

each component, the basis of the estimates and computations;

(e) A copy of the revised or new schedule page filed or to be filed with the Board showing the time and frequency of the present and proposed service, by type of equipment. (If the proposed amendment includes property and mail service, endorsement of the Post Office Department must be obtained by the carrier on each copy of the schedules; if the amendment involves only passenger service, Post Office endorsement is not required);

(f) A map or schedule diagram showing the current and the proposed routing, by type of equipment, for only the flights affected by the amendment;

(g) A certificate of service listing the names and addresses of the persons served pursuant to § 376.4, or, if appropriate, a statement that there is affixed a waiver of notice by each person entitled thereto, recommending approval by the Board of the proposed flight pattern amendment.

§ 376.6 Incorporation by reference.

In general it is desirable that incorporation by reference be avoided. However, where two or more applications are filed by a single carrier, lengthy exhibits or other documents attached to one may be incorporated in the others by reference if that procedure will substantially reduce the cost to the applicant.

Subpart B—Authorization

§ 376.10 Operations pursuant to proposed amended flight patterns.

Except as provided in § 376.11, a certificated helicopter carrier may conduct operations pursuant to an amended flight pattern filed with the Board in accordance with the provisions of this Part as follows:

(a) *With respect to the carriage of passengers.* Only after the Board has expressly approved such proposed flight pattern;

(b) *With respect to the carriage of property or mail.* After the effective date unless and until such proposed flight pattern is disapproved by the Board.

§ 376.11 Temporary suspension or modification of flight pattern in compliance with regulation or order of Administrator.

(a) A regulation or order of the Administrator of the Federal Aviation Agency which requires the temporary suspension or modification of a helicopter flight pattern shall be given effect according to its provisions, and the filing and notification requirements of § 376.4 shall be inapplicable to such suspension or modification.

(b) Immediately upon receiving notice of the regulation or order of the Administrator, requiring the temporary suspension or modification of a helicopter flight pattern, the carrier shall notify the Board thereof, in writing, and by registered or certified mail. Such notification shall describe in detail the circumstances and expected duration of such suspension or modification, and shall contain a copy of the regulation or order, or the pertinent portion thereof.

§ 376.12 Disapproval or modification of flight pattern on the Board's initiative.

The Board may, in its discretion and without hearing:

(a) Disapprove, in whole or in part, or approve subject to modification, any flight pattern filed with the Board; and

(b) Withdraw, in whole or in part, or modify approval of any flight pattern it has previously approved. *Provided, however,* That no flight pattern with respect to the carriage of passengers will be withdrawn or modified until the carrier and the persons described in § 376.4 have been notified of the proposal to modify or withdraw the current flight pattern with respect to passenger service. Such persons may, within 20 days of such notification, file with the Board and serve upon the carrier, a statement of their position concerning such proposed action.

By the Civil Aeronautics Board.

[SEAL] ROBERT C. LESTER,
Secretary.

[F.R. Doc. 60-9848; Filed, Oct. 19, 1960;
8:51 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th Gen. Rev. of Export Regs., Amdt. 42]

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

PART 371—GENERAL LICENSES

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

PART 380—AMENDMENTS, EXTENSIONS, TRANSFERS

PART 385—EXPORTATIONS OF TECHNICAL DATA

Miscellaneous Amendments

§ 370.4 [Amendment]

1. Section 370.4 *Unauthorized disposition of foreign excess personal property purchased from the United States Armed Forces in foreign countries* is amended by designating the note at the end as paragraph (c) and revising it, as redesignated, to read as follows:

(c) *Enforcement.* By arrangement with the Department of Defense, in enforcing the provisions of this section, the Bureau of Foreign Commerce will apply the prohibitions and sanctions of parts 381 and 382 of this chapter to cases involving any commodity of United States origin which is or is attempted to be

transshipped, diverted or reexported to Communist China, North Korea, the Communist-controlled area of Viet Nam, the maritime province of the Union of Soviet Socialist Republics, or Cuba; and cases involving, generally but not exclusively, any Positive List commodity which is or is attempted to be transshipped, diverted or reexported to any other Subgroup A destination or Cuba.

§ 370.5 [Amendment]

2. Section 370.5 *Exportations authorized by Government agencies other than Bureau of Foreign Commerce*, paragraph (b) *Gold*, Note 1 *Fabricated Gold* is amended to read as follows:

NOTE: 1. *Fabricated gold.* The exportation of "fabricated gold," as defined in the gold regulations issued by the Treasury Department (31 CFR, 54.4), is controlled by the Department of Commerce under an arrangement with the Treasury Department. All "fabricated gold" commodities which are not included on the Positive List may be exported to any destination, except Hong Kong, Macao, a Subgroup A destination, or Cuba, under Bureau of Foreign Commerce General License GRO (see § 371.8 of this chapter).

§ 371.4 [Amendment]

3. Section 371.4 *Reexportation from country of destination*, paragraph (b) *Permissive reexportations* is amended to read as follows:

(b) *Permissive reexportations.* Any commodity which has been exported from the United States may be reexported from any destination to any other destination; provided that at the time of reexportation, the commodities to be reexported may be exported directly from the United States to the new country of destination under General License GO, GRO, G-PUB, GHK, GISA, or GCU or where the value of the reexportation does not exceed the GLV dollar value limit shown on the Positive List with reference to the country of destination.

§ 371.7 [Amendment]

4. Section 371.7 *General License GO; shipments to Group O destinations*, paragraph (a) *Scope of license* and the note following paragraph (b) are amended to read as follows:

(a) *Scope of license.* A general license designated GO is hereby established, subject to the other provisions of this section,¹ authorizing the exportation of R commodities to destinations in Country Group O as listed in § 371.3(a), except Cuba.

¹The export regulations provide that commodities may not be supplied under any general license for use on a vessel or aircraft departing from the United States, unless such exportation is authorized under General License SHIP STORES or PLANE STORES. (See §§ 371.2(c)(2), 371.13(a) and 371.13(b).)

NOTE: To determine if a commodity may be exported to a specific destination under this general license, the exporter should consult the provisions regarding country groups in § 371.3. If the destination is any country in Group O except Cuba, he should then consult the Positive List (§ 399.1). If the commodity is listed and identified by the symbol "R" in the column headed "Vali-

dated License Required," it is an R commodity, and the exportation may be made under General License GO. (Exporters in doubt as to the proper classification of the commodities which they handle should consult the Department of Commerce publication, Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States.) If the destination is Cuba, see General License GCU, § 371.27.

