

September 10, 1973 Federal Register

September 10, 1973—Pages 24627-24874

MONDAY, SEPTEMBER 10, 1973

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page no.
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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

SUBTITLE A—OFFICE OF THE SECRETARY

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

This document delegates authority to the Assistant Secretaries and the Director of Agricultural Economics to establish and reestablish regional, state, and local advisory committees.

Part 2 of Subtitle A of Title 7 of the Code of Federal Regulations is amended as follows:

§ 2.17 Delegations of authority to the Assistant Secretary for Marketing and Consumer Services.

(f) *Related to committee management.*—Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

§ 2.19 Delegations of authority to the Assistant Secretary for Conservation, Research, and Education.

(h) *Related to committee management.*—Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

§ 2.21 Delegations of authority to the Assistant Secretary for International Affairs and Commodity Programs.

(e) *Related to committee management.*—Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

§ 2.23 Delegations of authority to the Assistant Secretary for Rural Development.

(d) *Related to committee management.*—Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

§ 2.25 Delegations of authority to the Assistant Secretary for Administration.

(g) *Related to committee management.*—(1) * * *

(2) Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

§ 2.27 Delegations of authority to the Director of Agricultural Economics.

(e) *Related to committee management.*—Establish and reestablish regional, state, and local advisory committees for activities under his authority. This authority may not be redelegated.

Dated September 5, 1973.

EARL L. BUTZ,
Secretary of Agriculture.

[FR Doc. 73-19180 Filed 9-7-73; 8:45 am]

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—FOOD DISTRIBUTION

[Amtd. 17]

PART 250—DONATION OF FOODS FOR USE IN UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Availability of Donated Foods for Nutrition Programs for the Elderly

The regulations for the operation of the Food Distribution Program (31 FR 14297), as amended, are further amended to implement the provision of Public Law 93-29 (87 Stat. 56), approved May 3, 1973, which authorizes the Secretary of Agriculture to donate foods for use in nutrition programs for the elderly established under title VII of the Older Americans Act of 1965, as amended (42 U.S.C. 3045f).

P.L. 93-29 became effective on May 3, 1973, and it is desirable to effectuate its provisions as soon as possible. Therefore, it is hereby determined that it is impracticable and contrary to the public interest to give notice of proposed rulemaking with respect to this amendment.

1. The authority citation for Part 250 is amended by adding at the end "42 U.S.C. 3045 f."

2. In § 250.1 paragraph (a) is revised to read as follows, and paragraph (b) is revised by adding a new subparagraph (15) as follows:

§ 250.1 General purpose and scope.

(a) *Terms and conditions.*—This part contains the regulations prescribing the terms and conditions under which foods may be obtained by Federal, State, and private agencies for use in any State (1) in schools operating nonprofit food service programs, (2) in nonprofit summer camps and service institutions for children, (3) in charitable institutions, (4) in State correctional institutions for

minors, (5) in nutrition programs for the elderly, and (6) otherwise in the assistance of needy persons.

(b) *Legislation.* * * *

(15) Section 707 of the Older Americans Act of 1965, as amended, which reads as follows:

(a) Agricultural commodities and products purchased by the Secretary of Agriculture under section 32 of the Act of August 24, 1935, (7 U.S.C. 612c) may be donated to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

(b) The Commodity Credit Corporation may dispose of food commodities under section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431) by donating them to a recipient of a grant or contract to be used for providing nutritional services in accordance with the provisions of this title.

(c) Dairy products purchased by the Secretary of Agriculture under section 709 of the Food and Agriculture Act of 1965 (7 U.S.C. 1446a-1) may be used to meet the requirements of programs providing nutritional services in accordance with the provisions of this title.

3. In § 250.3 paragraph (j) is revised to read as follows and a new paragraph (t) is added as follows:

§ 250.3 Definitions.

(j) "Recipient agencies" means schools, summer camps for children, institutions, welfare agencies, nutrition programs for the elderly, or disaster organizations receiving foods for their own use or for distribution to eligible recipients.

(t) "Nutrition program for the elderly" means a project conducted by a recipient of a grant or contract under title VII of the Older Americans Act, as amended, to assist in meeting the nutritional and social needs of persons aged sixty or older.

4. Section 250.8 is amended by adding a new paragraph (h) as follows:

§ 250.8 Eligible recipient agencies.

(h) *Nutrition programs for the elderly.*—Nutrition programs for the elderly are eligible to receive foods under section 416, section 32, and section 709. If a nutrition program for the elderly employs a food service company to conduct its feeding operation, the provisions

of paragraph (b) (3) of this section shall be applicable.

This amendment shall become effective September 10, 1973.

Dated September 5, 1973.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc.73-19133 Filed 9-7-73; 8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1973-Crop Peanut Farm-Store Loan and Purchase Supp., Amendment 1]

PART 1421—GRAIN AND SIMILARLY HANDLED COMMODITIES

Subpart—1973-Crop Farm-Store Peanut Loan and Purchase Program

The regulations issued by the Commodity Credit Corporation, and published in 38 FR 22372, which set forth specific requirements with respect to farm-stored loan and purchase program for the 1973 crop of peanuts are hereby amended to increase the support values for farmers' stock peanuts. It is impracticable to follow the notice of proposed rulemaking procedure with respect to this amendment, because 1973-crop peanuts are being harvested and it is essential that the rates provided in this subpart be put into effect with respect to such peanuts on the earliest possible date.

Section 1421.294(a) is amended as follows:

§ 1421.294 Loan and purchase rates.

