to such regulations, are further supplemented for the 1973 crop of oats. The material previously appearing in these sections under center-head "1970-Crop Oat Loan and Purchase Program," "1971-Crop Oat Loan and Purchase Program," and "1972-Crop Oat Loan Program" remains in full force and effect as to the 1970, 1971, and 1972 crops to which it was applicable.

Sec.
1421.270 Purpose.
1421.271 Availability.
1421.272 Maturity of loans.
1421.273 Deduction of storage charges.
1421.274 Loan and purchase rates.

AUTHORITY.—Sec. 4, 62 Stat. 1970, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051, as amended; 15 U.S.C. 714c; 7 U.S.C. 1421, 1441.

§ 1421.270 Purpose.

This supplement contains additional program provisions which, together with the provisions of the general regulations governing price support for the 1970 and subsequent crops, the 1970 and subsequent crop oats loan and purchase program regulations, and any amendments thereto, apply to loans on and purchases of the 1973 crop of oats.

§ 1421.271 Availability.

A producer desiring to participate in the program through loans must request a loan on his 1973-crop of eligible oats on or before April 30, 1974, in Alaska, Idaho, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, and by March 31, 1974, in all other States. To sell eligible oats to CCC, a producer must execute and deliver to the appropriate county ASCS office a purchase agreement (form CCC-614), indicating the approximate quantity of 1973-crop oats he will sell to CCC, on or before May 31, 1974, in the States named in this section and on or before April 30, 1974, in all other States.

§ 1421.272 Maturity of loans.

Unless demand is made earlier, loans on oats stored in Alaska, Idaho, Michigan, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming, mature on May 31, 1974, and loans on oats stored in all other States mature on April 30, 1974.

§ 1421.273 Deduction of storage charges.

Subject to the provisions of § 1421.252, the following schedules of deductions shall apply to oats stored in an approved warehouse operating under the uniform storage agreement.

Maturity date April 30, 1974	Deduction (cents per bushel)	Maturity date May 31, 1974
(1) Prior to May 30, 1973.		(2) Prior to June 30.
May 30-June 30, 1973.	11	June 30-July 31, 1973.
July 1-Aug. 1, 1973.	10	Aug. 1-Sept. 1, 1973.
Aug. 2-Sept. 2, 1973.	9	Sept. 2-Oct. 2, 1973.
Sept. 3-Oct. 4, 1973.	8	Oct. 4-Nov. 4, 1973.
Oct. 5-Nov. 5, 1973.	7	Nov. 5-Dec. 6, 1973.
Nov. 6-Dec. 7, 1973.	6	Dec. 7, 1973-Jan. 7, 1974.
Dec. 8, 1973-Jan. 8, 1974.	5	Jan. 8-Feb. 8, 1974.
Jan. 9-Feb. 9, 1974.	4	Feb. 9-Mar. 12, 1974.
Feb. 10-Mar. 13, 1974.	3	Mar. 13-Apr. 13, 1974.
Mar. 14-Apr. 30, 1974.	2	Apr. 14-May 31, 1974.

¹ Dates storage charges start, all dates inclusive.

§ 1421.274 Loan and purchase rates.

(a) **Basic loan and purchase rates.**—County loan and purchase rates for oats and the schedule of premiums and discounts are shown below. The term "county" as used in this subpart with reference to the State of Alaska shall mean "marketing area". Marketing areas in Alaska shall be the areas established under the State small grain incentive program. Farm stored loans will be made at the basic rate of the county where the grain is stored, adjusted only for the weed control discount where applicable. The loan and purchase rate for warehouse stored oat loans shall be the basic rate for the county where the oats are stored, adjusted by the premiums and discounts shown in this section. Notwithstanding § 1421.23(c) settlement for oats delivered from other than approved warehouse storage shall be based (1) on the basic rate for the county in which the producer's customary delivery point is located, and (2) on the quality and quantity delivered as shown on the warehouse receipts and accompanying documents issued by an approved warehouse to which delivery is made, or if applicable, the quality and quantity delivered as shown on a form prescribed by CCC for this purpose. The basic rate applies to oats grading U.S. No. 3, having moisture not in excess of 14 percent.

1973 OATS LOAN AND PURCHASE RATES

ALABAMA		Rate per bushel
County		
All counties		\$0.65

ALASKA ¹				Rate per bushel
County	Rate per bushel	County	Rate per bushel	
Delta	\$0.63	Kenai		
Fairbanks	.62	Soldotna		\$0.71
Glenallen	.69	Palmer		.75
Homer	.66	Talkeetna		.75

ARIZONA		Rate per bushel
County		
All counties		\$0.74

¹ In Alaska loan rates are for Marketing Areas.

ARKANSAS		Rate per bushel
County		
All counties		\$0.63

CALIFORNIA		Rate per bushel
County		
All counties		\$0.67

COLORADO		Rate per bushel
County		
All counties		\$0.61

CONNECTICUT		Rate per bushel
County		
All counties		\$0.62

DELAWARE		Rate per bushel
County		
All counties		\$0.63

FLORIDA		Rate per bushel
County		
All counties		\$0.68

GEORGIA		Rate per bushel
County		
All counties		\$0.65

IDAHO		Rate per bushel
County		
All counties		\$0.59

ILLINOIS		Rate per bushel
County		
All counties		\$0.59

County	Rate per bushel	County	Rate per bushel
Adams	\$0.57	Lee	\$0.57
Alexander	.60	Livingston	.57
Bond	.58	Logan	.57
Boone	.57	McDonough	.57
Brown	.57	McHenry	.57
Bureau	.57	McLean	.57
Calhoun	.58	Macon	.57
Carroll	.57	Macoupin	.58
Cass	.57	Madison	.59
Champaign	.57	Marion	.59
Christian	.57	Marshall	.57
Clark	.58	Mason	.57
Clay	.59	Massac	.60
Clinton	.59	Menard	.57
Coles	.57	Mercer	.57
Cook	.59	Monroe	.60
Crawford	.59	Montgomery	.58
Cumberland	.58	Morgan	.57
De Kalb	.57	Moultrie	.57
De Witt	.57	Ogle	.57
Douglas	.57	Peoria	.57
Du Page	.57	Perry	.60
Edgar	.57	Platt	.57
Edwards	.60	Pike	.57
Effingham	.58	Pope	.61
Fayette	.58	Pulaski	.60
Ford	.57	Putnam	.57
Franklin	.60	Randolph	.60
Fulton	.57	Richland	.59
Gallatin	.61	Rock Island	.57
Greene	.58	Saint Clair	.60
Grundy	.57	Saline	.61
Hamilton	.60	Sangamon	.57
Hancock	.57	Schuyler	.57
Hardin	.61	Scott	.57
Henderson	.57	Shelby	.57
Henry	.57	Stark	.57
Iroquois	.57	Stephenson	.57
Jackson	.60	Tazewell	.57
Jasper	.59	Union	.60
Jefferson	.60	Vermilion	.57
Jersey	.58	Wabash	.60
Jo Daviess	.57	Warren	.57
Johnson	.60	Washington	.60
Kane	.57	Wayne	.60
Kankakee	.57	White	.60
Kendall	.57	Whiteside	.57
Knox	.57	Will	.58
Lake	.58	Williamson	.60
La Salle	.57	Winnebago	.57
Lawrence	.59	Woodford	.57

