

rules and regulations

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Title 9—Animals and Animal Products CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 73—SCABIES IN CATTLE

Release of Area Quarantined

This amendment releases a portion of Douglas County in Nebraska from the areas quarantined because of cattle scabies. Therefore, the restrictions pertaining to the interstate movement of cattle from quarantined areas contained in 9 CFR Part 73, as amended, will not apply to the excluded area, but the restrictions pertaining to the interstate movement of cattle from nonquarantined areas contained in said Part 73 will apply to the excluded area.

Accordingly, Part 73, Title 9, Code of Federal Regulations, as amended, restricting the interstate movement of cattle because of scabies is hereby amended as follows:

§ 73.1a [Amended]

In § 73.1a, in paragraph (b) relating to the State of Nebraska, paragraph (1) relating to Douglas County is deleted.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141.)

Effective date. The foregoing amendment shall become effective August 5, 1974.

The amendment relieves restrictions no longer deemed necessary to prevent the spread of cattle scabies and should be made effective promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and unnecessary, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 5th day of August 1974.

J. M. HEJL,
Deputy Administrator, Veter-
inary Services, Animal and
Plant Health Inspection
Service.

[FR Doc. 74-18176 Filed 8-7-74; 8:45 am]

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE (MEAT AND POULTRY PRODUCTS INSPEC- TION), DEPARTMENT OF AGRICULTURE LABELING OF MEAT AND POULTRY PRODUCTS

Calendar Date

Statement of considerations. On March 21, 1973, there appeared in the FEDERAL REGISTER (38 FR 7398) a notice of proposed rulemaking under the authority conferred by the Federal Meat Inspection Act and the Poultry Products Inspection Act to amend the regulations under said Acts to require that an explanatory statement accompany any calendar date shown on the labeling of a meat or poultry product.

A total of 441 persons expressed their views on the proposal. The majority of the comments, 359, were from consumers who favored a calendar date accompanied by a statement clearly explaining the meaning of such date. Also in favor of the proposal were 14 consumer organizations, 28 Federal and State agencies, 12 meat and poultry processors, 4 industry associations and 11 favorable responses from related fields of interest. Expressing views against the proposal were 7 meat and poultry processors. Six processors were against the use of an explanatory statement, but favored calendar dates on a voluntary basis.

Analysis of the comments reveals that consumers understand that calendar dates on packages of food have a meaning; however, there is no general understanding of the specific meaning. Of the 359 consumers responding, 75 said the date should represent the processing or packing date, 87 stated the date should be the last day for retail sale, and 127 stated the date should be the last date the product should be used. Many respondents requested the explanatory statement be a clear and concise phrase, such as "Packed On," "Sell Before," "Do Not Sell After," and "Use Before."

It has been concluded, therefore, that the provision that an explanatory statement must accompany any calendar date shown on labeling is necessary to prevent misleading labeling and hence it has been retained in the final regulation. Furthermore, it has been concluded that there is sufficient justification to specify the explanatory phrases that will be acceptable and to clarify the form of the calendar date to be used. Therefore, the final regulations prescribe that the explanatory statement shall consist of phrases, approved by the Administrator, to specifically identify "packing" date, "sell by" date, or "use before" date. These phrases may contain qualifying

terms such as, but not limited to, "For Maximum Freshness," "For Best Quality," or other similar terms.

The calendar date must identify the month and the day of the month, e.g., "Jan. 15" or "1/15" and also the year for certain classes of products.

Information available to the Department indicates reasons for establishing several sets of requirements on calendar dates in accommodation to the differing conditions associated with the general packaging and merchandising practices for the various kinds of meat and poultry products. It appears that calendar dates used with products in hermetically sealed metal or glass containers and those that are distributed dried or frozen should include the year as well as the month and the day of the month to be certain that such features are informative and not misleading. Observations have shown that the distribution and marketing periods for these kinds of products can be extensive since they are effectively protected against deterioration by their physical properties or containers. The passage of time does not create health hazards and has little effect on their quality factors.

