

The Decision and Order was issued by the Commission, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2314 Filed 1-24-75;8:45 am]

[Docket No. C-2561]

PART 13—PROHIBITED TRADE PRACTICES

Commercial Automotive Service, Inc., et al.

Subpart—Advertising falsely or misleadingly; § 13.10 *Advertising falsely or misleadingly*; § 13.20 *Comparative data or merits*; § 13.205 *Scientific or other relevant facts*. Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits*; § 13.1740 *Scientific or other relevant facts*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Commercial Automotive Service, Inc., et al. Seattle, Wash., Docket C-2561, Oct. 7, 1974]

In the Matter of Commercial Automotive Service, Inc., a corporation doing business as Frank Hawkins Buick Co., and S. M. Rood, individually and as an officer of said corporation

Consent order requiring a Seattle, Wash., seller, lessor and distributor of new and used automobiles, automotive accessories and household appliances, among other things to cease making any claims as to the lifespan, maintenance costs, or fuel consumption of any vehicle without a competent and reliable basis, in the form of tests or surveys, substantiating such claims.

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

I. *It is ordered*, That respondents Commercial Automotive Service, Inc., a corporation doing business as Frank Hawkins Buick Co., or under any other name, its successors and assigns, and its officers, and S. M. Rood, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale or lease, sale, lease, or distribution of motor vehicles, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from making any representation, in writing, orally, visually, or in any other manner, directly or by implication, which refers to the lifespan, maintenance cost, or fuel consumption of any vehicle or type of vehicle, unless:

A. The representation reflects the average consumer's customary or usual driving experience with the vehicles referred to;

B. At the time the representation is made, respondents:

1. Have a reasonable basis for such representation, consisting of competent and reliable tests or surveys which substantiate the representation, and

2. Have made available to the general public, at the point of retail sale, copies of a brief but comprehensive statement of the results and methodology of such tests or surveys, in terms understandable to the average consumer;

C. In immediate conjunction with the representation, respondents clearly and conspicuously disclose:

1. Where and how the test or survey results and methodology may be obtained.

2. The year, make, and model of each vehicle or type of vehicle referred to or used as a basis of comparison, and

3. If any lifespan representation is made, exactly how the term "life," or any similar term, is defined; and

D. Respondents retain copies of all sales promotional materials which contain such representations, including newspaper advertisements and radio and television scripts, for a period of three years after use of such materials; and retain for a like period all records made pursuant to this order.

II. *It is further ordered*, That the corporate respondent shall forthwith distribute a copy of this order to each of its officers, agents, representatives or employees who are engaged in the preparation or placement of advertisements.

III. *It is further ordered*, That the corporate respondent notify the Commission at least thirty days prior to any proposed change in said 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.

IV. *It is further ordered*, That the individual respondent named herein promptly notify the Commission if he discontinues his present business or employment and affiliates with another business or employment engaged in the sale, lease or distribution of motor vehicles. Such notice shall include respondent's current business address and a statement the nature of the business or employment in which he is engaged as well as a description of his duties and responsibilities.

V. *It is further ordered*, That respondents shall, within sixty days after service upon them of this order, file with the Commission a written report setting forth in detail the manner and form of their compliance with this order.

The Decision and Order was issued by the Commission, October 7, 1974.

CHARLES A. TOBIN,
Secretary.

[FR Doc.75-2315 Filed 1-24-75;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

[Docket Nos. R-240; Order 280(a)]

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND FOR ORDERS PERMITTING AND APPROVING ABANDONMENT UNDER SECTION 7 OF THE NATURAL GAS ACT

Applications by Pipeline Companies; Clarifying Order and Amendment

JANUARY 20, 1975.

On November 27, 1963, the Commission issued Order No. 274 to implement Executive Order 11095 of February 26, 1963 [28 FR 1859, February 29, 1963] regarding national emergency plans and preparedness programs in the natural gas and electric power industries by amending, among other sections, § 157.22 of the regulations under the Natural Gas Act.

On March 31, 1964, the Commission issued order No. 280 which also amended § 157.22 of the regulations in order to include sales in the coverage. In so doing, the last sentence of § 157.22(a) was inadvertently left off. This error has caused latter parts of the section to be ambiguous.

We are, therefore, amending this section to return it to the form intended by Orders No. 274 and No. 280.

The Commission finds:

(1) The notice public procedure and effective date provisions of 5 U.S.C. 553 do not apply with respect to the amendment here adopted.

(2) In view of the purpose, intent and effect of the amendment herein ordered, good cause exists for making it effective upon issuance of this order.

(3) The revision as herein adopted is necessary and appropriate for the administration of the Federal Power Act, the Natural Gas Act, Executive Order 11095, and Commission Orders 274 and 280.

