

extending from the 5-mile radius zone to 15.5 miles northeast and within 4 miles each side of the Moses Lake VOR 063° radial extending from the 5-mile radius 14.8 miles northeast. This control zone shall be effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airmen's Information Manual.

In § 71.181 (40 FR 441), the description of the Moses Lake, Washington, Transition Area is revised to read as follows:

MOSES LAKE, WASHINGTON

That airspace extending upward from 700 feet above the surface within a 19-mile radius of Grant County Airport (Latitude 47°12'29" N, Longitude 119°19'05" W), within 7 miles southeast and 12 miles northwest of the Ephrata VORTAC 043° and 223° radial extending from 8 miles southwest to 19 miles northeast; that airspace extending upward from 1200 feet above the surface * * *

The remainder of the description remains as published.

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

Issued in Seattle, Wash., on June 2, 1975.

C. B. WALK, Jr.,
Director,
Northwest Region.

[FR Doc.75-15305 Filed 6-11-75;8:45 am]

[Airspace Docket No. 75-NE-10]

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

Transition Area; Designation

On page 13519 of the FEDERAL REGISTER dated March 27, 1975, the Federal Aviation Administration published a notice of proposed rulemaking which would designate a 1,200-foot Transition Area in the northwest section of the State of Maine and the northeast section of the State of New Hampshire.

Interested parties were given thirty (30) days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., August 14, 1975.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Burlington, Mass., on May 30, 1975.

QUENTIN S. TAYLOR,
Director,
New England Region.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations by adding the following 1200-foot transition area:

SUGARLOAF, MAINE

That airspace extending upward from 1200 feet above the surface within an area bounded by a line beginning at latitude 45°04'20" N, longitude 71°27'00" W to latitude 45°17'00" N, longitude 71°20'10" W to latitude 45°20'40" N, longitude 70°39'30" W to latitude 45°21'40" N, longitude 70°39'00" W to latitude 45°22'30" N, longitude 70°08'10" W to latitude 45°25'00" N, longitude 69°48'00" W to latitude 45°23'00" N, longitude 69°48'00" W to latitude 45°14'50" N, longitude 69°50'20" W to latitude 45°07'50" N, longitude 69°50'20" W to latitude 45°07'50" N, longitude 69°28'00" W to latitude 44°50'00" N, longitude 69°47'10" W to latitude 44°39'00" N, longitude 69°47'10" W to latitude 44°16'10" N, longitude 70°14'00" W to latitude 44°13'50" N, longitude 70°12'00" W to latitude 44°02'10" N, longitude 70°37'50" W to latitude 44°04'00" N, longitude 70°40'10" W to latitude 44°06'00" N, longitude 70°37'00" W to latitude 44°06'10" N, longitude 70°59'10" W to latitude 44°14'30" N, longitude 70°52'30" W to latitude 44°21'00" N, longitude 70°57'10" W to latitude 44°29'30" N, longitude 71°01'10" W to latitude 44°31'00" N, longitude 70°55'00" W to latitude 44°39'00" N, longitude 71°00'00" W to latitude 44°54'50" N, longitude 71°01'50" W to latitude 44°53'00" N, longitude 71°18'00" W, to point of beginning, excluding Canadian airspace.

[FR Doc.75-15304 Filed 6-11-75;8:45 am]

[Docket No. 14686; Amdt. No. 972]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Recent Changes and Additions

This amendment to Part 97 of the Federal Aviation Regulations incorporates by reference therein changes and additions to the Standard Instrument Approach Procedures (SIAPs) that were recently adopted by the Administrator to promote safety at the airports concerned.

The complete SIAPs for the changes and additions covered by this amendment are described in FAA Forms 3139, 8260-3, 8260-4, or 8260-5 and made a part of the public rulemaking dockets of the FAA in accordance with the procedures set forth in Amendment No. 97-696 (35 FR 5609).