INDIANA			
Adams	\$0.58	Brown	\$0.60
Allen	.58	Carroll	.58
Bartholomew		Cass	.58
new	.59	Clark	.60
Benton	.57	Clay	.58
Blackford	.58	Clinton	.58
Boone	.58	Crawford	.60

INDIANA—Continued				IOWA—Continued				MICHIGAN—Continued			
County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel	County	Rate per bushel
Davies	\$0.60	Montgomery	\$0.58	Sioux	\$0.54	Washington	\$0.57	Baraga	\$0.58	Leelanau	\$0.58
Dearborn	.61	Morgan	.58	Story	.56	Wayne	.57	Barry	.59	Lenawee	.59
Decatur	.59	Newton	.57	Tama	.56	Webster	.58	Bay	.57	Livingston	.58
De Kalb	.58	Noble	.58	Taylor	.57	Winnebago	.55	Benzie	.58	Luce	.59
Delaware	.58	Ohio	.61	Union	.57	Winneshiek	.56	Berrien	.58	Mackinac	.59
Dubois	.60	Orange	.60	Van Buren	.57	Woodbury	.55	Branch	.58	Macomb	.58
Elkhart	.59	Owen	.58	Wapello	.57	Worth	.55	Calhoun	.58	Manistee	.59
Fayette	.58	Parke	.57	Warren	.57	Wright	.58	Cass	.58	Marquette	.58
Floyd	.60	Perry	.60	KANSAS				Charlevoix	.58	Mason	.59
Fountain	.57	Pike	.60	Allen	\$0.60	Lincoln	\$0.59	Cheboygan	.58	Mecosta	.58
Franklin	.60	Porter	.58	Anderson	.60	Linn	.60	Chippewa	.59	Menominee	.58
Fulton	.58	Posey	.60	Atchison	.60	Logan	.61	Clare	.58	Midland	.57
Gibson	.60	Pulaski	.58	Barber	.63	Lyon	.60	Clinton	.58	Missaukee	.58
Grant	.58	Putnam	.58	Barton	.61	McPherson	.61	Crawford	.57	Monroe	.59
Greene	.60	Randolph	.58	Bourbon	.61	Marion	.61	Delta	.58	Montcalm	.58
Hamilton	.58	Ripley	.61	Brown	.59	Marshall	.59	Dickinson	.58	Montmorency	.57
Hancock	.58	Rush	.58	Butler	.62	Meade	.63	Eaton	.58	Muskegon	.59
Harrison	.60	Saint Joseph	.59	Chase	.61	Miami	.60	Emmet	.58	Newaygo	.59
Hendricks	.58	Scott	.61	Chautauqua	.62	Mitchell	.59	Genesee	.57	Oakland	.58
Henry	.58	Shelby	.58	Cherokee	.62	Montgomery	.62	Gladwin	.57	Oceana	.59
Howard	.58	Spencer	.60	Cheyenne	.60	Morris	.60	Gogebic	.58	Ogemaw	.57
Huntington	.58	Starke	.58	Clark	.63	Morton	.63	Grand	.58	Ontonagon	.58
Jackson	.60	Steuben	.59	Clay	.59	Nemaha	.59	Traverse	.58	Osceola	.58
Jasper	.57	Sullivan	.59	Cloud	.59	Necaho	.61	Gratiot	.58	Oscoda	.57
Jay	.58	Switzerland	.61	Coffey	.60	Nes	.61	Hilldale	.59	Otsego	.58
Jefferson	.61	Tipppecanoe	.58	Commanche	.63	Norton	.59	Houghton	.58	Ottawa	.59
Jennings	.61	Tipton	.58	Cowley	.62	Osage	.60	Huron	.57	Presque Isle	.57
Johnson	.58	Union	.58	Crawford	.61	Osborne	.59	Ingham	.58	Rosecommon	.57
Knox	.60	Vanderburgh	.60	Decatur	.59	Ottawa	.59	Ionia	.58	Saginaw	.57
Kosciusko	.58	Vermillion	.57	Dickinson	.60	Pawnee	.61	Iosco	.57	Saint Clair	.58
Lagrange	.58	Vigo	.58	Doniphan	.60	Phillips	.58	Iron	.58	Saint Joseph	.58
Lake	.58	Wabash	.58	Douglas	.60	Pottawato-	.59	Isabella	.58	Sanilac	.57
La Porte	.59	Warren	.57	Edwards	.61	mle	.59	Jackson	.58	Schoolcraft	.59
Lawrence	.60	Warrick	.60	Elk	.61	Pratt	.62	Kalamazoo	.59	Shiawassee	.57
Madison	.58	Washington	.60	Ellis	.60	Rawlins	.60	Kalkaska	.58	Tuscola	.57
Marion	.58	Wayne	.58	Ellsworth	.60	Reno	.61	Kent	.59	Van Buren	.59
Marshall	.58	Wells	.58	Finney	.62	Republic	.58	Keweenaw	.58	Washtenaw	.58
Martin	.60	White	.58	Ford	.62	Rice	.61	Lake	.59	Wayne	.58
Miami	.58	Whitley	.58	Franklin	.60	Riley	.59	Lapeer	.57	Wexford	.59
Monroe	.60			Geary	.60	Rooks	.59	MINNESOTA			
IOWA				Gove	.61	Rush	.61	Aitkin	\$0.53	Marshall	\$0.47
Adair	\$0.57	Harrison	\$0.56	Graham	.60	Russell	.60	Anoka	.55	Martin	.53
Adams	.57	Henry	.57	Grant	.62	Saline	.60	Becker	.49	Meeker	.53
Allamakee	.56	Howard	.56	Gray	.62	Scott	.61	Beltrami	.49	Mille Lacs	.53
Appanoose	.57	Humboldt	.56	Greeley	.61	Sedgwick	.62	Benton	.53	Morrison	.52
Audubon	.56	Ida	.55	Greenwood	.61	Seward	.63	Big Stone	.50	Mower	.54
Benton	.57	Iowa	.57	Hamilton	.62	Shawnee	.60	Blue Earth	.54	Murray	.51
Black Hawk	.57	Jackson	.57	Harper	.63	Sheridan	.60	Brown	.53	Nicollet	.54
Boone	.56	Jasper	.56	Harvey	.61	Sherman	.60	Carlton	.55	Nobles	.52
Bremer	.57	Jefferson	.57	Haskell	.62	Smith	.58	Carver	.54	Norman	.47
Buchanan	.57	Johnson	.57	Hodgeman	.61	Stafford	.61	Cass	.51	Olmsted	.54
Buena Vista	.56	Jones	.57	Jackson	.60	Stanton	.62	Chippewa	.51	Otter Tail	.50
Butler	.56	Keokuk	.57	Jefferson	.60	Stevens	.63	Chisago	.55	Pennington	.47
Calhoun	.56	Kossuth	.55	Jewell	.58	Sumner	.63	Clay	.49	Pine	.54
Carroll	.56	Lee	.57	Johnson	.61	Thomas	.60	Clearwater	.48	Pipestone	.51
Cass	.57	Linn	.57	Kearny	.62	Trego	.60	Cook	.55	Polk	.47
Cedar	.57	Louisa	.57	Kingman	.62	Wabauunsee	.60	Cottonwood	.52	Pope	.51
Cerro Gordo	.56	Lucas	.57	Kiowa	.62	Wallace	.61	Crow Wing	.52	Ramsey	.55
Cherokee	.55	Lyon	.53	Labette	.62	Washington	.58	Dakota	.55	Red Lake	.47
Chickasaw	.57	Madison	.57	Lane	.61	Wilchita	.61	Dodge	.54	Redwood	.52
Clarke	.57	Mahaaska	.57	Leaven-	.61	Wilson	.61	Douglas	.51	Renville	.52
Clay	.56	Marion	.57	worth	.61	Woodson	.60	Faribault	.54	Rice	.54
Clayton	.57	Marshall	.56	Leavenworth	.61	Wayandotte	.61	Fillmore	.55	Rock	.52
Clinton	.57	Mills	.57	KENTUCKY				Freeborn	.54	Roseau	.47
Crawford	.55	Mitchell	.55	County		Rate per bushel		Goodhue	.54	Saint Louis	.55
Dallas	.56	Monona	.55	All counties		\$0.65		Grant	.50	Scott	.54
Davis	.58	Monroe	.57	LOUISIANA				Hennepin	.55	Sherburne	.54
Decatur	.57	Montgomery	.57	All parishes		\$0.65		Houston	.55	Sibley	.53
Delaware	.57	Muscataine	.57	MAINE				Hubbard	.50	Stearns	.52
Des Moines	.57	O'Brien	.55	All counties		\$0.62		Isanti	.54	Steele	.54
Dickinson	.54	Osceola	.53	MARYLAND				Itasca	.53	Stevens	.50
Dubuque	.57	Page	.57	All counties		\$0.64		Jackson	.53	Swift	.51
Emmet	.54	Palo Alto	.56	MASSACHUSETTS				Kanabac	.54	Todd	.51
Fayette	.57	Plymouth	.54	All counties		\$0.62		Kandiyohi	.52	Traverse	.49
Floyd	.56	Pocahontas	.56	MICHIGAN				Kittson	.46	Wabasha	.54
Franklin	.56	Polk	.56	County	Rate per bushel	County	Rate per bushel	Koochiching	.50	Wadena	.51
Fremont	.57	Pottawatta-	.57	Alcona	\$0.57	Alpena	\$0.57	Lac Qui Parle	.51	Waseca	.55
Greene	.56	mle	.57	Alger	.59	Antrim	.58	Lake	.55	Washington	.55
Grundy	.56	Poweshiek	.56	Allegan	.59	Arenac	.57	Lake of the Woods	.48	Watsonwan	.53
Guthrie	.56	Ringgold	.57					Le Seur	.54	Wilkin	.49
Hamilton	.56	Sac	.56					Lincoln	.51	Winona	.55
Hancock	.56	Scott	.57					Lyon	.51	Wright	.54
Hardin	.56	Shelby	.56					McLeod	.53	Yellow Medi-	.51
								Mahnomen	.48	cine	