5. Section 371.8 *General License GRO; shipments of non-Positive List commodities* is amended to read as follows:

§ 371.8 *General License GRO; shipments of non-Positive List commodities.*

(a) *Scope of license.* (1) A general license designated GRO is hereby established, authorizing the exportation to all destinations of all commodities not included on the Positive List of Commodities (§ 399.1 of this chapter), subject to the other provisions set forth in this section,¹ except that:

¹ The export regulations provide that commodities may not be supplied under any general license for use on a vessel or aircraft departing from the United States, unless such exportation is authorized under General License SHIP STORES or PLANE STORES. (See §§ 371.2(c) (2), 371.13(a) and 371.13(b).)

(i) No exportations may be made under this general license to Hong Kong, Macao, a Subgroup A destination, or Cuba;

(ii) No exportations of the commodities listed in § 371.52 may be made under this general license to Poland (including Danzig); and

(iii) No exportations of the commodities listed in § 371.53 may be made under this general license to the Dominican Republic.

NOTE: Gift parcels containing commodities not on the Positive List may be shipped under General License GRO except as indicated in § 371.8(a) (1) (i), (ii), and (iii). Any commodity on the Positive List requires a validated license for export, even though intended as a gift, unless exportable under one of the other general licenses such as GIFT (see § 371.21), GO (see § 371.7), or GLV (see § 371.10).

(b) *Surplus agricultural commodities and manufactures thereof*¹—(1) *Contracts of sale amounting to \$10,000 or more.* (i) Prior to or at the time of entering into a contract to sell for export, or otherwise dispose of for exportation, except as provided by subparagraph (2) of this paragraph:

¹ This procedure is also applicable to such shipments under General License GHK (§ 371.23).

(a) Any commodity obtained directly or indirectly from the Commodity Credit Corporation, either in the form acquired or in processed form;

(b) Any commodity being sold in substitution for a commodity acquired from the Commodity Credit Corporation under an export disposal program; or

(c) Any commodity which is subsidized for export by the Secretary of Agriculture or by the Commodity Credit Corporation, either by cash payment or by payments in kind:

(ii) An exporter shall, where the contract is entered into prior to exportation of the commodity under this general license, either in the contract of sale or in connection therewith, obtain from the foreign purchaser, where the contract amounts to \$10,000 or more, a written acknowledgment of the purchaser's understanding of (a) the prohibition without prior Bureau of Foreign Commerce approval against exportation or reexportation by any person, as set forth in this section and in § 371.4 of any such commodities to Hong Kong, Macao, a Subgroup A destination (see § 371.3), or Cuba, and (b) the sanction of denial of export privileges which may be imposed for violation of the export regulations. Where a contract of sale involving \$10,000 or more is not to be entered into until after exportation under this general license, the exporter shall, either in the contract of sale or in connection therewith, obtain the same type of acknowledgment from the foreign purchaser prior to, or at the time of entering into the contract of sale.

(iii) Where commodities are to be exported by a party other than the original purchaser of the commodities from the Commodity Credit Corporation, the original purchaser shall inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

(iv) Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from Commodity Credit Corporation or subsidized for export by that agency or by the Secretary of Agriculture.

(2) *Exceptions.* The provisions of this paragraph do not apply to an exportation to any country in Group O, except Cuba, or to a sale pursuant to Title I of Public Law 480, 83d Congress, where the purchaser is a foreign government.

(3) *Retention of records.* The document of acknowledgment required to be obtained from the foreign purchaser and the documents constituting evidence of the contract of purchase and sale must be kept available by the exporter for inspection, upon demand, by the Bureau of Foreign Commerce for a period of three years from the date of exportation.

§ 371.10 [Amendment]

6. § 371.10 *General License GLV; shipments of limited value*, paragraph (d) *Positive List commodities* and Note 1 following paragraph (e) are amended to read as follows, and a new Note 4 is added following paragraph (e):

(d) *Positive List commodities.* Commodities included on the Positive List of Commodities (§ 399.1 of this chapter) may be exported in a single shipment under this general license to all destinations, except Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination (see § 371.3(a)), or Cuba, as follows:

(1) *R destinations.* RO or R commodities classified in a single entry on the

Positive List may be exported to Group R destinations, provided that the net value of the shipment is within the dollar-value limit specified in the column headed "GLV Dollar Value Limits."

(2) *O destinations.* RO commodities classified in a single entry on the Positive List may be exported to Group O destinations, except Cuba, provided that the net value of the shipment is within the dollar-value limit specified in the column headed "GLV Dollar Value Limits" (including those limits specified as "none"), or \$500, whichever is higher, except that any commodity identified by the symbol "C" in the Commodity Lists column of the Positive List of Commodities (§ 399.1 of this chapter) may not be exported to the Dominican Republic.

NOTE: R commodities. R commodities may be exported to Group O destinations without dollar-value limit under the provisions of General License GO (§ 371.7).

NOTE: 1. *General License GRO.* Commodities not included on the Positive List of Commodities (see § 399.1) may be exported to any destination except Hong Kong, Macao, Subgroup A, and Cuba without dollar-value limit under the provisions of General License GRO (see § 371.8); however, those commodities listed in § 371.52 may not be exported to Poland (including Danzig) under General License GRO and those commodities listed in § 371.53 may not be exported to the Dominican Republic under General License GRO.

NOTE: 4. *General License GCU.* Certain specified non-Positive List foods, medicines, and medical supplies may be exported to Cuba in unrestricted quantities under the provisions of General License GCU (§ 371.27).

§ 371.16 [Amendment]

7. Section 371.16 *General License GTF; goods imported for trade fairs*, paragraphs (a) and (b) are amended to read as follows:

(a) *Return to country from which imported.* Such commodities may be returned to the country from which imported into the United States except to Communist China, North Korea, the Communist-controlled area of Viet-Nam, or to Cuba.

(b) *Exportation to other destinations.* For exportations which are not being returned to the country from which imported, such commodities may be exported to any destination except:

(i) Where the commodities were imported into the United States pursuant to a United States Import Certificate, or

(ii) Where the exportation from the United States will be made to Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination, or Cuba.

§ 371.18 [Amendment]

8. Section 371.18 *General License GLR; return of certain commodities imported into the United States*, paragraphs (a), (b), and (c) are amended to read as follows:

(a) *Commodities sent to the United States for inspection, testing, calibration or repair.*

(1) Any commodity which has been sent to the United States for inspection, testing, calibration or repair may be exported under this general license to the country from which it was sent, except

as indicated in subparagraph (2) of this paragraph. The commodity returned may include any replacement or rebuilt parts which are necessary to repair the commodity and may be accompanied by any spare part, tool, accessory, or other item sent to the United States for use in connection with the inspection, testing, calibration, or repair.

(2) The provisions of this paragraph do not apply to:

(i) Exportations to Hong Kong, Macao, Poland (including Danzig), a Subgroup A destination, or Cuba.

(ii) Commodities disposed of by United States Government agencies under foreign excess property disposal programs.