SIAPs are available for examination at the Rules Docket and at the National Flight Data Center, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591. Copies of SIAPs adopted in a particular region are also available for examination at the headquarters of that region. Individual copies of SIAPs may be purchased from the FAA Public Document Inspection Facility, HQ-405, 800 Independence Avenue SW., Washington, D.C. 20591 or from the applicable FAA regional office in accordance with the fee schedule prescribed in 49 CFR 7.85. This fee is payable in advance and may be paid by check, draft or postal money order payable to the Treasurer of the United States. A weekly transmittal of all SIAP changes and additions may be obtained by subscription at an annual rate of \$150.00 per annum from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

Additional copies mailed to the same address may be ordered for \$30 each.

Since a situation exists that requires immediate adoption of this amendment, I find that further notice and public procedure hereon is impracticable and good cause exists for making it effective in less than 30 days.

In consideration of the foregoing, Part 97 of the Federal Aviation Regulations is amended as follows, effective on the dates specified:

1. Section 97.23 is amended by originating, amending, or canceling the following VOR-VOR/DME SIAPs, effective July 24, 1975.

Hawthorne, Calif.—Hawthorne Municipal Arpt., VOR-A, Amdt. 1
Jacksonville, Fla.—Craig Municipal Arpt., VOR Rwy 31, Amdt. 2
Lacon, Ill.—Marshall County Arpt., VOR-A, Orig.
Moab, Utah—Canyonlands Field, VOR-A, Amdt. 4
Naples, Fla.—Naples Municipal Arpt., VOR/DME-A, Orig.
Rockford, Ill.—Greater Rockford Arpt., VOR Rwy 12, Amdt. 14
West Bend, Wisc.—West Bend Municipal Arpt., VOR Rwy 13, Orig.
West Bend, Wisc.—West Bend Municipal Arpt., VOR Rwy 24, Orig.
Winamac, Ind.—Arens Field, VOR/DME-A, Orig.

2. Section 97.25 is amended by originating, amending, or canceling the following SDF-LOC-LDA SIAPs, effective July 24, 1975.

Rockford, Ill.—Greater Rockford Arpt., LOC (BC) Rwy 18, Amdt. 7

* * * effective May 29, 1975:

Ontario, Calif.—Ontario Int'l Arpt., LOC (BC) Rwy 7, Amdt. 3

3. Section 97.27 is amended by originating, amending, or canceling the following NDB/ADF SIAPs, effective July 24, 1975.

Monterey, Calif.—Monterey Peninsula Arpt., NDB Rwy 10, Amdt. 7
Rockford, Ill.—Greater Rockford Arpt., NDB Rwy 36, Amdt. 17
Trenton, Mo.—Trenton Municipal Arpt., NDB Rwy 17, Amdt. 1
Trenton, Mo.—Trenton Municipal Arpt., NDB Rwy 35, Amdt. 3
Trinidad, Colo.—Las Animas County Arpt., NDBXA, Amdt. 1

* * * effective May 30, 1975:

Miami, Fla.—Dade-Collier Training and Transition Arpt., NDB Rwy 9, Amdt. 8

4. Section 97.29 is amended by originating, amending, or canceling the following ILS SIAPs, effective July 24, 1975.

Monterey, Calif.—Monterey Peninsula Arpt., ILS Rwy 10, Amdt. 19
Rockford, Ill.—Greater Rockford Arpt., ILS Rwy 36, Amdt. 20

* * * effective July 3, 1975:

Corpus Christi, Tex.—Corpus Christi Int'l Arpt., ILS Rwy 35, Orig.

* * * effective May 30, 1975:

Miami, Fla.—Dade-Collier Training and Transition Arpt., ILS Rwy 9, Amdt. 8

5. Section 97.33 is amended by originating, amending, or canceling the following RNAV SIAPs, effective July 24, 1975.

West Bend, Wisc.—West Bend Municipal Arpt., RNAV Rwy 13, Amdt. 1

(Secs. 307, 313, 601, 1110, Federal Aviation Act of 1948 (49 U.S.C. 1438, 1354, 1421, 1510); sec. 6(c), Department of Transportation Act, (49 U.S.C. 1655(c) and 5 U.S.C. 552(a)(1)))

NOTE: Incorporation by reference provisions in §§ 97.10 and 97.20 approved by the Director of the Federal Register on May 12, 1969, (35 FR 5610).

