

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934

VOLUME 25NUMBER 228

Washington, Wednesday, November 23, 1960

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Order from Superintendent of Documents,
 United States Government Printing Office,
 Washington 25, D.C.

Rules and Regulations

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 2—DELEGATIONS OF AUTHORITY

Miscellaneous Amendments

1. Section 2.5 is revised to read as follows:

§ 2.5 Delegation of authority to certify copies of documents, records, or papers in Veterans Administration files.

Persons occupying or acting in the following positions in the office of the General Counsel are authorized to certify copies of public documents, records, or papers belonging to or in the files of the Veterans Administration for the purposes of 38 U.S.C. 202: General Counsel, Deputy General Counsel, Assistant General Counsel, and Deputy Assistant General Counsel.

2. Section 2.6 is added to read as follows:

§ 2.6 Administrator's delegations of authority to certain officials (38 U.S.C. 212(a)).

Employees occupying or acting in the positions designated in this section are delegated authority as indicated:

(a) *Department of Medicine and Surgery.* The Chief Medical Director is delegated authority:

(1) To act on all matters assigned to the Department of Medicine and Surgery by statute (38 U.S.C. Ch. 73) and by regulation, except such matters as require the personal attention or action of the Administrator.

(2) To revise, exceed, delete, increase, or decrease fees contained in Veterans Administration Department of Medicine and Surgery Manual M-1, part I, appendix A (following agreement therefor as provided in the contract with the intermediary involved), in an approved State fee schedule, and to add additional fees when found to be necessary, provided such fees are not in excess of those customarily charged the general public, in the community concerned, for the same service.

(3) To designate the Deputy Medical Director, or other physician of the Department of Medicine and Surgery, and authority is hereby delegated such designee to perform the functions prescribed in subparagraph (2) of this paragraph.

(4) To revise, exceed, delete, increase or decrease dental fees established in Veterans Administration Department of Medicine and Surgery Manual M-4, chapter 6, and any amendments thereto, and to add additional fees when found to be necessary, provided: such fees are not in excess of those customarily charged the general public, in the community concerned, for the same service.

(5) To designate the Assistant Chief Medical Director for Dentistry and authority is hereby delegated such designee to perform the functions prescribed in subparagraph (4) of this paragraph.

(b) *Department of Veterans Benefits.*

(1) The Chief Benefits Director is delegated authority:

(i) To act on all matters assigned to the Vocational Rehabilitation and Education Service, which do not require the personal attention or action of the Administrator.

(ii) To approve contracts with State and local agencies covering the services enumerated in 38 U.S.C. 1645.

(iii) To approve and accept contracts with educational institutions for courses of instruction by correspondence to be furnished to eligible veterans under 38 U.S.C. Ch. 31, and section 12(a), Public Law 85-857.

(iv) To supervise the administration of the provisions of 38 U.S.C. 631 under the agreement pursuant to this legislation consummated with the Government of the Republic of the Philippines and such regulations as may be promulgated by the Administrator of Veterans Affairs.

(2) The Controller, Department of Veterans Benefits, is delegated authority:

(i) To request advances of funds from the Secretary of the Treasury for the purpose of making direct loans to veterans pursuant to 38 U.S.C. 1823; to authorize the investment of reserves in obligations of the Government of the United States; and to authorize the deposit of excess funds into the Treasury of the United States to the credit of miscellaneous receipts pursuant to 38 U.S.C. 1823(c).

(ii) To approve SF 1151, Nonexpenditure Transfer Authorization, in accordance with section 1210, Public Law 759, 81st Congress, and General Accounting Office Policy and Procedures Manual, title 7, chapter 2000.

(iii) To approve SF 1220, Statement of Transactions, pursuant to 31 U.S.C. 75, 78, and 82, and section 119, Public Law 784, 81st Congress.

(3) The Director, Vocational Rehabilitation and Education Service, is delegated authority:

(i) To act on all matters assigned to the Vocational Rehabilitation and Education Service which do not require the personal attention or action of the Administrator or the Chief Benefits Director.

(ii) To approve contracts with State and local agencies covering the services enumerated in 38 U.S.C. 1645.

(iii) To approve and accept contracts with educational institutions for courses of instruction by correspondence to be furnished to eligible veterans under 38 U.S.C. Ch. 31 and section 12(a), Public Law 85-857.

(4) The special assistant to the Director, Vocational Rehabilitation and Education Service, is delegated authority to assume, when acting for the director, all

the authority, duties, and responsibilities of the Director enumerated in subparagraph (3) (ii) and (iii) of this paragraph.

(5) The Manager, Veterans Administration Regional Office, Manila, Philippines, is delegated authority:

(i) To exercise such of the authorities currently delegated to Managers of regional offices as are appropriate to the administration in the Republic of the Philippines of the laws governing the Veterans Administration.

(ii) To approve or disapprove educational institutions and on-the-job training establishments for purposes of section 12(a), Public Law 85-857, and 38 U.S.C. Chs. 33 and 35.

(iii) To administer the provisions of 38 U.S.C. 631 under such regulations as may be promulgated by the Administrator of Veterans Affairs.

(6) The Veterans Administration representative in the Canal Zone is delegated authority as follows:

(i) To furnish general information and assistance, including assistance to claimants and beneficiaries in preparation of applications for benefits; to assist in execution of applications for total disability income benefits, applications for new insurance, waiver of premiums and conversion of Veterans Administration insurance; to investigate and develop facts in apportionment cases; to receive applications for benefits and the evidence in support thereof; to examine such evidence and other papers, including physical examination reports, to determine proper form, completeness and acceptability by the Veterans Administration prior to transmittal; to set forth any knowledge bearing upon the credibility of the claimant or of any evidence submitted in connection with the claim.

(ii) To approve hospitalization of veterans upon prima facie determination of eligibility and to authorize outpatient medical service, including such services furnished to Spanish-American War veterans, when legal eligibility has been established.

(iii) To provide information and assistance to veterans to permit them to be entered into training facilities and educational institutions under title 38, United States Code; to establish and maintain supervision over veterans throughout their period of training, including personal contact of necessary frequency, and adequate recording of supervision to indicate veteran's attendance, performance and progress.

(iv) To prepare periodical reports to meet Veterans Administration operating requirements; to approve his own travel and travel of employees under his jurisdiction and issue transportation therefor; to authorize overtime of employees when necessary.

(v) To recommend the approval of institutions in the Canal Zone in connection with the continuance of pay-

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ments to or for a child while pursuing a course of instruction after it attains the age of 18 years.

(7) The Chief of Operations Section and Readjustment Allowance Officer, Finance Division, Veterans Benefits Office, District of Columbia, is delegated authority to act for the Administrator of Veterans Affairs in review and adjudication of claims under title V, Servicemen's Readjustment Act of 1944, as amended.

(8) The Finance Officer, Veterans Benefits Office, District of Columbia, is delegated authority to make assignments of stocks and bonds, title to which has vested in the United States, and to execute requests for payment for the benefit of any fund or appropriation under the jurisdiction of the Veterans Administration.

(9) The Assistant Finance Officer, Veterans Benefits Office, District of Columbia, is delegated authority to certify to the authenticity of the signature of the person executing the requests for payment in subparagraph (8) of this paragraph.

(c) *Veterans Administration Controller.* (1) The Veterans Administration Controller is delegated authority to make the certifications required by section 1311(c), Public Law 633, 83d Congress.

(2) The Chief, Accounting Reports Division, Budget Service, Office of the Veterans Administration Controller, is delegated authority

(i) To authorize in writing, officers and employees of the Veterans Administration to certify vouchers to Disbursing Officers of the Division of Disbursement, Treasury Department, for payment, pursuant to the provisions of Public Law 389, 77th Congress, and Treasury Department Circular No. 680, dated February 16, 1942, and to amend or revoke such authorizations of certifying officers whenever necessary.

(ii) To approve SF 1151, Nonexpenditure Transfer Authorization, in accordance with section 1210, Public Law 759, 81st Congress, and General Accounting Office Policy and Procedures Manual, title 7, chapter 2000.

(iii) To approve SF 1220, Statement of Transactions, according to appropriations, funds, and receipt accounts, pursuant to 31 U.S.C. 75, 78, and 82, and section 119, Public Law 784, 81st Congress.

(d) *Veterans Administration Central Office Loan Guaranty Committee on Waivers and Compromises.* (1) The personnel of the Veterans Administration Central Office Loan Guaranty Committee on Waivers and Compromises designated in subparagraph (3) of this paragraph are delegated authority to perform the duties and responsibilities prescribed in § 36.4382 of this chapter.

(2) The Chairman and Alternate Chairman, Committee on Waivers and Compromises, are delegated authority to certify the actions and decisions of the committee.

(3) The Veterans Administration Central Office Loan Guaranty Committee on Waivers and Compromises, as established by § 36.4380 issued pursuant to provisions of 38 U.S.C. 1820, shall be composed of the following:

Director, Loan Guaranty Service—Chairman.

Assistant Director for Loan Policy and Management, Loan Guaranty Service—Alternate to the Chairman.

Special Assistant to the General Counsel—Member.

Assistant General Counsel (Professional Staff Group I) or his designee—Alternate to Special Assistant to the General Counsel.

Chairman, Board on Waivers and Forfeitures—Member.

Associate Member, Board on Waivers and Forfeitures—Alternate as designated by Chairman, Board on Waivers and Forfeitures.

(e) *General Counsel.* Under the Federal Tort Claims Act pursuant to provisions of 28 U.S.C. 2672, authority is delegated to each of the personnel designated in subparagraph (3) of this paragraph:

(1) Act on behalf of the United States to consider, ascertain, adjust, determine, and settle any claim for money damages against the United States for injury or loss of property or personal injury or death caused by the negligent or wrongful act or omission of any employee of the Veterans Administration while acting within the scope of his office or employment.

(2) Execute an appropriate voucher and other necessary instruments in connection with final disposition of a claim of the nature described above and any claim arising out of a negligent or wrongful act or omission of an employee of the Veterans Administration which is compromised by the Attorney General pursuant to 28 U.S.C. 2677.

(3) General Counsel, Deputy General Counsel, Assistant General Counsels, Special Assistant to the General Counsel, Deputy Assistant General Counsels.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective November 23, 1960.

[SEAL]

A. H. MONK,
Acting Associate Deputy
Administrator.

[F.R. Doc. 60-10904; Filed, Nov. 22, 1960;
8:51 a.m.]

PART 3—VETERANS CLAIMS

Additional Compensation for Veterans Having Four or More Children and Whose Disability Is 50 Percent or More Disabling

In § 3.1547, paragraph (c) (2) is amended to read as follows:

§ 3.1547 Additional compensation for veterans having four or more children and whose disability is 50 percent or more disabling.

* * * * *

(c) *Effective date.* * * *
(2) *New claims.* All other claims, formal or informal, received on or after June 8, 1960, will be considered initial claims for the purpose of this law and the effective date will be determined under applicable laws and regulations relating to original claims but not earlier than August 1, 1960. Where a claim identifying the benefit sought is received within one year from August 1, 1960, and evidence of entitlement is of record on

August 1, 1960, benefits will be payable from August 1, 1960. (Instruction 1-A, 38 U.S.C. 315, Public Law 86-499.)

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective November 23, 1960.

[SEAL]

ROBERT J. LAMPHERE,
Deputy Administrator.

[F.R. Doc. 60-10903; Filed, Nov. 22, 1960;
8:51 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division,
Department of LaborPART 670—CHEMICAL, PETROLEUM,
RUBBER, AND RELATED PRODUCTS
INDUSTRY IN PUERTO RICO

Correction

On November 19, 1960, a notice appeared in the FEDERAL REGISTER (25 F.R. 11032) amending 29 CFR Part 670, effective December 8, 1960. The date should have been December 5, 1960, and the final proviso in paragraph (a) of § 670.1 of this part should have been omitted, in view of the fact that its inclusion acts to deprive § 670.2(a) of its effect.

Accordingly, under authority contained in section 8 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1064, as amended; 29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR, 1949-1953 Comp., p. 1004), and General Order No. 45-A (15 F.R. 3290) of the Secretary of Labor, 29 CFR 670.1 as amended in 25 F.R. 11032 is further amended, effective December 5, 1960, to read as follows:

§ 670.1 Definition.

(a) The chemical, petroleum, rubber, and related products industry in Puerto Rico to which this part shall apply is defined as the manufacture or packaging of chemicals, drugs, medicines, toilet preparations, cosmetics, and related products; the mining or other extraction or processing of any mineral used in the production of the foregoing; the mining or other extraction of petroleum, coal, or natural gases and the manufacture of products therefrom; the manufacture of all products made chiefly of natural, synthetic, or reclaimed rubber or latex; and the manufacture or partial manufacture of footwear made by vulcanizing the entire article or made by vulcanizing soles to uppers other than leather: *Provided, however,* That the industry shall not include any activity included in the men's and boys' clothing and related products industry, the children's dress and related products industry, the corsets, brassieres, and allied garments industry, the needlework and fabricated textile products industry, the alcoholic beverage and industrial alcohol industry, and the food and related products industry, as defined in the wage orders for those industries, and any activity performed in the capacity of a public utility.

(b) The products of this industry include, among others: Primary plastic materials such as sheets, rods, tubes, filaments, granules, powders, and liquids;

soap and glycerin; cleaning and polishing preparations; paints, varnishes, colors, dyes, inks, putty, and fillers; wood distillation and naval stores; vegetable and animal oils and fats; candles; glue and gelatin; compressed and liquefied gases; insecticides and fungicides; salt; explosives; fireworks and pyrotechnics; coke and coke-oven byproducts; paving mixtures and blocks containing asphalt, creosote, or tar; fuel briquettes; roofing felts and coatings; asphalt tile, rubber tile, and linoleum; rebuilt and retreaded tires and tubes; reclaimed rubber; industrial and mechanical rubber goods; rubber specialties, and sundries.

Signed at Washington, D.C., this 21st day of November 1960.

CLARENCE L. LUNDQUIST,
Administrator.

[F.R. Doc. 60-10978; Filed, Nov. 22, 1960;
10:53 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 9—SEAL

The regulations of the Post Office Department are amended by adding a new Part 9 to read as follows:

Sec.

- 9.1 Purpose.
- 9.2 Authority.
- 9.3 Description.
- 9.4 Custody.

AUTHORITY: §§ 9.1 to 9.4 issued under R.S. 161, as amended, secs. 303, 501, Pub. Law 86-682 (74 Stat. 579, 580); 5 U.S.C. 22, 39 U.S. Code 303, 501.

§ 9.1 Purpose.

The purpose of this part is to describe and give official notice of the seal of the Post Office Department.

§ 9.2 Authority.

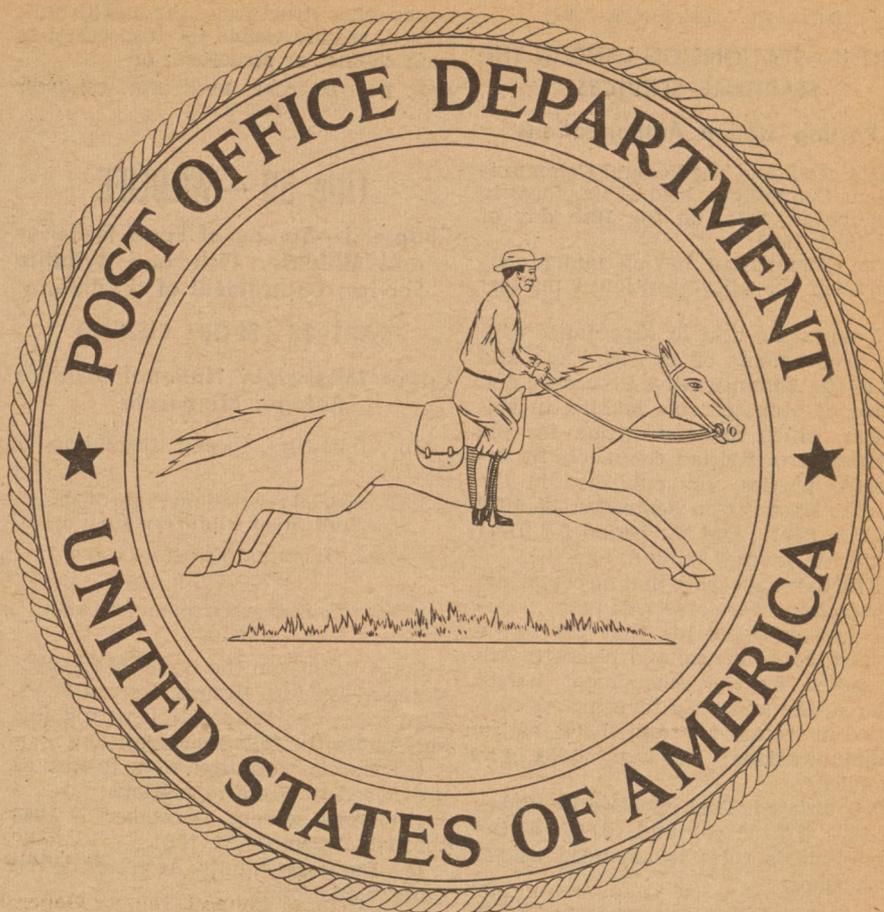
The illustration and description of the seal of the Post Office Department contained in this document is identical to the illustration and description of the seal of the Post Office Department which has been filed in the office of the Secretary of State pursuant to section 303 of Title 39, United States Code.

§ 9.3 Description.

Seal: A horse in full speed, equipped, in fesse, sinister, with mounted horseman and mail saddle bag. In base, a plane of turf, all surrounded by an outer band bearing between two stars the words "Post Office Department" in upper portion and "United States of America" in lower portion, the lettering concentric with inner and outer fillet band rims, all encircled with rope band.

§ 9.4 Custody.

The seal shall remain in the custody of the Postmaster General, or such officer or employee of the Department as he designates and shall be affixed to all certificates and attestations that may be required from the Department.



HERBERT B. WARBURTON,
General Counsel.

The foregoing are hereby adopted as regulations of the Post Office Department.

Dated: November 16, 1960.

[SEAL] J. M. MCKIBBIN,
Acting Postmaster General.

[F.R. Doc. 60-10855; Filed, Nov. 22, 1960;
8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 60-1379]

PART 3—RADIO BROADCAST SERVICES

Order Extending Time for Compliance With Provisions

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 16th day of November 1960;

The Commission having under consideration the provisions of §§ 3.690(a) and 3.691(a) of its rules, which require that television broadcast stations have type-approved frequency and modulation monitors at the stations whenever the transmitter is in operation;

It appearing that, the time specified for compliance with the requirements of §§ 3.690(a) and 3.691(a) was last extended to November 30, 1960; and

It further appearing that, since the requirement of §§ 3.690(a) and 3.691(a) have not, as yet, been placed in effect and in view of the possibility that these rules may be amended in the near future, the Commission deems it desirable to postpone the effective date of these sections of the rules for an additional three months; and

It further appearing that, the amendment herein ordered in procedural in nature and effects a relaxation of the rules; therefore, compliance with the requirements of section 4 of the Administrative Procedure Act is not required; and

It further appearing that, authority for the amendments adopted herein is contained in sections 303 (e), (f) and (r) and 4(i) of the Communications Act of 1934, as amended;

It is ordered, That effective December 1, 1960, §§ 3.690(a) and 3.691(a) are amended, by substituting the date "February 28, 1961," in the parenthetical sentence to each of these sections.

Released: November 18, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10890; Filed, Nov. 22, 1960;
8:49 a.m.]

[Docket No. 13768; FCC 60-1382]

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

Posting Station Authorizations

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 16th day of November 1960;

The Commission having under consideration the above-captioned matter; and

It appearing that in accordance with the requirements of section 4 (a) and (b) of the Administrative Procedure Act, notice of proposed rule making in this matter, which made provision for the submission of written comments by interested parties, was published in the FEDERAL REGISTER on September 14, 1960 (25 F.R. 8831), and the period for filing comments has now expired; and

It further appearing that no comments or objections were received; and

It further appearing that the public interest, convenience, and necessity will be served by the amendment herein ordered, the authority for which is contained in section 4(i) and 303(r) of the Communications Act of 1934, as amended;

It is ordered, That effective December 27, 1960, § 7.102 (b) and (d) (1) of the Commission's rules is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: November 18, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

Part 7 is amended as follows:

In § 7.102, paragraphs (b) and (d) (1) are amended to read as follows:

§ 7.102 Posting station licenses and transmitter identification cards or plates.

(b) The current station authorization for a single marine-utility station and for each single station of any other class subject to this part, which is of portable nature and is authorized for use and operation at two or more temporary locations, shall be posted either at the control point of the station in a conspicuous place or shall be affixed, readily visible for inspection, to the transmitting apparatus or, if the transmitting apparatus is contained in a cabinet or other structure, affixed, readily visible for inspection, to such cabinet or structure.

(d) * * *

(1) A photocopy of the land station license shall be posted in a conspicuous place in the mobile unit or shall be affixed, readily visible for inspection, to the transmitting apparatus or, if the transmitting apparatus is contained in a cabi-

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net or other structure of the mobile unit, affixed, readily visible for inspection, to such cabinet or structure; or

[F.R. Doc. 60-10891; Filed, Nov. 22, 1960; 8:49 a.m.]

Title 50—WILDLIFE

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Upper Mississippi National Wildlife Refuge, Minnesota

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

IOWA, ILLINOIS, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI NATIONAL WILDLIFE REFUGE

Sport fishing on the Upper Mississippi National Wildlife Refuge, Iowa, Illinois, Minnesota, and Wisconsin is permissible only under the following conditions:

(a) Species permitted to be taken: As prescribed by State regulations.

(b) Open season: December 1, 1960 through December 31, 1961.

(c) Daily creel limits: As prescribed by State regulations.

(d) Methods of fishing:

(1) Tackle—as prescribed by State regulations.

(2) Boats—the use of boats and motors is permitted, subject to State boating regulations.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on the posted area which comprises approximately 125,000 acres and 65 percent of the total refuge and which is described as follows:

All refuge waters, except waterfowl concentration areas which may be closed during waterfowl hunting seasons and are suitably posted as closed areas.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) Persons entering refuge areas for fishing must follow such routes of travel as are designated by suitable posting by the refuge officer in charge.

(3) A Federal permit is not required to enter the public fishing area.

(4) The provisions of this special regulation are effective December 1, 1960, through December 31, 1961.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries and Wildlife.

NOVEMBER 15, 1960.

[F.R. Doc. 60-10872; Filed, Nov. 22, 1960; 8:46 a.m.]

PART 33—SPORT FISHING

Tamarac National Wildlife Refuge, Minnesota

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Tamarac National Wildlife Refuge, Minnesota, is permissible only under the following conditions:

(a) Species permitted to be taken: As prescribed by State regulations.

(b) Open season: Daylight hours from December 1, 1960, through February 15, 1961.

(c) Daily creel limits: As prescribed by State regulations.

(d) Methods of fishing:

(1) Tackle—as prescribed by State regulations.

(2) Bait—the use of minnows, fish or parts thereof, either dead or alive, for bait is prohibited.

(3) Nets, seines—no seine, trap or net may be used to take minnows, fish or other aquatic animals for bait.

(e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on the posted area which comprises approximately 9,000 acres and 26 percent of the total refuge and which is described as follows:

All waters of the Tamarac National Wildlife Refuge.

(f) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) Persons entering refuge areas for fishing must follow such routes of travel as are designated by suitable posting by the refuge officer in charge.

(3) A Federal permit is not required to enter the public fishing area.

(4) The provisions of this special regulation are effective December 1, 1960, through February 15, 1961.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries and Wildlife.

NOVEMBER 15, 1960.

[F.R. Doc. 60-10873; Filed, Nov. 22, 1960; 8:46 a.m.]