(b) *Containers.* Exportation may be made of metal drums, gas cylinders, bags and other containers (whether manufactured in the United States or a foreign country) which are imported into the United States for the purpose of transporting contained commodities to or from the United States to any destination other than Communist China, North Korea, or the Communist-controlled area of Viet-Nam, or to Cuba, whether such container is exported (1) empty, or (2) filled with any commodity which may be exported under a general license, or (3) filled with any commodity for which a validated license has been issued by the Bureau of Foreign Commerce.

(e) *Civil aircraft and aircraft equipment sent from the United States for inspection, testing, calibration, repair or overhaul.* (1) Civil aircraft, or civil aircraft equipment, parts, accessories, or components which were manufactured in a foreign country may be exported under this general license to the country from which originally imported into the the United States or to the country in which manufactured for the purpose of being inspected, tested, calibrated, repaired or overhauled and returned to the United States, except that no exportation may be made under this paragraph to Hong Kong, Macao, a Subgroup A destination, or Cuba. Any commodity exported under this general license shall be returned to the United States as soon as the repair or overhaul is completed.

(2) Where civil aircraft or civil aircraft equipment, parts, accessories or components are returned to the country of manufacture and this is not the same country as the one from which imported into the United States, the name and address of the manufacturer shall be shown on the shipper's export declaration in addition to the other information required by this section.

§ 371.21 [Amendment]

9. Section 371.21 *General License GIFT; shipments of gift parcels, paragraph (c) Commodity, value, and other limitations*, subparagraph (2) *Commodity limitations* is amended to read as follows:

(2) *Commodity limitations.* Commodity which may be included in each gift parcel under this general license are restricted to those normally sent as gifts, such as food, clothing, toilet articles, and medicinals and pharmaceutical prepara-

tions in dosage form. The export of military wearing apparel to Hong Kong, Macao, a Subgroup A destination, or Cuba under this general license is specifically prohibited, whether or not all distinctive United States military insignia, buttons, or other markings are removed.

§ 371.25 [Amendment]

10. Section 371.25 *General License GATS; aircraft on temporary sojourn*, paragraph (b) *United States registered aircraft*, subparagraph (1) is amended to read as follows:

(1) A United States operating civil aircraft may depart from the United States under its own power for any destination except Poland (including Danzig), a destination in Subgroup A, or Cuba, provided that:

(i) The aircraft does not carry from the United States any commodity for which export authorization has not been granted by the appropriate United States Government agency;

(ii) The aircraft is not to be used in any military activity while abroad;

(iii) The aircraft is to be operated only by a United States licensed pilot (except on demonstration flights) while abroad;

(iv) The aircraft, or its equipment, parts, accessories, or components will not be disposed of in any foreign country without prior authorization from the Bureau of Foreign Commerce;

(v) The aircraft's United States registration will not be changed while abroad.

11. Section 371.26 *General License GMS; shipments under the Mutual Security Act* is amended to read as follows:

§ 371.26 General License GMS; shipments under the Mutual Security Act.

(a) A general license designated GMS is hereby established authorizing the exportation of commodities sold by the Department of Defense to a foreign government, other than the government of a Subgroup A country, Poland (including Danzig), or Cuba, under the provisions of the Mutual Security Act of 1954, Public Law 665, 83d Congress, approved August 26, 1954 (68 Stat. 832), as amended. In addition to entering the symbol GMS on the shipper's export declaration (see § 371.2(b)), the MSMS (Mutual Security Military Sales) case number assigned by the Department of Defense to the transaction shall be entered on the declaration.

(b) The following completed destination control statement is required on each copy of the shipper's export declaration, bill of lading, and invoice covering a shipment under this General License GMS:

These commodities licensed by the United States for ultimate destination (Name of country). Diversion contrary to United States law prohibited.

The alternative forms of the destination control statement set forth in § 379.10(c) (2) (ii) and (iii) of this chapter are not applicable to such shipments and will not be accepted.

12. A new § 371.27 is added to part 371 to read as follows:

§ 371.27 General License GCU; shipments of certain commodities to Cuba.

A general license designated GCU is hereby established authorizing the exportation to Cuba of the commodities set forth in § 371.54, Supplement 4; Commodities subject to General License GCU.

13. A new § 371.53 is added to read as follows:

§ 371.53 Supplement 3; Commodities destined to the Dominican Republic which are excepted from General License GRO.

Schedule B No.	Commodity description
70922	Electrical machinery and apparatus. Starting, lighting, and ignition equipment, and specially fabricated parts and accessories, n.e.c., except equipment fabricated exclusively for passenger cars, busses and trailers, and except battery clips; dimmer switches; ignition locks; sockets; spark plug parts; starter springs; switches; terminals; and wiring connectors. ¹
79011	Automobiles, trucks, busses, and trailers, parts, accessories and service equipment:
79013	Gasoline motor trucks and truck chassis, including truck-tractors, new, n.e.c.:
79015	6,000 lbs. G.V.W., and under, gasoline, new:
79017	Commercial.
79019	Military.
79021	6,001 to 10,000 lbs. G.V.W., gasoline, new:
79023	Commercial.
79025	Military.
79027	10,001 to 14,000 lbs. G.V.W., gasoline, new:
79029	Commercial.
79031	Military.
79033	14,001 to 16,000 lbs. G.V.W., gasoline, new:
79035	Commercial.
79037	Military.
79039	16,001 to 19,500 lbs. G.V.W., gasoline, new:
79041	Commercial.
79043	Military.
79045	19,501 to 26,000 lbs. G.V.W., gasoline, commercial, new.
79080	26,001 to 33,000 lbs. G.V.W., gasoline, commercial, new.
79085	33,001 lbs. G.V.W., and over, gasoline, commercial, new.
79113	19,501 lbs. G.V.W., and over, gasoline, military, new.
79130	Diesel and semi-diesel motor trucks and truck chassis, including truck-tractors, new, n.e.c.:
79133	19,500 lbs. G.V.W., and under, diesel and semi-diesel, new:
	Commercial.
	Military.
	19,501 lbs. G.V.W., and over, diesel and semi-diesel, new:
	Commercial.
	Military.
	Special-purpose vehicles, new, n.e.c.:
	Maintenance and repair trucks, commercial.
	Maintenance and repair trucks, military.
	Special-purpose commercial vehicles, new, n.e.c.
	Used commercial motor trucks (including truck-tractors and jeeps) and special-purpose vehicles, n.e.c. ¹
	Used military motor trucks (including truck-tractors and jeeps) and special-purpose vehicles, n.e.c. ¹

Schedule B No.	Commodity description
79148	Parts listed in footnote 2 below, specially fabricated, ordered and invoiced as original equipment for trucks (including truck-tractors and jeeps) and special-purpose vehicles. ^{1,2}
	Parts and accessories for commercial automobiles, trucks, and busses; Engines for assembly:
79151	Motor truck, diesel and semi-diesel.
79153	Motor truck, gasoline.
	Engines for replacement:
79159	Motor truck, diesel and semi-diesel.
79162	Motor truck, gasoline.
79168	Leaf springs, and spring leaves, for replacement, except those fabricated exclusively for passenger cars, busses and trailers.
79261	Parts listed in footnote 2 below, for assembly, except those fabricated exclusively for passenger cars, busses and trailers. ^{1,2}
79262	Parts listed in footnote 2 below, for spares, replacement, or manufacture into larger components, except those fabricated exclusively for passenger cars, busses and trailers. ^{1,2}
79277	Parts listed in footnote 2 below, for military automotive vehicles, except those fabricated exclusively for passenger cars, busses and trailers. ^{1,2}

¹For other items under this Schedule B number which require a validated license for shipments to the Dominican Republic see the Positive List (§ 399.1).