RULES AND REGULATIONS

MISSISSIPPI

County	Rate per bushel
All counties.....	\$0.64

MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair.....	\$0.59	Livingston.....	\$0.60
Andrew.....	.59	McDonald.....	.62
Atchison.....	.58	Macon.....	.59
Audrain.....	.58	Madison.....	.61
Barry.....	.62	Marion.....	.61
Barton.....	.61	Marion.....	.57
Bates.....	.60	Mercer.....	.60
Benton.....	.60	Miller.....	.61
Bollinger.....	.61	Mississippi.....	.60
Boone.....	.60	Moniteau.....	.61
Buchanan.....	.61	Monroe.....	.58
Butler.....	.61	Montgomery.....	.60
Caldwell.....	.61	Morgan.....	.61
Callaway.....	.60	New Madrid.....	.61
Camden.....	.61	Newton.....	.61
Cape Girardeau.....	.60	Nodaway.....	.58
Carroll.....	.60	Oregon.....	.62
Carter.....	.61	Osage.....	.61
Cass.....	.60	Ozark.....	.62
Cedar.....	.60	Pemiscot.....	.61
Chariton.....	.60	Perry.....	.60
Christian.....	.62	Pettis.....	.61
Clark.....	.57	Phelps.....	.61
Clay.....	.61	Pike.....	.57
Clinton.....	.61	Platte.....	.61
Cole.....	.61	Polk.....	.60
Cooper.....	.61	Pulaski.....	.61
Crawford.....	.61	Putnam.....	.59
Dade.....	.60	Ralls.....	.57
Dallas.....	.61	Randolph.....	.59
Davess.....	.60	Ray.....	.61
De Kalb.....	.60	Reynolds.....	.61
Dent.....	.61	Ripley.....	.62
Douglas.....	.62	Saint Charles.....	.59
Dunklin.....	.61	Saint Clair.....	.60
Franklin.....	.61	Sainte Genevieve.....	.60
Gasconade.....	.61	St. Francois.....	.61
Gentry.....	.59	Saint Louis.....	.60
Greene.....	.61	Saline.....	.60
Grundy.....	.59	Schuyler.....	.59
Harrison.....	.59	Scotland.....	.58
Henry.....	.60	Scott.....	.60
Hickory.....	.60	Shannon.....	.61
Holt.....	.59	Shelby.....	.58
Howard.....	.60	Stoddard.....	.61
Howell.....	.62	Stone.....	.62
Iron.....	.61	Sullivan.....	.59
Jackson.....	.60	Taney.....	.62
Jasper.....	.61	Texas.....	.61
Jefferson.....	.60	Vernon.....	.60
Johnson.....	.60	Warren.....	.60
Knox.....	.58	Washington.....	.61
Laclede.....	.61	Wayne.....	.61
Lafayette.....	.60	Webster.....	.61
Lawrence.....	.61	Worth.....	.58
Lewis.....	.57	Wright.....	.61
Lincoln.....	.59		
Linn.....	.60		