Issued in Washington, D.C., on June 5, 1975.

JAMES M. VINES,
Chief,

Aircraft Programs Division.

[FR Doc. 75-15307 Filed 6-11-75; 8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation ER-911, Amdt. 2]

PART 227—TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS: REDUCED RATES FOR FURLOUGHED MILITARY PERSONNEL AND IMMEDIATE FAMILIES OF MILITARY PERSONNEL

Repeal of Part

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. June 9, 1975.

In enacting Part 227 in 1956,¹ the Board stated that its principal purpose was to relieve carriers voluntarily furnishing preferential rate overseas and foreign air transportation to members of the armed forces desiring to visit their homes and families from the burden of defending the legality of such action against challenges of undue discrimination.² Subsequently, in *Transcontinental Bus System v. C.A.B.*³ it was determined that military standby tariffs were not unjustly discriminatory since the reduced rates were justified by competitive considerations, and that the tariffs adopted the air transport industry to the needs of the national defense.

In light of this decision, and the further fact that tariffs providing for reduced-rate overseas and foreign air transportation for furloughed military personnel and their immediate families are on file with the Board, the Board concludes that Part 227 no longer serves a useful purpose. It will therefore be repealed.

Since Part 227, which is permissive in nature, is essentially a statement of

¹ ER-208, adopted and effective January 9, 1956.

² Subsequently the Part was amended for the purpose of permitting air carriers and foreign air carriers to file tariffs providing for reduced-rate transportation for certain limited travel by members of the immediate families of military personnel stationed overseas. ER-346, effective January 17, 1962.

³ 383 F.2d 466 (C.A. 5, 1967), cert. den. 390 U.S. 920 (1968).

policy and its repeal imposes no burden, the Board finds that notice and public procedure thereon are unnecessary, and repeal may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby repeals Part 227 of the Economic Regulations (14 CFR Part 227) effective immediately.

(Sec. 204, 403(b), Federal Aviation Act of 1958, as amended, 72 Stat. 743, 758 (as amended by 74 Stat. 445) (49 U.S.C. 1324, 1373))

By the Civil Aeronautics Board.

Adopted: June 9, 1975.

Effective: June 9, 1975.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc. 75-15395 Filed 6-11-75; 8:45 am]

SUBCHAPTER D—SPECIAL REGULATIONS

[Regulation SPR-84, Reissuance of Part 377]

PART 377—CONTINUANCE OF EXPIRED AUTHORIZATIONS BY OPERATION OF LAW PENDING FINAL DETERMINATION OF APPLICATIONS FOR RENEWAL THEREOF

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. June 9, 1975.

Part 377 is being republished without substantive change primarily to reflect the recodification and enactment into positive law of former section 9(b) of the Administrative Procedure Act as 5 U.S.C. 558(c), and by adding a footnote to § 377.2 which directs attention to the facts (a) that the Board has not promulgated rules of general applicability with regard to authorizations issued under sections of the Federal Aviation Act other than those specified in § 377.2 and (b) that the Board has held that a renewal application filed prior to the expiration of a foreign air carrier permit issued under section 402 of the Act is timely and that 5 U.S.C. 558(c) continues such a permit in force until final disposition of the renewal application.

Since the amendments to Part 377 being made herein are nonsubstantive in nature, the Board finds that notice and public procedure thereon are unnecessary, and the amendments may be made effective immediately.

Accordingly, the Civil Aeronautics Board hereby reissues Part 377 (14 CFR 377), as set forth below, effective immediately.

By the Civil Aeronautics Board.

Effective: June 9, 1975.

Adopted: June 9, 1975.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

Subpart A—General Provisions

- Sec. 377.1 Definitions.
377.2 Applicability of part.
377.3 Authorizations not licenses with reference to an activity of a continuing nature.
377.4 Procedure to obtain Board interpretation.

Subpart B—Renewal Applications and Procedure Thereon

- 377.10 Requirements for, and effect of, renewal applications.
377.11 Processing of defective renewal applications.