²The following parts and accessories are included in this list under Schedule B Nos. 79148 through 79277: axle shafts; ball and socket joints; brake drums; carburetors; clutch plates; clutches; connecting-rod bearings; crankshaft bearings; crank shafts; cylinder blocks; cylinder heads; diesel fuel injection equipment; differential gears; differential units; drive gears; drive shafts; engine bearings; engine parts; engine rebuilding packages; engines; engine valve assemblies; four-wheel drive conversion units; fuel pumps; gear shift units; gears, rear end; knee-action springs (helical or coil); leaf springs; main bearings; needle valves; piston rings; pistons; propeller shafts; rear axle housings; spring leaves; steering apparatus; third axle assemblies; timers; timing gears; torque converters; transmission gears; transmission units; universal joints; water pumps; and wheels.

14. A new § 371.54 is added to read as follows:

§ 371.54 Supplement 4; Commodities subject to General License GCU.

Commodity	Schedule B No.
Animals, edible.....	00113-00199
Meat and meat products.....	00200-00430
Animal oils and fats, edible.....	00505-00550
Fish and fish products.....	00700-00899
Other edible animal products.....	00921-00990
Grains and preparations:	
Barley malt.....	10130
Corn meal, corn flour, corn grits, and hominy, fit for human consumption.....	10321-10330
Corn cereal foods, ready-to-eat.....	10370
Oatmeal, groats, and rolled oats.....	10430-10440
Macaroni and macaroni products.....	10770
Bakery products.....	10781
Prepared flour mixes.....	10790
Wheat cereal foods.....	10800-10810
Breakfast cereal foods, n.e.c.....	10950
Grains and preparations, n.e.c.....	10990

Commodity	Schedule B No.
Vegetables and preparations, edible.....	12001-12599
Fruits and preparations.....	13010-13560
Nuts and preparations:	
Apricot and peach pits and kernels (shelled or not shelled).....	13740
Pecans, walnuts, sweet almonds, and filberts.....	13761-13797
Nuts, n.e.c., and nut preparations, n.e.c.....	13799
Vegetable oils, fats, and waxes, refined.....	14210-14500
Cocoa, coffee, tea, and substitutes.....	15010-15139
Spices.....	15492-15498
Sugar and related products.....	16190-16370
Beverages and related products.....	17015-17800
Absorbent cotton, absorbent rayon staple, sterilized gauze, and sterilized bandages.....	39820
Electrical machinery and apparatus:	
X-ray tubes and valves, medical and dental types only.....	70751
X-ray apparatus, n.e.c., medical and dental types only, and specially fabricated parts and accessories therefor.....	70755
Electric therapeutic apparatus, n.e.c., and specially fabricated parts and accessories, n.e.c.....	70759
Medicinal and pharmaceutical preparations.....	81110-81800
Chemical specialties:	
Baking powder.....	82300
Natural and synthetic flavors and natural and synthetic flavoring extracts.....	82945-82956
Pectin and preparations.....	82960
Licorice extract and mass.....	82990
X-ray film, medical and dental only, sheet, pack or roll, unexposed.....	91261
Scientific and professional instruments, apparatus, and supplies, n.e.c.:	
Ophthalmic lenses.....	91420
Ophthalmic spectacles, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91438
Optical examining and diagnostic instruments, apparatus, and specially fabricated parts and accessories, n.e.c.....	91496
Dental instruments, and specially fabricated parts and accessories, n.e.c.....	91500
Teeth, dentures, and bridges.....	91520
Precious metals for dentistry.....	91530
Dental professional, and laboratory equipment, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91555
Dental supplies, n.e.c.....	91559
Sterilizers and autoclaves, dental, medical, surgical, and laboratory.....	91565
Surgical and medical diagnostic instruments, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91574
Surgical and medical instruments, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91575
Hearing devices, and specially fabricated parts and accessories, n.e.c.....	91581
Surgical appliances, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91585
Surgical and medical apparatus, n.e.c., and specially fabricated parts and accessories, n.e.c.....	91599

Commodity	Schedule B No.
Commodities exported for relief or charity by individuals and private agencies, n.e.c., the following only: surgical, sanitary and hospital supplies, equipment, and parts.....	99890

§ 372.12 [Amendment]

15. Section 372.12 *Reexportation from country of destination*, paragraph (b) *Permissive reexportations*, subparagraph (6) is amended to read as follows:

(6) Any commodity which has been exported from the United States may be reexported from any destination to any other destination; provided that at the time of reexportation, the commodities to be reexported may be exported directly from the United States to the new country of destination either (i) under General License GO, GRO, G-PUB, GHK, GLSA, or GCU, or (ii) where the value of the reexportation does not exceed the GLV dollar-value limit shown on the Positive List with reference to the country of destination.

§ 373.5 [Amendment]

16. Section 373.5 *Licensing policy for agricultural commodities and manufactures thereof covering shipments to Subgroup A destinations* is amended in the following respects: The section heading, paragraph (a) and subparagraph (1) of paragraph (b) are amended to read as follows:

§ 373.5 Licensing policy for agricultural commodities and manufactures thereof covering shipments to Subgroup A destinations or Cuba.

(a) *Subsidized commodities*. It is the general policy of the Bureau of Foreign Commerce to deny applications for validated licenses to export, or authority to reexport, agricultural commodities and manufactures thereof to any Subgroup A destination or Cuba, where the proposed shipment (1) consists of any commodity which is acquired directly or indirectly from the Commodity Credit Corporation, whether in the form acquired or in processed form; (2) consists of any commodity which is shipped in substitution for a commodity acquired directly or indirectly from the Commodity Credit Corporation under an export disposal program; or (3) is subsidized for export, by the Secretary of Agriculture or by the Commodity Credit Corporation either by cash payments or by payments in kind.