A second broad category of product consists of the kinds that are customarily distributed in flexible packages, cartons, or unsealed containers and which require refrigeration to provide for wholesomeness and the maintenance of the important quality characteristics such as appearance and taste. The length of the display period at retail for these products is ordinarily measurable in weeks in common with many other popular foods such as eggs, bakery goods of numerous types, and many varieties of milk-based products. Since the natures of these products restrict their storage and market display to comparatively short periods of time, it does not appear necessary that calendar dates used with them include the year as its absence would not be misleading to consumers.

Several respondents indicated that they understood the calendar date would replace the "product code date" embossed or printed on the ends of canned product if the manufacturer chose instead to place an open date of manufacture on the label. This is not true. However, in consideration of these comments, the regulatory provisions requiring these product code dates and other similar dates have been altered to require an explanatory statement if calendar dating is used.

A number of consumers related their experiences with calendar dates on packages of various food in the retail store. They identified instances in which

product was sold after the date shown, or the date changed and a new date shown. Others expressed apprehension that the date could be altered, removed, or the product repackaged with a new date. Similar remarks were made by State agencies, consumer groups, and those against the proposal. However, the alteration of a calendar date on an approved labeling under the Federal Meat Inspection Act or the Poultry Products Inspection Act so as to make the labeling false or misleading in any particular, or the deletion of any required information, would cause the products involved to be "misbranded" within the meaning of said Acts. The distribution of misbranded products in commerce or in designated States under said Acts is prohibited. Also, the Acts prohibit any act which is intended to cause or has the effect of causing products to be adulterated or misbranded while they are being transported in commerce (or in a designated State) or held for sale after such transportation. In addition, States may exercise concurrent jurisdiction with the Secretary for the purpose of preventing the distribution of "misbranded" products which are outside of official establishments.

Many consumers, State agencies, processors, and others were concerned with the criteria to be used to establish dates. They questioned whether these dates really could be relied upon since there are so many variable factors to be considered, such as processing, packaging, transportation, handling and storage. It was suggested that the use of these dates could be misleading in themselves, and that the only accurate and definable date was the processing or packing date. It is recognized that the possibility always exists for the mishandling of product, but it has been concluded that the consumer benefits to be derived from the use of calendar dates on packages outweigh the disadvantages. The manufacturer, distributor, and retailer continue to have responsibility for the proper handling of product to prevent adulteration or misbranding of product.

A large number of respondents indicated that they understood the regulation was to be mandatory or thought that it should be mandatory. However, it has been concluded that since the Department and industry have limited experience regarding the use of calendar dates, it would not be in the best interest of the public to impose mandatory calendar dates for all products at this time. The program will be monitored closely and should any changes be indicated, necessary amendments will be proposed through appropriate rulemaking procedures.

Therefore, after considering all information available to the Department, including the comments received pursuant to the notice, §§ 317.8 and 318.11 of the meat inspection regulations (9 CFR 317.8 and 318.11) and §§ 381.126 and 381.129 of the poultry products inspection regulations (9 CFR 381.126 and 381.129) are amended as follows:

PART 317—LABELING, MARKING DEVICES, AND CONTAINERS

1. In § 317.8 of the meat inspection regulations, paragraph (b) is amended by adding a new subparagraph (32) to read as follows:

§ 317.8 False or misleading labeling or practices generally; specific prohibitions and requirements for labels and containers.

(b) * * *

(32) A calendar date may be shown on labeling when declared in accordance with the provisions of this subparagraph:

(i) The calendar date shall express the month of the year and the day of the month for all products and also the year in the case of products hermetically sealed in metal or glass containers, dried or frozen products, or any other products that the Administrator finds should be labeled with the year because the distribution and marketing practices with respect to such products may cause a label without a year identification to be misleading.