Subpart A—General Provisions

§ 377.1 Definitions.

As used in this part:

"Authorization" means any agency certificate, approval, statutory exemption or other form of permission granted pursuant to sections 101(3), 401, 408, 409, 412 and 416 of the Federal Aviation Act of 1958, as amended. Where any operating authorization creates more than one separate route, each of these shall be deemed a separate authorization for the purposes of this part.

"Renewal application" means any application filed in conformity with the requirements of this part which requests either a renewal or a new license and is intended to invoke the provisions of the last sentence of 5 U.S.C. 558(c).

"Route" means an authorization which permits an air carrier to render unlimited regularly scheduled service between a specifically designated pair of terminal points and intermediate points, if any.

§ 377.2 Applicability of part.

This part contains the Board's rules implementing the provisions of the last sentence of 5 U.S.C. 558(c)¹ with regard to applications for renewal of temporary authorizations granted pursuant to sections 101(3), 401, 408, 409, 412 and 416 of the Federal Aviation Act of 1958, as amended: *Provided*, That nothing in this part shall be construed as preventing the Board from terminating at any time, in accordance with law, any authorization or any extension thereof, or as a determination that any given authorization is a license with reference to an activity of a continuing nature within the meaning of 5 U.S.C. 558(c).²

§ 377.3 Authorizations not licenses with reference to an activity of a continuing nature.

(a) The Board hereby determines that the following authorizations are not licenses "with reference to an activity of

¹ "When the licensee has made timely and sufficient application for a renewal or a new license in accordance with agency rules, a license with reference to an activity of a continuing nature does not expire until the application has been finally determined by the agency."

² The Board has not promulgated rules of general applicability to implement 5 U.S.C. 558(c) with regard to authorizations issued under sections of the Federal Aviation Act other than those specified in § 377.2. The Board has held that a renewal application filed prior to the expiration of a foreign air carrier permit issued under section 402 of the Act is timely and that 5 U.S.C. 558(c) continues such a permit in force until final disposition of the renewal application. e.g. *Transportes Aereos Nacionales*, 18 C.A.B. 377, 380 (1954); *Alitalia-Linee Aeree Italiane*, Procedure, 47 C.A.B. 1121, 1122 (1967).

a continuing nature" within the meaning of 5 U.S.C. 558(c):

(1) Authorizations granted for a specified period of 180 days or less;

(2) Authorizations other than those granted pursuant to section 401 of the Act which by their terms are subject to termination at an uncertain date upon the happening of an event, including fulfillment of a condition subsequent or occurrence of a contingency. When such an authorization by its terms terminates alternatively upon the happening of an event or the arrival of a specified date, the occurrence of the event prior to the specified date ends the authorization and no previously or subsequently filed renewal application shall be effective to extend such authorization.

§ 377.4 Procedure to obtain Board interpretation.

In any case not expressly provided for by these rules, the Board will determine upon written request by the holder of a temporary authorization or by any competitively affected air carrier or upon its own initiative, whether under 5 U.S.C. 558(c) an authority granted would be continued in force beyond the expiration date therein specified until final determination of a timely and sufficient renewal application. Written requests for such a determination shall be filed at least 60 days prior to the date herein prescribed for the timely filing of applications for renewal: *Provided*, That filing of such written request shall not affect the requirements for timeliness of renewal applications contained in this part or other applicable Board regulation or order.

Subpart B—Renewal Applications and Procedure Thereon

§ 377.10 Requirements for, and effect of, renewal applications.

(a) *Identification of authorization covered by renewal application.* Each renewal application shall identify the authorization or authorizations to which it is intended to relate. The application shall indicate the applicant's intention to rely upon 5 U.S.C. 558(c) as implemented by this part. In case of applications for renewal of an authorization for route service, the renewal application shall specifically identify the separate routes which the applicant proposes to continue serving pursuant to the expiring authorization, pending final determination of the renewal application.