(b) *Non-subsidized commodities*—(1) *Exports from the United States*. License applications covering proposed shipments of agricultural commodities and manufactures thereof to any Subgroup A destination, except Communist China, North Korea, or the Communist-controlled area of Viet-Nam, or to Cuba, may be considered for approval if approval would not be in conflict with the policy stated in paragraph (a) of this section. Such license application submitted to the Bureau of Foreign Commerce shall contain the following certification in the space entitled "Additional Information" or on an attachment thereto:

I (We) certify (1) that the commodities covered by this application have not been and will not be obtained directly or indirectly from Commodity Credit Corporation stocks; (2) that the commodities will not be shipped in substitution for a commodity acquired directly or indirectly from the Commodity Credit Corporation under an export disposal program; or (3) that if the exportation is eligible for a subsidy under a surplus agricultural commodity export program of the Secretary of Agriculture or the Commodity Credit Corporation, such subsidy has not been and will not be claimed or obtained.

17. Sections 373.11, 373.13, 373.17, 373.20, 373.24, 373.28 and 373.54 are amended to read as follows:

§ 373.11 Applicability of multiple commodity group provisions to Commodity Group OO commodities.

Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.13 Applicability of multiple commodity group provisions to Commodity Group O commodities.

Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.17 Applicability of multiple commodity group provisions to Commodity Group I commodities.

Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.20 Applicability of multiple commodity group provisions to Commodity Group 2 commodities.

(a) All commodities within Commodity Group 2 which are identified on the Positive List of Commodities by the symbol "A" in the "Commodity Lists" column (see § 399.1 of this chapter) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

(b) Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.24 Applicability of multiple commodity group provisions to Commodity Group 3 commodities.

(a) All commodities within Commodity Group 3 which are identified on the Positive List of Commodities by the symbol "A" in the "Commodity Lists" column (see § 399.1 of this chapter) are subject to the Import Certificate/Delivery Verification requirements as set forth in § 373.2.

(b) Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.28 Applicability of multiple commodity group provisions to Commodity Group 4 commodities.

Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.54 Applicability of multiple commodity group provisions to Commodity Group 8 commodities.

(a) All commodities within Commodity Group 8 which are identified on the Positive List of Commodities by the symbol "A" in the "Commodity Lists" column (see § 399.1 of this chapter) are subject to the Import Certificate/Delivery Verification requirements set forth in § 373.2.

(b) Applications for licenses to export agricultural commodities and manufactures thereof, to any Subgroup A destination or to Cuba, shall conform with the special provisions set forth in § 373.5.

§ 373.51 [Amendment]

18. Section 373.51 *Aircraft and equipment, parts, accessories, and components thereof* is amended in the following particulars:

a. Paragraph (a) *Spare parts accompanying aircraft* is amended to read as follows:

(a) *Spare parts accompanying aircraft.* Notwithstanding the provisions of § 372.5 (a), (d) and (e) of this chapter, where the applicant intends to export aircraft and accompanying spare parts for such aircraft to any destination except Poland (including Danzig), a Subgroup A destination, or Cuba, the applicant may (1) include both the aircraft and the accompanying spare parts on a single application even though these commodities may not have the same processing code or the same related commodity group numbers; (2) show on the application the total value of all the accompanying spare parts without the necessity for indicating the value of each Schedule B entry shown on the application, if at the time of submitting the application the applicant is unable to determine the value of the parts for each Schedule B number. The provisions of this paragraph do not relieve the applicant from classifying the commodities shown on the application in accordance with Schedule B or from describing the commodities in accordance with Positive List or Schedule B commodity description terminology.

b. In the note following paragraph (a) the questions and answers numbered 19, 29, 30 and 40 are amended to read as follows:

19. Q. Where one export order covers a number of different commodities, all of which are licensed by the Department of Commerce, may all commodities be included in one license application, using a general description and one total price?

A. A single license application may include only those commodities shown on the Positive List as having the same processing code and the same commodity group number. Where such commodities are covered in

separate Positive List entries, they must be listed separately on the license application, with a separate price shown for each listing (see § 372.5 (d) and (f) of this chapter).

One exception to this rule is permitted. Where the applicant intends to export aircraft and accompanying spare parts for such aircraft to any destination except Poland (including Danzig), a Subgroup A destination, or Cuba, the applicant may (1) include both the aircraft and the accompanying spare parts on a single application even though these commodities may not have the same processing code or the same related commodity group number; (2) show on the application the total value of all the accompanying spare parts without the necessity for indicating the value of each Schedule B entry shown on the application, if at the time of submitting the application the applicant is unable to determine the value of the parts for each Schedule B number. This exception does not relieve the applicant from classifying the commodities shown on the application in accordance with Schedule B or from describing the commodities in accordance with Positive List or Schedule B commodity description terminology. Exporters are reminded that value must be shown on the Shipper's Export Declaration in accordance with the regulations of the Bureau of Census, even though the value may not appear on the export license.

29. Q. Where an aircraft is brought to the United States for repair or overhaul, must a validated license be obtained to return the aircraft to the country from which it came to the United States?

A. The aircraft usually may be returned under General License GLR. This general license does not apply, however, to aircraft being exported to Hong Kong, Macao, a Subgroup A country, or Cuba, or to aircraft disposed of by a United States Government agency under the Foreign Excess Property Disposal Program (see § 371.18 of this chapter).

30. Q. If an aircraft is brought to the United States to be converted from piston to turbo-prop, is a validated license required to return the converted plane?

A. The aircraft may be returned under General License GLR to any destination except Hong Kong, Macao, a Subgroup A country, or Cuba. A validated license is required for the return of the aircraft to Hong Kong, Macao, a Subgroup A country, or Cuba.

40. Q. Do maintenance, repair or operating manuals, instruction sheets, and blueprints for aircraft require a validated export license?

A. No. Such maintenance, repair, or operating instructional material for aircraft may be exported under General License GTDU to any destination except Communist China, North Korea, or the Communist-controlled area of Viet-Nam.

c. Paragraph (b) *Exchange of aircraft equipment, parts, accessories, and components by air lines* is amended by revising subdivisions (ii) and (iii) of subparagraph (1) to read as follows:

(ii) The commodities will not be supplied for use on any aircraft registered in, or owned, operated, or controlled by or chartered or leased to a Subgroup A country, Poland (including Danzig), or Cuba, or a national of one of these countries; and

(iii) The commodities will not be supplied for use on any aircraft located in a Subgroup A country, Poland (including Danzig), or Cuba.

§ 379.3 [Amendment]

19. Section 379.3 *Presentation of shipper's export declaration*, paragraph (e) *Special requirements*, subparagraph (4) *Optional ports of unloading*, subdivision (v) is amended to read as follows:

(v) In no event does the procedure set forth in this subparagraph apply to any shipment destined directly or indirectly to Hong Kong, Macao, Subgroup A destinations, or Cuba. (For shipments to other destinations via Hong Kong, see § 370.9 of this chapter.)