(ii) Immediately adjacent to the calendar date shall be a phrase explaining the meaning of such date, in terms of "packing" date, "sell by" date, or "use before" date, with or without a further qualifying phrase, e.g., "For Maximum Freshness" or "For Best Quality", and such phrases shall be approved by the Administrator as prescribed in § 317.4.

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

2. Paragraph (f) of § 318.11 of the meat inspection regulations is revised to read as follows:

§ 318.11 Canning with heat processing and hermetically sealed containers; cleaning containers; closure; code marking; heat processing; incubation.

(f) All canned products shall be plainly and permanently marked on the containers by code or otherwise with the identity of the contents and date of canning. The code used and its meaning shall be on record in the office of the inspector in charge. If calendar dating is used, it must be accompanied by an explanatory statement, as provided in § 317.8(b) (32) (ii).

(Secs. 7 and 21, 34 Stat. 1262 and 1264, as amended (21 U.S.C. 607, 621); 37 FR 28464, 28477)

PART 381—POULTRY PRODUCTS INSPECTION REGULATIONS

3. The section heading and paragraphs (a) and (c) of § 381.126 of the poultry products inspection regulations are revised to read as follows:

§ 381.126 Date of packing and date of processing; contents of cans.

(a) Either the immediate container or the shipping container of all poultry products shall be plainly and permanently

marked by code or otherwise with the date of packing. If calendar dating is used, it must be accompanied by an explanatory statement, as provided in § 381.129(c) (2).

(c) All canned products shall be plainly and permanently marked, by code or otherwise, on the containers, with the identity of the contents and date of canning, except that canned products packed in glass containers are not required to be marked with the date of canning if such information appears on the shipping container. If calendar dating is used, it must be accompanied by an explanatory statement, as provided in § 381.129(c) (2).

4. Section 381.129 of the poultry products inspection regulations is amended by adding a new paragraph (c) to read as follows:

§ 381.129 False or misleading labeling of containers.

(c) A calendar date may be shown on labeling when declared in accordance with the provisions of this paragraph:

(1) The calendar date shall express the month of the year and the day of the month for all products and also the year in the case of products hermetically sealed in metal or glass containers, dried or frozen products, or any other products that the Administrator finds should be labeled with the year because the distribution and marketing practices with respect to such products may cause a label without a year identification to be misleading.

(2) Immediately adjacent to the calendar date shall be a phrase explaining the meaning of such date in terms of "packing" date, "sell by" date, or "use before" date, with or without a further qualifying phrase, e.g., "For Maximum Freshness" or "For Best Quality", and such phrases shall be approved by the Administrator as prescribed in § 381.132.

(Secs. 8 and 14, 71 Stat. 445, 447, as amended (21 U.S.C. 457, 463); 37 FR 28464, 28477)

It does not appear that further public participation in rulemaking proceedings on these amendments would make additional information available to the Department which would significantly alter the decision. Furthermore, the foregoing amendments apply only when a voluntary election is exercised by the labeler. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that further notice and other public procedure concerning these amendments are impracticable and unnecessary.

These amendments shall become effective September 8, 1974.

Done at Washington, D.C., on: July 31, 1974.

G. H. WISE,
Acting Administrator, Animal
and Plant Health Inspection
Service.

[FR Doc. 74-17787 Filed 8-7-74; 8:45 am]

Title 12—Banks and Banking
CHAPTER II—FEDERAL RESERVE
SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM

PART 265—RULES REGARDING
DELEGATION OF AUTHORITY

Holding Company Acquisitions of Com-
panies Engaged in Non-banking
Activities

The Reserve Banks presently have delegated authority to approve, under certain standards, one-bank holding company formations, bank holding company formations involving more than one bank, bank acquisitions by existing bank holding companies, bank mergers and mergers of bank holding companies. The Board has decided to expand this authority by delegating to the Reserve Banks the authority to approve, pursuant to section 4(c) (8) of the Bank Holding Company Act, the acquisition by bank holding companies of existing finance companies, industrial banks, and certain insurance companies engaged in activities which the Board has previously determined to be permissible for bank holding companies. The Board has set forth standards under which this authority may be exercised. Applications falling outside these standards will be forwarded to the Board for further consideration.