MONTANA

County	Rate per bushel	County	Rate per bushel
Beaverhead.....	\$0.56	Golden.....	
Big Horn.....	.50	Valley.....	\$0.50
Blaine.....	.47	Granite.....	.55
Broadwater.....	.52	Hill.....	.48
Carbon.....	.51	Jefferson.....	.53
Carter.....	.48	Judith Basin.....	.50
Cascade.....	.51	Lake.....	.55
Chouteau.....	.49	Lewis and Clark.....	.53
Custer.....	.47	Liberty.....	.49
Daniels.....	.44	Lincoln.....	.56
Dawson.....	.44	McCone.....	.45
Deer Lodge.....	.45	Madison.....	.54
Fallon.....	.54	Meagher.....	.51
Fergus.....	.49	Mineral.....	.56
Flathead.....	.54	Missoula.....	.55
Gallatin.....	.52	Musselshell.....	.49
Garfield.....	.46	Park.....	.52
Glacier.....	.51		

MONTANA—Continued

County	Rate per bushel	County	Rate per bushel
Petroleum.....	\$0.48	Sheridan.....	\$0.43
Phillips.....	.46	Silver Bow.....	.54
Pondera.....	.50	Stillwater.....	.51
Powder.....		Sweet Grass.....	.51
River.....	.49	Teton.....	.50
Powell.....	.54	Toole.....	.50
Prairie.....	.46	Treasure.....	.49
Ravalli.....	.55	Valley.....	.45
Richland.....	.44	Wheatland.....	.50
Roosevelt.....	.43	Willbax.....	.45
Rosebud.....	.48	Yellowstone.....	.51
Sanders.....	.56		

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams.....	\$0.56	Jefferson.....	\$0.57
Antelope.....	.53	Johnson.....	.58
Arthur.....	.54	Kearney.....	.56
Banner.....	.54	Keith.....	.55
Blaine.....	.53	Keya Paha.....	.52
Boone.....	.54	Kimball.....	.55
Box Butte.....	.54	Knox.....	.53
Boyd.....	.52	Lancaster.....	.57
Brown.....	.53	Lincoln.....	.55
Buffalo.....	.55	Logan.....	.54
Burt.....	.55	Loup.....	.53
Butler.....	.56	McPherson.....	.54
Cass.....	.57	Madison.....	.54
Cedar.....	.54	Merrick.....	.54
Chase.....	.57	Morrill.....	.54
Cherry.....	.53	Nance.....	.54
Cheyenne.....	.55	Nemaha.....	.58
Clay.....	.56	Nuckolls.....	.57
Colfax.....	.55	Otoe.....	.57
Cuming.....	.55	Pawnee.....	.58
Custer.....	.54	Perkins.....	.56
Dakota.....	.55	Phelps.....	.56
Dawes.....	.54	Pierce.....	.53
Dawson.....	.55	Platte.....	.54
Deuel.....	.55	Polk.....	.55
Dixon.....	.55	Red Willow.....	.57
Dodge.....	.56	Richardson.....	.58
Douglas.....	.57	Rock.....	.53
Dundy.....	.58	Saline.....	.57
Fillmore.....	.56	Sarpy.....	.57
Franklin.....	.57	Saunders.....	.57
Frontier.....	.56	Scotts Bluff.....	.54
Furnas.....	.57	Seward.....	.56
Gage.....	.58	Sheridan.....	.54
Garden.....	.54	Sherman.....	.54
Garfield.....	.53	Sioux.....	.54
Gosper.....	.56	Stanton.....	.54
Grant.....	.53	Thayer.....	.57
Greeley.....	.54	Thomas.....	.53
Hall.....	.55	Thurston.....	.55
Hamilton.....	.55	Valley.....	.54
Harlan.....	.57	Washington.....	.56
Hayes.....	.57	Wayne.....	.54
Hitchcock.....	.58	Webster.....	.57
Holt.....	.53	Wheeler.....	.53
Hooker.....	.53	York.....	.55
Howard.....	.54		

NEVADA

County	Rate per bushel
All counties.....	\$0.71

NEW HAMPSHIRE

All counties.....	\$0.62
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NEW JERSEY

All counties.....	\$0.63
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NEW MEXICO

All counties.....	\$0.68
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NEW YORK

All counties.....	\$0.64
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NORTH CAROLINA

All counties.....	\$0.65
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NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams.....	\$0.45	McKenzie.....	\$0.42
Barnes.....	.46	McLean.....	.42
Benson.....	.44	Mercer.....	.42
Billings.....	.43	Morton.....	.44
Bottineau.....	.42	Mountrail.....	.42
Bowman.....	.45	Nelson.....	.45
Burke.....	.42	Oliver.....	.43
Burleigh.....	.44	Pembina.....	.46
Cass.....	.47	Pierce.....	.43
Cavaller.....	.45	Ramsey.....	.45
Dickey.....	.46	Ransom.....	.47
Divide.....	.42	Renville.....	.42
Dunn.....	.42	Richland.....	.48
Eddy.....	.45	Rolette.....	.43
Emmons.....	.45	Sargent.....	.47
Foster.....	.45	Sheridan.....	.43
Golden.....		Sioux.....	.45
Valley.....	.44	Slope.....	.44
Grand Forks.....	.46	Stark.....	.43
Grant.....	.44	Steele.....	.46
Griggs.....	.45	Stutsman.....	.46
Hettinger.....	.44	Towner.....	.44
Kidder.....	.45	Trails.....	.46
La Moure.....	.46	Walsh.....	.46
Logan.....	.45	Ward.....	.42
McHenry.....	.42	Wells.....	.44
McIntosh.....	.45	Williams.....	.42