§ 379.10 [Amendment]

20. Section 379.10 *Destination control*, paragraph (c) *Statement regarding ultimate destination on declaration, bill of lading, and commercial invoice* is amended to read as follows:

(c) *Statement regarding ultimate destination on declaration, bill of lading, and commercial invoice.* (1) The provisions of this paragraph (c) apply to (i) a shipment made under a general license where a declaration is required to be presented to the Collector of Customs, except for General Licenses BAGGAGE, TOOLS OF TRADE, GIT, G-PUB, GTDP, and GTDS; (ii) a shipment made under a validated license.

NOTE: The provisions of this paragraph (c) are inapplicable to shipments intended for consumption in Canada, since these exportations to Canada require neither a validated nor a general license. However, these provisions are applicable to shipments through Canada to other foreign countries.

(2) An appropriate destination control statement shall be entered on all copies of the declaration^{1 2} presented for authentication to the Collector of Customs, in accordance with the provisions set forth below, for all shipments subject to the provisions of this paragraph (c).

¹ Where the country of ultimate destination is Viet-Nam, the destination control statement shall be filled in as required by § 373.68 of this chapter, regardless of the country designation shown on the shipper's export declaration, and regardless of whether the shipment is made under a validated or a general license.

² Where the country of ultimate destination shown on a shipper's export declaration is either United Arab Republic (Egypt Region) or United Arab Republic (Syria Region), any of the following appropriate designations may be used in the destination control statement: Egypt, Syria, United Arab Republic, United Arab Republic (Egypt Region), or United Arab Republic (Syria Region).

(i) The following statement shall be entered on the declaration covering an exportation under either a validated or general license, other than General Licenses BAGGAGE, TOOLS OF TRADE, GIT, G-PUB, GTDP, or GTDS, with the blank space filled in with the name of the country of ultimate destination set forth in the declaration; unless, instead of this statement an appropriate statement as provided in subdivisions (ii) or (iii) of this subparagraph has been entered.

These commodities licensed by the United States for ultimate destination (Name of country). Diversion contrary to United States law prohibited.

NOTE: In some instances the destination control statement used by an exporter or his agent for a specific shipment may indicate that the shipment cannot be reexported to a destination to which the ultimate consignee or purchaser wishes to sell or distribute the commodities; however, the reexportation provisions of the export regulations (§§ 371.4 and 372.12 of this chapter) would permit the reexportation. Where this occurs, and permission to distribute or resell is requested by the foreign importer or any other party in possession of the commodities, the exporter, without obtaining written approval of the Bureau of Foreign Commerce, may inform the foreign importer or other party that distribution or resale may be made in accordance with the reexportation provisions where applicable. In all other instances, written approval shall be obtained from the Bureau of Foreign Commerce.

(ii) Instead of the statement set forth in subdivision (i) of this subparagraph, the following statement may be substituted with the blank spaces filled in as instructed below, except where the shipment is made under General License GMS:

These commodities licensed by the United States for ultimate destination ----- and for distribution or resale in ----- Diversion contrary to the United States law prohibited.

(a) If the exportation is made under a general license, other than General Licenses BAGGAGE, TOOLS OF TRADE, GIT, GMS, G-PUB, GTDP, or GTDS, insert the name of the country to which the shipment is being made in the first blank space and the following words in the last blank space, "any destination except Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, Communist controlled areas of Viet-Nam and Laos,¹ or Cuba unless otherwise authorized by the United States." Where commodities listed in § 371.52 of this chapter, "Commodities destined to Poland (including Danzig) which are excepted from General License GRO," are exported to any destination under any general license requiring a destination control statement on the declaration covering such exportation, the destination control statement shall be changed to add Poland and Danzig to the list of excepted destinations. Similarly, where commodities listed in § 371.53 of this chapter, "Commodities destined to the Dominican Republic which are excepted from General License GRO," are exported to any destination under any general license requiring a destination control statement on the declaration covering such exportation, the destination control statement shall be changed to add the Dominican Republic to the list of excepted destinations.

¹ The words "and Laos" may be deleted at the exporter's discretion.

(b) Where a shipment is made under the provisions of General License GLSA, the phrase "Soviet Bloc" may be deleted from the insertion in the last blank space of the above statement. Similarly, if a shipment is made under the provisions of General License GHK, the destination "Hong Kong" or "Macao" may be deleted from the insertion in the last blank space of the above statement, and if shipment is made under the provisions of General License GCU, the destination

"Cuba" may be deleted. In addition, where a shipment is made under any general license and it is known or believed that the foreign importer intends to reexport to one of the excepted destinations included in the insertion in the last blank space of the above statement, the excepted destination may be deleted from the insertion in the last blank space provided that § 371.4(b) of this chapter permits such reexportation. For example, if a shipment is made from the United States to France under General License GRO, and the commodity being shipped is subject to the provisions of General License GLSA, the phrase "Soviet Bloc" may be deleted from the insertion in the last blank space of the above statement.

(c) If the exportation is made under a validated license, insert in the first blank space the name of the country shown on the license as country of ultimate destination. In the last blank space, insert the names of the countries shown on the license as approved destinations for distribution or resale. If no country is shown on the license as approved for distribution or resale, insert the word "none" in the last blank space.

NOTE: The Note following § 379.10(c)(2)(i) is also applicable to requests for permission to distribute or resell where the statement set forth in subdivision (ii) is used.

(iii) Where a shipment is made under a general license, other than General Licenses BAGGAGE, TOOLS OF TRADE, GIT, GMS, G-PUB, GTDP, or GTDS, the following statement may be entered on the declaration instead of the statements set forth in subdivisions (i) and (ii) of this subparagraph:

United States law prohibits disposition of these commodities to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, Communist controlled areas of Viet Nam and Laos¹, or Cuba unless otherwise authorized by the United States.

¹ The words "and Laos" may be deleted at the exporter's discretion.

(a) Where commodities listed in § 371.52 of this chapter, "Commodities destined to Poland (including Danzig) which are excepted from General License GRO," are exported to any destination under any general license requiring a destination control statement on the declaration covering such exportation, the destination control statement shown above shall be changed to add Poland and Danzig to the list of excepted destinations. Similarly, where commodities listed in § 371.53 of this chapter, "Commodities destined to the Dominican Republic which are excepted from General License GRO," are exported to any destination under any general license requiring a destination control statement on the declaration covering such exportation, the destination control statement shall be changed to add the Dominican Republic to the list of excepted destinations.