In order to accomplish this delegation, §§ 265.2(f) (31) and (32) are added, to read as follows:

§ 265.2 Specific functions delegated to
Board employees and Federal Reserve
Banks.

(f) * * *

(31) Under the provisions of section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and §§ 225.4 (a) (1), (2), (3) and (9) (ii) of Regulation Y (12 CFR 225.4(a) (1), (2), (3) and (9) (ii)) to approve the acquisition by a bank holding company of an interest in a finance company¹ or an industrial bank,² whether by acquisition of shares or assets, provided that the following conditions are met:

(i) No member of the Board has indicated an objection prior to the Reserve Bank's action.

(ii) Applicant does not hold shares of a subsidiary finance company or subsidiary industrial bank or directly engage in such activities itself pursuant to section 4(a) (2) of the Act which may not be retained or engaged in beyond December 31, 1980 without Board approval.

¹ A finance company is defined, for purposes of this regulation, as a concern which engages in consumer finance, sales finance and/or second mortgage activities. The acquisition of more than one separately incorporated company when such companies are part of an identifiable unit should be processed under a single acquisition application.

² An industrial bank is a State-chartered institution which provides consumer credit and accepts limited types of deposits; it does not both accept demand deposits and make commercial loans. The term "industrial bank" also encompasses Morris Plan banks for purposes of this regulation.

(iii) All relevant departments of the Reserve Bank recommend approval.

(iv) No substantive objection to the proposal has been made by a bank supervisory authority, the United States Department of Justice, or a member of the public.

(v) No significant policy issue is raised by the proposal as to which the Board has not expressed its view.

(vi) Each office of applicant's existing³ and proposed⁴ subsidiary banks, subsidiary industrial banks and subsidiary finance companies and of applicant (if applicant directly engages in such activities) is 25 miles or more distant (in a straight line) from each office of the finance company or industrial bank to be acquired.

(vii) (a) The maximum in assets of finance companies and industrial banks acquired under delegated authority in any calendar year⁵ does not exceed \$15 million; and

(vii) (b) The maximum size in assets of the finance company or industrial bank to be acquired does not exceed \$5 million. (Exception: The maximum size in assets of the finance company or industrial bank to be acquired is \$15 million if the aggregate assets of applicant's existing subsidiary finance companies and industrial banks⁶ and of the finance company or industrial bank to be acquired do not exceed \$50 million.)

(viii) Total assets of the finance company or industrial bank to be acquired will not exceed 10 per cent of the total consolidated assets of applicant after consummation.

(ix) The sale of credit-related insurance by the finance company or industrial bank to be acquired is limited to the sale, under individual or group policies, of credit life insurance,⁷ credit accident and health insurance, and property damage insurance protecting collateral.⁸

(x) The activities of the firm to be acquired are clearly permissible under

³ The definition of an existing subsidiary also includes, for purposes of this regulation, a bank or company for which the acquisition has been approved by the Federal Reserve System but not yet consummated.

⁴ A proposed subsidiary is defined, for purposes of this regulation, as a bank or company for which an application for acquisition has been submitted to the Federal Reserve System.

⁵ For the year 1974, the maximum figure is \$8 million.

⁶ If applicant itself directly engages in finance company or industrial bank activities, the assets related to such activities should be included in a determination of aggregate assets.

⁷ Applications involving level term credit life insurance may not be acted upon by the Reserve Bank under delegated authority.

⁸ If a finance company or industrial bank otherwise falling within these guidelines has a subsidiary engaged in the underwriting, as reinsurer, of credit life and credit accident and health insurance in connection with extensions of credit by the finance company or industrial bank or if a finance company or industrial bank acts as agent for the sale of types of credit-related insurance other than designated herein, the application may not be acted upon by the Reserve Bank under delegated authority.

section 4(c) (8) of the Act and §§ 225.4 (a) (1), (2), (3), and (9) (ii) of Regulation Y.