The Commission:

Acting pursuant to the authority granted by the Natural Gas Act, is amended, particularly sections 7, 15, and 16 thereof (52 Stat. 824, 829, 830; 56 Stat. 84; 78 Stat. 72; 15 U.S.C. 7170, 717d, 717f, 7170) orders:

(A) Paragraph (a) §157.22 of the Commission's regulations under the Natural Gas Act, Subchapter E, Chapter I of Title 18 of the Code of Federal Regulations, is revised to read as follows:

§ 157.22 Exemption of temporary acts and operation.

(a) Public interest does not require the issuance of a certificate for the construction and operation of facilities or the sale of natural gas necessary to assure maintenance of adequate natural gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or

¹ Copies of the Complaint & decision and order filed with the original document.

unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than sixty days or in the event a national emergency has been declared by the President, for six months or such further period as the Commission may, by order, allow.

(Secs. 4, 5, 15, 52 Stat. 822, 823, 829; 56 Stat. 83, 84, 76 Stat. 72 (15 U.S.C. 717C, 717D, 717n))

(B) These amendments shall be effective upon issuance of this order.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.75-2286 Filed 1-24-75;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER H—RIGHT-OF-WAY AND ENVIRONMENT

PART 712—THE ACQUISITION FUNCTION Policy

This will amend the regulations of the Federal Highway Administration by revising § 712.103(r) of 23 CFR Part 712, Subpart A. Subpart A was published in the FEDERAL REGISTER on August 16, 1974 (39 FR 29590). Section 712.103(r) is amended to conform the regulations to a legislative amendment contained in section 112 of the Federal-Aid Highway Amendments of 1974 which amended section 323, "Donations", of Title 23 of the United States Code. This regulation codifies a similar revision made to paragraph 4(r) of Federal Highway Program Manual (FHPM) Volume 7, Chapter 2, Section 1.

The purpose of the revision is to permit the acceptance of donations of property without the necessity of making a formal appraisal of property and tender of an offer as long as an owner has been fully informed of his right to receive just compensation for his property. Prior to the amendment of the statute on donations, the law and the regulations had required appraisal and the tender of an offer even though the land was to be donated.

Section 712.103(r) is hereby revised to read as follows:

§ 712.103 Policies.

(r) *Donations.* Nothing in this regulation shall be construed to prevent a person whose real property is being acquired for a federally aided highway project from making a gift or donation

of such property, or any part thereof, or of any of the compensation paid therefor, after such person has been fully informed of his right to receive just compensation for the acquisition of his property.

This revision will take effect immediately.

Issued on: January 20, 1975.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.75-2326 Filed 1-24-75;8:45 am]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Correction

Part 1910 of Title 29 of the Code of Federal Regulations was republished in its entirety on June 27, 1974 (39 FR 23502), in order to incorporate all

changes made in the occupational safety and health standards up to June 3, 1974, and thereby to improve their usefulness and facilitate their enforcement.

When the standards were republished, Table H-12 of § 1910.106(d)(2)(iii) was inadvertently omitted. The purpose of this amendment is to correct the error of omission in the text of the standard.

Since the correction makes no change in the standards, it is not necessary to provide notice of proposed rulemaking, opportunity for public participation therein, nor any delay in the effective date under either section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 or 5 U.S.C. 553.

Accordingly, pursuant to authority in sections 6 and 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1600; 29 U.S.C. 655, 657), in Secretary of Labor's Order No. 12-71 (36 FR 8754), and in 29 CFR Part 1911, Part 1910 of Title 29 of the Code of Federal Regulations is hereby amended by adding, in § 1910.106(d)(2)(iii), Table H-12 as follows:

TABLE H-12.—Marine allowable size of containers and portable tanks

Container type	Flammable liquids			Combustible liquids	
	Class IA	Class IB	Class IC	Class II	Class III
Glass or approved plastic	1 pt.	1 qt.	1 gal.	1 gal.	1 gal.
Metal (other than DOT drums)	1 gal.	5 gal.	5 gal.	5 gal.	5 gal.
Safety cans	2 gal.	5 gal.	5 gal.	5 gal.	5 gal.
Metal drums (DOT specifications)	60 gal.	60 gal.	60 gal.	60 gal.	60 gal.
Approved portable tanks	660 gal.	660 gal.	660 gal.	660 gal.	660 gal.

NOTE.—Container exemptions: (a) Medicines, beverages, foodstuffs, cosmetics, and other common consumer items, when packaged according to commonly accepted practices, shall be exempt from the requirements of § 1910.106(c)(2)(i) and (ii).

This amendment is effective January 27, 1975.