(b) If a shipment is made under the provisions of General License GLSA, the phrase "Soviet Bloc" may be deleted from the above statement. Similarly, if a shipment is made under the provisions of General License GHK, the destination "Hong Kong" or "Macao" may be

deleted from the above statement, and if shipment is made under the provisions of General License GCU, the destination "Cuba" may be deleted. In addition, where a shipment is made under any general license and it is known or believed that the foreign importer intends to reexport to one of the excepted destinations, the excepted destination may be deleted from the above statement provided that § 371.4(b) of this chapter permits such reexportation. For example, if a shipment is made from the United States to France under General License GRO, and the commodity being shipped is subject to the provisions of General License GLSA, the phrase "Soviet Bloc" may be deleted from the above statement.

NOTE: The Note following the destination control statement set forth in § 379.10(c) (2)(i) is also applicable to requests for permission to distribute or resell where the statement set forth in subdivision (iii) is used.

(3) (i) No carrier by water, land, or air shall issue, and no licensee, shipper, consignor, exporter or consignee, or their agents, or any other person, shall prepare or procure a bill of lading covering an exportation of a commodity with respect to which a declaration has been authenticated by a Collector containing the applicable statement set forth in subparagraph (2) of this paragraph, unless all copies of such bill of lading, including all non-negotiable and office copies except as provided in subdivision (ii) of this subparagraph shall contain the same statement.

(ii) In the case of shipments by air (other than airmail or air parcel post) the provisions of subdivision (i) of this subparagraph are applicable to: (a) Any air waybill issued by a consolidator (indirect carrier) for an exportation included in a consolidated shipment; or (b) Any air waybill issued by a carrier or other person covering an exportation not included in a consolidated shipment. The provisions of subparagraph (2) of this paragraph do not apply to a "master" air waybill issued by a carrier to cover a consolidated shipment.

(4) No licensee, shipper, or consignor, exporter, or agent thereof, or any other person, shall prepare or issue any commercial invoice with respect to any shipment of commodities subject to the provisions of this paragraph, unless such invoice or invoices, and all copies thereof, shall contain on the face thereof the same destination control statement. This statement shall be an applicable statement as set forth in subparagraph (2) of this paragraph.

(5) No carrier shall release custody of commodities covered by the provisions of this paragraph to any party (including an agent, on-carrier, or any other person) without surrender by that party, to the carrier, of a copy of the bill of lading bearing on its face the applicable destination control statement set forth in subparagraph (2) of this paragraph, unless either:

(i) Simultaneously with the release of the commodities, the carrier delivers to such party a written copy of the destination control statement contained in the

carrier's copy of the bill of lading covering the shipment. The written copy shall identify the shipment by bill of lading number, name of carrier, voyage number, date, and port of arrival. In addition, the carrier shall secure either a signed receipted copy of the written statement or other equivalent written evidence that the statement has been delivered by the carrier; or,

(ii) The regulations of the importing country require the carrier to deliver the commodities directly into the physical possession and control of Customs or other Government agency for delivery to the consignee or his agent. Under these circumstances the carrier need not give to or receive from the Customs or other Government agency, or the consignee or his agent, any document bearing the destination control statement.

§ 379.10 [Amendment]

21. The interpretive questions and answers following § 379.10(g) are amended by revising numbers 10 and 15 to read as follows:

10. Q. The third destination control statement applicable exclusively to general license exportations (see § 379.10(c) (2) (iii)) reads:

"United States law prohibits distribution of these commodities to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, Communist controlled areas of Viet Nam and Laos, or Cuba, unless otherwise authorized by the United States."

May any of the destinations be deleted from this statement?

A. Yes. The destination "Laos" may be deleted for exports under General License. In addition, where a shipment of commodities may be exported under the provisions of General License GHK, the destinations, "Hong Kong" and "Macao" may be deleted from the above statement. Also, if shipment is made to Cuba under General License GCU, the destination "Cuba" may be deleted from the statement. Similarly, where a shipment of commodities may be exported under General License GLSA, the destinations, "Hong Kong," "Macao," and "Soviet Bloc," may be deleted from the above statement. For example, if a shipment is made from the United States to France under General License GRO, and the commodity being shipped is subject to the provisions of General License GLSA, the destinations "Hong Kong," "Macao," "Laos," and "Soviet Bloc," may be deleted from the excepted destinations in the above statement.

The deletion may be made by striking out or otherwise obliterating "Hong Kong," "Macao," "Laos," "Soviet Bloc," or "Cuba" from statements where general licenses apply to these destinations for the commodity of reference.

15. Q. How may a United States exporter answer a request from a foreign customer for permission to reexport a shipment of United States origin goods where the destination control statement covering the shipment appears to prohibit such reexportation?

A. If the proposed reexportation is authorized by the provisions of §§ 371.4 and 372.12 of this chapter, the United States exporter may notify his foreign customer, without consulting the Bureau of Foreign Commerce, that reexportation is authorized by the Bureau of Foreign Commerce.

Example: A foreign purchaser in France has received a shipment of candy, Schedule B No. 16340, from a United States exporter under General License GRO. The bill of lading and commercial invoice received by the purchaser carry the destination control statement shown in § 379.10(c) (2) (iii) which

is used exclusively for general license shipments and which prohibits reexportation to the Soviet Bloc, Communist China, North Korea, Macao, Hong Kong, Communist controlled area of Viet-Nam, or Cuba unless otherwise authorized by the United States. The French firm informs the United States exporter that it wishes to reexport the candy to a Soviet Bloc country in Europe. The United States exporter may notify the French firm that the Bureau of Foreign Commerce authorizes reexportation to the European Soviet Bloc under the provisions of § 371.4 of this chapter, since candy is on the list of commodities which may be shipped direct from the United States to the European Soviet Bloc under General License GISA.

If a foreign purchaser requests permission to reexport a shipment of United States commodities, and the proposed reexportation is not authorized by the provisions of §§ 371.4 or 372.12 of this chapter, or on the face of the license issued to the United States exporter, the shipment may be reexported only on the basis of special authorization issued to the United States exporter (or on occasion to a carrier or through a United States Embassy or Consulate or to the importer) by the United States Department of Commerce.

Exporters are cautioned that advice to their foreign customers regarding reexportation of United States commodities should be confined to a specific request in connection with a specific shipment and should not be given on a "blanket" basis in advance. The Bureau of Foreign Commerce takes this position primarily because United States regulations are subject to constant change, a fact which could result in causing "blanket" advice to become obsolete. Furthermore, a United States exporter is held responsible for any incorrect or misleading advice which he gives to foreign parties concerning United States export control regulations.

§ 380.2 [Amendment]

22. Section 380.2 *Amendments or alterations of licenses*, paragraph (f) *Where to file*, subparagraph (3) *Amendment requests on which field offices may not take action*, subdivision (i) is amended to read as follows:

(i) Request for amendment of a license covering an exportation to a Subgroup A country or Cuba, unless the amendment involves no more than a correction of obvious error(s) in the license, such as a mistake in typing.