(xi) Neither applicant, applicant's subsidiaries, nor the finance company or industrial bank to be acquired has entered into or proposes to enter into any agreement with any director, officer, employee or shareholder of the finance company or industrial bank that contains any condition limiting or restricting in any manner the right of such person to compete with applicant or any of applicant's existing or proposed subsidiaries.

(xii) The Reserve Bank determines that consummation of the proposal can reasonably be expected to result in benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.

(32) Under the provisions of section 4(c) (8) of the Bank Holding Company Act (12 U.S.C. 1843(c) (8)) and § 225.4 (a) (9) (iii) (a) of Regulation Y (12 CFR 225.4(a) (9) (iii) (a)) to approve the acquisition or, as an incident to a bank holding company formation pursuant to section 3(a) (1) of the Act, the retention by a bank holding company of shares or assets of a company that acts as insurance agent or broker in offices at which the holding company or its subsidiaries are otherwise engaged in business (or in an office adjacent thereto) with respect to any insurance sold in a community that has a population not exceeding 5,000, *Provided*, That the following conditions are met:

(i) No member of the Board has indicated an objection prior to the Reserve Bank's action.

(ii) All relevant departments of the Reserve Bank recommend approval.

(iii) No substantive objection to the proposal has been made by a bank supervisory authority, the United States Department of Justice, or a member of the public.

(iv) No significant policy issue is raised by the proposal as to which the Board has not expressed its view.

(v) Neither applicant, applicant's subsidiaries, nor the company to be acquired has entered into or proposes to enter into any agreement with any director, officer, employee or shareholder of the company that contains any condition that limits or restricts in any manner the right of such person to compete with applicant or any of applicant's existing or proposed subsidiaries.

(vi) The Reserve Bank determines that consummation of the proposal can reasonably be expected to result in benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices.

Effective date. These amendments are effective July 31, 1974.

By order of the Board of Governors,
July 29, 1974.

[SEAL] CHESTER B. FELDBERG,
Secretary of the Board.

[FR Doc. 74-18154 Filed 8-7-74; 8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 74-SO-68; Amdt. 39-1916]

PART 39—AIRWORTHINESS DIRECTIVES

Piper PA-28-151 Airplanes

Amendment 39-1886 (39 FR 24628) AD 74-14-04 imposes a gross weight limitation until modified on Piper PA-28-151 airplanes. After issuing Amendment 39-1886, the agency determined that after a certain serial number airplane this amendment is no longer applicable. Therefore, the AD is being amended to provide the serial numbers of airplanes the AD should apply to.

Since this amendment provides a clarification only and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1886 (39 FR 24628) is amended by changing the applicability statement to read as follows: Applies to Piper PA-28-151 airplanes serial numbers 28-7415001 through 28-7415530, 28-7415532 through 28-7415534, and 28-7415537 through 28-7415538, certificated in all categories.

This amendment becomes effective August 14, 1974.

(Sec. 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in East Point, Georgia on July 30, 1974.

P. M. SWATEK,
Director, Southern Region.

[FR Doc. 74-18064 Filed 8-7-74; 8:45 am]

[Airspace Docket No. 74-NW-16]

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

Alteration of VOR Federal Airway

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to realign a segment of the N alternate of V-121 at Eugene, Oreg., by 1 degree in order to provide the normal 15 degrees separation needed for traffic control purposes.

Since this change is a minor matter upon which the public would not have

particular reason to comment, notice and public procedure thereon are unnecessary. This amendment could be made effective upon publication in the FEDERAL REGISTER; however, in order to provide sufficient time for changes to be depicted on appropriate aeronautical charts, this amendment will be made effective more than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., October 10, 1974, as hereinafter set forth.

Section 71.123 (39 FR 307, 11417) is amended as follows: In V-121 "including a N alternate via Eugene 070° and Redmond 281° radials;" is deleted and "including a N alternate via Eugene 069° and Redmond 281° radials;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Washington, D.C. on August 2, 1974.