PART 33—SPORT FISHING

Sand Lake National Wildlife Refuge, South Dakota

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

SOUTH DAKOTA

SAND LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Sand Lake National Wildlife Refuge, South Dakota, is permissible only under the following conditions:

- (a) Species permitted to be taken: As prescribed by State regulations.
- (b) Open season: Daylight hours from December 1, 1960, through February 15, 1961.
- (c) Daily creel limits: As prescribed by State regulations.
- (d) Methods of fishing: As prescribed by State regulations.
- (e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on the posted area which comprises approximately 50 acres and two percent of the total refuge and which is described as follows:

The James River channel in Sections 20, 21 and 29, T. 128 N., R. 61 W.

- (f) Other provisions:
 - (1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.
 - (2) A Federal permit is not required to enter the public fishing area.
 - (3) The provisions of this special regulation are effective December 1, 1960, through February 15, 1961.

R. W. BURWELL,
*Regional Director, Bureau of
Sport Fisheries and Wildlife.*

NOVEMBER 15, 1960.

[F.R. Doc. 60-10874; Filed, Nov. 22, 1960;
8:46 a.m.]

PART 33—SPORT FISHING

**Waubay National Wildlife Refuge,
South Dakota**

The following special regulation is issued.

§ 33.5 Special regulations; sport fishing;
for individual wildlife refuge areas.

SOUTH DAKOTA

WAUBAY NATIONAL WILDLIFE REFUGE

Sport fishing on the Waubay National Wildlife Refuge, South Dakota, is permissible only under the following conditions:

- (a) Species permitted to be taken: As prescribed by State regulations.
- (b) Open season: Daylight hours from December 1, 1960, through February 28, 1961.
- (c) Daily creel limits: As prescribed by State regulations.
- (d) Methods of fishing: As prescribed by State regulations.
- (e) Description of areas open to fishing: Fishing is permitted in accordance with (a) above on the posted area which comprises approximately 230 acres and five percent of the total refuge and which is described as follows:

That portion of Waubay Lake which is within the refuge boundary.

- (f) Other provisions:
 - (1) The provisions of this special regulation supplement the regulations which

govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

- (2) Entry to the fishing area is restricted to routes of travel designated by suitable posting by the refuge officer in charge.
- (3) A Federal permit is not required to enter the public fishing area.
- (4) The provisions of this special regulation are effective December 1, 1960, through February 28, 1961.

R. W. BURWELL,
*Regional Director, Bureau of
Sport Fisheries and Wildlife.*

NOVEMBER 15, 1960.

[F.R. Doc. 60-10875; Filed, Nov. 22, 1960;
8:46 a.m.]

**Title 13—BUSINESS CREDIT
AND ASSISTANCE**

**Chapter I—Small Business
Administration**

[Amdt. 8]

**PART 107—SMALL BUSINESS
INVESTMENT COMPANIES**

Miscellaneous Amendments

Correction

In F.R. Doc. 60-7879, appearing at page 8068 of the issue for Tuesday, August 23, 1960, the citation “§ 107.301-1(b)”, in the amendatory language of item 6, should read “§ 107.306-1(b)”.

Title 42—PUBLIC HEALTH

**Chapter I—Public Health Service, De-
partment of Health, Education, and
Welfare**

**PART 21—COMMISSIONED OFFICERS
Examinations; Junior Assistant, As-
sistant, or Senior Assistant Grade**

1. Section 21.42 of Part 21, Title 42, Code of Federal Regulations is amended by adding at the end thereof the following new sentence: “If an applicant for appointment to any of these grades is an officer of the Reserve Corps who have been on active duty for not less than one year immediately preceding his application, the Surgeon General may direct that the officer be examined as provided in § 21.43.”

[SEAL] JOHN D. PORTERFIELD,
Acting Surgeon General.

NOVEMBER 17, 1960.

ARTHUR S. FLEMMING,
Secretary.

[F.R. Doc. 60-10882; Filed, Nov. 22, 1960;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 912, 944]

[Docket Nos. AO-29-A11, AO-105-A13]

MILK IN DUBUQUE, IOWA, AND QUAD CITIES MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provision of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Rock Island, Illinois, on May 5-6, 1960, pursuant to notices thereof issued on March 7 and 30, 1960 (25 F.R. 2057 and 2842).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on September 2, 1960 (25 F.R. 8646) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues on the record of the hearing relate to:

1. Merging the orders into a single order;
2. Expansion of the marketing area; and
3. Provisions of the expanded order with respect to:
 - (a) Milk to be regulated and pooled;
 - (b) Classification and accounting provisions;
 - (c) Class I price;
 - (d) Butterfat differentials;
 - (e) Location differential adjustments;
 - (f) Payments on unpriced milk disposed of in the marketing area from non-pool plants; and
 - (g) Miscellaneous administrative and conforming changes.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. The Dubuque order should be consolidated with the Quad Cities order and redesignated as the Quad Cities-Dubuque marketing area.

As recommended later in this decision the combined marketing area should be expanded to include all or part of 7 counties in Illinois and Iowa, including the territory located between the present Dubuque and Quad Cities marketing areas. The expansion of the marketing area in the areas between the two markets is based on considerations common to both markets.

The provisions of the Quad Cities and Dubuque orders are similar in many respects. The Dubuque Class I price is tied directly to the Quad Cities Class I price at a level 10 cents less than the Quad Cities Class I price. The Class II prices are identical. The similarity of provisions and constant alignment of class prices is necessary because of the close association of the two markets.

The Quad Cities and Dubuque milk orders were among the first Federal orders promulgated under the Agricultural Marketing Agreement Act. At the time of their inception and for many years thereafter, they were separate and distinct markets for fluid milk products. Rapid technological advances in the cooling, handling and transportation of fluid milk and the sharp increase in population along the Mississippi Valley, however, have brought about significant changes in the marketing of fluid milk between the two markets.

Handlers regulated under both orders compete in the procurement and sale of fluid milk in areas between the presently defined marketing areas. Adoption of similar health regulations by the states of Iowa and Illinois has contributed substantially to the merging of the whole area along the Mississippi Valley from Rock Island, Illinois, to Dubuque, Iowa, into a single market for fluid milk.

The merger was supported by the producers in both markets and was unopposed at the hearing.

To accomplish the merger most efficiently and equitably, the assets in the administrative, marketing service and producer-settlement funds under the Dubuque order should be consolidated with the assets in such funds under the Quad Cities order and any liabilities of any of such funds should be paid from the consolidated funds. To distribute the money in the various funds under the Dubuque order to handlers and producers would unduly burden the producers and handlers under the Quad Cities order. To distribute the money in the funds of both orders and again accumulate the necessary operating reserves would entail unnecessary administrative detail.

2. The combined marketing area should include all the territory in Clinton, Dubuque, Jackson, Muscatine and Scott Counties, Iowa; Rock Island County and the city of East Dubuque, Illinois. Louisa County, Iowa, and Carroll, Henry, Mercer and Whiteside Counties, Illinois, should not be included in the marketing area at this time.

The present Quad Cities marketing area is limited to certain specified cities in the Iowa Counties of Clinton and Scott and in Rock Island County, Illinois. The present Dubuque marketing area is limited to the city of Dubuque and portions of the townships of Mosalem and Table Mound in Dubuque County, Iowa, and the city of East Dubuque, Illinois.

The handling of milk in this proposed marketing area is in the current of interstate commerce and directly burdens, obstructs or affects interstate commerce in milk and its products.

Handlers regulated by the present Quad Cities and Dubuque orders are the principal distributors of fluid milk products throughout the area recommended to be included in the expanded marketing area. In addition to sales of milk in Dubuque, Jackson and Muscatine Counties by regulated handlers, at least four small unregulated handlers distribute milk in these counties. One of these unregulated handlers is located in Dubuque County, one in Jackson County and two in Muscatine County. It is expected that these handlers would become fully regulated under the expanded order.

There was no opposition to the inclusion of Clinton, Dubuque, Jackson, Scott and Rock Island Counties in the marketing area. Although some evidence was presented in opposition to the inclusion of Muscatine County, it was brought out that all milk distributed in such county is presently regulated with the exception of milk distributed by the two small unregulated handlers. These unregulated handlers compete in Muscatine County with three handlers regulated by the Quad Cities order, one regulated by the Dubuque order and two handlers regulated by the Cedar Rapids-Iowa City order. Muscatine County is an integral part of the sales area of Quad Cities handlers and should be included in the marketing area to assure the payment of uniform minimum prices for milk disposed of in that county. The two handlers who are not regulated in the payment of minimum class prices at the present time would be protected in their principal market by the inclusion of Muscatine County in the marketing area. These handlers make most of their sales in Muscatine County.

Grade A milk products sold for fluid consumption in the expanded marketing area must be approved by local or State health authorities who are governed by health ordinances, practices and procedures patterned after the United States Public Health Service Ordinance and Code. Movements of Grade A milk, both in bulk and packaged form between cities in the States of Iowa and Illinois take place through the reciprocal approval of the responsible health authorities.

In opposition to the inclusion of Louisa County in the marketing area, it was brought out that in addition to milk distributed in such county from plants regulated by the Quad Cities and Cedar Rapids-Iowa City orders, three unregulated handlers with plants at Burlington, Iowa, distribute some milk there. The principal sales area for these three handlers lies outside the proposed marketing area. Louisa County is predominantly rural in character, is relatively far removed from the primary sales area of

regulated handlers and does not represent an important fluid milk outlet for such handlers. Regulated handlers distribute less than one percent of their total Class I sales in Louisa County. Accordingly, Louisa County should not be included in the expanded marketing area.

It was proposed that all of the territory in the Illinois Counties of Carroll, Henry, Mercer and Whiteside be included in the Quad Cities-Dubuque marketing area. Regulated handlers' sales in these counties amount to about 11 percent of their total Class I sales. Although the evidence presented is not sufficiently clear to determine what portions of these counties, if any, should be included in the expanded marketing area, it is apparent that Quad Cities handlers' principal distribution in Carroll and Whiteside Counties is primarily in the area along the Mississippi River and in Henry and Mercer Counties in the area immediately adjacent to Rock Island County.

Including Carroll and Whiteside Counties in the Quad Cities-Dubuque marketing area would involve unregulated handlers who limit their distribution in such counties to areas wherein Quad Cities and Dubuque handlers do not distribute large volumes of fluid milk. Although proponents testified that as much as 40 percent of the sales in Carroll County and 19 percent of the sales in Whiteside County are made by regulated handlers, the evidence shows that a large part of such sales are made in areas wherein unregulated handlers do not distribute large quantities of milk. In the two principal cities in Whiteside County, Rock Falls and Sterling, unregulated handlers and handlers regulated by the Chicago and Rockford-Freeport orders have practically all of the fluid milk sales.

Much of the testimony presented in favor of the inclusion of Henry and Mercer Counties in the Quad Cities-Dubuque marketing area was based upon the assumption that the Central Illinois order would become effective. Official notice is here taken of the determination by the Secretary (25 F.R. 5153) in which, because of the failure of producers in the Central Illinois area to approve the proposed order, the proceedings have been terminated. The decision and recommended marketing area for Central Illinois order, which was issued prior to the conclusion of the Quad Cities-Dubuque hearing, included Warren, Knox, Stark and Peoria Counties, Illinois in which are located handlers serving Henry and Mercer Counties. It is not clear from this record how the operations of all of such handlers would be affected by the inclusion of Henry and Mercer Counties in the Quad Cities-Dubuque marketing area. It is therefore recommended that Henry and Mercer Counties not be included in the Quad Cities-Dubuque marketing area at this time. If future marketing conditions in such counties or in any portion of such counties indicate that their inclusion in the Quad Cities-Dubuque marketing area would improve the effectiveness of the regulation, the matter could be considered at

another hearing. Handlers located in adjacent counties could then present evidence in light of developments which have occurred since the hearing on which this decision is based.

It is neither administratively feasible nor necessary to include all territory in the marketing area in which handlers to be regulated distribute milk. Furthermore, it would not be possible to designate a marketing area of reasonable size which would include all sales outlets of each and every handler that would be subject to regulation. As additional territory would be added, the problems associated with the extension of regulation to distributors that make a substantial portion of their fluid milk sales outside the market would be increased many fold. By providing for a marketing area as proposed herein, regulation is at a minimum for milk distributors with a large proportion of their sales outside the marketing area and their operations will not be unduly disturbed with respect to the major portion of their sales in communities wherein they compete with other distributors who would not be regulated at all by the proposed order.

It was urged at the hearing that the order provide specifically that any territory within the boundaries of the designated marketing area which is occupied by government (Municipal, State or Federal) reservations, installations, institutions or other establishments should be considered as within the marketing area. It is clearly intended that all such territory be included in the marketing area. However, so that there will be no doubt as to the intent of the marketing area definition, it should be indicated that the designated places in the Quad Cities-Dubuque marketing area shall include territory within such boundaries which is occupied by government (Municipal, State or Federal) reservations, installations, institutions or other establishments.

3. Provisions of the expanded order. The marketing conditions in the area proposed to be added to the present marketing area are similar to the conditions which exist in the marketing areas as presently defined in the Quad Cities and Dubuque orders. The principal provisions of these orders which have been found to facilitate the marketing of milk in these areas are therefore suitable for application in regulating the handling of milk in the proposed expanded area. As has already been mentioned, many of the provisions of the present Quad Cities and Dubuque orders are similar. The provisions in which there are material differences in the two orders or those for which changes were considered at the hearing are discussed below.

(a) *Milk to be regulated and pooled.* The conditions under which distributing and supply plants attain pool plant status under the present Quad Cities order should be adopted in the consolidated order. The provision of the present Dubuque order should be retained whereby a plant operated by a cooperative association may attain pool status under specified conditions.

In addition to the requirement that distributing plants dispose of at least 35

percent of their receipts of Grade A milk on routes in order to attain pool plant status, both of the present orders specify a percentage of such receipts which must be disposed of on routes in the marketing area. These percentages are 15 and 10 in Quad Cities and Dubuque, respectively. Plants now associated with the market would be assured of continued pool status under the enlarged marketing area with either a 10 or 15 percent requirement. Other handlers who sell milk in the territory proposed to be added to the present marketing areas either have a very small percentage of their sales in the area or nearly all their sales are made in the proposed area. The requirement that 15 percent of Grade A milk receipts be disposed of in the marketing area to acquire the status of a pool plant will provide a reasonable identification of plants which are substantially associated with the Quad Cities-Dubuque market.

Under both orders supply plants attain pool plant status by shipping during the month to pool plants 35 percent of their Grade A milk receipts. A provision of the Quad Cities order permits automatic pool status in the December-August period for supply plants that ship 50 percent of their receipts of Grade A milk during the preceding September-November period. Supply plants have had an important function in the Quad Cities market in the past although there are now no supply plants serving either market. The provision for pool plant status for supply plants as contained in the present Quad Cities order should be retained, however, in the event it is necessary to receive milk from this type of plant in the future.

Some handlers in the market receive milk from both Grade A and ungraded producers. A handler who operates an ungraded plant which is in the adjoining or same building should not be restricted in such operation any more than any ungraded plant if such operation is clearly separate and apart from his Grade A operation. It is concluded, therefore, that the amended order should include a provision as in the present Dubuque order, which provides that if a portion of a plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved by any health authority for the receiving, processing or packaging of any fluid milk product for Grade A disposition, it should not be considered as a part of a pool plant.

It was proposed at the hearing that the provision of the Dubuque order whereby a plant operated by a cooperative association of producers is pooled under certain conditions be retained in the merged order. The performance standards in the Dubuque order are such that any plant operated by a cooperative association whose major function is the supplying of milk to other handlers directly from farms is qualified as a pool plant. This provision contributes substantially to the orderly marketing of milk in the area and should be adopted in the combined and expanded Quad Cities-Dubuque order.

(b) *Classification and accounting provisions:* With minor exceptions, the fluid

milk products classified as Class I are the same under the present orders. There are differences in the allocation and accounting provisions in the two orders. Some changes were proposed in classification from that included in both orders at the present time.

It was urged that the classification of fluid milk products in the merged order be the same as is now provided in the Quad Cities order, with the exception, however, that fluid milk products disposed of in combination with cheese and nonfat milk solids as "cheese dips" and skim milk dumped be classified as Class II.

The "cheese dip" manufactured in the Quad Cities market consists of a combination of nonfat milk solids, Grade A cream and various cheeses. The resulting product is now considered a fluid milk product and is classified as Class I under the order. A proposal by regulated handlers would classify the resulting product as Class II. They pointed out that the product is not required, under existing Illinois and Iowa laws, to be made from Grade A milk and competes, therefore, with similar products made entirely from ungraded milk.

It is concluded that skim milk and butterfat disposed of in combination with cheese as a "cheese dip" or "party dip" should be classified and priced under the Quad Cities-Dubuque order as Class II. However, so that there will be no question as to the intent of this classification, the order should specify that only those manufactured products which contain a cheese base and specify such content on the label should be so classified as Class II.

The order should provide a Class II classification for skim milk which is dumped, provided the market administrator is notified in advance and afforded the opportunity of verifying such dumping. The proposal to provide such a classification for skim milk which is dumped was made by a handler regulated by the Dubuque order where such a provision is now provided in the order. Quad Cities producers stated that they had no objection to the continuance of such a provision in the merged order.

Under certain conditions fluid milk products in packaged form received at a pool plant from a plant regulated by another order should be allocated to Class I milk at the pool plant before any allocation is made to available Class II in such pool plant.

A regulated handler proposed that the present provision of the Dubuque order be adopted whereby fluid milk products in containers not larger than one gallon which are classified as Class I under another order are allocated to Class I under the Dubuque order if disposed of in the same form as received. This provision was adopted in the Dubuque order to accommodate the proponent handler in a situation where particular sizes or types of packages of fluid milk products were not processed in such handler's Dubuque plant could be obtained from his plant regulated by the Chicago order.

The provisions of the order should not make it prohibitive for a handler to take advantage of the packaging facilities of

a plant regulated by another order. On the other hand, the order should not encourage the use of milk products from other plants in preference to the milk of the local producers who have assumed the responsibilities of assuring that the local market is adequately supplied. Therefore, the provision of the Dubuque order should be adopted but should be limited to only those items which are not processed and packaged in the handler's plant during the same month.

The proponent handler further proposed that the same consideration be given to cream classified and priced as Class II under the Chicago order. He stated that at the present time packaged sour cream is received at his Dubuque regulated plant from a plant regulated by the Chicago order.

Under the provisions of the Chicago order, the Class II price for fluid cream approximates the price for other fluid milk products. Because of the system of accounting and pricing under such order, a handler would not have any price advantage in such a movement and the proposal should therefore be adopted. As in the case of any other fluid milk product, however, the provision should be applicable only if the same item is not processed in the plant.

(c) *Class I prices.* The Class I price at plants located in all parts of the marketing area except Dubuque and Jackson Counties, Iowa, and East Dubuque, Ill., should be the Class I price as provided in the present Quad Cities order. That price has attracted an adequate supply of milk for the present marketing area and for handlers to supply their sales into the proposed expanded area. The Class I price applicable at regulated plants in Dubuque County, Iowa, and East Dubuque, Ill., should continue at a level 10 cents under that applicable in the present Quad Cities marketing area. The Class I price applicable at plants in Jackson County, Iowa, should be established at the same level as the price for Dubuque County.

This system of zoning Class I prices gives recognition to the existence of the large volumes of surplus milk located just to the north of these two counties in the proposed enlarged marketing area.

Although some testimony was presented in favor of increasing the Class I price applicable at plants in Dubuque, the record evidence does not support such a change. Under the present price alignment milk for the Dubuque area has been maintained at a level adequate to meet Class I needs. Since Jackson County adjoins Dubuque County on the south and a handler located in that county competes with handlers located in Dubuque, Jackson County should be included in the same price zone as Dubuque County.

(d) *Butterfat differentials.* The butterfat differentials on Class I and Class II milk as contained in the present Quad Cities order should be continued in the merged order. These differentials are obtained for Class I milk by multiplying the Chicago 92-score butter price by .125 and for Class II milk by multiplying such butter price by .110 in the months of April, May and June and by .115 in all other months.

A regulated handler proposed that the butterfat differential on Class II milk be reduced to .110 times the Chicago 92-score butter price in all months of the year. The evidence in the record, however, fails to justify a reduction in the Class II butterfat differential in the months July through March. The lower butterfat differential in April, May and June reflects the larger supplies of milk and butterfat available during those months.

(e) *Location differential adjustments.* A schedule of location differentials should be provided in the merged order to provide an appropriate price adjustment at the location of any plant from which milk is moved to the marketing area.

As discussed earlier in this decision, the Class I price under the merged order should be reduced for milk received at pool plants in Jackson and Dubuque Counties, Iowa, and East Dubuque, Illinois. It is reasonable to assume that milk may move in the future into the marketing area from plants outside the marketing area, particularly from plants in the area farther north since there are large supplies of milk in that area.

So as to be equitable to all handlers, a schedule of location differential adjustments should be provided to reflect the cost of transporting milk to the marketing area for Class I use from such distant plants. The 10-cent price differential below the Quad Cities price which has prevailed in Dubuque is an appropriate differential for plants in that area. The same differential should apply to plants in the area adjacent to Dubuque but outside the marketing area. Since Dubuque is about 75 miles from Rock Island, a 10-cent differential should apply therefore at plants located outside the marketing area and 70 to 80 miles from Rock Island. For each additional 10 miles the differential should be increased by 1.5 cents, as provided in the present Dubuque and Quad Cities orders.

Prices paid producers supplying plants to which location differentials apply should be reduced also to reflect the lower value of such milk f.o.b. the point to which delivered.

(f) *Payments on unpriced milk disposed of in the marketing area from non-pool plants.* Compensatory payments to be made on unpriced milk which is allocated to Class I at a pool plant should be continued at the rates presently provided in the Quad Cities order. These rates are: for the months of December through June, the Class I price f.o.b. the nonpool plant less the Class II price, and for all other months the Class I price less the uniform price to producers. There was no opposition to the proposed adoption of the Quad Cities provision with respect to such payments.

In the case of a handler whose distributing plant fails to qualify as a pool plant but who has sales of fluid milk products on routes in the marketing area, such handler also should under certain conditions be required to make payments to the producer-settlement fund.

Handlers proposed that the "Wichita type" compensatory payments be provided. This proposal was also supported by producers and by unregulated han-

dlers who might have minor sales in the enlarged area. Under this plan, the amount of the payments would be either (1) the amount of Class I milk sold in the marketing area multiplied by the rates of payment which are required of pool handlers on other source milk used in Class I, or (2) the amount by which total payments to dairy farmers are less than the total amount of the plant's obligation to producers is computed as if such plant were a pool plant. This option should be provided for nonpool handlers.

Unregulated distributors selling milk in the area adjacent to the Quad Cities and Dubuque markets use about 90 percent of their milk in Class I but pay a blend price which reflects only about 60 percent Class I. Such handlers are paying the equivalent of the Class II price for 30 percent of their receipts which is actually disposed of in Class I.

At the present time there are no plants which are likely to take advantage of the option to pay the use value of their milk to their own dairy farmers in lieu of a compensatory payment to the Quad Cities-Dubuque marketwide pool. However, since milk distribution routes are being extended over greater distances today it is possible that plants with their primary business in other areas may in the future operate routes in this area. These distant plants would be acquiring their milk supply from another area. The option to pay directly to dairy farmers who regularly supply such nonpool plants with milk at the full utilization value of such milk in accordance with the order, therefore, will not place the operators of pool plants at a competitive disadvantage in the procurement of their milk supply. Furthermore, under the present organization of the market there will be no significant diversion of the revenue derived from the Class I sales in the marketing area to farmers only incidentally associated with the market at the expense of pool producers of milk for which minimum class prices are established and who are relied upon to produce an adequate and dependable supply of approved milk for the marketing area.

In these circumstances, if the distributor chooses to pay the full utilization value of his milk either directly to his own farmers or by combination of payments to his farmers and to the producer-settlement fund, he also should not have any advantage in terms of the minimum order class prices on his sales of Class I milk in the marketing area, for his total minimum obligation for milk will be determined in exactly the same way as if he were a fully regulated handler.