§ 385.2 [Amendment]

23. Section 385.2 *General Licenses GTDP, GTDU, and GTDS*, paragraph (b) *General License GTDU; unclassified technical data either unpublished or not generally available in published form*, subparagraphs (2) and (4) are amended to read as follows:

(2) This general license shall not be applicable to any exportation of technical data directly or indirectly to any Subgroup A destination, Poland (including Danzig), or Cuba; except that technical data such as manuals, instruction sheets, or blueprints may be exported to any destination other than Communist China, North Korea, or the Communist-controlled area of Viet-Nam, provided that the technical data are:

(i) Sent as part of the transaction involving and directly related to, a commodity licensed for export from the United States to the same consignee and destination to which the commodity was or will be exported;

- (ii) Sent no later than one year following the shipment of the commodity to which the technical data are related;
- (iii) Of a type normally delivered with the commodity;
- (iv) Necessary to the assembly, intallation, maintenance, repair, or operation of the commodity; and
- (v) Not related to the production, manufacture, or construction of the commodity.

* * * * *

(4) Except as provided in subdivision (ii) of this subparagraph, this general license is not applicable to any exportation of technical data of the kind described in subdivision (i) of this subparagraph unless, prior to the exportation, the exporter has received written assurance from the importer that neither the technical data nor the product¹ thereof is intended to be shipped, either directly or indirectly, to a Subgroup A destination, Poland (including Danzig), or Cuba. Where such assurance is not obtained, the exportation of the technical data may be made only under a validated license. The required assurance may be in the form of a letter or other written communication from the importer evidencing such intention, or a licensing agreement which restricts disclosure of the technical data for use only in a country not in Subgroup A, Poland (including Danzig), or Cuba and prohibits shipment of the product¹ thereof by the licensee to a Subgroup A country, Poland (including Danzig), or Cuba. An assurance included in a licensing agreement will be acceptable for all exportations made during the life of the agreement. In addition this general license is not applicable to any exportation of technical data of the kind described in subdivision (i) of this subparagraph if, at the time of exportation of the technical data from the United States, the exporter knows or has reason to believe that the product¹ to be manufactured abroad by use of the technical data is intended to be exported or reexported directly or indirectly to a Subgroup A destination, Poland (including Danzig), or Cuba.

¹The term "product", as used in this sentence and in this context only, means the machine, equipment, plant, process, or service to be produced directly by use of the technical data, and not the commodity to be produced by or with such machine, equipment, plant, process, or service. An example of the product of technical data is reforming process equipment designed and constructed by use of the technical data exported. However, the aromatics produced by the reformer are not covered by this definition.

- (i) Technical data and services listed in (a) of this subdivision for the plants, processes, and equipment listed in (b) of this subdivision.
 - (a) *Types of technical data and services.* (1) Proprietary research and the results therefrom;
 - (2) Processes developed pursuant to research (including technology with regard to component equipment items);

- (3) Catalyst production, activation, utilization, reactivation and recovery;
 - (4) Plant and equipment design and layout to implement the processes; and
 - (5) Construction and operation of plant and equipment.
- (b) *Types of plants and processes.* The following plants and/or processes usable in the treatment of petroleum or natural gas fractions or of products derived directly or indirectly therefrom:¹

Alkylation.	Nitration.
Aromatization.	Oxidation.
Cracking.	Oxo process.
Dehydrogenation.	Ozonolysis.
Desulfurization.	Polymerization.
Halogenation.	Reduction.
Hydrogenation.	Reforming.
Isomerization.	

¹This includes plants and processes for the production, extraction, and purification of petroleum products, petrochemical products, and products derived therefrom. Examples of petrochemical products include methane, ethane, propane, butane and other aliphatics, as well as olefins, aromatics, naphthenes, and elements and other compounds.

(ii) The limitations set forth in this subparagraph (4) do not apply to the exportation of technical data included in an application for the foreign filing of a patent, provided such foreign filing of a patent application is in accordance with the regulations of the United States Patent Office.

This amendment shall become effective as of 12:01 a.m., October 20, 1960, except that shipments of any commodities removed from general license to Cuba as a result of this amendment which were on dock for lading, on lighter, laden aboard an exporting carrier or in transit to a port of exit pursuant to actual orders for export prior to the effective date hereof, may be exported under the previous general license provisions up to and including November 21, 1960. Any such shipment not laden aboard the exporting carrier on or before November 21, 1960, requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORENG K. MACY,
Director,
Bureau of Foreign Commerce.

[F.R. Doc. 60-9836; Filed, Oct. 19, 1960; 8:53 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerances for Residues of Malathion

A petition was filed with the Food and Drug Administration by American Cy-

anamid Company, New York, New York, requesting the establishment of a tolerance of 8 parts per million for residues of malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) in or on each of the raw agricultural commodities pasture and range grass, grass and grass hay, and pea vines for forage.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which tolerances are being established. Pasture and range grass are included in the categories "grass" and "grass hay"; pea vines for forage are included in the categories "pea vines" and "pea vine hay."

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7(g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.111) are amended by adding tolerances of 8 parts per million on grass and grass hay, pea vines, and pea vine hay. All paragraph designations are hereby deleted to facilitate insertion of new tolerances. As amended § 120.111 reads as follows:

§ 120.111 Tolerances for residues of malathion.

Tolerances are established for residues of malathion (O,O-dimethyl dithiophosphate of diethyl mercaptosuccinate) in or on raw agricultural commodities as follows:

From preharvest application: 8 parts per million in or on alfalfa, apples, apricots, asparagus, avocados, barley, beans, beets (including tops), blackberries, blueberries, boysenberries, broccoli, brussels sprouts, cabbage, carrots, cauliflower, celery, cherries, clover, collards, corn forage, cranberries, cucumbers, currants, dandelions, dates, dewberries, eggplants, endive (escarole), figs, garlic, gooseberries, grapefruit, grapes, grass, grass hay, guavas, horseradish, kale, kohlrabi, kumquats, leeks, lemons, lettuce, limes, loganberries, mangoes, melons, mushrooms, mustard greens, nectarines, oats, onions (including green onions), oranges, parsley, parsnips, passion fruit, peaches, pears, peas, pea vines, pea vine hay, pecans, peppermint, peppers, pineapples, plums, potatoes, prunes, pumpkins, quinces, radishes, raspberries, rice, rutabagas, rye, salsify (including tops), shallots, spearmint, spinach, squash (both summer and winter squash), strawberries, Swiss chard, tangelos, tangerines, tomatoes, turnips (including tops), walnuts, watercress, wheat.

From postharvest application: 8 parts per million in or on peanuts and the following grains: Barley, corn, oats, rice, rye, sorghum, wheat.