(Secs. 6, 8, Pub. L. 91-596, 84 Stat. 1593, 1600 (29 U.S.C. 655, 657), Secretary of Labor's Order No. 12-71 (36 FR 8754), 29 CFR Part 1911)

Signed at Washington, D.C., this 21st day of January, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-2361 Filed 1-24-75;8:45 am]

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Mechanical Power Presses; Corrections

In FR Doc. 74-28092, beginning at 39 FR 41841 in the issue dated Tuesday, December 3, 1974, there were a number of typographical errors. Accordingly, FR Doc. 74-28092 is corrected as follows:

- On page 41845, column 1, second full paragraph, eighth line, in the preamble by changing "disclosure" to "die closure."
- On page 41845, column 2, fourth line, in the preamble by changing "formula" to "formula."
- On page 41845, column 3, first full paragraph, fifth line, in the preamble by changing "operator's" to "operators'."
- On page 41846, column 1, second line, in the preamble by inserting the

word "Development" after the word "Standards."

5. On page 41846, column 2, first full paragraph, fourth line, in the preamble by changing "Safeaty" to "Safety."

§ 1910.217 [Amended]

6. In § 1910.217(b)(14)(ii) (page 41846, column 3, fourth full paragraph, first line), by replacing the word "which" with the words "such that it."

7. In § 1910.217(c)(3)(viii)(a) (page 41847, column 3, fifth full paragraph, sixth line), by changing "operators" to "operators' controls."

Signed at Washington, D.C., this 13th day of January, 1975.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.75-2358 Filed 1-24-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI-452]

PART 1914—AREAS ELIGIBLE FOR THE SALE OF INSURANCE

Status of Participating Communities

Section 1914.4 of Part 1914 of Subchapter B of Chapter X of Title 24 of the Code of Federal Regulations is amended by adding in alphabetical sequence a new entry to the table. In this entry, a complete chronology of effective dates appears for each listed community. Each date appearing in the fourth column of the table is followed by a designation which indicates whether the date signifies (1) the effective date of the authorization of the sale of flood insurance in the area under the emergency or under the regular flood insurance program; (2) the effective date on which the community became ineligible for the sale of flood insurance because of its failure to submit land use and control measures as required pursuant to § 1909.24(a); or (3) the effective date of a community's formal reinstatement in the program pursuant to § 1909.24(b). The entry reads as follows:

§ 1914.4 Status of participating communities.

State	County	Location	Effective date of authorization of sale of flood insurance for area	Hazard area identified	State map repository	Local map repository
Arizona	Cocconino	Flagstaff, city of	Jan. 15, 1975. Emergency	June 28, 1974		
California	San Bernardino	Colton, city of	do.	June 7, 1974		
Do.	Imperial	Imperial, city of	do.	Feb. 1, 1974		
Florida	Broward	Deerfield Beach, city of	Jan. 6, 1975. Suspension. Withdrawn.	Nov. 10, 1973		
Maine	Hancock	Ellsworth, city of	Jan. 15, 1975. Emergency	July 10, 1974		
Michigan	Chippewa	Sault Ste. Marie, city of	do.	June 28, 1974		
Montana	Missoula	Unincorporated areas	do.	Aug. 30, 1974		
New York	Steuben	Cohocton, village of	do.	Oct. 18, 1974		
Do.	Orange	Warwick, village of	do.	Mar. 29, 1974		
Do.	Cortland	Homer, town of	do.	Sept. 20, 1974		
Ohio	Hancock	Findlay, city of	do.	Jan. 23, 1974		
Oregon	Malheur	Vale, city of	do.	Nov. 30, 1973		
Do.	Harney	Unincorporated areas	do.			
Do.	Morrow	Lexington, town of	do.	Sept. 6, 1974		
Pennsylvania	Washington	West Brownsville, borough of	Jan. 6, 1975. Suspension. Withdrawn.	Apr. 27, 1973		
Do.	Beaver	Franklin, township of	Jan. 15, 1975. Emergency	June 28, 1974		
Tennessee	Tipton	Covington, town of	do.	Jan. 23, 1974		
Texas	Johnson	Cleburne, city of	Jan. 6, 1975. Suspension withdrawn.	July 13, 1973		
Do.	Galveston	Galveston, city of	do.	May 26, 1970 and May 8, 1971		
Washington	Yakima	Sunnyside, city of	Jan. 15, 1975. Emergency	Aug. 2, 1974		
West Virginia	Logan	Unincorporated areas	Jan. 6, 1975. Suspension withdrawn.	Apr. 8, 1973		
Do.	do.	Logan, city of	do.	July 16, 1971		

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; and Secretary's delegation of authority to Federal Insurance Administrator, (34 FR 2680, Feb. 27, 1969) as amended 39 FR 2787, Jan. 24, 1974.)

Issued: January 7, 1975.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

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