If a nonpool handler from whose plant Grade A milk is distributed in the marketing area elects to pay the full utilization value of his milk, the market administrator will have to audit his plant as if it were a fully regulated plant. Accordingly, the administration expense should apply to all of the receipts in such plant. If the handler elects to make payments on only the fluid milk products disposed of in the marketing area, the scope of the audits of his records by the market administrator would

be significantly lessened and accordingly, only the fluid milk products disposed of in the marketing area should be subject to the administrative assessment.

(g) *Miscellaneous administrative and conforming changes.* The entire order should be redrafted to incorporate conforming and clarifying changes and to facilitate application of its various provisions.

New or revised language consistent with the order revisions mentioned elsewhere in this decision are provided with respect to a number of provisions.

The dates for making payments to producers, to cooperative associations and to and from the producer-settlement fund should be revised to allow adequate time for handlers and for the market administrator to perform the operations involved in making such payments. The time schedule herein proposed would require payments each month for milk received during the previous month as follows: (1) to a cooperative association handler at class prices, on the 10th day; (2) to the producer-settlement fund, on the 12th day; (3) from the producer-settlement fund, on the 14th day; (4) to a cooperative association for producers for whom it is authorized to collect payments, on the 15th day; and (5) to other producers, on the 17th day.

Under the present Quad Cities and Dubuque orders, transfers of fluid milk products to nonpool plants located more than 300 miles from Rock Island and Dubuque, respectively, are classified as Class I milk. Adequate facilities for the manufacture of fluid milk products are located within 300 miles from Rock Island, Illinois. Accordingly, it is not necessary to include Dubuque, Iowa, as a city from which such distance should be measured.

The marketing service charge should be six cents per hundredweight. The Quad Cities order provides for a six-cent per hundredweight marketing service charge while the Dubuque order provides only five cents. The cost of such services in the expanded marketing area as herein proposed will be similar to the cost in the present Quad Cities market since services must be performed at plants located in several different cities. Six cents is a reasonable maximum for the service required to be performed for producers who are not members of a cooperative association. The rate may be reduced by administrative action, but cannot be increased beyond the rate stated in the order.

The rate of administrative assessment should be not more than 3 cents per hundredweight to apply to receipts of producer milk, other source milk allocated to Class I milk at a pool plant (except other source milk classified and priced under another Federal milk order) and Class I milk distributed on routes in the market by a nonpool plant not subject to another order. The present rate of assessment under the Quad Cities order is 3 cents per hundredweight while the Dubuque order provides a 4-cent charge. It is expected that the merger will reduce the administrative expenses necessary in the Dubuque portion of the combined area and accordingly, the 3-cent maximum rate should be sufficient to provide the mar-

ket administrator with adequate funds for the administration of this order.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Quad Cities-Dubuque Marketing Area," and "Order Amending the Order Regulating the Handling of Milk in the Quad Cities-Dubuque Marketing Area," which have been decided upon as the detailed and

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appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Referendum Order; Determination of Representative Period and Designation of Referendum Agent

It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order amending the order regulating the handling of milk in the Quad Cities-Dubuque marketing area, is approved or favored by the producers, as defined under the terms of the order, as hereby proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of August 1960 is hereby determined to be the representative period for the conduct of such referendum.

E. H. McGuire is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (15 F.R. 5177), such referendum to be completed on or before the 30th day from the date this decision is issued.

Issued at Washington, D.C., this 18th day of November 1960.

CLARENCE L. MILLER,
Assistant Secretary.

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¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

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AUTHORITY: §§ 944.0 to 944.95 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 944.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part

900), a public hearing was held upon certain proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Quad Cities and Dubuque marketing areas. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order is hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 3 cents per hundredweight or such amount not to exceed 3 cents per hundredweight as the Secretary may prescribe, with respect to butterfat and skim milk contained in (a) producer milk; (b) other source milk at a pool plant which is allocated to Class I milk pursuant to § 944.46(a) (3) and (4) and the comparable step of § 944.46(b); and (c) any amount due pursuant to § 944.62 (a) (2) or (b) (2).

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Quad Cities-Dubuque marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

DEFINITIONS

§ 944.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 944.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 944.3 Department.

"Department" means the United States Department of Agriculture or any other Federal agency authorized to perform the price reporting functions of the United States Department of Agriculture.

§ 944.4 Person.

"Person" means any individual, partnership, corporation, association, or other business unit.

§ 944.5 Cooperative association.

"Cooperative association" means any cooperative marketing association which the Secretary determines:

(a) To be qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To be engaged in making collective sales, or marketing milk or its products for its members.

§ 944.6 Quad Cities-Dubuque marketing area.

"Quad Cities-Dubuque marketing area" hereinafter called the marketing area, means the territory within the boundaries of the counties of Clinton, Dubuque, Jackson, Muscatine and Scott in the state of Iowa; the county of Rock Island, and the city of East Dubuque, in the state of Illinois, including territory within such boundaries that is occupied by government (Municipal, State or Federal) reservations, installations, institutions, or other establishments.

§ 944.7 Producer.

"Producer" means any person, except a cooperative-handler, who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority, which milk is received at a pool plant.

§ 944.8 Distributing plant.

"Distributing plant" means a plant which is approved by an appropriate health authority for the processing or packaging of Grade A milk from which any fluid milk product is processed or packaged and disposed of during the month on routes (including routes operated by vendors) or through plant stores to retail or wholesale outlets (except pool plants) located in the marketing area.

§ 944.9 Supply plant.

"Supply plant" means a plant from which milk, skim milk or cream which is acceptable to the appropriate health authority for distribution in the marketing area under a Grade A label is shipped during the month to a pool plant qualified pursuant to § 944.10(a).

§ 944.10 Pool plant.

"Pool plant" means a plant described in paragraph (a), (b) or (c) of this section except as provided in §§ 944.60 and 944.61: *Provided*, That if a portion of a plant is physically apart from the Grade A portion of such plant, is operated separately and is not approved by any health authorities for the receiving, processing or packaging of any fluid milk product for Grade A disposition, it shall not be considered as part of a pool plant pursuant to this section.

(a) A distributing plant from which a volume of Class I milk not less than 35 percent of the Grade A milk received at such plant from dairy farmers and from other plants is disposed of during the month on routes (including routes operated by vendors) or through plant stores to retail or wholesale outlets (except plants) and not less than 15 percent of such receipts are so disposed of to such outlets in the marketing area.

(b) A supply plant from which the volume of fluid milk products shipped during the month to plants qualified pursuant to paragraph (a) of this section is not less than 35 percent of the Grade A milk received at such plant from dairy farmers during such month: *Provided*, That if such shipments are not less than 50 percent of the receipts of Grade A milk directly from dairy farmers at such plant during the immediately preceding period of September through November, such plant shall be a pool plant for the months of December through August, unless written application is filed with the market administrator on or before the 1st day of any of the months of December through August to be designated a nonpool plant for such month and for each subsequent month through August.

(c) A plant operated by a cooperative association from whose members the total pounds of producer milk received at the pool plants of other handlers during the month, or during the 12-month period immediately preceding such month, are more than the total pounds of Grade A milk received at its plant from dairy farmers during the corresponding period: *Provided*, That if written application is filed with the market administrator on or before the 5th day of any month such plant may be designated a nonpool plant for such month and for any subsequent months.

§ 944.11 Nonpool plant.

"Nonpool plant" means any milk manufacturing, processing or bottling plant other than a pool plant.

§ 944.12 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of one or more distributing or supply plants.

(b) A cooperative association which is the operator of a pool plant pursuant to § 944.10(c).

(c) Any cooperative association with respect to the milk from producers diverted by the association for the account of such association from a pool plant to a nonpool plant.

§ 944.13 Producer-handler.

"Producer-handler" means any person who operates a dairy farm and a distributing plant but who receives no milk from producers or other source milk.

§ 944.14 Producer milk.

"Producer milk" means the skim milk and butterfat contained in milk received at a pool plant directly from producers: *Provided*, That milk diverted from a pool plant to a nonpool plant for the account of either the operator of the pool plant or a cooperative association shall be

deemed to have been received by the diverting handler at the plant from which diverted: *And provided further*, That in any of the months of July through January milk diverted from the farm of a producer on more than the number of days that milk was delivered to a pool plant from such farm during the month shall not be deemed to have been received by the diverting handler.

§ 944.15 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, milk drinks (plain or flavored), cream or any mixture in fluid form of skim milk and butterfat (except aerated cream products, products containing cheese and labeled as such, yogurt, ice cream mix, evaporated or condensed milk, and sterilized products packaged in hermetically sealed containers).

§ 944.16 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month in the form of fluid milk products except (1) fluid milk products received from pool plants, (2) producer milk, or (3) inventory at the beginning of the month; and

(b) Products other than fluid milk products from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month.

§ 944.17 Chicago butter price.

"Chicago butter price" means the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any range as one price) per pound of 92-score bulk creamery butter at Chicago as reported during the month by the Department.

MARKET ADMINISTRATOR

§ 944.20 Designation.

The agency for the administration of this part shall be a market administrator, appointed by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal by the Secretary.

§ 944.21 Powers.

The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violations;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 944.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including but not limited to the following:

(a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties

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and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this part;

(c) Obtain a bond in a reasonable amount, and with reasonable surety thereon, covering each employee who handles funds entrusted to the market administrator;

(d) Pay out of the funds provided by § 944.87: (1) The cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses, except those incurred under § 944.88, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties.

(e) Keep such books and records as will clearly reflect the transactions provided for in this part, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate the name of any person who within 10 days after the date upon which he is required to perform such acts, has not made reports and payments required by this part;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be required by the Secretary;

(h) Verify all reports and payments of each handler by audit of such handler's records and of the records of any other handler or person upon whose utilization the classification of skim milk or butterfat for such handler depends, or by such investigation as the market administrator deems necessary;

(i) Prepare and disseminate to the public such statistics and such information as he deems advisable and as do not reveal confidential information;

(j) Publicly announce on or before:

(1) The 5th day of each month, the minimum price for Class I milk pursuant to § 944.50(a) and the Class I butterfat differential, pursuant to § 944.51(a) both for the current month; and the minimum price for Class II milk, pursuant to § 944.50(b), and the Class II butterfat differential, pursuant to § 944.51(b) both for the preceding month; and

(2) The 10th day of each month the uniform price pursuant to § 944.71 and the producer butterfat differential pursuant to § 944.81 for the preceding month; and

(k) On or before the 10th day after the end of each month, report to each cooperative association, which so requests, the percentage of milk caused to be delivered by the cooperative association or its members to the pool plant(s) of each handler during the month, which was utilized in each class. For the purpose of this report, the milk so delivered shall be allocated to each class for each handler in the same ratio as all pro-

ducer milk received by such handler during the month.

REPORTS, RECORDS AND FACILITIES

§ 944.30 Reports of receipts and utilization.

On or before the 7th day after the end of each month, each handler, except a producer-handler, shall report for such month to the market administrator in the detail and on forms prescribed by the market administrator:

(a) The quantities of skim milk and butterfat contained in receipts of producer milk;

(b) The quantities of skim milk and butterfat contained in fluid milk products received from other pool plants;

(c) The quantities of skim milk and butterfat contained in other source milk;

(d) The quantities of skim milk and butterfat contained in producer milk diverted to nonpool plants pursuant to § 944.14.

(e) Inventories of fluid milk products on hand at the beginning and end of the month;

(f) The utilization of all skim milk and butterfat required to be reported pursuant to this section, including a separate statement of the disposition of Class I milk outside the marketing area; and

(g) Such other information with respect to his receipts and utilization of butterfat and skim milk as the market administrator may prescribe.

§ 944.31 Other reports.

Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

§ 944.32 Records and facilities.

Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business such accounts and records of his operations together with such facilities as are necessary for the market administrator to verify or establish the correct data which are required to be reported pursuant to this part and the payments required pursuant to this part.

§ 944.33 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records is necessary in connection with a proceeding under section 8c(15)(A) of the act or a court action specified in such notice the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 944.40 Skim milk and butterfat to be classified.

The skim milk and butterfat which are required to be reported pursuant to § 944.30 shall be classified each month by the market administrator, pursuant to the provisions of §§ 944.41 through 944.46.

§ 944.41 Classes of utilization.

Subject to the conditions set forth in § 944.44 the classes of utilization shall be as follows:

(a) *Class I milk*. Class I milk shall be all skim milk (including concentrated and reconstituted skim milk) and butterfat (1) disposed of in the form of a fluid milk product (except as provided in paragraphs (b) (2) and (4) of this section) and (2) not accounted for as Class II milk;

(b) *Class II milk*. Class II milk shall be all skim milk and butterfat (1) used to produce any product other than a fluid milk product; (2) disposed of to wholesale bakeries, candy manufacturers, soup companies, or for livestock feed; (3) contained in inventory of fluid milk products on hand at the end of the month; (4) skim milk dumped if the market administrator has been notified in advance and afforded the opportunity of verifying such dumping; (5) in shrinkage allocated to receipts of producer milk (except milk diverted to a nonpool plant pursuant to § 944.14) but not in excess of 2 percent of such receipts of skim milk and butterfat, respectively; and (6) in shrinkage of other source milk.

§ 944.42 Shrinkage.

The market administrator shall allocate shrinkage over a handler's receipts as follows:

(a) Compute the total shrinkage of skim milk and butterfat for each handler; and

(b) Prorate the resulting amounts between the receipts of skim milk and butterfat contained in producer milk and in other source milk.

§ 944.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I milk unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified otherwise.

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

§ 944.44 Transfers.

Skim milk or butterfat disposed of each month from a pool plant shall be classified:

(a) As Class I milk, if transferred in the form of a fluid milk product to the pool plant of another handler unless utilization as Class II milk is claimed by both handlers in their reports submitted for the month to the market administrator pursuant to § 944.30: *Provided*, That the skim milk or butterfat so assigned to Class II milk shall be limited to the

amount thereof remaining in Class II milk in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 944.46, and any additional amounts of such skim milk or butterfat shall be classified as Class I milk: *And provided further*, That if either or both handlers have received other source milk, the skim milk or butterfat so transferred shall be classified at both plants so as to allocate the greatest possible Class I utilization to the producer milk of both handlers;

(b) As Class I milk, if transferred to a producer-handler in the form of a fluid milk product; and

(c) As Class I milk if transferred or diverted in the form of a fluid milk product to a nonpool plant located more than 300 miles from the City Hall, Rock Island, Illinois, by the shortest highway distance as determined by the market administrator; and

(d) As Class I milk, if transferred or diverted in the form of a fluid milk product in bulk to a nonpool plant located not more than 300 miles from the City Hall, Rock Island, Illinois, by the shortest highway distance as determined by the market administrator, unless:

(1) The transferring or diverting handler claims classification in Class II milk in his report submitted to the market administrator pursuant to § 944.30 for the month within which such transaction occurred;

(2) The operator of such nonpool plant maintains books and records showing the utilization of all skim milk and butterfat received at such plant which are made available if requested by the market administrator for the purpose of verification; and

(3) The skim milk and butterfat in the fluid milk products (except in ungraded fluid milk products disposed of for manufacturing uses) disposed of from such nonpool plant do not exceed the receipts of skim milk and butterfat in milk received during the month directly from Grade A dairy farms that the market administrator determines constitute the regular source of supply for such plant: *Provided*, That any skim milk or butterfat in fluid milk products (except in ungraded fluid milk products disposed of for manufacturing uses) disposed of from the nonpool plant which is in excess of receipts from such dairy farms shall be assigned to the fluid milk products so transferred or diverted and classified as Class I milk: *And provided further*, That if the total skim milk and butterfat which were transferred or diverted during the month to such nonpool plant from all plants subject to the classification and pricing provisions of this part and other orders issued pursuant to the Act are more than the skim milk and butterfat available for assignment to Class I milk pursuant to the preceding proviso hereof, the skim milk and butterfat assigned to Class I milk at a pool plant shall be not less than that obtained by prorating the assignable Class I milk at the transferee plant over the receipts at such plant from all plants subject to the classification and pricing provisions of this and other orders issued pursuant to the Act.

§ 944.45 Computation of the skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and for other obvious errors the reports of receipts and utilization for the pool plant(s) of each handler and shall compute the pounds of butterfat and skim milk in Class I milk and Class II milk for such handlers: *Provided*, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such products, plus all of the water reasonably associated with such solids in the form of whole milk.

§ 944.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 944.45 the market administrator shall determine the classification of producer milk received at the pool plant(s) of each handler each month as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II milk the pounds of skim milk assigned to producer milk pursuant to § 944.41(b) (5);

(2) Subtract from the total pounds of skim milk in Class I milk the pounds of skim milk that were received in the form of fluid milk products in containers not larger than a gallon, that are subject to the Class I pricing provisions of another order issued pursuant to the Act, and in the case of cream subject to the Class II pricing provisions of Federal Order No. 41 and that are disposed of in the same form as received; *Provided*, That this subparagraph shall not apply to any items received if the same item is processed and packaged in the pool plant during the month.

(3) Subtract from the remaining pounds of skim milk in each class, in series beginning with Class II milk, the pounds of skim milk in other source milk other than that received in the form of fluid milk products;

(4) Subtract from the remaining pounds of skim milk in each class, in series beginning with Class II milk, the pounds of skim milk in other source milk received in the form of fluid milk products which were not subject to the Class I pricing provisions of an order issued pursuant to the act;

(5) Subtract from the remaining pounds of skim milk in Class II milk an amount equal to such remainder, or the product obtained by multiplying the pounds of skim milk in producer milk by 0.05, whichever is less;

(6) Subtract from the remaining pounds of skim milk in each class in series beginning with Class II milk, the pounds of skim milk in other source milk received in the form of fluid milk products which are subject to the Class I pricing provisions of another order issued pursuant to the act and that were not subtracted pursuant to subparagraph (2) of this paragraph;

(7) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (5) of this paragraph;

(8) Subtract from the remaining pounds of skim milk in each class the skim milk in fluid milk products received from the pool plants of other handlers according to the classification of such products as determined pursuant to § 944.44(a);

(9) Subtract from the remaining pounds of skim milk in each class, in series beginning with Class II milk, the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month;

(10) Add to the pounds of skim milk remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph and if the remaining pounds of skim milk in both classes exceed the pounds of skim milk contained in producer milk, subtract such excess from the remaining pounds of skim milk in series beginning with Class II. Any amount of excess so subtracted shall be called "overage".

(b) Butterfat shall be allocated in accordance with the same procedure prescribed for skim milk in paragraph (a) of this section.

(c) The amounts of skim milk and butterfat in producer milk allocated pursuant to paragraphs (a) and (b) of this section shall be combined into one total for each class and the weighted average butterfat content of producer milk in each class determined from such totals.

MINIMUM PRICES

§ 944.50 Class prices.

Subject to the provisions of §§ 944.51 and 944.52 the class prices per hundredweight for the month shall be as follows:

(a) *Class I milk price.* The Class I milk price shall be the price for Class I milk established under Federal Order No. 41, as amended, regulating the handling of milk in the Chicago, Ill., marketing area, plus 20 cents.

(b) *Class II milk price.* The Class II milk price shall be the average of the basic or field prices reported to have been paid or to be paid per hundredweight for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department:

PRESENT OPERATOR AND PLANT LOCATION

- Amboy Milk Products Co., Amboy, Ill.
- Borden Co., Dixon, Ill.
- Carnation Co., Morrison, Ill.
- Carnation Co., Oregon, Ill.
- Carnation Co., Waverly, Iowa.
- United Milk Products Co., Argo Fay, Ill.

§ 944.51 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices for the month calculated pursuant to § 944.50 shall be increased or decreased, respectively, for each one-tenth percent butterfat at the appropriate rate, rounded to the nearest one-tenth cent, determined as follows:

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(a) *Class I price.* Multiply the Chicago butter price for the preceding month by 0.125.

(b) *Class II price.* Multiply the Chicago butter price for the current month by 0.110 for the months of April, May, and June, and by 0.115 for all other months.

§ 944.52 Location differentials to handlers.

For that milk which is received from producers at pool plants in Dubuque and Jackson Counties, Iowa, and East Dubuque, Illinois, and which is classified as Class I milk, the price specified in § 944.50(a) shall be reduced 10 cents and for that milk which is received from producers at pool plants outside the marketing area and 70 miles or more from the City Hall, Rock Island, Illinois, by the shortest hard surfaced highway distance, as determined by the market administrator, and which is classified as Class I milk, the price specified in § 944.50(a) shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such milk is received from producers:

Distance from the Rock Island City Hall (miles):	Rate per hundredweight (cents)
70 but less than 80.....	10.0
For each additional 10 miles or fraction thereof an additional.....	1.5

Provided, That for the purpose of calculating the location differential adjustment applicable pursuant to this section, fluid milk products which are transferred between pool plants shall be assigned to any remainder of Class II milk in the transferee-plant after making the calculations prescribed in § 944.46(a) (6) and the comparable steps in (b) for such plant, such assignment to transferor plants to be made in sequence according to the location differential applicable to each plant, beginning with the plant having the largest differential.

§ 944.53 Use of equivalent prices.

If for any reason a plant quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

APPLICATION OF PROVISIONS

§ 944.60 Producer-handler.

Sections 944.70, 944.71 and 944.80 through 944.88 shall not apply to a producer-handler.

§ 944.61 Plants subject to other Federal orders.

The provisions of this part shall not apply to a distributing plant, a supply plant or a plant otherwise qualified as a pool plant pursuant to § 944.10(c) during any month in which such plant would be subject to the classification and pricing provisions of another order issued pursuant to the act unless such plant would otherwise be qualified as a pool plant pursuant to § 944.10 and a greater volume of fluid milk products is disposed of from such plant to retail or

wholesale outlets and to pool plants in the Quad Cities-Dubuque marketing area than in the marketing area regulated pursuant to such other order: *Provided,* That the operator of a distributing plant or a supply plant which is exempt from the provisions of this order pursuant to this section shall, with respect to the total receipts and utilization or disposition of skim milk and butterfat at the plant, make reports to the market administrator at such time and in such manner as the market administrator may require (in lieu of the reports required pursuant to § 944.30) and allow verification of such reports by the market administrator.

§ 944.62 Handler operating a nonpool distributing plant.

Each handler, other than a producer-handler, who during the month operates a nonpool plant from which Grade A fluid milk products are distributed on a route in the marketing area, shall make payment to the market administrator as follows:

(a) If such handler so elects at the time of reporting pursuant to § 944.30 his obligations shall be as follows:

(1) On or before the 25th day after the end of the month, for the producer-settlement fund, any plus amount resulting from the following computation:

(i) Compute an amount equal to the value of milk which would be computed pursuant to § 944.70 for Grade A milk received from dairy farmers at such plant for such month if such plant had been a pool plant;

(ii) Deduct the gross payments made by the handler to dairy farmers, for Grade A milk received at such plant for such month. Gross payments to be included in this computation shall be limited to cash payments made to the dairy farmer or his assignee on or before the 15th day after the end of the month, plus the value of any supplies or services furnished by the handler on prior written authorization or as evidenced by a delivery ticket signed by the dairy farmer; and

(2) On or before the 15th day after the end of the month, as his pro rata share of the expense of administration, an amount equal to that which would have been computed pursuant to § 944.87 had such plant been a pool plant.

(b) Unless such handler elects to have his obligations computed pursuant to paragraph (a) of this section, his obligations shall be as follows:

(1) On or before the 13th day after the end of the month, for the producer-settlement fund, an amount determined by multiplying the quantity of Class I milk disposed of during the month on routes in the marketing area by the applicable rates as set forth in § 944.63; and

(2) On or before the 15th day after the end of the month, as his pro rata share of the expense of administration, the rate specified in § 944.87 with respect to Class I milk disposed of on routes in the marketing area.

§ 944.63 Rate of payment on unpriced milk.

The rate of payment per hundredweight to be made by handlers on un-

priced other source milk allocated to Class I milk shall be any plus amount calculated as follows:

(a) During the months of December through June, subtract from the class I price adjusted by the Class I butterfat and location differentials applicable at a pool plant of the same location as the nonpool plant supplying such other source milk, the Class II price adjusted by the Class II butterfat differential; and

(b) During the months of July through November subtract from the Class I price the uniform price to producers.

DETERMINATION OF UNIFORM PRICE

§ 944.70 Computation of value of milk for each handler.