OHIO

County	Rate per bushel	County	Rate per bushel
Adams.....	\$0.62	Lorain.....	\$0.62
Allen.....	.60	Lucas.....	.60
Ashland.....	.61	Madison.....	.61
Ashtabula.....	.63	Mahoning.....	.63
Athens.....	.63	Marion.....	.61
Augulaize.....	.60	Medina.....	.62
Belmont.....	.64	Meigs.....	.63
Brown.....	.62	Mercer.....	.58
Butler.....	.60	Miami.....	.60
Carroll.....	.63	Monroe.....	.64
Champaign.....	.61	Morgan.....	.63
Clark.....	.61	Montgomery.....	.60
Clermont.....	.62	Morrow.....	.61
Clinton.....	.62	Muskingum.....	.62
Columbina.....	.63	Noble.....	.63
Coshocton.....	.62	Ottawa.....	.61
Crawford.....	.61	Paulding.....	.58
Cuyahoga.....	.62	Perry.....	.62
Darke.....	.59	Pickaway.....	.61
Defiance.....	.59	Pike.....	.62
Delaware.....	.61	Portage.....	.62
Erie.....	.61	Preble.....	.58
Fairfield.....	.61	Putnam.....	.60
Fayette.....	.61	Richland.....	.61
Franklin.....	.61	Ross.....	.62
Fulton.....	.60	Sandusky.....	.61
Gallia.....	.63	Scioto.....	.62
Geauga.....	.62	Seneca.....	.61
Greene.....	.61	Shelby.....	.60
Guernsey.....	.63	Stark.....	.62
Hamilton.....	.61	Summit.....	.62
Hancock.....	.60	Trumbull.....	.63
Hardin.....	.60	Tuscarora.....	
Harrison.....	.63	was.....	.62
Henry.....	.60	Union.....	.61
Highland.....	.62	Van Wert.....	.59
Hocking.....	.62	Vinton.....	.62
Holmes.....	.62	Warren.....	.61
Huron.....	.61	Washington.....	.64
Jackson.....	.62	Wayne.....	.62
Jefferson.....	.64	Williams.....	.60
Knox.....	.61	Wood.....	.60
Lake.....	.62	Wyandot.....	.61
Lawrence.....	.62		
Licking.....	.61		
Logan.....	.61		

County	Rate per bushel
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OKLAHOMA

All counties.....	\$0.64
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OREGON

All counties.....	\$0.63
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PENNSYLVANIA

County	Rate per bushel
All counties	\$0.64

RHODE ISLAND

All counties	\$0.62
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SOUTH CAROLINA

All counties	\$0.65
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SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	\$0.49	Jerauld	\$0.49
Beadle	.49	Jones	.48
Bennett	.49	Kingsbury	.49
Bon Homme	.51	Lake	.49
Brookings	.50	Lawrence	.47
Brown	.47	Lincoln	.52
Brule	.49	Lyman	.48
Buffalo	.49	McCook	.50
Bute	.47	McPerson	.46
Campbell	.46	Marshall	.47
Charles Mix	.50	Meade	.47
Clark	.48	Mellette	.49
Clay	.53	Miner	.49
Codington	.49	Minnehaha	.51
Corson	.46	Moody	.50
Custer	.50	Pennington	.48
Davison	.49	Potter	.47
Day	.48	Roberts	.48
Deuel	.50	Sanborn	.49
Dewey	.47	Shannon	.50
Douglas	.50	Spink	.48
Edmunds	.47	Stanley	.48
Fall River	.50	Sully	.48
Faulk	.47	Todd	.49
Grant	.50	Tripp	.49
Gregory	.49	Turner	.52
Haakon	.48	Union	.53
Hamlin	.49	Walworth	.47
Hand	.48	Washabaugh	.49
Hanson	.49	Yankton	.52
Harding	.46	Ziebach	.47
Hughes	.48		
Hutchinson	.51		
Inson	.48		
Jackson	.48		

TENNESSEE

County	Rate per bushel
All counties	\$0.65

TEXAS

All counties	\$0.66
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UTAH

All counties	\$0.68
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VERMONT

All counties	\$0.62
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VIRGINIA

All counties	\$0.64
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WASHINGTON

All counties	\$0.61
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WEST VIRGINIA

All counties	\$0.65
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WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	\$0.57	Columbia	\$0.57
Ashland	.57	Crawford	.57
Barron	.57	Dane	.58
Bayfield	.56	Dodge	.57
Brown	.56	Door	.56
Buffalo	.55	Douglas	.55
Burnett	.55	Dunn	.56
Calumet	.56	Eau Claire	.56
Chippewa	.56	Florence	.58
Clark	.56	Fond du Lac	.56

WISCONSIN—Continued

County	Rate per bushel	County	Rate per bushel
Forest	\$0.58	Pierce	\$0.55
Grant	.58	Polk	.58
Green	.58	Portage	.57
Green Lake	.57	Price	.57
Iowa	.59	Racine	.59
Iron	.58	Richland	.58
Jackson	.57	Rock	.53
Jefferson	.58	Rusk	.56
Juneau	.57	Saint Croix	.55
Kenosha	.59	Sauk	.58
Kewaunee	.56	Sawyer	.56
La Crosse	.56	Shawano	.57
Lafayette	.59	Sheboygan	.57
Langlade	.57	Taylor	.57
Lincoln	.57	Trempealeau	.56
Manitowoc	.56	Vernon	.56
Marathon	.57	Vilas	.58
Marquette	.58	Walworth	.58
Menominee	.57	Washburn	.55
Milwaukee	.59	Washington	.58
Monroe	.57	Waushara	.57
Oconto	.57	Winnebago	.56
Oneida	.58	Wood	.57
Outagamie	.56		
Ozaukee	.58		
Pepin	.55		

WYOMING

County	Rate per bushel
All counties	\$0.58

(b) Premiums and discounts.

	Cents per bushel
Premiums:	
Grade U.S. No. 2 or better	1
Test weight:	
Heavy	1
Extra heavy	2
Discounts:	
Grade U.S. No. 4 on the factor of test weight only but otherwise U.S. No. 3 or better	3
Grade U.S. No. 4 because of being "badly stained or materially weathered"	7
Grade U.S. No. 4 on the factor of test weight and because of being "badly stained or materially weathered"	10
Garlicky	3
Weed control discount (where required by § 1421.25)	10

Other factors.—Amounts determined by CCC to represent discounts for quality factors not specified above which affect the value of the oats, such as (but not limited to) low test weight, foreign material, heat damage, percent of sound cultivated oats, wild oats, moisture, sour, stones, musty, ergot, weevily, smutty, and bleached. Such discounts will be established not later than the time delivery of oats to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to the loan maturity date.

Effective date: May 8, 1973.