(a) *Loan rate.*—Subject to the discounts specified in paragraph (b) of this section, the loan rates for farmers' stock peanuts placed under farm-stored loan shall be the following rates by types per ton:

Type:	Dollars per ton
Virginia	\$335
Runner	332
Southeast Spanish	323
Southwest Spanish	319
Valencia, in the Southwest area suitable for cleaning or roasting ¹	335

¹ The price for all Valencia type peanuts in the Southeast and Virginia—Carolina areas and those in the Southwest area which are not suitable for cleaning and roasting will be the same as for Spanish type peanuts in the same area.

AUTHORITY.—62 Stat. 1070, as amended, 15 U.S.C. 714 (b) and (c); 63 Stat. 1051, as amended, 7 U.S.C. 1441, 1421, 1423, 1425

Effective date.—September 10, 1973.

Signed at Washington, D.C., on September 4, 1973.

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

[FR Doc.73-19179 Filed 9-7-73; 8:45 am]

Title 16—Commercial Practices CHAPTER I—FEDERAL TRADE COMMISSION

[Docket No. C-2428]

PART 13—PROHIBITED TRADE PRACTICES

Greater Kansas City Gas Furnace & Air Conditioning Co., Inc. and Dennis G. Svejda

Subpart—Advertising falsely or misleadingly: § 13.73 *Formal regulatory and statutory requirements*; 13.73-92 *Truth in Lending Act*; § 13.155 *Prices*; 13.155-95 *Terms and conditions*; 13.155-95(a) *Truth in Lending Act*; Subpart—Misrepresenting oneself and goods—Goods: § 13.1623 *Formal regulatory and statutory requirements*; 13.1623-95 *Truth in Lending Act*; —Prices: § 13.1823 *Terms and conditions*; 13.1823-20 *Truth in Lending Act*; Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-75 *Truth in Lending Act*; § 13.1892 *Sales contract, right-to-cancel provision*; § 13.1905 *Terms and conditions*; 13.1905-60 *Truth in Lending Act*;

(Sec. 6, 38 Stat. 721 (15 U.S.C. 46). Interpret or apply sec. 5, 38 Stat. 719, as amended, 82 Stat. 146, 147 (15 U.S.C. 45, 1601-1605)) [Cease and desist order, Greater Kansas City Gas Furnace & Air Conditioning Company, Inc., et al., Kansas City, Missouri, Docket C-2428, August 2, 1973.]

In the matter of Greater Kansas City Gas Furnace & Air Conditioning Company, Inc., a corporation, and Dennis G. Svejda, individually and as an officer of said corporation.

Consent order requiring a Kansas City, Missouri, retailer of furnaces, heating equipment, air conditioners, and parts therefor, among other things to cease violating the Truth in Lending Act by failing to disclose to customers, in connection with the extension of consumer credit, such information as required by Regulation Z of the said Act.

Respondents are further required to cease transferring any documents of indebtedness without providing that the rights or defenses of the consumer may be asserted against any subsequent holder of the documents and to include a statement to that effect on the face of any note or other instrument evidencing indebtedness. Further, the firm must recontact and offer the right of rescission to all eligible consumers who purchased on or after July 1, 1969.

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

I. *It is ordered*, That respondent Greater Kansas City Gas Furnace and Air Conditioning Company, Inc., a corporation, and its officers, and Dennis G. Svejda, individually and as an officer of said corporation, trading under said corporate name or under any trade name or names, their successors and assigns, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with any extension

of consumer credit or any advertisement to aid, promote or assist directly or indirectly any extension of consumer credit, as "consumer credit" and "advertisement" are defined in Regulation Z (12 CFR 226) of the Truth in Lending Act (P.L. 90-321, 15 U.S.C. 1601 et seq.), do forthwith cease and desist from:

1. Failing to identify on the disclosure statement required by § 226.8(a) of Regulation Z the transaction to which the statement relates, as required by § 226.8 (a) (2) of Regulation Z.

2. Failing to disclose the date on which the finance charge begins to accrue when different from the date of the transaction, as required by § 226.8(b) (1) of Regulation Z.

3. Failing to disclose the sum of all payments required, and to describe that sum as the "total of payments", as required by § 226.8(b) (3) of Regulation Z.

4. Failing to describe the type of any security interest held or to be retained or acquired by the creditor in the connection with the transaction, as required by § 226.8(b) (5) of Regulation Z.

5. Failing to use the term "cash price", as defined in section 226.2(1) of Regulation Z, to describe the purchase price of the transaction, as required by § 226.8 (c) (1) of Regulation Z.

6. Failing to use the term "cash downpayment" to describe the downpayment in money made in connection with the transaction, as required by § 226.8(c) (2) of Regulation Z.

7. Failing to use the term "total downpayment" to describe the sum of the cash downpayment and trade-in, as required by § 226.8(c) (2) of Regulation Z.

8. Failing to use the term "unpaid balance of cash price" to describe the difference between the cash price and the total downpayment, as required by § 226.8(c) (3) of Regulation Z.

9. Failing to disclose all other charges, individually itemized, which are included in the amount financed but which are not part of the finance charge, as required by § 226.8(c) (4) of Regulation Z.

10. Failing to disclose the sum of the unpaid balance of cash price and all other charges and describe that sum as the "unpaid balance", as required by § 226.8(c) (5) of Regulation Z.

11. Failing to use the term "amount financed" to describe the amount of credit extended as required by § 226.8(c) (7) of Regulation Z.

12. Failing to disclose the sum of the cash price, all charges which are included in the amount financed but which are not a part of the finance charge, and the finance charge, and describe that sum as the "deferred payment price", as required by § 226.8(c) (8) (ii) of Regulation Z.

13. Failing to disclose the annual percentage rate, computed in accordance with § 226.5 of Regulation Z, as required by § 226.8(b) (2) of Regulation Z.

14. Failing to furnish the customer a statement containing the disclosures required by § 226.8 of Regulation Z, in the manner and form as prescribed by § 226.8 (a) of Regulation Z.