The value of producer milk received during each month by each handler shall be a sum of money computed by the market administrator as follows:

(a) Multiply the pounds of milk in each class by the applicable class price and add together the resulting amounts;

(b) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 944.46(a) (10) and the corresponding step of (b) by the applicable class prices;

(c) Add the amount obtained in multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of producer milk classified in Class II (less shrinkage) during the preceding month, or the hundredweight of milk subtracted from Class I pursuant to § 944.46(a) (9) and the corresponding step of (b), whichever is less; and

(d) Add an amount calculated by multiplying the hundredweight of skim milk and butterfat subtracted from Class I milk pursuant to § 944.46(a) (3) and (4) and the corresponding step of (b) by the rate of payment on unpriced milk determined pursuant to § 944.63 at the nearest nonpool plant(s) from which an equivalent amount of other source skim milk or butterfat was received: *Provided,* That if the source of any Class I products at a pool plant is not clearly established or if such skim milk is in the form of nonfat dry milk, they shall be considered to have been received from a source at the location of the pool plant where they are classified.

§ 944.71 Computation of uniform price.

For each of the months the market administrator shall compute a uniform price for producer milk of 3.5 percent butterfat content f.o.b. Rock Island, Illinois as follows:

(a) Combine into one total the values computed pursuant to § 944.70 for all handlers who made the reports prescribed in § 944.30 for such month, except those in default of payments required pursuant to § 944.84 for the preceding month;

(b) Add or subtract for each one-tenth percent that the average butterfat content of producer milk represented by the values included under paragraph (a) of this section is less or more, respectively, than 3.5 percent, an amount computed by multiplying such differences by the

butterfat differential to producers, and multiplying the result by the total hundredweight of producer milk;

(c) Add an amount equal to the sum of the location differential deductions to be made pursuant to § 944.82;

(d) Add an amount equal to one-half of the unobligated cash balance in the producer-settlement fund;

(e) Divide the resulting amount by the total hundredweight of producer milk included in these computations; and

(f) Subtract not less than 4 cents nor more than 5 cents from the price computed pursuant to paragraph (e) of this section. The resulting figure shall be the uniform price for producer milk.

PAYMENT FOR MILK

§ 944.80 Time and method of payment for producer milk.

Each handler shall make payment as follows:

(a) On or before the 17th day after the end of each month during which the milk was received, to each producer for milk received from him and for which payment is not made to a cooperative association pursuant to paragraph (b) of this section, at not less than the uniform price computed in accordance with § 944.71, subject to the butterfat differential computed pursuant to § 944.81 and less location differential deductions pursuant to § 944.82.

(b) On or before the 15th day after the end of each month during which the milk was received, to a cooperative association for milk which it caused to be delivered to such handler from producers, if such cooperative association is authorized to collect such payments for its member producers and exercises such authority, an amount equal to the sum of the individual payments otherwise payable to such producers.

(c) On or before the 10th day after the end of the month, each handler shall pay to each cooperative association which is also a handler, for milk received from it not less than the value of such milk as classified pursuant to this part at the applicable respective class prices including differentials prescribed by this part.

§ 944.81 Butterfat differentials to producers.

The applicable uniform prices to be paid each producer pursuant to § 944.80 shall be increased or decreased for each one-tenth of one percent which the butterfat content of his milk is above or below 3.5 percent, respectively, at the rate determined by multiplying the total pounds of butterfat in the producer milk allocated to Class I and Class II milk during the month pursuant to § 944.46 by the respective butterfat differential for such class, dividing the sum of such values by the total pounds of such butterfat, and rounding the resultant figure to the nearest one-tenth of a cent.

§ 944.82 Location differentials to producers.

In making payment pursuant to § 944.80 the uniform price pursuant to § 944.71 for milk which is received from producers at pool plants in Dubuque and

Jackson Counties, Iowa, and East Dubuque, Illinois, shall be reduced 10 cents and for milk which is received from producers at pool plants outside the marketing area and 70 miles or more from the City Hall, Rock Island, Illinois, by the shortest hard-surfaced highway distance as determined by the market administrator shall be reduced at the rate set forth in the following schedule according to the location of the pool plant where such milk is received from producers:

Distance from the Rock Island City Hall (miles):	Rate per hundredweight (cents)
70 but less than 80	10.0
For each additional 10 miles or fraction thereof an additional	1.5

§ 944.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to §§ 944.62, 944.84 and 944.86 and out of which he shall make all payments to handlers pursuant to §§ 944.85 and 944.86.

§ 944.84 Payments to the producer-settlement fund.

On or before the 12th day after the end of each month, each handler shall pay to the market administrator the amount by which the value of milk for such handler pursuant to § 944.70 for such month exceeds the obligation pursuant to § 944.80 of such handler to producers for milk received during the month.

§ 944.85 Payments out of the producer-settlement fund.

On or before the 14th day after the end of each month the market administrator shall pay to each handler the amount by which the obligation, pursuant to § 944.80, of such handler to producers for milk received during the month exceeds the value of milk for such handler computed pursuant to § 944.70: *Provided*, That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. A handler who has not received the balance of such payments from the market administrator shall not be considered in violation of § 944.80 if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

§ 944.86 Adjustment of accounts.

Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (a) the market administrator from such handler, (b) such handler from the market administrator, or (c) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due; and payment thereof shall be made on or before the next date for making payment set forth in

the provisions under which such error occurred.

§ 944.87 Expense of administration.

As his pro rata share of the expense of the administration of the order, each handler shall pay to the market administrator, on or before the 15th day after the end of each month 3 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to butterfat and skim milk contained in (a) producer milk; (b) other source milk at a pool plant which is allocated to Class I milk pursuant to § 944.46(a) (3) and (4) and the comparable step of § 944.46(b); and (c) any amount due pursuant to § 944.62 (a) (2) or (b) (2).

§ 944.88 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler in making payments to each producer pursuant to § 944.80, shall deduct 6 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to all milk received by such handler from such producer (except such handler's own farm production), during the month, and shall pay such deductions to the market administrator not later than the 15th day after the end of the month. Such money shall be used by the market administrator to verify or establish weights, samples, and tests of milk received by handlers from such producers during the month and to provide such producers with market information.

(b) In case of producers for whom a cooperative association is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, each handler shall make in lieu of the deductions specified in paragraph (a) of this section, such deductions as are authorized by such producers and, on or before the 15th day after the end of each month, pay over such deductions to the association rendering such services.

§ 944.89 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

- (1) The amount of the obligation;
- (2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and
- (3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market

administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books and records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this part to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files pursuant to section 8c(15)(A) of the act, a petition claiming such money.

MISCELLANEOUS PROVISIONS

§ 944.90 Effective time.

The provisions of this part, or any amendment to this part, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 944.91 Suspension or termination.

The Secretary shall, whenever he finds this part, or any provision hereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this part or any such provision of this part.

§ 944.92 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations hereunder the final accrual or ascertainment of which require further acts by any person (including the market administrator) such further acts shall be performed notwithstanding such suspension or termination.

§ 944.93 Liquidation.

Upon the suspension or termination of the provisions of this part, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed

by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all accounts, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 944.94 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 944.95 Separability of provisions.

If any provision of this part or its application to any person or circumstance, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

[F.R. Doc. 60-10899; Filed, Nov. 22, 1960; 8:50 a.m.]

[7 CFR Part 970]

IRISH POTATOES GROWN IN MAINE

Notice of Proposed Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the Maine Potato Administrative Committee, established pursuant to Marketing Agreement No. 122 and Order No. 70 (7 CFR Part 970), regulating the handling of Irish potatoes grown in the State of Maine, issued under the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 970.208 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Maine Potato Administrative Committee, established pursuant to Marketing Agreement No. 122 and this part, to enable such committee to perform its functions pursuant to the provisions of aforesaid marketing agreement and order, during the fiscal period ending August 31, 1961, will amount to \$57,875.00.

(b) The rate of assessment to be paid by each handler, pursuant to Marketing Agreement No. 122 and this part, shall be \$1.25 per railroad car, \$1.00 per truckload of 25,000 pounds or over 25,000 pounds, and \$0.50 (fifty cents) per truckload of less than 25,000 pounds, or the respective equivalent quantities, of potatoes handled by him as the first handler thereof during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 122 and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 6-1-674)

Dated: November 18, 1960.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 60-10900; Filed, Nov. 22, 1960; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 17, 121]

BAKERY PRODUCTS, DEFINITIONS AND STANDARDS OF IDENTITY; FOOD ADDITIVES

Notice of Filing of Petitions for Use of Calcium Stearyl-2-Lactylate

I. Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition has been filed by C. J. Patterson Company, 3947 Broadway, Kansas City, Missouri, proposing the issuance of a regulation to permit the safe use of calcium stearyl-2-lactylate in yeast-raised bakery products, in prepared mixes for yeast-raised bakery products, and in liquid and frozen egg whites and in egg white solids as an emulsifier.

II. As prescribed in the food additive regulations (§ 121.8 *Food additives proposed for use in foods for which definitions and standards of identity have been prescribed*), C. J. Patterson Company, in accordance with section 701(e) of the Federal Food, Drug, and Cosmetic Act, has also filed a petition proposing amendment of the definitions and standards of identity for various types of bread (§§ 17.1, 17.2, 17.3, 17.4, and 17.5) to permit the use of calcium stearyl-2-lactylate as an optional emulsifying ingredient in these foods. The amendments of these standards would be effected as set forth below:

In § 17.1 *Bread, white bread, and rolls, white rolls, or buns, white buns; identity; label statement of optional ingredients*, it is proposed to amend paragraph (a) by adding thereto a new subparagraph reading as follows:

(15) Calcium stearyl-2-lactylate.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended

70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), all interested persons are invited to present their views in writing regarding the proposal to amend the definitions and standards of identity for breads as above described. Views and comments should be submitted in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., prior to the thirtieth day following the date of publication of this notice in the FEDERAL REGISTER.

Dated: November 17, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner
of Food and Drugs.

[F.R. Doc. 60-10881; Filed, Nov. 22, 1960;
8:47 a.m.]

Public Health Service

[42 CFR Part 73]

BIOLOGIC PRODUCTS

Additional Standards: Poliovirus Vaccine, Live, Oral

Notice is hereby given of proposed rule making pursuant to section 351 of the Public Health Service Act, as amended (58 Stat. 702; 42 U.S.C. 262), providing regulatory standards for the manufacture of Poliovirus Vaccine.

Notice is also given that it is proposed to make any amendments that are adopted effective 30 days after the date of publication in the FEDERAL REGISTER.

Inquiries may be addressed, and data, views and arguments may be presented by interested parties, in writing, in triplicate, to the Surgeon General, Public Health Service, Washington 25, D.C. All relevant material received not later than 30 days after publication of this notice in the FEDERAL REGISTER will be considered.

1. Redesignate §§ 73.110, 73.111, 73.112, 73.113, 73.114, and 73.115 as §§ 73.130, 73.131, 73.132, 73.133, 73.134, 73.135, respectively.

2. In § 73.130(b) as redesignated, substitute the numerals "73.132" and "73.133" for the numerals "73.112" and "73.113".

3. In § 73.130(c) as redesignated, substitute the numerals "73.132" and "73.133" for the numerals "73.112" and "73.113".

4. In § 73.131(d) as redesignated, substitute the numeral "73.132" for the numeral "73.112" in the three places where it appears.

5. In § 73.132(b) as redesignated, substitute the numeral "73.131" for the numeral "73.111".

6. In § 73.135 as redesignated, substitute the numerals "73.130" and "73.134" for the numerals "73.110" and "73.114", respectively.

7. Insert the following immediately after § 73.105:

ADDITIONAL STANDARDS: POLIOVIRUS VACCINE, LIVE, ORAL

§ 73.110 The product.

(a) *Proper name and definition.* For the purpose of section 351(a)(2) of the Act and § 73.1(k), the proper name of this product shall be "Poliovirus Vaccine, Live, Oral", followed by a designation of the form in which the vaccine is dispensed. The vaccine shall be a preparation of one or more live, attenuated polioviruses grown in monkey kidney cell cultures, prepared in compatible vehicle for oral administration.

(b) *Criteria for acceptable strains.* (1) Strains of attenuated poliovirus Types 1, 2, and 3 used in the manufacture of the vaccine shall be identified by: (i) Historical records including origin and techniques of attenuation, (ii) antigenic properties, (iii) neurovirulence for monkeys, (iv) pathogenicity for other animals and tissue cultures of various cell types, and (v) established virus markers including rct/40, d, MS.

(2) Poliovirus strains shall not be used in the manufacture of Poliovirus Vaccine, Live, Oral, unless, (i) data are submitted to the Surgeon General which establish that each such strain is free of harmful effect upon administration in the recommended dosage to at least 100,000 people susceptible to poliomyelitis, under circumstances where adequate epidemiological surveillance of neurological illness has been maintained, and, (ii) each such strain produces a vaccine meeting the safety and potency requirements of §§ 73.114(b), 73.115 and 73.117 of the regulations of this part. Susceptibility shall be demonstrated by blood tests, stool examinations and other appropriate methods.

(3) The seed material for each strain shall be demonstrated to be free of extraneous microbial agents.

(4) No seed virus shall be used for the manufacture of poliovirus vaccine unless its neurovirulence in Macaca monkeys is no greater than that of the NIH Reference Attenuated Poliovirus. The neurovirulence of the seed virus shall be demonstrated by the following tests to be performed by the manufacturer: (i) The test prescribed in § 73.114(b)(1) using seed virus as test material in place of monovalent virus pool material and (ii) the following comparative intramuscular neurovirulence test: Each of at least ten monkeys shall be injected in either the gluteus or the gastrocnemius muscle with no more than 5.0 ml. of the seed virus under test. A similar injection shall be made in another group of ten monkeys using the NIH Reference Attenuated Poliovirus. Each monkey shall be injected intramuscularly with no less than $10^{7.7}$ TCD₅₀ of viral inoculum.

(5) Subsequent and identical neurovirulence tests shall be performed in monkeys whenever there is evidence of a change in the neurovirulence of the production virus and upon introduction of a new production seed lot and as often as necessary otherwise to establish to the satisfaction of the Surgeon General that the seed virus strains for vaccine manu-

facture have maintained their neurovirulence properties as set forth in § 73.114(b)(1).

(6) The Surgeon General may, from time to time, prohibit the use of a specified strain whenever he finds it is practicable to use another strain of the same type which is potentially less pathogenic for man, and that it will produce a vaccine of equivalent safety and potency.

§ 73.111 NIH reference strains.

The following NIH reference viruses shall be obtained from the Division of Biologics Standards.

NIH Reference Poliovirus, Live Attenuated, Type 1, for correlation of virus titers in tissue cultures.

NIH Reference Poliovirus, Live Attenuated, Type 2, for correlation of virus titers in tissue cultures.

NIH Reference Poliovirus, Live Attenuated, Type 3, for correlation of virus titers in tissue cultures.

NIH Reference Attenuated Poliovirus, Type 1, for correlation in monkey neurovirulence tests.

§ 73.112 Animal conditioning, personnel, and facilities.

(a) *Monkey conditioning, housing and handling.* (1) Only Macaca monkeys, or a species found by the Director, Division of Biologics Standards, to be equally suitable, in overt good health, that have reacted negatively to tuberculin six weeks prior to use, shall be used as the source of kidney tissue for the manufacture of poliovirus vaccine.

(2) Monkeys that have been used previously for experimental purposes shall not be used as a source of kidney tissue in the manufacture of vaccine.

(3) Monkeys to be used as a source of kidney tissue in virus manufacture shall be maintained for at least six weeks prior to use in cages closed on all sides with solid materials except the front, which shall be screened. Not more than two monkeys shall be housed in one cage, and cage mates shall not be interchanged.

(4) Excluding deaths from accidents or causes not due to infectious diseases, the death rate of any group of animals being conditioned in accordance with subparagraph (3) of this paragraph, shall not exceed five percent per month.

(5) Each animal at necropsy shall be examined under the direction of a qualified pathologist, physician, or veterinarian having experience with diseases of monkeys, for the presence of signs or symptoms of ill health, particularly for (i) evidence of tuberculosis, (ii) presence of herpes-like lesions, including eruptions or plaques on or around the lips, in the buccal cavity or on the gums and (iii) signs of conjunctivitis. If there are any such signs or other significant gross pathological lesions, the kidneys shall not be used in the manufacture of vaccine.

(b) *Personnel.* All possible steps shall be taken to insure that personnel are immune to poliovirus in order to minimize the possibility that they may become excretors of poliovirus.

(c) *Facilities.* The space set aside for work with live poliovirus vaccine shall

not be used for any other purpose during the vaccine manufacturing period. All areas used for live poliovirus vaccine manufacturing shall be decontaminated prior to the initiation of such manufacturing. Such separate unit is defined as the space for vaccine manufacture including tissue culture production, virus production, and related storage. Test procedures which potentially involve the presence of micro-organisms including viruses other than the vaccine strains, or the use of tissue culture cell lines other than primary cultures, shall not be conducted in live poliovirus vaccine manufacturing areas.

§ 73.113 Manufacture of Poliovirus Vaccine, Live, Oral.

(a) *Primary cell cultures.* Only primary monkey kidney tissue cultures may be used in the manufacture of poliovirus vaccine. Continuous line cells shall not be introduced or propagated in vaccine manufacturing areas.

(b) *Virus passages.* Virus in the final product shall represent no more than three tissue culture passages from the seed strain, all of which shall have met the criteria of acceptability prescribed in § 73.110(b).

(c) *Identification of trypsinized kidneys.* The kidneys from each monkey shall be trypsinized and processed and the viral fluid resulting therefrom shall be identified as a separate harvest and kept separately from other harvests until the testing procedures relating to that pair of kidneys have been satisfactorily completed as prescribed in the following paragraph.

(d) *Monkey kidney tissue production vessels prior to virus inoculation.* Prior to inoculation with the seed virus, the tissue culture growth in vessels representing each pair of kidneys shall be examined microscopically for evidence of cell degeneration for no less than three days after complete formation of the tissue sheet. If such evidence is observed, the tissue from that pair of kidneys shall not be used for poliovirus vaccine manufacture. To test the tissues found free of cell degeneration for freedom from demonstrable viable microbial agents, the fluid shall be removed from the cell cultures immediately prior to virus inoculation and tested in each of four culture systems; (1) Macaca monkey kidney cells, (2) Cercopithecus monkey kidney cells, (3) primary rabbit kidney cells, and (4) Human cells (from one of the systems described in § 73.114(a)(6)), in the following manner: Aliquots of fluid from each vessel shall be pooled and at least ten ml. of the pool inoculated into each system, with ratios of inoculum to medium being approximately 1:1 to 1:3 and the area of the surface growth of cells being at least three square centimeters per milliliter of test inoculum. The cultures shall be observed for at least 14 days. If these tests indicate the presence in the tissue culture preparation of any viable microbial agent the tissue cultures so implicated shall not be used for poliovirus vaccine manufacture.

(e) *Control vessels.* Before inoculation with seed virus, sufficient tissue

culture vessels to represent at least 25 percent of the cell suspension from each pair of kidneys shall be set aside as controls. The control vessels shall be examined microscopically for cell degeneration for an additional two week period. The cell fluids from such control vessels shall be tested, both at the time of virus harvest and at the end of the additional observation period, by the same method prescribed for testing of fluids in paragraph (d) of this section. In addition the cell sheet in each control vessel shall be examined for presence of hemadsorption viruses by the addition of guinea pig red blood cells. At least 80 percent of the control vessels shall successfully complete the additional 14-day observation period without microscopic evidence of cell degeneration of the tissue sheets. If less than 80 percent of the control vessels fail to complete satisfactorily the observation period, no tissue from the kidneys implicated shall be used for poliovirus vaccine manufacture.

(f) *Control vessels; interpretation of results.* If the results indicate the presence of any extraneous agent in the control vessels at the time of virus harvest from the inoculated vessels, the entire virus harvest from that tissue culture preparation shall not be used for poliovirus vaccine manufacture. If there is evidence of the presence in the tissue culture preparation of any human pathogen, as demonstrated by any of the tests or observations described in paragraphs (d) or (e) of this section, the virus grown in such tissue culture preparation shall not be used for poliovirus vaccine manufacture.

(g) *Kidney tissue production vessels after virus inoculation—Temperature.* After virus inoculation, production vessels shall be maintained at a temperature not to exceed 35.0° C. during the course of virus propagation.

(h) *Kidney tissue virus harvests.* Virus harvested from vessels containing the kidney tissue from one monkey may constitute a monovalent pool and be tested separately, or viral harvests from more than one pair of kidneys may be combined, identified and tested as a monovalent pool. Each pool shall be mixed thoroughly and samples withdrawn for testing as prescribed in § 73.114(a). The samples shall be withdrawn immediately after harvesting and prior to further processing, except that materials frozen immediately after harvesting and maintained at -60° C. or below, may be tested upon thawing, provided no more than one freeze-thaw cycle is employed.

(i) *Filtration.* After harvesting and removal of samples for the safety tests described in § 73.114(a), the pool shall be passed through sterile filters having a sufficiently small porosity to assure bacteriologically sterile filtrates.

§ 73.114 Test for safety.

(a) *Tests prior to filtration.* Monovalent vaccine pools shall contain no demonstrable viable microbial agent other than the attenuated live polioviruses intended. The vaccine shall be tested for the absence of adventitious and other infectious agents including

polioviruses of other types or strains, simian agents, Mycobacterium tuberculosis, Pox viruses, Lymphocytic Choriomeningitis virus, Echo viruses, Coxsackie viruses, and B-virus. Testing of each monovalent pool shall include but is not limited to the following procedures:

(1) *Inoculation of rabbits.* A minimum of 100 ml. of each monovalent virus pool shall be tested by inoculation into at least ten healthy rabbits, each weighing 1,500–2,500 grams. Each rabbit shall be injected intradermally in multiple sites, with a total of 1.0 ml. and subcutaneously with 9.0 ml., of the viral pool, and the animals observed for at least three weeks. Each rabbit that dies after the first 24 hours of the test or is sacrificed because of illness shall be necropsied and the brain and organs removed and examined. The virus pool may be used for poliovirus vaccine only if at least 80 percent of the rabbits remain healthy and survive the entire period and if all the rabbits used in the test fail to show lesions of any kind at the sites of inoculation and fail to show evidence of B-virus or any other viral infection.

(2) *Inoculation of adult mice.* Each of at least 20 adult mice each weighing 15–20 grams shall be inoculated intraperitoneally with 0.5 ml. and intracerebrally with 0.03 ml. of each monovalent virus pool to be tested. The mice shall be observed for 21 days. Each mouse that dies after the first 24 hours of the test or is sacrificed because of illness shall be necropsied, the brain removed and examined for evidence of viral infection. The examination shall include subinoculation of appropriate tissue into at least five additional mice and observed for 21 days. The monovalent virus pool may be used for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of lymphocytic choriomeningitis virus or other viral infection.

(3) *Inoculation of suckling mice.* Each of at least 20 suckling mice less than 24 hours old, shall be inoculated intracerebrally with 0.01 ml. and intraperitoneally with 0.01 ml. of the monovalent pool to be tested. The mice shall be observed daily for at least 14 days. Each mouse that dies after the first 24 hours of the test, or is sacrificed because of illness shall be necropsied and all areas examined for evidence of viral infection. Such examination shall include subinoculation of appropriate tissue suspensions into an additional group of at least five suckling mice by the intracerebral and intraperitoneal routes and daily observed for 14 days. In addition, a blind passage shall be made of a single pool of the emulsified tissue (minus skin and viscera) of all mice surviving the original 14 day test. The virus fluid under test is satisfactory for poliovirus vaccine only if at least 80 percent of the mice remain healthy and survive the entire period and if all the mice used in the test fail to show evidence of Coxsackie or other viral infection.