CHARLES H. NEWPOL,
Acting Chief, Airspace and
Traffic Rules Division.

[FR Doc. 74-18065 Filed 8-7-74; 8:45 am]

[Airspace Docket No. 73-WA-14]

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

Designation of Terminal Control Area at Las Vegas, Nevada

On July 10, 1973, a notice of proposed rulemaking (NPRM) was published in the FEDERAL REGISTER (38 FR 18384) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a Group II Terminal Control Area (TCA) for Las Vegas, Nevada.

Interested persons were afforded an opportunity to participate in the proposed rulemaking through the submission of comments. Numerous comments were received and were given due consideration.

The comments received in response to the notice raised several objections, namely that the proposed TCA would eliminate parachute jumping at North Las Vegas Airport; would compress VFR aircraft into the lower altitudes beneath the TCA; would eliminate sailplane operations at Sky Harbor Airport; would restrict VFR flight between North Las Vegas and Boulder City Airports and would add a burden by requiring transponder and altitude encoding equipment.

Contrary to the objection, designation of the proposed TCA would not prohibit parachute jumping at North Las Vegas Airport. Since the airspace in question is presently controlled airspace and would remain so when the TCA is designated, the jump activities could continue to be conducted in accordance with those provisions of FAR 105 which pertain to parachute jumping in con-

trolled airspace. The jump aircraft of course, while within the TCA, would have to comply with the equipment requirements contained in FARs 91.24 and 91.90 to the same extent as other aircraft.

A review of air traffic procedures since the subject notice of proposed rule making and implementation of automated radar services at McCarran International Airport has indicated that changes can be made to the TCA floors and boundaries as proposed. These changes are less restrictive to VFR traffic and will relieve some of the compression of VFR aircraft operating beneath the TCA floors. They will also make additional airspace available to aircraft operating outside the TCA.

The TCA boundaries and floors contained herein differ from those proposed in the notice as follows:

1. The eastern portion of the surface to 9,000 feet MSL area is reduced from a 10-mile radius of the Las Vegas VORTAC to a 7-mile radius.

2. The western portion of the surface to 9,000 feet MSL area is reduced from an 8-mile radius of the Las Vegas VORTAC to a 6-mile radius.

3. A new Area B is designated east of McCarran Airport. It extends from 3,600 to 9,000 feet MSL making airspace available beneath the TCA. This area was originally proposed as part of the surface to 9,000 feet MSL area.

4. The floor of the southern most area (Area F in the NPRM, Area G in the rule) is raised from 7,000 to 8,000 feet MSL.

5. The area southwest of McCarran Airport which was essentially composed of Areas G, H and that portion of Area A which was west of the 6-mile radius of the Las Vegas VORTAC is restructured by creating four new areas. The floors of these areas are generally higher than those proposed in the NPRM.

6. That portion of Area A between the Las Vegas VORTAC and 8-mile radii bounded on the south by the Las Vegas VORTAC 275° radial and on the north by Highway 95 is deleted from the description.

As a result of objections, meetings have been held between the FAA and the owners and operators of sailplanes at Sky Harbor Airport. The result has been the development of procedures which allow glider operations within the portion of Area F overlying and south of the Sky Harbor Airport. Access to this portion of the proposed TCA is not required by the gliders on a continuous basis, but only when thermal conditions are such that entry and exit of the airspace above the 6,000 feet floor of the TCA in the vicinity of the airport is needed. It is anticipated that this activity can be accommodated within the TCA because of the small number of gliders based at Sky Harbor and the limited requirement for them to operate within or through the TCA.

A VFR corridor from Boulder City to North Las Vegas has been studied but has been found impracticable because of the proximity of Nellis Air Force Base to McCarran Airport. The instrument approach procedures and departure profiles for both airports have been studied and the conclusion reached that it is not possible to design a VFR corridor through the Las Vegas TCA which would provide safe terrain clearance for the aircraft operating in the corridor. However, an