Signed at Washington, D.C., on April 27, 1973.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[FR Doc. 73-8923 Filed 5-7-73; 8:45 am]

1 Premiums shall not be applicable to "sample grade" or "badly stained or materially weathered" oats.

Title 10—Atomic Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Licensing of Facilities Used for Industrial or Commercial Purposes

On October 15, 1971, the Atomic Energy Commission published in the FEDERAL REGISTER (36 FR 20051) proposed amendments to 10 CFR part 50 of its regulations which would define the circumstances under which research and development and training reactors will be considered to be used "substantially for industrial or commercial purposes", and thus licensable by the Commission under section 103 of the Atomic Energy Act of 1954, as amended (the Act). Interested persons were invited to submit written comments and suggestions for consideration within 60 days after publication of the notice of proposed rulemaking in the FEDERAL REGISTER. No comments were received. The Commission has adopted the amendments in the form set out in the notice of proposed rulemaking.

Public Law 91-560, enacted on December 19, 1970, amended the Act by, among other things, eliminating the requirement that the Commission make "a finding in writing that any type of utilization or production facility has been sufficiently developed to be of practical value for industrial or commercial purposes" before the Commission may issue commercial licenses under section 103 of the Act for such facilities. Under section 102 of the Act, as amended by Public Law 91-560, utilization or production facilities must, with certain exceptions, be licensed under section 103. Applications for licenses under section 103 are subject to the preliminary antitrust review provisions of section 105, to the mandatory hearing requirements of section 189, and to the requirements for review by the Advisory Committee on Reactor Safeguards in section 182.

The legislative history of Public Law 91-560 indicates that the principal purpose of the legislation was to subject new applications for production and utilization facilities formerly licensed under section 104b. of the Act as research and development facilities—power reactors and fuel reprocessing plants—to licensing under section 103. The legislative history also shows that the Congress was aware that some applications for facilities to be licensed under section 104c. as research reactors might also be considered "for industrial or commercial purposes" if such reactors had such a purpose to a significant extent [S. Rept. No. 91-1247, 91st Cong., 2d Sess., at 28 (1970)]. Such facilities might include, for example, research reactors that are used to produce radioisotopes for sale or that are used for neutron radiography on a commercial basis.

The amendments to § 50.22 of part 50 which follow categorize as a facility "for industrial or commercial purposes"

a facility designed or used so that more than 50 percent of the annual cost of owning and operating the facility is devoted to the production of materials, products, or energy for sale or commercial distribution, or for the sale of services, other than research and development or education or training. Under this construction, a license issued to a nonprofit educational institution for a facility for education or training purposes only would continue to be licensed under section 104c. of the Act, since the licensed operation would not be devoted to production of goods or services for sale or commercial distribution.

It is recognized that some adjustment may be needed in the license fees payable by holders of licenses that presently fall within the "research reactor" category in 10 CFR part 170, Fees for Facilities and Materials Licenses Under the Atomic Energy Act of 1954, as amended. Such adjustments and related changes in 10 CFR part 170 will be considered by the Commission as part of its continuing consideration of the license fees assessed against Commission licensees.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to title 10, chapter 1, Code of Federal Regulations, part 50 are subject as a document subject to codification to be effective June 8, 1973.

1. Paragraph (c) of § 50.21 is amended to read as follows:

§ 50.21 Class 104 licenses; for medical therapy and research and development facilities.

A class 104 license will be issued, to an applicant, who qualifies, for any one or more of the following: To transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import, or export under the terms of an agreement for cooperation:

(c) A production or utilization facility, which is useful in the conduct of research and development activities of the types specified in section 31 of the Act, and which is not a facility of the type specified in paragraph (b) of this section or in § 50.22.

2. Section 50.22 is amended to read as follows:

§ 50.22 Class 103 licenses; for commercial and industrial facilities.

(a) A class 103 license will be issued, to an applicant who qualifies, for any one or more of the following: To transfer or receive in interstate commerce, manufacture, produce, transfer, acquire, possess, use, import, or export under the terms of an agreement for cooperation, a production or utilization facility for industrial or commercial purposes; *Provided, however*, That in the case of a production or utilization facility which is useful in the conduct of research and development activities of the types spe-

cified in section 31 of the Act, such facility is deemed to be for industrial or commercial purposes if the facility is to be used so that more than 50 percent of the annual cost of owning and operating the facility is devoted to the production of materials, products, or energy for sale or commercial distribution, or to the sale of services, other than research and development or education or training.

(Secs. 103, 161; Stat. 948, 84 Stat. 1472; 42 U.S.C. 2133, 2201)

Dated at Bethesda, Md., this 2d day of May 1973.

For the Atomic Energy Commission.

MANNING MUNTZING,
Director of Regulation.

[FR Doc. 73-9111 Filed 5-7-73; 8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2376]

PART 13—PROHIBITED TRADE PRACTICES

Craft Rug Mills, Inc., and Morris Goldfarb

Subpart—Importing, manufacturing, selling, or transporting flammable wear: § 13.1069, 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.) [Sease and desist order, Craft Rug Mills, Inc., et al., Easton, Pa., docket No. C-2376, April 9, 1973.]

In the Matter of Craft Rug Mills, Inc., a Corporation, and Morris Goldfarb, Individually and as an Officer of Said Corporation

Consent order requiring an Easton, Pa., manufacturer and seller of carpets and rugs, among other things to cease manufacturing for sale, selling, importing, or distributing any product, fabric, or related material 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 Craft Rug Mills, Inc., a corporation, its successors and assigns, and its officers, and respondent, Morris Goldfarb, 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" are 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 can be identified as having purchased or to whom, if identified, have been delivered the products which gave rise to the complaint, specifically, carpet style plush made of 100 percent nylon pile, 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 products which gave rise to the complaint, specifically, carpet style plush made of 100 percent nylon pile, so as to bring them into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or destroy said products.

It is further ordered, That respondents herein shall, within 10 days after service upon them of this order, file with the Commission a special report in writing setting forth the respondents' intentions as to compliance with this order. This special report shall also advise the Commission fully and specifically concerning: (1) The identity of the products which gave rise to the complaint; (2) the identity of the purchasers of said products; (3) the amount of said products which gave rise to the complaint; (4) any action taken and any further actions proposed to be taken to notify customers of the flammability of said products and effect the recall of said products from customers, and of the results thereof; (5) any disposition of said products since December 15, 1971; and (6) any action taken or proposed to be taken to bring said products into conformance with the applicable standard of flammability under the Flammable Fabrics Act, as amended, or to destroy said products, and the results of such action. Respondents will submit with their report, a complete description of each style of carpet or rug currently in inventory or production. Upon request, respondents will forward to the Commission for testing a sample of any such carpet or rug.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the individual respondent named herein promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment. Such notice shall include respondent's current business or employment in which he is engaged as well as a description of his duties and responsibilities.