(4) *Inoculation of guinea pigs.* Each of at least five guinea pigs, each weighing 350–450 grams, shall be inoculated intracerebrally with 0.1 ml. and intra-

peritoneally with 5.0 ml. of the monovalent pool to be tested. The animals shall be observed for at least 42 days and daily rectal temperatures recorded for the last three weeks of the test. Each animal that dies after the first 24 hours of the test, or is sacrificed because of illness, shall be necropsied. The tissues shall be examined both microscopically and culturally for evidence of tubercle bacilli, and by passage of tissue suspensions into at least three other guinea pigs by the intracerebral and intraperitoneal routes of inoculation for evidence of viral infection. If clinical symptoms suggest infection with lymphocytic choriomeningitis virus, serological tests shall be performed on blood samples of the test guinea pigs. Animals that die or are sacrificed during the first three weeks after inoculation with poliovirus shall be examined for infection with lymphocytic choriomeningitis virus. Animals that die in the final three weeks shall be examined both microscopically and culturally for *M. Tuberculosis*. The monovalent virus pool is satisfactory for poliovirus vaccine only if at least 80 percent of all animals remain healthy and survive the observation period and only if all the animals used in the test fail to show evidence of infection with *M. Tuberculosis*, or any viral infection.

(5) *Inoculation of monkey kidney tissue cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, of each undiluted monovalent virus pool or in equal proportions from individual harvests or sub-pools, shall be tested for simian viruses in *Macaca* and *Cercopithecus* monkey kidney tissue culture preparations after neutralization of the poliovirus by high titer type specific non-simian antisera. The immunizing antigens used for the preparation of antisera shall be grown in a human tissue culture cell line. The monovalent virus pool is satisfactory for poliovirus vaccine only if all the animals fail to show evidence of the presence of simian viruses.

(6) *Inoculation of human cell cultures.* At least 500 doses or 50 ml., whichever represents a greater volume of virus, from one or more monovalent pools in equal proportions, shall be tested for the presence of measles virus in either (i) primary human amnion cells, (ii) primary human kidney cells, or (iii) any other cell system of comparable susceptibility to unmodified measles virus. The test material shall be neutralized with poliovirus antiserum of non-simian derivation if the tissue culture cell system used is susceptible to poliovirus. The monovalent pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of measles virus.

(7) *Inoculation of rabbit kidney tissue cultures.* At least 500 ml. of virus fluid, taken from either a single monovalent pool or in equal proportions from individual harvests or sub-pools, shall be tested in primary rabbit kidney tissue culture preparations for evidence of B-virus. The monovalent pool is satisfactory for poliovirus vaccine only if all tissue cultures fail to show evidence of the presence of B-virus.

(b) *Tests after filtration.* The following tests relating to safety shall be performed after the filtration process, on each monovalent pool or on each multiple thereof (monovalent lot):

(1) *Neurovirulence in monkeys.* Each monovalent pool or monovalent lot shall be tested in comparison with the NIH Reference Attenuated Poliovirus for neurovirulence in monkeys by both the intrathalamic and intraspinal routes of injection. A preinjection serum sample obtained from each monkey must be shown to contain no neutralizing antibody in a dilution of 1:4 when tested against no more than 1,000 TCD₅₀ of each of the three types of poliovirus. The neurovirulence tests are not valid unless the sample contains at least 10^{7.0} TCD₅₀ per ml. when titrated in comparison with the NIH Reference Poliovirus, Live, Attenuated, of the appropriate type. All monkeys shall be observed for 17 to 19 days, under the supervision of a qualified pathologist, physician or veterinarian, and any evidence of physical abnormalities indicative of poliomyelitis or other viral infections shall be recorded.

(i) *Intrathalamic inoculation.* Each of at least ten monkeys shall be injected intrathalamically with 1.0 ml. of undiluted virus and each of at least ten additional monkeys shall be injected intrathalamically with 1.0 ml. of virus diluted 10⁻¹. Similar injections shall be made in each of two similar groups of monkeys with the NIH Reference Attenuated Poliovirus. Comparative tests and evaluations shall be made with the virus under test and the NIH reference. Only monkeys that show evidence of inoculation into the thalamus shall be considered as having been injected satisfactorily.

(ii) *Intraspinal inoculation.* Each of a group of at least five monkeys shall be injected intraspinally with 0.2 ml. of undiluted virus and each monkey in four additional groups of at least five monkeys, shall be injected intraspinally with 0.2 ml. of virus diluted 10⁻¹, 10⁻², 10⁻³, and 10⁻⁴ respectively. Similar injections of the NIH Reference Attenuated Poliovirus shall be made in each of five similar groups of monkeys. Comparative tests and evaluations shall be made with the virus under test and the NIH reference. The injections are satisfactory only if each monkey shows microscopic evidence of inoculation in the gray matter of the lumbar cord.

(iii) *Determination of neurovirulence.* At the conclusion of the observation period comparative histopathological examinations shall be made of the lumbar cord, cervical cord, lower medulla, upper medulla and mesencephalon of each monkey in the groups injected with vaccine under test and those injected with the NIH reference virus, except that for animals dying during the test period, these examinations shall be made immediately after death. The animals shall be examined to ascertain whether the distribution and histological nature of the lesions are characteristic of poliovirus infection. A comparative evaluation shall be made of the evidence of neurovirulence of the virus under test

and the NIH Reference Attenuated Poliovirus with respect to (a) the number of animals in each dilution showing lesions characteristic of poliovirus infection, (b) the number of animals in each dilution showing lesions other than those characteristic of poliovirus infection, (c) the severity of the lesions, (d) the degree of dissemination of the lesions, and (e) the rate of occurrence of paralysis not attributable to the mechanical injury resulting from inoculation trauma. The virus under test is satisfactory for poliovirus vaccine manufacture only if at least 80 percent of the animals in each group survive the observation period and if a comparative analysis of the test results demonstrates that the neurovirulence of the test vaccine does not exceed that of the NIH Reference Attenuated Poliovirus.

(2) *Test for Virus Titer.* The concentration of living virus in each monovalent pool or lot shall be determined, using the NIH Reference Poliovirus, Live, Attenuated of the same type as a control. The titration shall be performed with either groups of ten tubes at 1 log dilution steps or groups of five tubes of 0.5 log dilution steps and the 50 percent (TCD₅₀) titration end-points calculated.

(3) *Tests for In-vitro Markers.* Two tests shall be performed with each monovalent pool, or each monovalent lot resulting therefrom, and with the NIH Reference Poliovirus, Live, Attenuated, of the same type. The tests shall be performed on the vaccine and on the NIH Reference Poliovirus as closely together in time as possible, using the rct/40 Marker and at least one of the other marker methods described below. The validity of all tissue culture tests shall be confirmed by including appropriate positive and homotypic negative strains of attenuated poliovirus as controls. The results of the tests shall demonstrate that the marker characteristic of the virus being tested does not differ significantly from that of the NIH Reference Poliovirus, Live, Attenuated, of the same type.

(i) *rct/40 Marker.* Attenuated strains which grow readily at 40° C. (± 0.5° C.) are classified as rct/40 positive (+) in contrast to the rct/40 negative (-) strains which show an increased growth of at least 100,000 fold at 36° C. over that obtained at 40° C. Comparative determinations shall be made in either tube or bottle cultures.

(ii) *d Marker.* Attenuated strains which grow readily at low concentrations of bicarbonate under agar are classified as d positive (+) in contrast to the d negative (-) strains which exhibit delayed growth under the same conditions. The cultures shall be grown in a 36° C. incubator either in stoppered bottles or in plates in an environment of 5 percent CO₂ in air.

(iii) *MS Markers.* Attenuated strains which grow more readily on monkey stable (MS) cells are classified as MS positive (+) in contrast to the MS negative (-) strains. Comparative determinations shall be made in either tube cultures or in bottle cultures under agar.

(4) *Test for sterility.* Each monovalent pool or each monovalent lot re-

sulting therefrom shall be tested for sterility by the procedure prescribed in § 73.73.

§ 73.115 Potency test.

The concentration of living virus expressed as TCD₅₀ of each type in the vaccine shall constitute the measure of its potency. The accuracy of the titration to determine the concentration of live virus shall be confirmed by using the NIH Reference Poliovirus, Live, Attenuated of the appropriate type as a control on the titration technique. The concentration of living virus (per ml.) of each type contained in the lot under test shall be equal (± 0.5 log) to the average of the concentrations of virus (per ml.) in the five lots of vaccine used in the clinical trials which qualified the vaccine for license.

§ 73.116 General requirements.

(a) *Final container tests.* Tests shall be made on final containers for identity, safety and sterility in accordance with §§ 73.72 and 73.73.

(b) *Consistency of manufacture.* No lot of vaccine shall be released unless each monovalent pool contained therein is one of a series of five consecutive pools of the same type, each pool having been manufactured by the same procedures, and each having met the criteria of neurovirulence for monkeys prescribed in § 73.114(b) (1), and of *in-vitro* markers as prescribed in § 73.114(b) (3).

(c) *Dose.* The individual human dose of live poliovirus vaccine and the dosage schedule recommended on the label shall be the same as that used in the clinical trials which qualified the vaccine for license.

(d) *Labelling.* Labelling shall comply with the requirements of §§ 73.50 to 73.55, inclusive. In addition the label or a package enclosure shall include the identification and source of the virus or viruses contained in the vaccine, the tissue medium on which the virus or viruses were propagated, stabilizers and preservatives if any, and the type and amount of antibiotics.

(e) *Dating.* (1) The expiration date in no event shall be more than two years after the date of manufacture as defined in § 73.82(a) provided the product is maintained in the frozen state, (2) the expiration date shall be no more than one year from the date of issue provided that the product is maintained in the frozen state, and (3) the expiration date shall be no more than seven days from the date of issue if issued as a liquid and provided it is maintained at a temperature no higher than 10° C.

(f) *Samples and reports.* For each lot of vaccine, the following materials shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda 14, Maryland:

(1) All protocols relating to the history of manufacture of each lot of vaccine, and the results of all tests performed.

(2) A one liter bulk sample of each monovalent pool used for the test described in § 73.114(b).

(3) A total of no less than a 200 milliliter sample of the vaccine in final labeled containers.

§ 73.117 Clinical trials to qualify for license.

To qualify for license, the antigenicity of the vaccine shall have been determined by clinical trials of adequate statistical design, by oral administration of the product. Such clinical trials shall be conducted with five consecutive lots of poliovirus vaccine which have been manufactured by the same methods, each of which has shown satisfactory results in all prescribed tests. Type specific neutralizing antibody (from less than 1:4 before vaccine treatment, to 1:16 or greater after treatment) shall be induced in 80 percent or more of susceptibles when administered orally as a single dose or in excess of 90 percent of susceptibles when administered orally after a series of doses. A separate clinical trial shall have been conducted for each monovalent and each polyvalent vaccine for which license application is made.

§ 73.118 Equivalent methods.

Modification of any particular manufacturing method or process or the conditions under which it is conducted as set forth in the additional standards relating to Poliovirus Vaccine, Live, Oral, shall be permitted whenever the manufacturer presents evidence that demonstrates the modification will provide assurances of the safety, purity, and potency of the vaccine that are equal to or greater than the assurances provided by such standards, and the Surgeon General so finds and makes such finding a matter of official record.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply Sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 282)

Dated: November 14, 1960.

[SEAL] JOHN D. PORTERFIELD,
Acting Surgeon General.

Approved: November 17, 1960.

ARTHUR S. FLEMMING,
Secretary.

[F.R. Doc. 60-10883; Filed, Nov. 22, 1960;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 600, 601]

[Airspace Docket No. 60-LA-45]

FEDERAL AIRWAYS, CONTROL AREAS, AND REPORTING POINTS

Revocations and Redesignation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13) notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 and §§ 600.15, 601.15, 601.4015, and 601.1071 of the Regulations of the Administrator, the substance of which is stated below.

Green Federal airway No. 5 extends in part from Los Angeles, Calif., to Columbus, N. Mex. The Federal Aviation

Agency is considering revoking this segment of Green 5. It is the policy of this Agency to revoke L/MF airways wherever adequate VOR airways are available and it appears that the route from Los Angeles to Columbus is adequately served by VOR Federal airway No. 16. Therefore, it appears that the retention of this airways segment is unjustified as an assignment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke the segment of Green 5, and its associated control areas, from Los Angeles to Columbus. In addition, the designated reporting points listed in § 601.4015 from the Riverside, Calif., radio range station to and including the Columbus, N. Mex., radio range station, would be revoked.

Concurrently with this action, it is proposed to redesignate the Burbank, Calif., control area extension (§ 601.1071) by deleting reference to Green 5 and other L/MF airways. The Burbank control area extension would be redesignated as the area east of Burbank, bounded on the east by VOR Federal airway No. 8 north alternate, on the south by VOR Federal airway No. 16, on the west by VOR Federal airway No. 201 and on the north by latitude 34°13'00" N.; and the area west of Burbank, bounded on the east by VOR Federal airway No. 299, on the south and west by VOR Federal airway No. 107, and on the north by VOR Federal airway No. 12. This would be a slight reduction in the extent of the control area extension.

It is also proposed to revoke the Chatsworth, Calif., control area extension (§ 601.1213) since it would be within control areas associated with VOR Federal airway No. 299.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation

Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on November 17, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-10869; Filed, Nov. 22, 1960;
8:45 a.m.]

[14 CFR Parts 600, 601, 608]

[Airspace Docket No. 60-NY-119]

RESTRICTED AREA/MILITARY CLIMB CORRIDOR; VOR FEDERAL AIRWAYS, CONTROL AREA EXTENSION AND CONTROL ZONE

Designation and Modification

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6039, 600.6106, 601.1064, 601.2276 and 608.29 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a restricted area/military climb corridor at Westover AFB, Chicopee Falls, Mass. The military climb corridor, designated as a restricted area, would confine the high-speed, high rate-of-climb Century series air defense aircraft, departing from the airbase on active air defense missions, within a relatively small area. The restricted area would provide protection for high speed air defense aircraft and other users of the airspace during the climb phase of the air defense aircraft mission. The proposed restricted area/military climb corridor would be designated to extend along the Westover TVOR 046° True radial from 5 statute miles northeast to 32 statute miles northeast of the airbase, 2 statute miles wide at the beginning and 4.6 statute miles wide at the outer extremity. The lower altitude limits in graduated steps would extend from 2,200 feet MSL to 19,200 feet MSL. The upper altitude limits would extend from 15,200 feet MSL to 27,000 feet MSL. Time of use would be continuous. The controlling agency would be the Westover AFB Approach Control. The controlling agency would authorize aircraft to operate within the Climb Corridor when not in use by active air defense aircraft.

Concurrently with this action, the Federal Aviation Agency proposes to modify VOR Federal airway No. 39 (§ 600.6039), VOR Federal airway No. 106 (§ 600.6106), the Chicopee Falls, Mass., control area extension (§ 601.1064), and the Westover, Mass., control zone (§ 601.2276), by amending their descriptions to restrict the use of the portions which would coincide with the proposed Chicopee Falls, Mass. (Westover AFB), Restricted Area/Military Climb Corridor until prior approval has been obtained from the controlling agency of the restricted area.

If these actions are taken, Chicopee Falls, Mass. (Westover AFB), Restricted Area/Military Climb Corridor (R-13) would be designated as follows:

Description. That area based on the 046° True radial of the Westover AFB TVOR, beginning 5 statute miles northeast of the airbase and extending 32 statute miles northeast of the airbase having a width of 1 statute mile each side of the 046° True radial at the beginning and a width of 2.3 statute miles each side of the 046° True radial at the outer extremity.

Designated altitudes

2,200' MSL to 15,200' MSL from 5 statute miles NE of the airbase to 6 statute miles NE of the airbase.

2,200' MSL to 24,200' MSL from 6 to 7 statute miles NE of the airbase.

2,200' MSL to 27,000' MSL from 7 to 10 statute miles NE of the airbase.

6,200' MSL to 27,000' MSL from 10 to 15 statute miles NE of the airbase.

10,200' MSL to 27,000' MSL from 15 to 20 statute miles NE of the airbase.

15,200' MSL to 27,000' MSL from 20 to 25 statute miles NE of the airbase.

19,200' MSL to 27,000' MSL from 25 to 32 statute miles NE of the airbase.

Time of designation. Continuous.

Controlling agency. Westover AFB, Approach Control.

The portions of VOR Federal airways No. 39 and 106, the Chicopee Falls, Mass., control area extension and the Westover, Mass., control zone which would coincide with the Chicopee Falls (Westover AFB) Restricted Area/Military Climb Corridor (R-13) would be used only after obtaining prior approval from the controlling agency of the restricted area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on November 17, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-10870; Filed, Nov. 22, 1960;
8:46 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-LA-55]

CONTROL AREA EXTENSION

Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration designation of the Longview, Wash., control area extension as the area bounded on the north by the Toledo, Wash., control area extension, on the east by VOR Federal airway No. 23, on the south by the Portland, Oreg., control area extension and on the west by VOR Federal airway No. 99. This would provide protection to aircraft utilizing the radar vector route from the Winlock Intersection on Victor 99 to the Woodland fan marker on Victor 23 and permit southbound aircraft on Victor 99 to bypass the area west of Portland while jet penetrations and departures are in progress at Portland International Airport.

If this action is taken, the Longview, Wash., control area extension would be designated as the area bounded on the north by the Toledo, Wash., control area extension, on the east by VOR Federal airway No. 23, on the south by the Portland, Oreg., control area extension and on the west by VOR Federal airway No. 99.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on November 17, 1960.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 60-10868; Filed, Nov. 22, 1960;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13852; FCC 60-1376]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

1. Notice is hereby given of rule making in the above-entitled matter.

2. The Commission has under consideration two partially conflicting proposals for changes in VHF television channel assignments at various communities in Maine, as follows:

(a) A petition filed March 16, 1959, by Leon P. Gorman, Bangor, Maine, proposing that Channel 7, now assigned to Calais, Maine for commercial use, be deleted from that city and assigned for commercial use at Bangor, by amending § 3.606 of our rules as follows:

City	Channel No.	
	Present	Proposed
Bangor, Maine.....	2-, 5+, *16-	2-, 5+, 7-, *16-
Calais, Maine.....	7-, 20-	20-

(b) A petition filed May 31, 1960, by The University of Maine, Orono, Maine, requesting that VHF channels now assigned for commercial use at Augusta, Calais and Presque Isle, Maine (Channels 10, 7 and 10, respectively) be reserved for educational use, by amending § 3.606 as follows:

City	Channel No.	
	Present	Proposed
Augusta, Maine.....	10-, 29+	*10-, 29+
Calais, Maine.....	7-, 20-	*7-, 20-
Presque Isle, Maine...	8, 10+, 19	8, *10+, 19

3. Of the channels listed above, the two VHF channels assigned to Bangor and Channel 8 at Presque Isle are now in use (by Stations WLBZ-TV, Bangor Channel 2, WABI-TV, Bangor Channel 5, and WAGN-TV, Presque Isle Channel 8). At Augusta on Channel 10 there is an outstanding construction permit, for Station WPTT; on September 21, 1960, control of the permittee of this station (Pine Tree Telecasting Corporation) passed to Bates College, of Lewiston, Maine, and Bates College has stated that it intends to operate WPTT entirely as an educational station and would have no objection to educational reservation of this channel and concomitant modification of the WPTT construction permit. There are no other permits or

applications for any of the above-mentioned channels.

4. The proposal of Gorman to shift Channel 7 to Bangor is supported by American Broadcasting Company. These parties assert that assignment of the channel to Bangor would meet all applicable allocation requirements; that no application has ever been filed for use of the channel at the relatively small community of Calais and, in any event, a station using the channel there would waste much of its coverage on Canadian territory; and that assignment of the channel at Bangor, the state's third largest city, would provide additional service in that area and improve the competitive situation by providing a third outlet in the market. Gorman asserts that if his proposal is adopted, he and associates will form a corporation which will apply for the new channel. Letters have been filed in opposition to the petition, including one from an official of St. Croix Broadcasting Co., Inc., licensee of radio Station WQDY, Calais, asserting that the Calais area is one of the few television "white areas" in the nation, one until recently without any radio service, and that it is the intention and earnest desire of his company to be able to provide television service as well as radio service in this area.

5. The University of Maine's petition, which is supported by a number of other educational institutions and groups, asserts that the reservation of VHF channels at Augusta, Calais and Presque Isle, in addition to Channel 12 presently reserved at Orono, will make possible a state-wide educational network reaching 98 percent of Maine's population. Proposed uses and planning efforts in connection with this arrangement are described. The only opposition to the University's petition is one filed on July 18, 1960, by the permittee of WPTT, Augusta, which was then still controlled by the former owner, asserting that the University had not shown facts demonstrating a reasonable likelihood of actual use of the three channels for education, and that no application has been filed, or apparently any final plans made, for an educational station at Orono, where the University is located and where a channel is already reserved for such use. In a reply to this opposition the University refers again to those preparations which have been made. As mentioned above, WPTT, now controlled by Bates College, no longer opposes the proposed Augusta educational reservation.

6. The Commission is of the view that a rule making proceeding should be instituted in order that interested parties may submit their views as to which, if either, of the proposals mentioned should be adopted. We wish to emphasize that, in determining what allocation of channels would best serve the public interest, the Commission must take into account the likelihood that a particular channel assignment will in fact be utilized. Parties proposing to use the channels involved here—either as presently assigned or as proposed for reassignment—are therefore requested to submit in their comments the most specific and detailed

information possible concerning their plans and preparations for use of the channels in which they are interested.

7. Since Bangor is closer than 250 miles to the U.S.-Canadian boundary, assignment of Channel 7 to that city would require the concurrence of Canadian authorities, under the provisions of the U.S.-Canadian agreement of 1952 (TIAS 2594). No final action on this proposal would be taken until formal Canadian concurrence is obtained.¹

8. Authority for the adoption of the amendments proposed herein is contained in sections 4 (i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

9. Pursuant to applicable procedures set out in § 1.213 of the Commission's rules, interested parties may file comments on or before December 23, 1960, and reply comments on or before January 9, 1961. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

10. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished the Commission.

Adopted: November 16, 1960.

Released: November 18, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10892; Filed, Nov. 22, 1960;
8:49 a.m.]

[47 CFR Part 3]

[Docket No. 13457; FCC 60-1378]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS

Notice of Proposed Rule Making

1. The Commission has under consideration the proposal outlined in its Notice of Proposed Rule Making issued on April 11, 1960, FCC 60-357, looking toward an amendment of § 3.606, *Table of assignments Television Broadcast Stations*, as follows:

City	Channel No.	
	Present	Proposed
Louisville, Ky.....	3-, 11+, *15, 21-, 41-, 51-	3-, 11+, *15, 21-, 32, 41-, 51-
Madison, Ind.....	25-	77+
Muncie, Ind.....	49, *55+, 71	49, *55+, 83
Richmond, Ind.....	32-	71
Oak Ridge, Tenn.....	32+	79

¹ It is expected that the Canadian authorities would require any proposed station at Bangor on Channel 7 to operate with reduced power in the direction of Station CHLT-TV, Sherbrooke, Quebec. The Bangor station would also be required to locate its transmitter at least 170 miles from CHLT-TV, which would necessitate a transmitter location some distance east of Bangor.

2. The proceeding was instituted upon petition of United Electronics Laboratories, Inc., applicant for Channel 51 at Louisville, Kentucky. In its request petitioner urged that the proposal would not involve any dislocation of an existing station or assignment; that it would permit the pending applicants to render the service they sought; and that it would remove the necessity for a comparative hearing. In its Notice the Commission invited comments with respect to the need and desirability of adding a UHF channel to Louisville and to the prospects that such a channel would lead to the early establishment of additional TV service in Louisville.

3. No comments favoring the proposal were filed in the proceeding. American Broadcasting Company neither opposed nor supported the proposal but submitted "that it would serve no useful purpose and that the Commission's energies would be better devoted to seeking a method of providing a third commercial VHF channel for Louisville."

4. At the time of the filing of the petition for rule making by United Electronics there were two applications for the remaining Channel 51 in Louisville. These had been designated for a comparative hearing. However, on October 20, 1960, one of the applications, Docket 13318, was dismissed and the other, Docket 13319, was granted. Thus, the need for a comparative hearing no

longer exists and there does not appear to be any need or demand for an additional UHF channel in Louisville.

