	Standard price per U.S. gallon
AVGAS:	
115/145	$0.264
100/130	.502
91/96	.502
80/87	.502
JET:	
JP-4	.149
JP-5	.162
AVOIL:	
Recip Eng Oil (MIL-L-22851)	.52
Jet Eng Oil Petroleum Base (MIL-L-6081)	.31
Jet Eng Oil Synth Base (MIL-L-7808/23699)	7.44

3. Amend § 288.7(d)(1)(i) and (2)(i) to read as follows:

(d) For Category A transportation:

(1) Passengers:

(i) For services performed between July 1, 1972, and June 12, 1973, and August 13, 1973 and August 27, 1973, 3.778 cents per passenger-mile.

* * * * *

(2) Cargo:

(i) For services performed between July 1, 1972, and June 12, 1973, and August 13, 1973 and August 27, 1973, 15.276 cents per ton-mile.

(Secs. 204, 403, and 416, Pub. L. 85-726, as amended, 72 Stat. 743, 758, and 771, as amended (49 U.S.C. 1324, 1373, 1386).)

Effective date: November 14, 1973.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND, *Secretary.*

[FR Doc.73-24603 Filed 11-16-73;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

[Docket 8860-o]

PART 13—PROHIBITED TRADE PRACTICES

ITT Continental Baking Co., Inc., and Ted Bates and Co., Inc.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly;* § 13.20 *Comparative data or merits;* § 13.45 *Content;* § 13.170 *Qualities or properties of product or service;* 13.170-52 Medicinal, therapeutic, healthful, etc; 13.170-64 Nutritive § 13.190 *Results;* § 13.205 *Scientific or other relevant facts;* § 13.285 *Value.* Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 *Comparative data or merits;* § 13.1710 *Qualities or properties;* § 13.1740 *Scientific or other relevant facts;* § 13.1775 *Value.* Subpart—Offering unfair, improper and deceptive, inducements to purchase or deal: § 13.2063 *Scientific or other relevant facts.* Subpart—Using deceptive techniques in advertising: § 13.2275 *Using deceptive techniques in advertising.*

(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, 52 [Cease and desist order, ITT Continental Baking Company, Inc., et al., Rye, New York, Docket 8860, October 19, 1973].)

In the matter of ITT Continental Baking Company, Inc., a corporation and Ted Bates & Company, Inc., a corporation.

Order requiring a Rye, New York, manufacturer, seller, and distributor of bakery products, "Wonder Bread" and "Hostess" snack cakes, and its advertising agency, among other things to cease misrepresenting the nutritional content, efficacy or functional value of its products.

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

It is ordered, That the following Findings of Fact of the Administrative Law Judge are adopted as Findings of Fact of the Commission:

Findings 1-5, 7, 13-16, 18-21, 23-27; the first two sentences of Finding 28; Findings 36-37; the first sentence of Finding 46; Findings 47-50, 52; the first sentence of Finding 53; the first sentence of Finding 64; Finding 65; the first sentence of Finding 97; Findings 98-100; the first two sentences of Finding 101; Finding 109; the first sentence of Finding 111; the first two sentences of Finding 112; Findings 114, 128, 168-169, 224, and 226.

It is further ordered, That the following cease and desist order be, and it hereby is, entered:

I. *It is ordered,* That respondent ITT Continental Baking Company, Inc., a corporation, and respondent Ted Bates and Company, Inc., a corporation, their successors and assigns and respondents' officers, agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the advertising, offering for sale, sale or distribution of any food product, do forthwith cease and desist from:

1. Dissemination, or causing the dissemination of, any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication.

a. The nutritional properties of any such product in generalized terms such as "rich in nutrients," vitamins or iron fortified, "enriched," or other similar nutritional references, without identifying the basis relied upon for the nutritional claims, and unless the advertised nutritional value can be substantiated for the average and ordinary use of the product by consumers or by particular groups of consumers provided they are specified.

b. The comparative nutritional efficacy or value of the product without stating the brand, product or product category to which the comparison is being made.

c. The essentiality of the product as a source of a particular nutritional value if there are other food product categories which are also sources of the same or similar nutritional values, and unless the claim can be substantiated for the normal use of the product by consumers or by a particular group of consumers provided that they are specified.

d. The functional value or other attributes of any such product to a user through the use of demonstrations or other visual techniques unless the demonstrations are actual depictions of the actual value of the product by actual persons and represent the average and ordinary experience of consumers with the use of the product.

2. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which represents, directly or by implication, that any such product will contribute to the rapid or proper growth of children by providing dramatic or substantial benefits for such growth or development unless such product, by itself, will in fact make a significant contribution to such rapid or proper growth.

3. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which misrepresents, in any manner, the nutritional content, efficacy or functional value to the user for the normal use of any such product by consumers.

4. 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 product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, which contains any of the representations prohibited in Paragraph 1 above or the misrepresentations prohibited in Paragraph 2 above.

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 thirty (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 respondents shall, within sixty (60) days after service of this order upon it, file with the Commission a report in writing setting forth in detail the manner and form of its compliance with the order to cease and desist.

It is further ordered, That the remainder of the Initial Decision be vacated and the following supplementary Findings of Fact made by the Commission itself, after a consideration of the entire record, be substituted therefor:

By the Commission. Chairman Engman not concurring in that portion of the Opinion which dismisses charges of unfairness against advertising claims directed primarily at children and submitting a separate statement; Commissioner Jones recorded as dissenting in

part for the reasons set forth in her dissenting statement; and Commissioner Thompson not participating since this matter was tried and argued before he was sworn in.[1]

Issued: October 19, 1973.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.73-24544 Filed 11-16-73;8:45 am]

[Docket C-2444]

PART 13—PROHIBITED TRADE PRACTICES

G. B. Enterprises, Inc., Trading as Lee Used Ford Sales

Correction

In FR Doc. 73-21716 appearing at page 28261 in the issue for Friday, October 12, 1973, make the following changes:

1. Delete the last line of the first paragraph and insert instead "13.1905-60 Truth in Lending Act".

2. In the last line of the source citation, the reference to "S-2444" should read "C-2444".

PART 429—COOLING-OFF PERIOD FOR DOOR-TO-DOOR SALES

"Notice of Cancellation"

Correction

In FR Doc. 73-23292, appearing at page 30104, in the issue for Thursday, November 1, 1973, on page 30105, delete the line reading, "Effective: November 1, 1973." and insert instead "Section 429.1 is amended as above on November 1, 1973."

Title 21—Food and Drugs

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SUBCHAPTER J—RADIOLOGICAL HEALTH

PART 1002—RECORDS AND REPORTS

Diagnostic X-ray Systems; Applicability of Requirements for Assemblers and Component Manufacturers

On May 9, 1973, the Commissioner of Food and Drugs published a notice of proposed rule making in the FEDERAL REGISTER (38 FR 12129) to amend § 278.701 of Subpart H (21 CFR 278.701) (now § 1002.1 of Subchapter J, recodified in the FEDERAL REGISTER of October 15, 1973 (38 FR 28623)) to set forth the applicability of the record keeping and reporting requirements of that subpart to assemblers and manufacturers of diagnostic x-ray components. The proposed amendment included a revision of § 1002.1(b) such that the requirements of Subpart H (now Part 1002) would be applicable to manufacturers who certify diagnostic x-ray components pursuant to § 278.213-1(c) (now 1020.30(c)). A new paragraph (d) was also added excluding assemblers of such components from the requirements of Part 1002, except for § 278.705 (now § 1002.20), provided the assembler has submitted the report required by § 1020.30(d), and retains a copy of the report for a period of five years.

Interested persons were given the opportunity to participate in the rule making procedure through the submission of comments within sixty days after the date of publication of the proposed rule in the FEDERAL REGISTER. One letter commenting on the proposed rule was received. This letter pointed out that assemblers of x-ray equipment, who are also dealers in such equipment, might construe the proposed rule as an exemption from the requirements of §§ 278.730 and 278.731 (now §§ 1002.40 and 1002.41) regarding the maintenance and forwarding of purchase information.