(b) *Contents of renewal application.* The application must contain all the information required by law and the Board's regulations, and meet the requirements thereof as to form. The new authorization sought need not be of the same duration as the expiring authorization. If the application relates to renewal of route authority, it must contain, as a minimum, a request for renewed authority to render route service between the terminals named in each separate route for which renewal is requested.

(c) *Timeliness.* The application must be filed and served in compliance with applicable provisions of law and the Board's regulations not later than 60 days before the expiration date of the outstanding temporary authorization to which it relates. In the case of certificates of public convenience and necessity issued under section 401, it must be filed not later than 180 days before the expiration date thereof: *Provided*, That (1) nothing herein shall supersede a requirement for earlier filing in any provision of law, the Board's Regulations, any Board orders or any temporary authorization; (2) where an authorization pursuant to section 401 of the Act terminates by its terms upon the happening of an event which could not be foreseen, a renewal application filed within 30 days from the time the carrier has notice that the event will occur, or has occurred, shall be deemed timely; and (3) applications for renewal by substantially equivalent certificate authority of fixed-term route authorizations granted by exemption and for interim extension of the exemption, submitted pursuant to §§ 302.909 and 399.18 of this chapter, shall be filed not later than 90 days before the expiration of such exemption authorizations.

(d) *Effect.* In the case of authorizations which constitute licenses with reference to activities of a continuing nature within the meaning of 5 U.S.C. 558(c), the filing of an application complying in all respects with the requirements of paragraphs (a) through (c) of this section shall extend the authorization to which it relates as then outstanding in its entirety, together with all applicable terms, conditions and limitations, until the application has been finally determined by the Board. In the case of routes granted under section 401 of the Act, the duty to render adequate service continues to attach to every point as provided in the expired authorization which is extended pursuant to this provision. The date of final determination of the application shall be the date when the final order determining the application takes effect, or when the applicable period for filing of petitions for rehearing, reargument or reconsideration expires, or when a timely filed petition therefor is denied, whichever occurs latest.

§ 377.11 Processing of defective renewal applications.

When the Board determines that a renewal application does not comply with the requirements of this part, or that it does not relate to a license with reference to an activity of a continuing nature, it will so notify the applicant. The applicant may amend his application to cure the deficiency as a matter of right at any time prior to the date when the application was due pursuant to § 377.10(c).

(Sec. 204(a), Federal Aviation Act of 1958, 72 Stat. 743, (49 U.S.C. 1324; 5 U.S.C. 558(c)).

[FR Doc. 75-15394 Filed 6-11-75; 8:45 am]

**Title 16—Commercial Practices
CHAPTER I—FEDERAL TRADE
COMMISSION**

[Docket 8897]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

**Bristol-Myers Company, and
Ogilvy & Mather, Inc.**

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

In the Matter of Bristol-Myers Company, a corporation, and Ogilvy & Mather Inc., a corporation.

Order setting aside the initial decision of the Administrative Law Judge and dismissing the complaint against a New York City seller and distributor of aerosol spray anti-perspirants and its advertising agency for alleged false television demonstrations.

The Final Order dismissing complaint, is as follows:

This matter having been heard by the Commission upon the appeal of respondents from the Administrative Law Judge's initial decision, and upon briefs and oral argument in support thereof and in opposition thereto, and the Commission, for the reasons stated in the accompanying opinion, having concluded that the Administrative Law Judge's initial decision should be set aside and that the complaint should be dismissed:

It is ordered That the Administrative Law Judge's initial decision be, and it hereby is, set aside.

It is further ordered That the complaint be, and it hereby is, dismissed.

Commissioner Nye not participating, the Final Order was issued by the Commission April 22, 1975.

CHARLES A. TOBIN,
Secretary.

[FR Doc. 75-15343 Filed 6-11-75; 8:45 am]

[Docket C-2661]

PART 13—PROHIBITED TRADE PRACTICES, AND AFFIRMATIVE CORRECTIVE ACTIONS

Jonel Pay Plan, Inc. and John R. Young

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—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; § 13.1905 Terms and conditions; 13.1905-60 Truth in Lending Act.

¹ Copies of the Complaint, Initial Decision, Opinion and Final Order, filed with the original document.