5. In view of the foregoing: *It is ordered*, That the petition of United Electronics Laboratories, Inc., is denied and this proceeding is terminated.

Adopted: November 16, 1960.

Released: November 18, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10893; Filed, Nov. 22, 1960;
8:49 a.m.]

[47 CFR Part 3]

[Docket No. 13506]

FM BROADCAST STATIONS TRANSMITTING STEREOPHONIC PROGRAMS

Order Extending Time for Filing Reply Comments

In the matter of amendment of Part 3 of the Commission's rules and regulations to permit FM broadcast stations to transmit stereophonic programs on a multiplex basis, Docket No. 13506.

1. The Commission has before it a motion of General Electric Company, filed November 3, 1960, requesting a short extension of time for filing reply com-

ments in the above-entitled proceeding. The time for filing comments herein expired on October 28, 1960, and for reply comments, November 8, 1960.

2. General Electric states that additional time is needed for it to prepare and submit reply comments in view of the problem of obtaining copies of comments filed and of submitting them to its engineers in Utica, New York.

3. Taking into account the subject matter of the proceeding, the detailed and technical nature of many of the comments filed, and the fact that the period allowed for filing reply comments was relatively short in light of the fact that the period for filing comments extended over a period of several months, the Commission believes that a short extension of time for filing reply comments is warranted and in the public interest.

4. *Accordingly, it is ordered*, This 16th day of November 1960, That the aforementioned motion of General Electric Company for an extension of time is granted, and that the time for filing reply comments in this proceeding is extended from November 8, 1960, to November 21, 1960.

Released: November 17, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10894; Filed, Nov. 22, 1960;
8:49 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

1961 CROP SUGAR BEET

Notice of Hearings on Wages and Prices and Designation of Presiding Officers

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq.), notice is hereby given that public hearings will be as follows:

At Detroit, Michigan, December 5, 1960, in Court Room 859, Federal Building, beginning at 10 a.m.;

At Fargo, North Dakota, December 7, 1960, in the Community Room, Northwestern Saving & Loan Association, 720 Main Street, at 10 a.m.;

At Yakima, Washington, on December 10, 1960, in the Chinook Hotel, beginning at 10 a.m.;

At Greeley, Colorado, December 13, 1960, in the Elks Club, 922 Ninth Street, beginning at 10 a.m.;

At Berkeley, California, December 19, 1960, Room 215 Stead Building, 1960 Addison Street, at 10 a.m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301(c) (1) of the Act, fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugar beets for the 1961 crop on farms with respect to which applications for payments under the Act are made, and (2), pursuant to the provisions of section 301(c) (2) of the Act, fair and reasonable prices for the 1961 crop of sugar beets to be paid under purchase or toll agreements by producers who process sugar beets grown by other producers and who apply for payments under the Act.

To obtain the best possible information, the Department requests that all interested parties appear at the hearings to express their views and to present appropriate data with respect to wages and prices.

The hearings after being called to order at the times and places mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearings by the presiding officers.

Tom O. Murphy, A. A. Greenwood, Ward S. Stevenson, William N. Garrott, and Charles F. Denny are hereby designated as presiding officers to conduct

either jointly or severally the foregoing hearings.

Issued this 21st day of November 1960.

LAWRENCE MYERS,
*Director, Sugar Division,
Commodity Stabilization Service.*

[F.R. Doc. 60-10957; Filed, Nov. 22, 1960;
8:52 a.m.]

Office of the Secretary MISSOURI

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of Missouri a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSOURI

Adair.	Lewis.
Caldwell.	Linn.
Carroll.	Livingston.
Chariton.	Macon.
Christian.	Randolph.
Clark.	Scotland.
Gentry.	Shelby.
Greene.	Sullivan.
Grundy.	Worth.
Knox.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1961, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 18th day of November 1960.

CLARENCE L. MILLER,
Acting Secretary.

[F.R. Doc. 60-10901; Filed, Nov. 22, 1960;
8:50 a.m.]

TEXAS

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in Williamson County, Texas, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named county after June 30, 1961, except to applicants who previously received such assistance

and who can qualify under established policies and procedures.

Done at Washington, D.C., this 18th day of November 1960.

CLARENCE L. MILLER,
Acting Secretary.

[F.R. Doc. 60-10902; Filed, Nov. 22, 1960;
8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket Nos. 11913, 11917]

CITY OF MT. VERNON, ILL., ET AL.

Notice of Prehearing Conference

The city of Mt. Vernon, Ill., the Mt. Vernon Airport Authority, and the Chamber of Commerce, of Mt. Vernon, Ill., Docket 11913; the Williamson County Airport Authority et al., Docket 11917.

Notice is hereby given that a prehearing conference on the above-entitled applications is assigned to be held on November 30, 1960, at 10:00 a.m., e.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Raymond J. Lynch.

Dated at Washington, D.C., November 18, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10884; Filed, Nov. 22, 1960;
8:48 a.m.]

[Docket 11897]

BRITISH OVERSEAS AIRWAYS CORP.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on December 1, 1960, at 10:00 a.m., e.s.t., in Room 701, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Chief Examiner Francis W. Brown.

Dated at Washington, D.C., November 18, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10885; Filed, Nov. 22, 1960;
8:48 a.m.]

[Docket 11801]

AMERICAN AIRLINES, INC.; ROANOKE SERVICE

Notice of Prehearing Conference

In the matter of the petition of American Airlines, Inc., under section 401(g) of the Federal Aviation Act of 1958, as amended, for the termination or suspension of its authority to serve Roanoke, Virginia.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on December 6, 1960, at 2:00 p.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner James S. Keith.

Dated at Washington, D.C., November 17, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10886; Filed, Nov. 22, 1960; 8:48 a.m.]

[Docket 9900]

SERVICE TO MARTINSBURG, W. VA.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on December 7, 1960, at 10:00 a.m., e.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Leslie G. Donahue.

Dated at Washington, D.C., November 17, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10887; Filed, Nov. 22, 1960; 8:48 a.m.]

[Docket 10064]

WEST COAST AIRLINES, INC., RE-NEWAL OF TEMPORARY INTERMEDIATE POINTS

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be held on December 6, 1960, at 10:00 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., November 17, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-10888; Filed, Nov. 22, 1960; 8:48 a.m.]

COMMITTEE FOR RECIPROCITY INFORMATION

TRADE-AGREEMENT NEGOTIATIONS UNDER GENERAL AGREEMENT ON TARIFFS AND TRADE

Supplementary Notice

Submission of information to the Committee for Reciprocity Information.

Closing date for applications to be heard December 27, 1960.

Closing date for submission of briefs by those desiring to be heard December 27, 1960.

Closing date for submission of briefs by those not desiring to be heard January 5, 1961.

Public hearings open January 5, 1961.

The Interdepartmental Committee on Trade Agreements has issued on this day a notice¹ supplementing the notice published May 28, 1960 (25 F.R. 4764), as corrected (25 F.R. 5197), of intention to conduct trade agreement negotiations under the General Agreement on Tariffs and Trade with foreign governments which are contracting parties to that agreement and with certain other governments.

Annexed to the supplementary notice of the Interdepartmental Committee on Trade Agreements is a list of additional articles imported into the United States to be considered for possible concessions in the negotiations; this list supplements the list annexed to the notice by that Committee published May 28, 1960 (25 F.R. 4764-79), as corrected (25 F.R. 5197).

Pursuant to paragraph 5 of Executive Order 10082 of October 5, 1949, as amended (3 CFR, 1949-1953 Comp. pp. 281, 355), the Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to any aspect of the proposals announced in this supplementary notice shall be submitted to the Committee for Reciprocity Information not later than December 27, 1960. The application must indicate the import article or articles on which the applicant desires to be heard and an estimate of the time required for oral presentation. All persons who make application to be heard shall also submit to the Committee their views in writing in regard to the foregoing proposals not later than December 27, 1960. Written statements of persons not desiring to be heard shall be submitted not later than January 5, 1961. Such communications shall be addressed to "Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D.C." Fifteen copies of written statements, either typed, printed, or duplicated, shall be submitted, of which one copy shall be sworn to.

Written statements submitted to the Committee, except information and business data proffered in confidence, shall be open to inspection by interested persons. Information and business data proffered in confidence shall be submitted on separate pages clearly marked "For Official Use Only of the Committee for Reciprocity Information".

Public hearings will be held before the Committee for Reciprocity Information at which oral statements will be heard, beginning at 2:00 p.m. on January 5, 1961, in the Hearing Room in the Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Witnesses who make application to be heard will be advised regarding the time and place of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written applica-

tion for oral presentation of views. Statements made at the public hearings shall be under oath.

Persons or groups interested in import articles may present to the Committee their views concerning possible tariff concessions by the United States on any article, whether or not included in the list annexed to the supplementary notice, but not including any article provided for in the list published May 28, 1960, as corrected. No tariff reduction or specific continuance of customs or excise treatment will be considered on any article which is not included in the list annexed to the aforesaid public notice by the Interdepartmental Committee on Trade Agreements, the list annexed to the supplementary notice on this date, or in a further supplementary list (or in a prior list in the case of a continued negotiation of compensatory adjustments). Any other matters appropriate to be considered in connection with the proposed negotiations may also be presented.

The United States Tariff Commission has today announced² public hearings on the import items appearing in the list annexed to the supplementary notice to run concurrently with the hearings of the Committee for Reciprocity Information. Oral testimony and written information submitted to the Tariff Commission will be made available to and will be considered by the Interdepartmental Committee on Trade Agreements. Consequently, interested persons may present oral testimony with regard to import articles included in the foregoing list at the Tariff Commission hearings only, but they may, if they wish, appear also before the Committee for Reciprocity Information, if they have previously made written application to appear and have filed a written brief with the Committee in accordance with the terms of this notice.

Copies of the list of import articles attached to the supplementary notice being issued by the Interdepartmental Committee on Trade Agreements may be obtained from the Committee for Reciprocity Information at the address designated above and may be inspected at the field offices of the Department of Commerce.

By direction of the Committee for Reciprocity Information this 22d day of November 1960.

EDWARD YARDLEY,
Secretary, Committee for
Reciprocity Information.

[F.R. Doc. 60-10781; Filed, Nov. 22, 1960; 12:00 m.]

INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

TRADE-AGREEMENT NEGOTIATIONS UNDER GENERAL AGREEMENT ON TARIFFS AND TRADE

Supplementary Notice

Pursuant to section 4 of the Trade Agreements Act, approved June 12, 1934,

¹ See F.R. Doc. 60-10782, *infra*.

² See F.R. Doc. 60-10783, *infra*.

as amended (48 Stat. 945, ch. 474; 65 Stat. 73, ch. 141), and to paragraph 4 of Executive Order 10082 of October 5, 1949, as amended (3 CFR 1949-1953 Comp. pp. 281, 355), notice was published on May 28, 1960 by the Interdepartmental Committee on Trade Agreements of proposed trade agreement negotiations with foreign governments which are contracting parties to the General Agreement on Tariffs and Trade and with the Governments of Israel, Spain, Switzerland, and Tunisia (25 F.R. 4764). Annexed to such notice was a list of articles imported into the United States to be considered for possible modification of duties or other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment in the announced trade agreement negotiations (25 F.R. 4756-79), which list was later corrected in certain particulars (25 F.R. 5197).

Further notice is hereby given, supplementary to the original notice, that the foregoing trade agreement negotiations will include possible negotiations also with the Governments of Ireland, Libya, Cambodia, Argentina, and Portugal, or with instrumentalities thereof, and including in each case areas in respect of which such governments or instrumentalities thereof have authority to conduct trade agreement negotiations. There is annexed hereto a list, supplementary to the original list, as corrected, of additional articles imported into the United States to be considered in the proposed trade agreement negotiations for possible modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment.

The additional articles proposed for consideration in the negotiations are identified in the annexed list by specifying the numbers of the paragraphs in the tariff schedules of Title I and Title II of the Tariff Act of 1930, as amended, in which they are provided for together with the language used in such tariff paragraphs to provide for such articles, except that where necessary the statutory language has been modified by the omission of words or the addition of new language in order to narrow the scope of the original language. Where no qualifying language is used with regard to the type, grade, value, et cetera, of any listed article, all types, grades, values, et cetera, of the article covered by the language used are included. In case of any listed article that is subject to an import tax under the Internal Revenue Code of 1954, as amended, the tax on such article will be considered for possible modification or binding against increase. In the case of each article in the list with respect to which the corresponding product of Cuba is now entitled to preferential treatment, the negotiations referred to will involve the elimination, reduction, or continuation of the preference, perhaps in some cases with an adjustment or specification of the rate applicable to the product of Cuba.

No article will be considered in the negotiations for possible modification of duties or other import restrictions, im-

position of additional import restrictions, or specific continuance of existing customs or excise treatment unless it is included, specifically or by reference, in the list annexed to the notice by the Committee published May 28, 1960, as corrected, or in the list annexed hereto, or unless it is subsequently included in a further supplementary public list (or in a prior list in the case of a continued negotiation of compensatory adjustments). Except where otherwise indicated in the next sentence of this notice or in the list itself, only duties imposed under the paragraphs of the Tariff Act of 1930 specified in the list with regard to articles described therein and import taxes, if any, imposed on such articles under the Internal Revenue Code of 1954, as amended, will be considered for a possible decrease, but additional or separate duties or taxes on such articles imposed under any other provisions of law may be bound against increase as an assurance that the concession under the listed paragraph or section will not be nullified. In addition, any action which might be taken with respect to basic duties on products may involve action with respect to compensatory duties imposed on manufactures containing such products.

In the event that an article which as of February 1, 1960, was regarded as classifiable under a description included in the list is excluded therefrom by judicial decision or otherwise prior to the conclusion of the trade agreement negotiations, this list will nevertheless be considered as including such article.

Pursuant to section 4 of the Trade Agreements Act, as amended, and paragraph 5 of Executive Order 10082 of October 5, 1949, as amended, information and views as to any aspect of the proposals, including the list of articles, announced in this supplementary notice may be submitted to the Committee for Reciprocity Information in accordance with the announcement¹ of this date issued by that Committee. Persons interested in export articles may wish to express their views regarding any tariff or other trade concessions that might be requested of foreign governments, or instrumentalities thereof, with which negotiations are to be conducted. Any other matter appropriate to be considered in connection with the negotiations proposed above may also be presented.

Public hearings in connection with the "peril point" investigation of the United States Tariff Commission in connection with the articles included in the annexed list, pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended, are the subject of an announcement² of this date issued by that Commission.

By direction of the Interdepartmental Committee on Trade Agreements this 22d day of November 1960.

JOHN A. BIRCH,
Chairman, Interdepartmental
Committee on Trade Agreements.

¹ See F.R. Doc. 60-10781, *supra*.

² See F.R. Doc. 60-10783, *infra*.

SUPPLEMENTAL LIST OF ARTICLES IMPORTED INTO THE UNITED STATES PROPOSED FOR CONSIDERATION IN TRADE AGREEMENT NEGOTIATIONS

TARIFF ACT OF 1930, TITLE I—DUTIABLE LIST

Schedule 1. Chemicals, Oils, and Paints

- Paragraph 1. Chloroacetic acid and oxalic acid.
- Paragraphs 5 and 23. All medicinal preparations, whether obtained naturally or artificially, and not specially provided for, and whether or not in any form or container specified in paragraph 23, Tariff Act of 1930 (except derivatives of barbituric acid, ergot derivatives, vitamins, and except any article or articles provided for otherwise than as "medicinal preparations" in paragraph 5, Tariff Act of 1930, as set forth in "United States Import Duties (1958)"); tellurium and tellurium compounds; pentaerythritol.
- Paragraph 6. Aluminum hydroxide or refined bauxite:
Alumina, when imported for use in producing aluminum.
- Paragraph 7. Ammonium phosphate.
- Paragraph 20. Chalk or whiting or Paris white:
Dry, ground (not including ground in oil), or bolted, or put up in the form of cubes, blocks, sticks, or disks, or otherwise, including tailors', billiard, red, and manufactures of chalk not specially provided for.
- Paragraph 24. Medicinal compounds, preparations, mixtures, and salts, flavoring extracts, and natural or synthetic fruit flavors, fruit esters, oils and essences, all the foregoing and their combinations containing not more than 50 per centum of alcohol.
- Paragraph 26. Diethylbarbituric acid and salts and compounds thereof.
- Paragraph 31(b) (1), (2). All compounds of cellulose (except cellulose acetate, but including pyroxylin and other cellulose esters and ethers), and all compounds, combinations, or mixtures of which any such compound is the component material of chief value:
Methyl cellulose in any form; tubings from which meat casings are manufactured, made of hide fleshings (hide splits), and meat casings, finished or partly finished, made from such tubings.¹
- Paragraph 36. Digitalis.
- Paragraph 62. Bay rum or bay water, whether distilled or compounded.
- Paragraph 78. Potassium carbonate.
- Paragraph 81. Sodium chloride or salt, in bulk.

Schedule 2. Earths, Earthenware, and Glassware

- Paragraph 202(a). Tiles, other than floor and wall tiles, however provided for in paragraph 202(a), Tariff Act of 1930.
- Paragraph 217. Bottles, vials, jars, ampoules, and covered or uncovered demijohns, and carboys, any of the foregoing, wholly or in chief value of glass, not specially provided for, if unfilled and holding more than one pint.
- Paragraph 218(e). Vials, wholly or in chief value of glass, fitted with or designed for use with ground-glass stoppers, when suitable for use and of the character ordinarily employed for the holding or transportation of perfume, talcum powder, toilet water, or other toilet preparations, and if produced by automatic machine.
- Paragraph 218(e)(h). Bottles and jars, wholly or in chief value of glass, whether or not fitted with or designed for use with ground-glass stoppers, of the character used or designed to be used as containers of perfume, talcum powder, toilet water, or

¹ See Treasury Decision 55076(1).

other toilet preparations, produced otherwise than by automatic machine, and filled with contents, other than toilet preparations, subject to an ad valorem rate of duty. Paragraph 218(f). Table and kitchen articles and utensils, and household articles other than kitchen and table articles and utensils not specially provided for, composed wholly or in chief value of glass, all the foregoing if millefiori glass, or if decorated with glass pictorial representations or with glass thread-or-ribbon-like effects (but not with metal flecking) introduced into the body of the article or utensil prior to solidification (except cut or engraved articles and utensils, articles commercially known as bubble glass, and produced otherwise than by automatic machine, and Christmas-tree ornaments).

Schedule 3. Metals and Manufactures of

Paragraph 301. Iron in pigs and iron kettles not subject to any additional duty under the third proviso to paragraph 301, Tariff Act of 1930.

Paragraph 301. Wrought and cast scrap iron, and scrap steel, all the foregoing not subject to any additional duty under the third proviso of paragraph 301, Tariff Act of 1930.

Paragraph 302(n). Barium, boron, strontium, thorium, and vanadium.

Paragraph 343. Spring-beard needles.

Paragraph 353. Articles having as an essential feature an electrical element or device, such as electric motors, fans, locomotives, portable tools, furnaces, heaters, ovens, ranges, washing machines, refrigerators, and signs, and parts thereof, finished or unfinished, wholly or in chief value of metal, and not specially provided for:

Internal-combustion engines, carburetor type, and parts thereof.

Paragraph 365. Shotguns, valued at not more than \$10 each; stocks for shotguns, wholly or partly manufactured.

Paragraph 370. Parts of motorboats:

Internal-combustion motor-boat engines, non-carburetor type, and weighing over 2,500 pounds each.

Paragraph 372. Sewing machines, not specially provided for, valued at more than \$10 but not more than \$75 each, and if of the household type; and parts of household-type sewing machines, not specially provided for, wholly or in chief value of metal or porcelain.

Apparatus for the generation of acetylene gas from calcium carbide; and parts thereof, not specially provided for, wholly or in chief value of metal or porcelain.

Machines, finished or unfinished, not specially provided for; and parts not specially provided for, wholly or in chief value of metal or porcelain, of any of the foregoing:

Internal-combustion engines, carburetor type, and parts thereof.

Paragraph 374. Aluminum, and alloys (except those provided for in paragraph 302, Tariff Act of 1930) in which aluminum is the component material of chief value, in crude form (not including scrap).

Paragraph 382(b). Stamping and embossing materials of bronze powder, or Dutch metal powder, or aluminum powder, mounted on paper or equivalent backing, and releasable from the backing by means of heat and pressure.

Paragraph 397. Articles or wares composed wholly or in chief value of nickel, but not plated with platinum, gold, or silver, or colored with gold lacquer, whether partly or wholly manufactured:

Rivets, having shanks exceeding $\frac{2}{100}$ inch in diameter; screws, commonly called wood screws, having shanks exceeding $\frac{1}{100}$ inch in diameter; screws, other than those commonly called wood screws, having shanks exceeding $\frac{2}{100}$ inch in diameter; washers and nuts, having holes

or threads exceeding $\frac{2}{100}$ inch in diameter; and any other article composed wholly or in chief value of nickel which is not mentioned by name in paragraph 397, Tariff Act of 1930, as set forth in "United States Import Duties (1958)".

Schedule 4. Wood and Manufactures of

Paragraph 405. Wood unmanufactured, not specially provided for.

Paragraph 406. Hubs for wheels, heading bolts, stove bolts, last blocks, wagon blocks, oar blocks, heading blocks, and all like blocks or sticks, rough-hewn, or rough shaped, sawed or bored.

Paragraph 409. Furniture wholly or in chief value of rattan, reed, bamboo, osier or willow, malacca, grass, seagrass, or fiber of any kind.

Paragraph 412. Manufactures of wood or bark, or of which wood or bark is the component material of chief value, not specially provided for:

Faucets and spigots.

Schedule 7. Agricultural Products and Provisions

Paragraph 717(a). Fish, fresh or frozen (whether or not packed in ice), whole, or beheaded or eviscerated or both, but not further advanced (except that the fins may be removed), not specially provided for:

Eels, lake trout, and sturgeon.

Paragraph 718(a). Fish, prepared or preserved in any manner, when packed in oil or in oil and other substances:

Sardines (except smoked sardines), neither skinned nor boned, valued over 30 cents per pound, including weight of the immediate container; and sardines, skinned or boned, and anchovies, valued over 9 cents per pound, including weight of the immediate container.

Paragraph 719. Fish, pickled or salted (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than 15 pounds each):

(2) Cod, haddock, hake, pollock, and cusk, neither skinned nor boned (except that the vertebral column may be removed), when containing more than 43 per centum of moisture by weight;

(4) Herring, whether or not boned, in immediate containers weighing with their contents more than 15 pounds each and containing each not over 10 pounds of herring, net weight; mackerel, whether or not boned, in bulk or in immediate containers weighing with their contents more than 15 pounds each, or in immediate containers (not air-tight) weighing with their contents not more than 15 pounds each.

Paragraph 720(a)(4). Fish, smoked or kippered (except fish packed in oil or in oil and other substances and except fish packed in air-tight containers weighing with their contents not more than 15 pounds each):

Cod, haddock, hake, pollock, and cusk, whole, or beheaded or eviscerated or both, but not further advanced (except that the vertebral column may be removed).

Paragraph 721(e). Oysters, smoked, packed in air-tight containers.

Paragraph 722. Barley malt.

Paragraph 730. Hulls of oats, barley, buckwheat, or other grains, ground or unground; dried beet pulp.

Paragraph 731. Screenings, scalplings, chaff, or scourings of wheat, flaxseed, or other grains or seeds, unground, or ground.

Paragraph 736. Berries, edible:

Blueberries in their natural condition or in brine, or dried, desiccated, or evaporated, or otherwise prepared or preserved, or frozen, and not specially provided for; and other berries (except barberries) dried, desiccated, or evaporated.

Paragraph 761. Edible nuts, pickled, or otherwise prepared or preserved, and not specially provided for.

Paragraph 763. Grass and forage crop seeds not specially provided for:

Fescue (except meadow fescue).

Paragraph 764. Tree and shrub seeds.

Paragraph 769. Chickpeas or garbanzos, dried (not including split).