The exemption in paragraph (d) would apply only to assemblers. Individuals acting both as a dealer and an assembler assume the responsibilities of a dealer specified in Part 1002. Therefore, an assembler-dealer who fails to forward information specified in § 1002.40(b) regarding the purchasers of certified diagnostic X-ray components to the component manufacturer(s) or does not notify the Bureau of Radiological Health and the component manufacturer(s) of his election to maintain this information, is in violation of section 360B of the Radiation Control for Health and Safety Act of 1968.

On July 31, 1973, the Commissioner published in the FEDERAL REGISTER (38 FR 20356) a notice to manufacturers who elect to certify diagnostic X-ray components in accordance with § 1020.30(c) prior to August 1, 1974, and to assemblers who install such components into an X-ray system prior to August 1, 1974. Dealers and distributors of X-ray components which are certified prior to August 1, 1974, must obtain the information specified in § 1002.40 necessary to permit tracing specific products to specific purchasers, and forward such information to the appropriate manufacturers or maintain such information themselves in accordance with § 1002.41.

Therefore, pursuant to the provisions of the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (secs. 360A, 360B, 82 Stat. 1182-84; 42 U.S.C. 263i, 263j) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 1002 is amended by revising § 1002.1 to read as follows:

§ 1002.1 Applicability.

The provisions of this part are applicable to manufacturers, dealers, and distributors of electronic products as specified herein, but, except for § 1002.20, are not applicable to:

(a) Manufacturers of electronic products intended solely for export if such product is labeled or tagged to show that the product is intended for export, and the product meets all the applicable requirements of the country to which such product is intended for export:

(b) Manufacturers of electronic products listed in § 1002.61 if sold exclusively to other manufacturers for use as components of electronic products to be sold to purchasers, with the exception that the provisions are applicable to those manufacturers certifying components of diagnostic X-ray systems pursuant to provisions of § 1020.30(c) of this chapter.

(c) Manufacturers of electronic products which are intended for use by the U.S. Government and whose function or design cannot be divulged by the manufacturer for reasons of national security, as evidenced by government security classification.

(d) Assemblers of diagnostic X-ray equipment subject to the provisions of § 1020.30(d) of this chapter, provided the assembler has submitted the report required by § 1020.30(d) (1) or (2) of this chapter and retains a copy of such report for a period of five years from its date.

Effective date. This order shall become effective November 29, 1973.

(Secs. 360A, 360B, 82 Stat. 1182-84 (42 U.S.C. 263i, 263j).)

Dated: November 12, 1973.

WILLIAM F. RANDOLPH, *Acting Associate Commissioner for Compliance.*

[FR Doc.73-24573 Filed 11-16-73;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER J—RIGHT-OF-WAY AND ENVIRONMENT

PART 720—LAND ACQUISITION

Appraisal Function

This amendment adds Part 720, Subpart B, to the regulations of the Federal Highway Administration.

Part 720, Subpart B, prescribes the Federal Highway Administration policies, procedures, standards and requirements related to the appraisal function.

In consideration of the foregoing, effective November 1, 1973, 23 CFR ch. I, is amended by adding to Part 720, Land Acquisition, Subpart B—The Appraisal Function. Subparts A and C through D remain reserved.

Subpart B—The Appraisal Function

Sec.

720.200 Policy.
720.201 Appraisal and specialty reports.
720.202 Review of appraisal and specialty reports.
720.203 Qualifications of appraisers and reviewing appraisers.
720.204 Appraisal fees, contracts, and agreements.

AUTHORITY: 23 U.S.C. 315, 42 U.S.C. 4633, 23 CFR 1.32.

Subpart B—The Appraisal Function

§ 720.200 Policy.

(a) *Purpose.* This section prescribes Federal Highway Administration policies related to the appraisal function.

(b) *Applicability.* The policies of this section are applicable, to the greatest

[1] Statements by Chairman Engman and Commissioner Jones filed as part of the original documents.