It is further ordered, That the respondents herein shall, within 60 days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued April 9, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc. 73-8995 Filed 5-7-73; 8:45 am]

[Docket No. C-2378]

PART 13—PROHIBITED TRADE PRACTICES

Tastee-Freez International, Inc., et al.

Subpart—Dealing on exclusive and tying basis: § 13.670, Dealing on exclusive and tying basis: 13.670-20 Federal Trade Commission Act.

(Sec. 6, Stat. 721; 15 U.S.C. 46. Interprets or applies secs. 5, 38 Stat. 719, as amended; 15 U.S.C. 45.) [Cease and desist order, Tastee-Freez International, Inc., et al., Chicago, Ill., docket No. C-2378, Apr. 11, 1973.]

In the Matter of *Tastee-Freez International, Inc., a Corporation; Crawford's Fast Foods, Inc., a Corporation Doing Business as Tastee-Freez of Georgia; Mason-Dixon Tastee-Freez, Inc., a Corporation; Tastee-Freez of Delmarva, Inc., a Corporation; Tastee-Freez of North Carolina, Inc., a Corporation; South Carolina Tastee-Freez, Inc., a Corporation; Shenandoah Tastee-Freez of Winchester, Inc., a Corporation; Shenandoah Tastee-Freez of Martinsburg, Inc., a Corporation; Tastee Foods of Virginia, Inc., a Corporation*

Consent order requiring a Chicago, Ill., franchisor of a national chain of soft ice cream stores, among other things to cease requiring its licensees to purchase their total requirements for ice cream mix and other products and services, from it or its designated suppliers.

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

I. It is ordered, That respondent *Tastee-Freez International, Inc.* (hereinafter sometimes referred to as "*Tastee-Freez*" or "*respondent*"), respondents *Crawford's Fast Foods, Inc.*, *Mason-Dixon Tastee-Freez, Inc.*, *Tastee-Freez of Delmarva, Inc.*, *Tastee-Freez of North Carolina, Inc.*, *South Carolina Tastee-Freez, Inc.*, *Shenandoah Tastee-Freez of Winchester, Inc.*, *Shenandoah Tastee-Freez of Martinsburg, Inc.*, and *Tastee Foods of Virginia, Inc.* (hereinafter sometimes referred to as "*franchisees*")

or "*respondents*"), corporations, their successors and assigns, officers, directors, agents, representatives, and employees, directly or through any corporation, subsidiary, division, or other device, in connection with the franchising or licensing of persons with respect to the operation of a restaurant business, the operation of a restaurant food supply business, or the operation of a restaurant equipment supplies business, such franchising, licensing and operations constituting commerce, as "*commerce*" is defined in the Federal Trade Commission Act, forthwith cease and desist from requiring, regardless of the language of any franchising or licensing contract between respondents and their licensees, in any manner or by any means directly or indirectly, including through the use of a quality control program, their franchisees or their licensees or their franchisees' licensees to purchase ice cream or ice milk mix, shake base mix, meat products, sundae toppings, restaurant supplies, restaurant equipment (except in initial installations), services or any other products from *Tastee-Freez*, *Tastee-Freez* franchisees or from any other source except as hereinafter provided.

II. It is further ordered, That respondent *Tastee-Freez International, Inc.* within 30 days of the final entry of this order, notify by letter each of its franchisees of the entry of this order; urge that each of them take all necessary steps to bring existing license agreements between each of them and its licensees into conformity with paragraphs I and III of this order and require that each franchisee at the time of obtaining or renewing its franchise, agree that each license agreement into which it enters shall conform to paragraphs I and III of this order; will send to each present franchisee and each new franchisee during the period of 10 years after the entry of this order a copy of a form of license agreement conforming to paragraphs I and III of this order; require a response from each such franchisee within 15 days advising respondent *Tastee-Freez International, Inc.* as to whether such franchisee will conform to the provisions of paragraphs I and III of this order and will use said form license; advise each such franchisee in the aforementioned letter that its response will be reported to the Federal Trade Commission for such action as the Commission may deem appropriate; and forward to the Federal Trade Commission within 30 days after the date of sending the letter to *Tastee-Freez* franchisees copies of all the aforementioned responses of the franchisees, at the same time notifying the Commission as to the identity of each franchisee who has not responded. Respondent *Tastee-Freez International, Inc.* is directed to include with the aforementioned letter to its franchisees a copy of this order.

III. It is further ordered, That nothing in this order shall prohibit respondent *Tastee-Freez International, Inc.* or any franchisee respondent from estab-

lishing and enforcing reasonable minimum standard specifications or formulas for products sold or used by *Tastee-Freez* franchisees or licensees. If any respondent establishes such standards, specifications or formulas it shall forward a copy of them to the Federal Trade Commission within 20 days after forwarding a copy of them to any licensee.

IV. It is further ordered, That respondents *Tastee-Freez International, Inc.*, *Crawford's Fast Foods, Inc.*, *Mason-Dixon Tastee-Freez, Inc.*, *Tastee-Freez of Delmarva, Inc.*, *Tastee-Freez of North Carolina, Inc.*, *South Carolina Tastee-Freez, Inc.*, *Shenandoah Tastee-Freez of Winchester, Inc.*, *Shenandoah Tastee-Freez of Martinsburg, Inc.*, and *Tastee Foods of Virginia, Inc.* forward or deliver by ordinary mail within 30 days a copy of this order and of attached letter "A" to each of their present *Tastee-Freez* franchisees or licensees and to each person who becomes one of their *Tastee-Freez* franchisees or licensees within 10 years after the effective date of this order.

V. It is further ordered, That respondents *Tastee-Freez International, Inc.*, *Crawford's Fast Foods, Inc.*, *Mason-Dixon Tastee-Freez, Inc.*, *Tastee-Freez of Delmarva, Inc.*, *Tastee-Freez of North Carolina, Inc.*, *South Carolina Tastee-Freez, Inc.*, *Shenandoah Tastee-Freez of Winchester, Inc.*, *Shenandoah Tastee-Freez of Martinsburg, Inc.*, and *Tastee Foods of Virginia, Inc.* within 90 days after service upon them of this order, file with the Commission reports, in writing, setting forth in detail the manner and form in which they have complied with the terms of this order.