Paragraph 775. Bean stick, miso, bean cake, and similar products, not specially provided for; sauerkraut.

Paragraph 775. Hash, not specially provided for:

Corned beef hash.

Paragraph 778. Ginger root, candied or otherwise prepared or preserved.

Paragraph 782. Teasels, not bleached, colored, dyed, painted, or chemically treated.

Schedule 8. Spirits, Wines, and Other Beverages

Paragraph 804. Still wines produced from grapes (not including vermouth), containing over 14 per centum of absolute alcohol by volume (except sherry wines and except wines, in containers holding each one gallon or less, entitled under regulations of the United States Internal Revenue Service to a type designation which includes the name "Marsala" and if so designated on the approved label).

Schedule 9. Cotton Manufactures

Paragraph 911(b). Table and bureau covers, centerpieces, runners, scarfs, napkins, and dollies, made of plainwoven cotton cloth, and not specially provided for, if block-printed by hand.

[Note: The duty on the above item was reduced from 30 percent to 15 percent ad valorem effective June 28, 1944 pursuant to a trade agreement with Iran. On termination of the agreement, effective August 26, 1960, the duty reverted to 30 percent ad valorem. No reduction in the duty below 15 percent ad valorem will be considered.]

Schedule 11. Wool and Manufactures of

Paragraph 1101(b). Wools provided for in paragraph 1101(a), Tariff Act of 1930, and all other wools of whatever blood or origin not finer than 46s, entered or withdrawn from warehouse by a manufacturer, processor, or dealer upon the filing of a bond to insure that any wool or hair entered or withdrawn thereunder shall be used only in the manufacture of press cloth, papermakers' felt, camel's hair belting, knit or felt boots, heavy fulled lumbermen's socks, rugs, carpets, or any other floor coverings.

[Note: Binding of duty-free status, subject to the provisions of paragraph 1101(b), Tariff Act of 1930, as amended, to be considered only.]

Paragraph 1102(b). Hair of the Cashmere goat.

[Note: Duties on this item reduced from 34 cents to 18 cents per pound of clean content if in the grease or washed, from 37 cents to 21 cents per pound of clean content if scoured, from 32 cents to 16 cents per pound of clean content if on the skin, and from 35 cents to 19 cents per pound of clean content if sorted, or matchings, and not scoured, effective June 28, 1944, pursuant to a trade agreement with Iran. On termination of the agreement, effective August 26, 1960, rates reverted to original rates. No reduction below rates in former Iran trade agreement to be considered.]

Paragraph 1114(d). Outerwear and articles of all kinds, knit or crocheted, finished or unfinished, wholly or in chief value of wool, and not specially provided for:

Hats, bonnets, caps, berets, and similar articles (not including any of the foregoing for infants), valued over \$2 per pound.

Paragraph 1117(c). Floor coverings, including mats and druggets, wholly or in chief value of wool, not specially provided for: Wholly or in chief value of hair of the Angora goat.

Schedule 12. Silk Manufactures

Paragraph 1207. Garters, suspenders, and braces, wholly or in chief value of silk or of silk and india rubber, and not specially provided for, whether or not Jacquard-figured.

Schedule 13. Manufactures of Rayon or Other Synthetic Textile

Paragraph 1304. Yarn of rayon or other synthetic textile put up for handwork, and sewing thread of rayon or other synthetic textile.

Schedule 14. Paper and Books

Paragraph 1404. Papers commonly or commercially known as tissue paper (not including tissue paper for waxing), weighing not over 6 pounds to the ream and valued not over 15 cents per pound.

Paragraph 1407(b). Sheets of writing, letter, and note paper, with border gummed or perforated, with or without inserts, prepared for use as combination sheet and envelope.

Schedule 15. Sundries

Paragraph 1503. Beads of ivory.

Paragraph 1507. Bristles, sorted, bunched, or prepared.

Paragraph 1509. Buttons of vegetable ivory, finished or partly finished.

Paragraph 1511. Cork bark, cut into squares, cubes, or quarters; stoppers, wholly or in chief value of natural cork bark or wholly or in chief value of artificial, composition, or compressed cork; perforated or hollow corks, commonly or commercially known as shell corks; perforated cork penholder grips; disks, wafers, and washers, $\frac{3}{16}$ inch or less in thickness, made from natural cork bark; cork, commonly or commercially known as artificial, composition, or compressed cork, in the rough and not further advanced than slabs, blocks, planks, rods, sticks, or similar forms; manufactures wholly or in chief value of artificial, composition, or compressed cork, finished or unfinished, not specially provided for; clean, refined, or purified, granulated or ground cork, weighing not over 6 pounds per cubic foot uncompressed; all other ground, granulated, or regranulated cork; cork paper; and manufactures wholly or in chief value of cork bark or cork, not specially provided for.

Paragraph 1514. All papers, cloths, and combinations of paper and cloth, wholly or partly coated with artificial or natural abrasives, or with a combination of natural and artificial abrasives.

Paragraph 1516. Match splints.

Paragraph 1521. Fans of all kinds, except common palm-leaf fans.

Paragraph 1522. Gun wads other than those wholly or in chief value of hair felt.

Paragraph 1529(a). Fabrics and articles provided for in paragraph 1529(a), Tariff Act of 1930, and included in the following rate provisions of the said paragraph 1529(a) as set forth in "United States Import Duties (1958)":

Subdivision No.	Rate provision
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[4]---	All.
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[6]---	Fourth.
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[12]--	Third, except articles wholly or in chief value of cotton; and Fourth, except articles wholly or in chief value of cotton.
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[13]--	Third.
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[14]--	Third.
--------	--------

[15]--	All, except wearing apparel.
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[18]--	Third.
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[27]--	Second, except articles wholly or in chief value of cotton; and Sixth, except articles wholly or in chief value of cotton.
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[29]--	Third, except wearing apparel.
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Paragraph 1529(b). Handkerchiefs, wholly or in part of lace, and handkerchiefs embroidered (whether with a plain or fancy initial, monogram, or otherwise, and whether or not the embroidery is on a scalloped edge), tamboured, appliqued, or from which threads have been omitted, drawn, punched, or cut, and with threads introduced after weaving to finish or ornament the openwork, not including one row of straight hemstitching adjoining the hem; all the foregoing finished or unfinished:

Wholly or in chief value of silk, not made with handmade or hand-rolled hems, and valued not over 70 cents per dozen; Wholly or in chief value of cotton or other vegetable fiber, containing handmade lace or embroidered or otherwise ornamented (as hereinbefore described) in any part by hand (except handkerchiefs wholly or in chief value of cotton if valued over 70 cents per dozen, or if made with handmade or hand-rolled hems); Wholly or in chief value of rayon or other synthetic textile, made with handmade or hand-rolled hems, and valued not over 70 cents per dozen.

Paragraph 1531. Belts, * * * wholly or in chief value of leather or parchment, and manufactures of leather, rawhide, or parchment, or of which leather, rawhide, or parchment is the component material of chief value, not specially provided for: Belts and buckles designed to be worn on the person; other wearing apparel wholly or in chief value of reptile leather; leads, leashes, collars, muzzles, and similar dog equipment, wholly or in chief value of reptile leather; and straps and strops, wholly or in chief value of reptile leather.

Paragraph 1535. Parts of fishing rods, finished or unfinished, not specially provided for.

Paragraph 1537(a). Manufactures wholly or in chief value of weeds, not specially provided for.

Paragraph 1537(b). Molded insulators and insulating materials, wholly or partly manufactured, composed wholly or in chief value of rubber or guttapercha.

Paragraph 1538. Manufactures of ivory or vegetable ivory, or of which either of these substances is the component material of chief value, not specially provided for.

Paragraph 1541(a). Violin bow hair.

Paragraph 1547(a)(3). Etchings and engravings, not specially provided for.

Paragraph 1552. Common tobacco pipes and pipe bowls made wholly of clay; tobacco pipe bowls, wholly or in chief value of brier or other wood or root, in whatever condition of manufacture, whether bored or unbored, valued not over \$5 per dozen; tobacco pipes, wholly finished, having bowls wholly or in chief value of wood or root other than brier, valued not over \$5 per dozen; tobacco pipes, partly finished, having bowls wholly or in chief value of brier or other wood or root, valued not over \$5 per dozen; pipe bowls, not specially provided for (not including bowls wholly or in chief value of brier or other wood or root), in whatever condition of manufacture, whether wholly or partly finished, or whether bored or unbored.

Paragraph 1558. Articles manufactured, in whole or in part, not specially provided for: Decharacterized horse meat.

TARIFF ACT OF 1930, TITLE II—FREE LIST

Paragraph 1604. Agricultural implements of any kind or description, not specially provided for: Bale ties.

Paragraph 1617. Waste bagging, and waste sugar sack cloth.

Paragraph 1641. Calcium nitrate.

Paragraph 1651. Coal-tar products: Naphthalene which after the removal of all water present has a solidifying point less than seventy-nine degrees centigrade; dead or creosote oil.

Paragraph 1662. Cotton waste, soft (except card strips, vacuum strips, lap waste, sliver waste, roving waste, and comber waste).

Paragraph 1669. Drugs of vegetable origin which are natural and uncompound drugs and not edible, and not specially provided for, and are in a crude state, not advanced in value or condition by shredding, grinding, chipping, crushing, or any other process or treatment whatever beyond that essential to the proper packing of the drugs and prevention of decay or deterioration pending manufacture, and not containing alcohol (except ginseng, dried pawpaw juice or papain, psyllium seed, quince seed, and sandalwood).

Paragraph 1679. Natural flint, natural flints, and natural flint stones, unground.

Paragraph 1681. Furs and fur skins, not specially provided for, undressed: Coney, rabbit, and marten.

Paragraph 1685. Guano; and calcined magnesium sulphate and mixtures in chief value thereof, of a grade used chiefly for fertilizers or chiefly as an ingredient in the manufacture of fertilizers.

Paragraph 1704. Waste rope.

Paragraph 1719. Minerals, crude, or not advanced in value or condition by refining or grinding, or by other process of manufacture, not specially provided for: Ilmenite and ilmenite sand.

Paragraph 1731. Oils, distilled or essential, not mixed or compounded with or containing alcohol: Lemon-grass, lignaloe or bois de rose, rosemary, spike lavender, and thyme.

Paragraph 1746. Potassium nitrate or saltpeter, crude.

Paragraph 1749. Radioactive substitutes.

Paragraph 1750. Paper stock, crude: Waste manila rope, waste bagging, old gunny cloth, and old gunny bags.

Paragraph 1765. Skins of all kinds, raw, and hides not specially provided for: Goat and kid.

Paragraph 1768(2). Spices and spice seeds: Anise.

Paragraph 1807(b). Original works of free fine arts, not provided for in subparagraph (a) of paragraph 1807, Tariff Act of 1930.

[F.R. Doc. 60-10782; Filed, Nov. 22, 1960; 12:00 m.]

TARIFF COMMISSION

[3-9—Suppl.]

ARTICLES LISTED FOR CONSIDERATION IN PROPOSED TRADE AGREEMENT NEGOTIATIONS

Notice of Investigation and Hearings

1. The final date for filing requests to testify at the Tariff Commission public hearings is December 27, 1960.

2. The final date for filing written statements with the Tariff Commission is January 5, 1961. (It will assist the Commission, however, if such statements are filed at an earlier date.)

3. Tariff Commission public hearings will begin on January 5, 1961.

4. Public announcements¹ relating to supplemental listings in connection with

¹ See F.R. Doc. 60-10781 and 60-10782, *supra*.

the proposed trade agreement negotiations have also been issued by the Interdepartmental Committee on Trade Agreements and the Committee for Reciprocity Information.

Concurrently with the supplemental announcement of the Interdepartmental Committee on Trade Agreements concerning proposed trade agreement negotiations, the President furnished the United States Tariff Commission a supplemental list of articles imported into the United States (hereinafter referred to as the "President's supplemental list") to be considered in the proposed negotiations, and requested the Tariff Commission to make a "peril point" investigation and report with respect to each such article, as provided in section 3 of the Trade Agreements Extension Act of 1951, as amended. The President's supplemental list is annexed to the announcement of the Interdepartmental Committee on Trade Agreements published in the FEDERAL REGISTER concurrently with this notice. A copy of the President's supplemental list will be furnished by the Commission to interested parties upon request.

A. Investigation instituted. Pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended, the United States Tariff Commission instituted a supplemental investigation with respect to the articles included in the President's supplemental list.

B. Purpose of investigation. The purpose of the supplemental investigation is to obtain the facts necessary to enable the Tariff Commission to formulate findings (known as "peril point" findings) for inclusion in a report to the President with respect to each article included in the President's supplemental list as to (1) the limit to which the modification of duties and other import restrictions, imposition of additional import restrictions, or specific continuance of existing customs or excise treatment may be extended in order to carry out the purpose of section 350 of the Tariff Act of 1930, as amended (Trade Agreements Act), without causing or threatening serious injury to the domestic industry producing like or directly competitive articles, and (2) if increases in duties or additional import restrictions are required to avoid serious injury to the domestic industry producing like or directly competitive articles, the minimum increases in duties or additional import restrictions required.

C. Written statements and public hearings. Parties interested will be given opportunity to present their views with respect to the subject matter of the investigation either by submission of written statements or by oral testimony at public hearings, or both. In order to permit, within the limited time and resources available, all interested parties to present information and views concerning the articles in the President's supplemental list in an orderly manner and with the least possible inconvenience to all concerned, the Commission has

established the following procedure for submission of written statements and the conduct of hearings:

1. *Written statements in lieu of appearance at hearings.* Interested parties may present their information and views through the submission of written statements in lieu of appearances at the public hearings. Such statements must be under oath and will be given the same consideration as oral testimony presented at the hearings, and except for information submitted and accepted in confidence, will be made available for inspection by interested parties. Twenty copies of written statements shall be submitted, only one of which need be sworn to. Such statements should be submitted as early as possible, but not later than January 5, 1961.

2. *Scope of written statements and oral testimony.* Written statements and oral testimony must relate to articles included in the President's supplemental list, and must be confined to matters relevant to the purpose of the investigation as stated in B, above. At the beginning of any statement or testimony given at the hearings, the article and tariff paragraph number to which the testimony relates should be specifically identified.

3. *Submission of information in confidence.* Information pertinent to the subject matter of the investigation which interested parties desire to submit in confidence may be submitted with written statements or at the time testimony is given at the hearings, on separate sheets, each clearly marked "Submitted in confidence."

4. *Appearance at public hearings.* The following information and instructions should be carefully studied by all persons interested in appearing at the public hearings in this investigation.

a. Requests to appear at the public hearings must be filed in writing with the Secretary of the Commission on or before December 27, 1960. Such requests must contain the following information:

(1) The tariff paragraph number and a description of the article or articles on which testimony will be presented.

(2) The name and organization of the witness or witnesses who will testify, and the name, address, telephone number, and organization of the person filing the request.

(3) A brief indication of the position to be taken concerning the customs treatment of the articles affected.

(4) A careful estimate of the time desired for presentation of oral testimony by all witnesses for whom the request is filed.

NOTE. The Commission reserves the right to limit the time assigned to witnesses. In this connection, experience in similar previous hearings has indicated that in most cases the essential information can be effectively summarized in an oral presentation of 15 to 30 minutes. Because of the limited time available, parties desiring an allowance of time in excess of this amount should set forth any special circumstances in support of such request. Witnesses may, of course, supplement their oral testimony with written statements of any desired length.

b. The Secretary of the Commission should be promptly notified of any changes in the request for appearance as originally filed.

c. It is suggested that parties who have a common interest in one or more of the articles listed endeavor, wherever possible, to arrange for a consolidated presentation of their views.

5. *Date and conduct of hearing—*

a. The public hearings in this investigation will commence at 9:30 o'clock a.m. on Thursday, the 5th day of January 1961, in the Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. The hearings will be held each day from 9:30 a.m. to about 1:00 p.m.

b. Parties who have properly entered their appearance by December 27, 1960, as indicated under paragraph C, 4, above, will be individually notified of the date on which they are scheduled to appear. Such notifications will be sent as soon as possible after the closing date for requests to appear.

c. Questioning of witnesses will be limited to members of the Commission.

6. *Related hearings before the Committee for Reciprocity Information.*

Published in the FEDERAL REGISTER concurrently with this notice is an announcement by the Committee for Reciprocity Information regarding public hearings to be held by that Committee on the articles included in the President's supplemental list, and on other matters, to begin on January 5, 1961. Arrangements will be made to permit persons desiring to appear at both Tariff Commission and Committee for Reciprocity Information hearings to do so without conflict in scheduling, and, where possible, to present their testimony at both hearings on the same day. Oral testimony and written statements of interested parties received by the Tariff Commission in connection with this investigation will be made available by the Tariff Commission to the Committee for Reciprocity Information. Accordingly, as stated in the Committee for Reciprocity Information notice, appearance before the Committee for Reciprocity Information for the purpose of submitting the same information, although permissible, will not be necessary.

Likewise, oral or written statements presented to the Committee for Reciprocity Information will be made available to, and carefully considered by, the Tariff Commission, and need not be separately presented to the latter agency.

D. Communications to be addressed to Secretary. All communications regarding the Tariff Commission investigation, including requests for appearance at the Tariff Commission hearings, should be addressed to the Secretary, United States Tariff Commission, Washington 25, D.C.

Issued: November 22, 1960.

By direction of the United States Tariff Commission.

DONN N. BENT,
Secretary.

[F.R. Doc. 60-10783; Filed Nov. 22, 1960; 12:00 m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13781; FCC 60M-1955]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Continuing Hearing Conference

In the matter of American Telephone and Telegraph Company, Docket No. 13781; regulations and charges for (1) certain equipment used on channels for the remote operation of mobile radiotelephone systems and (2) certain terminal equipment used in conjunction with data transmission channels (filed on behalf of Peninsula Telephone and Telegraph Company).

The Hearing Examiner having under consideration further procedure in the above-styled matter and the request for continuance of the prehearing conference now scheduled for November 21, 1960, contained in letter from Peninsula Telephone and Telegraph Company, dated November 8, 1960; and

It appearing that since respondent Peninsula Telephone and Telegraph Company has filed a Motion to Dismiss Proceeding, the public interest would best be served by holding in abeyance further steps in this proceeding, pending disposition of such motion to dismiss;

It is, therefore, ordered, This 15th day of November 1960, that the prehearing conference now scheduled for November 21, 1960, be and the same is hereby continued without date.

Released: November 16, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10895; Filed, Nov. 22, 1960;
8:49 a.m.]

[Docket No. 13841; FCC 60M-1956]

COASTAL BROADCASTING CO. (WLAT)

Order Scheduling Prehearing Conference

In re application of Loys Marsdon Hawley and Herman Lee Hanks d/b as Coastal Broadcasting Company (WLAT), Conway, South Carolina, Docket No. 13841, File No. BMP-8480; for construction permit.

On the Hearing Examiner's own motion: *it is ordered*, This 15th day of November, 1960, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a prehearing conference pursuant to the provisions of § 1.111 of the Commission's rules, on Wednesday, November 30, 1960, at 10:00 a.m., in the offices of the Commission at Washington, D.C.

Released: November 16, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10896; Filed, Nov. 22, 1960;
8:49 a.m.]

[Docket No. 13346; FCC 60M-1958]

DAVID L. KURTZ

Order Continuing Hearing

In re application of David L. Kurtz, Philadelphia, Pennsylvania, Docket No. 13346, File No. BPH-2774; for construction permit (FM).

The prehearing conference in the above-entitled matter having been held on November 15, 1960, and it appearing from the record thereof that certain agreements were reached which properly should be formalized by order;

It is ordered, This 15th day of November 1960 that:

(1) Exhibits to be offered in the direct cases shall be exchanged among the parties and copies thereof supplied the Hearing Examiner on November 30, 1960;

(2) The hearing in this matter presently scheduled to commence on November 29, 1960, is continued to December 7, 1960, commencing at 10:00 a.m. in the offices of the Commission, Washington, D.C.

Released: November 16, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10897; Filed, Nov. 22, 1960;
8:49 a.m.]

[Docket No. 13796, etc.; FCC 60M-1963]

WESTERN BROADCASTING CO. ET AL.

Order Scheduling Hearing

In re applications of David P. Pinkston and Leroy Elmore, d/b as Western Broadcasting Company, Odessa, Texas, Docket No. 13796, File No. BP-12329; W. J. Harpole, Canyon, Texas, Docket No. 13797, File No. BP-12385; R. L. McAlister, Odessa, Texas, Docket No. 13803, File No. BP-13058; for construction permits.

It is ordered, This 16th day of November 1960, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 11, 1961, in Washington, D.C.

Released: November 17, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-10898; Filed, Nov. 22, 1960;
8:49 a.m.]

FEDERAL RESERVE SYSTEM

MARINE CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of The Marine Corporation for prior approval of acquisition of voting shares of Oak Creek Marine National Bank, Oak Creek, Wisconsin.

There having come before the Board of Governors pursuant to section 3(a) (2) of the Bank Holding Company Act of

1956 (12 U.S.C. 1842) and section 4(a) (2) of the Board's Regulation Y (12 CFR 222.4(a) (2)), application on behalf of The Marine Corporation, Milwaukee, Wisconsin, for the Board's prior approval of the acquisition of 60 per cent or more of the 20,000 voting shares of Oak Creek Marine National Bank, Oak Creek, Wisconsin; a Notice of Tentative Decision referring to a Tentative Statement on said application having been published in the FEDERAL REGISTER on October 26, 1960 (25 F.R. 10282); the said Notice having provided interested persons an opportunity, before issuance of the Board's final order, to file objections or comments upon the facts stated and the reasons indicated in the Tentative Statement; and the time for filing such objections and comments having expired and no such objections or comments having been filed;

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that the said application be and hereby is granted, and the acquisition by The Marine Corporation of 60 percent or more of the 20,000 voting shares of Oak Creek Marine National Bank, Oak Creek, Wisconsin, is hereby approved, provided that such acquisition is completed within three months from the date hereof.

Dated at Washington, D.C., this 17th day of November 1960.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 60-10871; Filed, Nov. 22, 1960;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a Application No. 23]

MIDDLE ATLANTIC CONFERENCE

Application for Approval of Amendments to Agreement

NOVEMBER 18, 1960.

The Commission is in receipt of an application in the above-entitled and numbered proceeding for approval of amendments to the agreement therein approved under the provisions of section 5a of the Interstate Commerce Act.

Filed November 10, 1960 by: T. B. Alfriend, 2111 E. Street NW., Washington 4, D.C.

Amendments involved: Change the Code of Procedure for Rate Committees so as to provide (1) for the preparation of dockets of proposals at least 10 days rather than 15 days preceding the date of the hearings and for publication of such dockets in the Conference's Bulletin at least 10 days before the hearings instead of in the "Traffic Bulletin" and "Transport Topics" 9 days before the hearings, and (2) for publication of the rate committee's recommendations, no-

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D.C., or to any Federal Reserve Bank.

tices of appealed subjects, and actions by the General Rate Committee in the Conference's Bulletin rather than the "Traffic Bulletin" and "Transport Topics."

The complete application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-10878; Filed, Nov. 22, 1960;
8:47 a.m.]

[Notice 145]

**MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES**

NOVEMBER 18, 1960.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1(c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 47158 (Deviation No. 1), MERCHANTS SERVICE TRUCKING, INC., P.O. Box 28, Cedar Grove Avenue, New London, Conn., filed November 4, 1960. Attorney Francis E. Barrett, Jr., 25 Bryant Avenue, East Milton 86, Mass. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Killingly, Conn., over the Connecticut Turnpike to the Connecticut-New York State line, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the

carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Westerly, R.I., over U.S. Highway 1 to New London, Conn.; from New Haven, Conn., over U.S. Highway 1 via Bridgeport, Conn., to New York, N.Y.; from New Haven over U.S. Highway 1 to New London, thence over Connecticut Highway 32 to Norwich, Conn., and thence over Connecticut Highway 12 to Danielson, Conn.; from Providence over Rhode Island Highway 3 to Westerly, R.I., thence over U.S. Highway 1 to New London; from New London over Connecticut Highway 12 to Connecticut-Massachusetts State line, thence over Massachusetts Highway 12 via North Oxford, Mass., to Worcester, Mass., and thence over Massachusetts Highway 9 to Boston, Mass.; from New London to North Oxford as specified above, thence over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 to Worcester, and thence to Boston as specified above; and return over these routes.