It is further ordered, That respondents *Tastee-Freez International, Inc.*, *Crawford's Fast Foods, Inc.*, *Mason-Dixon Tastee-Freez, Inc.*, *Tastee-Freez of Delmarva, Inc.*, *Tastee-Freez of North Carolina, Inc.*, *South Carolina Tastee-Freez, Inc.*, *Shenandoah Tastee-Freez of Winchester, Inc.*, *Shenandoah Tastee-Freez of Martinsburg, Inc.*, and *Tastee Foods of Virginia, Inc.* notify the Commission at least 30 days prior to any proposed change in the corporate respondents such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporations which may affect compliance obligations arising out of the order: *Provided, however*, That if respondents do not have 30 days lead time between such proposal or such change and its consummation respondents shall notify the Commission thereof at the earliest feasible time before consummation and any entity which may succeed to the business covered by this order will have been advised of the provisions of this order and will have agreed to be bound thereby.

Issued April 11, 1973.

By the Commission.

[SEAL] CHARLES A. TOBIN,
Secretary.

LETTER "A"

GENTLEMEN: The Federal Trade Commission has entered an order which among other things, prohibits [] from requiring you, in any manner or by any means, directly or indirectly, to purchase from us or from designated suppliers ice cream or ice milk mix, shake base mix, meat products, sundae toppings, restaurant supplies, restaurant equipment (except in original installations), or any other products. A copy of said order is enclosed.

You may, however, consistent with the order, be required to confine your purchases of any of the aforementioned products to those which meet reasonable specifications promulgated by [] or []. In addition, in order to assure payment of the surcharge on mix provided for in your license agreement, you may be required to choose either to (1) post a reasonable bond therefor or (2) pay all surcharges due on mix within 48 hours of placing an order on mix and in any event no later than the time of delivery of the mix or (3) agree with your supplier of mix that he will bill you for, collect, and pay directly to [] and [] the surcharge on the mix he sells to you and send with each such payment a report of the quantity of mix to which the forwarded surcharge is applicable.

Sincerely,

[FR Doc.73-8993 Filed 5-7-73;8:45 am]

[Docket No. C-2377]

PART 13—PROHIBITED TRADE PRACTICES

Standard Brands, Inc., and Ted Bates & Co., Inc.

Subpart—Advertising falsely or misleadingly: § 13.10, Advertising falsely or misleadingly; § 13.170, Qualities or properties of product or service; § 13.170-52, Medicinal, therapeutic, healthful, etc. Subpart—Misrepresenting oneself and goods—Goods: § 13.1710, Qualities or properties.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpretations or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52.) [Cease and desist order, Standard Brands, Inc., et al., New York, N.Y., docket No. C-2377, Apr. 9, 1973]

In the Matter of Standard Brands, Inc., a Corporation, and Ted Bates & Co., Inc., a Corporation

Consent order requiring a New York City manufacturer, seller, and distributor of margarine, including "Fleischmann's," and its advertising agency, among other things to cease disseminating any advertisements which represent: (1) That children incur the same risks of heart and artery disease induced by blood cholesterol as middle-aged men; (2) that scientific tests establish evidence that childhood diet is causally related to premature heart and artery disease in adult life; (3) corn oil is higher in polyunsaturates or lower in saturates than other oils; and (4) use of

"Fleischmann's" Margarine prevent or mitigate heart and artery disease.

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

It is ordered, That respondent Standard Brands, Inc., a corporation, and respondent Ted Bates & Co., Inc., a corporation, and their officers, agents, representatives, and employees, directly or through and corporate or other device, in connection with the advertising, offering for sale, sale or distribution of Fleischmann's Margarine or any other margarine or any other food fat or food oil, as "food" is defined in the Federal Trade Commission Act, forthwith cease and desist from directly or indirectly:

A. Disseminating, or causing the dissemination of any advertisement by means of the U.S. mails or by means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which:

(1) Represents, directly or by implication, that children generally incur the same risks of heart and artery diseases as middle-aged men, or that children incur risks of heart and artery diseases induced by blood cholesterol, or that such risks require of children the same steps of prevention or treatment required of middle-aged men.

(2) Represents, directly or by implication, that competent and reliable scientific evidence has established that premature heart and artery disease during adult life is causally related to diet during childhood, or represents that premature heart and artery disease is causally or otherwise related to, or in any manner may originate in, diet during childhood; unless respondents clearly and conspicuously disclose, if such is the case, that such causal relationship is an open question recognized by qualified experts, and that the existence of such a relationship has not been established by competent and reliable scientific evidence.

Provided, That this paragraph shall not prohibit representations that dietary habits or preferences established during childhood may last into adult life.

(3) Represents, directly or by implication, that corn oil is higher in polyunsaturates or lower in saturates than another oil or oils available for use or used in margarine or similar food oil products, unless such is the case.

(4) Represents that the use of Fleischmann's margarine or other food fats or food oils will prevent or mitigate heart and artery disease.

Provided, That nothing in this paragraph shall prevent representations that Fleischmann's Margarine can be used as part of a diet to reduce serum cholesterol which can contribute to such effect.

B. Disseminating, or causing the dissemination of any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of any such food, in commerce, as "commerce" is defined

in the Federal Trade Commission Act, which contains any of the representations or misrepresentations prohibited in part A hereof.

It is further ordered, That respondents shall forthwith distribute a copy of this order to each of their operating divisions.

It is further ordered, That respondents notify the Commission at least 30 days prior to any proposed change in the corporate respondent such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other change in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That the respondents herein shall within 60 days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued April 9, 1973.

By the Commission.

[SEAL]

CHARLES A. TOBIN,
Secretary.

[FR Doc.73-8994 Filed 5-7-73;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-10123]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

Adoption of Rule Exempting Securities Underlying Certain Options From Registration for Trading on Certain Exchanges

Notice is hereby given that the Securities and Exchange Commission has adopted an exemptive rule under section 12(a) of the Securities Exchange Act of 1934 (the Act) for securities underlying certain options that are traded on a national securities exchange, effective April 24, 1973. Rule 12a-6 (17 CFR 240.12a-6) was released for public comment on January 9, 1973 (release No. 34-9931) and has been adopted with only minor modifications.

Rule 12a-6 provides an exemption from the registration provisions of section 12(a) of the Act for securities underlying options where the option is itself registered on the national securities exchange in question, the underlying security is registered and listed on another national securities exchange, and the exchange upon which the option is listed limits its activity in the underlying securities to effecting exercises of the options. The proposed rule arises out of the plans being made by the Chicago

¹ The Commission has under active consideration various questions from a regulatory viewpoint as to whether and to what extent options on unlisted securities should be traded on exchanges and/or in the over-the-counter markets.