No. MC 59365 (Deviation No. 1), H & G CARTAGE COMPANY, 1531 Brooklyn Street, Detroit 26, Mich., filed November 4, 1960. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Toledo, Ohio, over Interstate Highway 75 to junction U.S. Highways 24 and 25, south of Detroit, Mich., and return over the same route, for operating convenience only, serving no intermediate points. Carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Toledo over U.S. Highways 24 and 25 to Detroit, Mich., and return over the same routes.

No. MC 59583 (Deviation No. 1), THE MASON & DIXON LINES, INCORPORATED, P.O. Box 969, Eastman Road, Kingsport, Tenn., filed November 10, 1960. Carrier proposes to operate as a *common carrier*, by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Crossville, Tenn., over U.S. Highway 70S to Sparta, Tenn., thence over Tennessee Highway 26 via Smithville, to Lebanon, Tenn., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Crossville over U.S. Highway 70N to Lebanon and return over the same route.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-10879; Filed, Nov. 22, 1960;
8:47 a.m.]

[Notice 351]

**MOTOR CARRIER APPLICATIONS AND
CERTAIN OTHER PROCEEDINGS**

NOVEMBER 18, 1960.

The following publications are governed by the Interstate Commerce

Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 o'clock a.m., United States standard time, unless otherwise specified.

**APPLICATIONS ASSIGNED FOR ORAL HEARING
OR PRE-HEARING CONFERENCE**

MOTOR CARRIERS OF PROPERTY

No. MC 222 (Sub No. 23) (REPUBLICATION), filed December 24, 1959, published FEDERAL REGISTER, issue of January 27, 1960, and republished issue of November 9, 1960. Applicant: NEW YORK CONSOLIDATED FREIGHTWAYS CORPORATION, 1540 West Market Street, Akron 13, Ohio. Applicant's attorneys, William B. Adams, Pacific Building, Portland 4, Oreg., and Ronald E. Poelman, 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *Liquid or dry commodities*, in collapsible tanks or bins, including but not limited to tanks or bins known as "Sealdtanks" or "Sealdbins", whether furnished by shipper or shippers or owned or leased by applicant, over the routes and in the territory, including all off-route and intermediate points authorized to be served in the Certificates issued in Docket No. MC 222 and Sub numbers thereunder. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Rhode Island.

NOTE: Applicant states this application is made to enable it to continue a service to the shipping public, regardless of the merits, or demerits, of contentions relative to the nature of transportation in collapsible containers such as sealdtanks or sealbins. Applicant further states that no duplicating authority is sought. The subject application was originally filed and published in the FEDERAL REGISTER in the name of LIBERTY MOTOR FREIGHT LINES, INCORPORATED. The application has been re-entitled as shown above.

PRE-HEARING CONFERENCE: Remains as previously noticed in the FEDERAL REGISTER.

No. MC 1124 (Sub No. 171), filed June 20, 1960. Applicant: HERRIN TRANSPORTATION COMPANY, 2301 McKinney Avenue, Houston 3, Tex. Applicant's attorney: Ralph W. Pulley, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including Classes A and B explosives*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those injurious or contaminating to other lading, between Beaumont, Tex., and Shreveport, La.; from Beaumont over U.S. Highway 96 to Center, Tex., thence over Texas Highway 7 to the junction

of Texas Highway 7 and U.S. Highway 84 near Logansport, La., thence over U.S. Highway 84 to Logansport, La., thence over Louisiana Highway 5 from Logansport to the junction of Louisiana 5 and U.S. Highway 171, thence over U.S. Highway 171 to Shreveport, La., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular routes between Beaumont and Shreveport in MC 1124.

HEARING: January 10, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 32, or, if the Joint Board waives its right to participate, before Examiner Walter R. Lee.

No. MC 13079 (Sub No. 5), filed October 3, 1960. Applicant: WARD TRANSFER, INC., 1000 Northeast North Street, Anoka, Minn. Applicant's attorney: Charles V. White, Ward Transfer, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, from Anoka, Minn., to the Nike Site Base, St. Francis, Minn., and *empty containers or other such incidental facilities* used in transporting the above-specified commodities, on return.

HEARING: January 9, 1961, at the Metropolitan Building, Room 926, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 145.

No. MC 13250 (Sub No. 69), filed July 18, 1960. Applicant: J. H. ROSE TRUCK LINE, INC., 3804 Jensen Drive, P.O. Box 16037, Houston 22, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which, because of their size or weight, require the use of special equipment, and *related machinery parts and related contractors' materials and supplies*, when their transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special equipment, between points in California, Washington, Oregon, Arizona, Nevada, Idaho, Utah, Montana, and Wyoming.

NOTE: Applicant states that no duplication of present authority is sought by the instant application.

HEARING: January 23, 1961, at the New Customs House, Denver, Colo., before Examiner Leo W. Cunningham.

No. MC 16554 (Sub No. 4), filed October 26, 1960. Applicant: PERTH AMBOY TRUCKING CORP., P.O. Box 206, Woodbridge, N.J. Applicant's attorney: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pitch, asphalt and asphalt emulsion*, from Philadelphia, Pa., to points in New York.

NOTE: Application filed for operating convenience only to eliminate gateway. All rights sought herein are presently held, no new points or origin or destination sought to be served.

HEARING: January 23, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 17778 (Sub No. 32), filed October 12, 1960. Applicant: YALE TRANSPORT CORP., 460 12th Avenue, New York, N.Y. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, and except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment; (A) Between Washington, D.C., Baltimore, Md., Philadelphia and Marcus Hook, Pa., and Trenton, N.J., on the one hand, and, on the other, points in Hudson, Essex, Union, Morris, Middlesex, Passaic, and Bergen Counties, N.J. (B) Between New York, N.Y., New Rochelle, N.Y., and points in Westchester County, N.Y., within 15 miles of New Rochelle, on the one hand, and, on the other, points in Massachusetts, and points in Connecticut, except that no transportation is authorized for shipments originating in that part of Connecticut east of U.S. Highway 5. (C) Between points in Connecticut and Massachusetts, except that no transportation is authorized for shipments originating in that part of Connecticut east of U.S. Highway 5. (D) Between Providence, R.I., on the one hand, and, on the other, points in Massachusetts and Connecticut, except that no transportation is authorized for shipments originating in that part of Connecticut east of U.S. Highway 5.

NOTE: Applicant states that this application is filed for the purpose of eliminating the gateway points of Secaucus, N.J., New Haven, Conn. and New Rochelle, N.Y., and the gateway territory of points in Westchester County, N.Y., within 15 miles of New Rochelle.

HEARING: January 20, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 29120 (Sub No. 58), filed October 25, 1960. Applicant: WILSON STORAGE AND TRANSFER CO., a corporation, 1500 I Avenue, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; between Minneapolis and St. Paul, Minn., and Spirit Lake, Iowa, from Minneapolis and St. Paul over applicant's authorized existing regular routes to junction Minnesota Highway 4, for joinder, thence over Minnesota Highway 4 to Minnesota-Iowa State line and junction with Iowa Highway 17, thence over Iowa Highway 17 to Estherville, Iowa, and junction with Iowa Highway 9, thence over Iowa Highway 9 to Spirit Lake, and return over the same route, serving the intermediate points of Estherville and Superior, Iowa (presently off-route points in applicant's route 52).

HEARING: January 10, 1961, at the Metropolitan Building, Room 926, Second Avenue South and Third, Minne-

apolis, Minn., before Joint Board No. 146.

No. MC 30837 (Sub No. 284), filed November 8, 1960. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, Sundial House, 1821 Jefferson Place, NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, and buses*, in initial movements by the driveway and truckaway method, from Chardon, Ohio, to points in the United States, except those in Hawaii, but including Alaska.

HEARING: January 6, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Armin G. Clement.

No. MC 33641 (Sub No. 46), filed August 29, 1960. Applicant: INTERSTATE MOTOR LINES, INC., 235 West Third South Street, Salt Lake City 1, Utah. Applicant's attorneys: Berol and Geernaert, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Salina, Utah, and junction U.S. Highways 6 and 40 at or near Empire, Colo., from Salina over Utah Highway 10 to Price, Utah, thence over combined U.S. Highways 6 and 50 to Grand Junction, Colo., thence over combined U.S. Highways 6 and 24 to Dowd, Colo., thence over U.S. Highway 6 to junction U.S. Highway 40 at or near Empire, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations; (2) between Thistle, Utah, and Price, Utah, over combined U.S. Highway 6 and 50, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations; and (3) between junction Interstate Highway 70 and U.S. Highway 91 at or near Cove Fort, Utah, and Denver, Colo., over Interstate Highway 70 (as portions are constructed and opened to travel), serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations.

HEARING: January 17, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 213, or, if the Joint Board waives its right to participate, before Examiner Leo W. Cunningham.

No. MC 42405 (Sub-No. 14), filed June 6, 1960. Applicant: MISTLETOE EXPRESS SERVICE, a corporation, 111 Harrison, Oklahoma City, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except Classes A and B explosives, moving in express

service, between Newkirk, Okla., and Winfield, Kans., from Newkirk, over U.S. 77 to Winfield, serving all intermediate points, and return over the same route.

HEARING: January 18, 1961, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 39, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 42405 (Sub-No. 17), filed October 11, 1960. Applicant: MISTLETOE EXPRESS SERVICE, a corporation, 111 Harrison, Oklahoma City, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except Classes A and B explosives, moving in express service, between Blackwell, Okla., and South Haven, Kans.; from Blackwell over U.S. Highway 177 to South Haven, with authority to tack at Blackwell and for authority to serve for the purposes of joinder *only* at South Haven.

HEARING: January 17, 1961, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 39, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 42756 (Sub No. 4), filed October 31, 1960. Applicant: BORAH TRUCK LINE, INC., 516 SE. Fourth Street, Fairfield, Ill. Applicant's attorney: Mack Stephenson, 208 East Adams Street, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Fairfield and West Salem, Ill., from Fairfield over Illinois Highway 15 to Albion, Ill., thence over Illinois Highway 130 to junction unnumbered Highway, thence east on unnumbered Highway to West Salem and return over the same route, serving no intermediate points, but serving the off-route point of Samsville, Ill., (2) between Fairfield and Belmont, Ill., from Fairfield, over Illinois Highway 15 to Belmont and return over the same route, serving the intermediate point of Browns, Ill., and (3) beginning and ending in Fairfield, Ill., from Fairfield over Illinois Highway 15 to Albion thence over Illinois Highway 130 to Grayville, thence over Illinois Highway 1 to Carmi, thence over U.S. Highway 460 to junction U.S. Highway 45 thence over U.S. Highway 45 to Fairfield, serving the intermediate and off-route points of Albion, Grayville, Calvin, Crossville, Carmi, Enfield, Springerton, Mill Shoals, and Barnhill.

HEARING: January 20, 1961, at the U.S. Court Rooms, and Federal Building, Springfield, Ill., before Joint Board No. 149.

No. MC 43038 (Sub No. 431), filed November 14, 1960. Applicant: COMMERCIAL CARRIERS, INC., 3399 East McNichols Road, Detroit 12, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, auto-*

mobile chassis, trucks, truck chassis, semi-trailers and buses, in initial and secondary movements, by driveaway and truckaway service; between points in Florida.

HEARING: December 14, 1960, at the U.S. Court Rooms, Tampa, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner Edith H. Cockrill.

No. MC 43654 (Sub No. 47), filed October 18, 1960. Applicant: DIXIE OHIO EXPRESS, INC., 237 Fountain Street, P.O. Box 750, Akron 9, Ohio. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424-35 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Plainville, Ga., as an off-route point in connection with carrier's regular route operations between Chattanooga, Tenn., and Atlanta, Ga.

HEARING: January 23, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 52460 (Sub No. 55), filed November 4, 1960. Applicant: HUGH BREEDING, INC., 1420 West 35th Street, Tulsa, Okla. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cryogenic liquids and liquefied gases* (other than propane and butane), in shipper-owned or carrier's own trailers, and (2) *empty shipper-owner trailers*, between points in Colorado, Idaho, Iowa, Kansas, Nebraska, Oregon, Washington, and Wyoming.

HEARING: December 5, 1960, at the New Customs House, Denver, Colo., before Examiner Parks M. Low.

No. MC 52629 (Sub No. 44), filed November 10, 1960. Applicant: HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, and commodities requiring special equipment, serving the site of the Melton Hill Dam, Tenn., and points within five (5) miles thereof as off-route points in connection with carrier's presently authorized regular route operations between Knoxville, Tenn., and Atlanta, Ga., over U.S. Highway 11; Tennessee Highway 60; Georgia Highway 71 and U.S. Highway 41.

HEARING: December 16, 1960, at the County Court House, Knoxville, Tenn., before Joint Board No. 107, or, if the Joint Board waives its right to participate, before Examiner Gordon M. Callow.

No. MC 52858 (Sub No. 89), filed August 18, 1960. Applicant: CONVOY COMPANY, a corporation, 3900 North-

west Yeon Avenue, Portland 10, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, busses, and chassis*, in truckaway service, in secondary movements, between points in North Dakota and South Dakota.

HEARING: January 4, 1961, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Joint Board No. 158.

No. MC 55811 (Sub No. 67), filed October 27, 1960. Applicant: CRAIG TRUCKING, INC., Albany, Ind. Applicant's attorney: Howell Ellis, Suite 1210-12 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New steel furniture*, crated or boxed, from Owosso, Mich., to Chicago, Ill., including points in the Chicago, Ill., Commercial Zone as defined by the Commission, and *materials, supplies and rejected or damaged shipments*, on return.

HEARING: January 18, 1961, at the U.S. Custom House Room 852, 610 South Canal Street, Chicago, Ill., before Joint Board No. 73.

No. MC 55847 (Sub-No. 7), filed September 26, 1960. Applicant: BURRIS FOOD DISTRIBUTORS, INC., Rehobeth Boulevard, Milford, Del. Applicant's attorney: Paul F. Barnes, Suite 601, 226 South 16th Street, Philadelphia 2, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, chain grocery stores and food business houses, and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business as a contract carrier by motor vehicle in interstate or foreign commerce; (1) between the sites of the warehouses, retail stores and supply points of The American Stores Co., located in Baltimore, Aberdeen, Havre de Grace, Perryville, Northeast, Elkton, Port Deposit, Rising Sun, Md., and Newark, Del., under contract with The American Stores Co., and (2) between the sites of The American Stores Co., retail stores at Aberdeen, Havre de Grace, Perryville, Northeast, Elkton, Port Deposit, Rising Sun, Md., and Newark, Del., on the one hand, and, on the other, the sites of The American Stores Co., warehouses and The American Stores Co., retail stores within the territory bounded by a line beginning at New Castle, Del., and extending along the west shore of Delaware Bay and the Atlantic Ocean to Cape Charles, Va., thence north along the east shore of Chesapeake Bay to Stevensville, Md., thence continuing along said shore to and along Elk River to the entrance to the Chesapeake and Delaware Canal, thence in an easterly direction along the south shore of the Canal through Chesapeake City, Md., to the Maryland-Delaware Stateline, thence north along the Maryland-Delaware State line to a point one mile northeast of Elkton, Md., and thence east to New Castle, the point of beginning, under contract with The American Stores Co.

HEARING: January 9, 1961, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Joint Board No. 278, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 56637 (Sub No. 11), filed October 18, 1960. Applicant: R.C.A. TRUCK LINES, INC., P.O. Box 989, Rome, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424-35 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Plainville, Ga., as an off-route point in connection with carrier's regular route operations between Chattanooga, Tenn., and Atlanta, Ga.

HEARING: January 23, 1961, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 56679 (Sub No. 10), filed October 14, 1960. Applicant: BROWN TRANSPORT CORP., Manau Lane, P.O. Box 551, Waynesboro, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424-35, C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; between Maryville, Tenn., and Atlanta, Ga., from Maryville over U.S. Highway 411 to Cartersville, Ga., thence over U.S. Highway 41 to Atlanta, Ga., and return over the same route, serving all intermediate points between Maryville and the Tennessee-Georgia State line only.

HEARING: January 18, 1961, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 238.

No. MC 59113 (Sub No. 1), filed October 26, 1960. Applicant: STEVEN A. ZAKOVIC, doing business as J. M. TRUCKMAN, 1321 Bound Brook Road, Middlesex, N.J. Applicant's attorney: Bert Collins, 140 Cedar Street, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Boilers, radiators, furnaces, air conditioning units, and parts for same*, between Trenton, N.J., and New York, N.Y., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above on return.

NOTE: Applicant is presently authorized to transport the same commodities between Garwood and Newark, N.J., on the one hand, and, on the other, New York, N.Y.

HEARING: January 25, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 59150 (Sub No. 11), filed October 25, 1960. Applicant: PLOOF

TRANSFER COMPANY, INC., 1901 Hill Street, Box 47, Station G, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, asbestos, cement, gypsum, lime and limestone products*, from the plant site of National Gypsum Company, Port Wentworth, Ga., and from the plant site of Bestwall Gypsum Company, Brunswick, Ga., to points in North Carolina and South Carolina.

HEARING: January 24, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 130.

No. MC 59531 (Sub No. 83), filed August 25, 1960. Applicant: AUTO CONVOY CO., a corporation, 3020 Haskell Avenue, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New Foreign automobiles, trucks and chassis*, in truckaway service, in secondary movements, from Houston, Tex., to points in Colorado.

HEARING: January 19, 1961 at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 61619 (Sub No. 3), filed July 15, 1960. Applicant: GLENN L. HORMEL AND E. LONGSTRETH, doing business as L & H TRUCKING COMPANY, GLEN BURNIE, MD. Applicant's attorney: William J. Torrington, 1003 Maryland Trust Building, Baltimore 2, Md. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper, and paper products, and empty containers or other such incidental facilities*, used in transporting the above-described commodities; between Spring Grove, Pa., and Chestertown, Md.

HEARING: January 10, 1961, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Examiner Reece Harrison.

No. MC 64932 (Sub No. 279), filed October 7, 1960. Applicant: ROGERS CARTAGE CO., a corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint materials, paint ingredients, paint products, varnishes, resins, lacquers, and oils* other than petroleum, in bulk, in tank vehicles, from Fort Madison, Iowa, and points within ten (10) miles thereof, to points in Minnesota, Iowa, Missouri, Illinois, Wisconsin, Michigan, Indiana, Ohio, and Kentucky.

HEARING: January 19, 1961, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Samuel Horwich.

No. MC 64932 (Sub-No. 281), filed October 10, 1960. Applicant: ROGERS CARTAGE CO., 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plant site of Publicker Chemical Corporation, located approximately 2½ miles south of Willow Springs, Ill., to points in Indiana, Missouri, Iowa, Wisconsin, Michigan, Ohio, Kentucky, Minnesota, and Kansas.

HEARING: January 16, 1961, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Samuel Horwich.

No. MC 67200 (Sub No. 14), filed August 15, 1960. Applicant: THE FURNITURE TRANSPORT COMPANY, INC., 5 Hart Street, West Haven, Conn. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, crated and uncrated, packaged and unpackaged, and *returned, refused or rejected shipments* of the above-described commodities; (1) between Keene and Milford, N.H., on the one hand, and, on the other, points in Delaware, Maryland, Virginia, and the District of Columbia; (2) between New Haven, Conn., and points in Virginia.

HEARING: January 26, 1961, at the Bond Hotel, Hartford, Conn., before Examiner Reece Harrison.

No. MC 69116 (Sub No. 59), filed October 19, 1960. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Leavittsburg, Ohio, and Binghamton and Maybrook, N.Y., as off-route points in connection with applicant's authorized regular route operations. **RESTRICTION:** The service applied for above will be restricted to the transportation of traffic which has moved or will move in applicant's trailers, on rail cars, in substituted rail-for-motor service.

HEARING: January 4, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Harold P. Boss.

No. MC 71902 (Sub No. 65), filed July 11, 1960. Applicant: UNITED TRANSPORTS, INC., 4900 North Santa Fe Street, Oklahoma City 18, Okla. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New foreign-made motor vehicles*, from Houston, Tex., to points in Colorado.

NOTE: Common control may be involved.

HEARING: January 19, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 75651 (Sub No. 51), filed October 26, 1960. Applicant: R. C. MOTOR

LINES, INC., 2500 Laura Street, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading; serving Cockeysville, Md., as an off-route point in connection with applicant's presently authorized regular route service at Baltimore, Md.

NOTE: Applicant states it owns all stock of Cotton States Motor Lines, Inc. d/b/a R. C. Motor Lines of Georgia, MC-52918, therefore, common control may be involved.

HEARING: January 10, 1961, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Joint Board No. 112, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 90034 (Sub No. 11), filed August 12, 1960. Applicant: A. A. STOUT and R. C. STOUT, doing business as A. A. STOUT AND SON, 310 South Glover, Urbana, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* (beer), from St. Paul, Minn., to Champaign and Urbana, Ill., with *empty cases and bottles*, on return.

HEARING: January 10, 1961, at the U.S. Court Rooms and Federal Building, Springfield, Ill., before Examiner Samuel Horwich.

No. MC 90144 (Sub No. 8), filed November 10, 1960. Applicant: WAGNER MILLS, INC., Schuyler, Nebr. Applicant's representative: C. A. Ross, 1004-1005 Trust Building, Lincoln 8, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pepper*, in packages, in mixed shipments with salt and salt compounds, provided the weight of the pepper does not exceed 10 percent of the total truckload weight, (1) from Hutchinson and Lyons, Kans., to points in Iowa. (2) From Hutchinson, Kans., to points in Nebraska. (3) From Kanopolis, Lyons, and Hutchinson, Kans., to points in Illinois, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities on return.

NOTE: Applicant holds contract carrier authority in Permit No. MC 111011 and Subs thereunder. Dual operations under section 210 may be involved.

HEARING: December 12, 1960, at the Nebraska State Railway Commission Capitol Building, Lincoln, Nebr., before Examiner Isadore Freidson.

No. MC 103378 (Sub No. 195), filed October 14, 1960. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Methyl ethyl ketone*, *methyl isobutyl ketone*, *isopropanol* (anhydrous), and *ethyl acetate*, in bulk, in tank vehicles, from points in

DeKalb County, Ga., to points in Alabama.

HEARING: January 24, 1961, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 157.

No. MC 105461 (Sub No. 27), filed November 9, 1960. Applicant: BENJAMIN H. HERR, doing business as HERR'S MOTOR EXPRESS, 36 West State Street, P.O. Box 8, Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood flour*, in bulk, from Goffstown, N.H., to Emmaus, Pa.

HEARING: January 5, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Henry A. Cockrum.

No. MC 105461 (Sub No. 28), filed November 9, 1960. Applicant: BENJAMIN H. HERR, doing business as HERR'S MOTOR EXPRESS, 36 West State Street, P.O. Box 8, Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal heating, cooling and ventilating materials*, from the plant site of Adelta Manufacturing Company, Inc., Philadelphia, Pa., to points in Connecticut and New York (excluding points in the New York, N.Y. Commercial Zone).

HEARING: January 6, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 107107, (Sub No. 127), filed September 8, 1959. Applicant: ALTERNATE TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, food ingredients, food supplies, groceries, and materials and supplies* used in processing or manufacturing of food and food products, from Milwaukee, Wis., to points in Florida. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: January 23, 1961, at the Hotel Schroeder, Milwaukee, Wis., before Examiner Samuel Horwich.

No. MC 107460 (Sub No. 16), filed November 4, 1960. Applicant: WILLIAM Z. GETZ, R.D. No. 3, Lancaster, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal roofing and siding and fabricated metal products*; from the site of the Quaker State

Metals Company Plant in Manheim Township, Lancaster County, Pa., to points in Alabama, Mississippi, Oklahoma, and Texas, and *skids* used in transporting the commodities described above, on return, and (2) *aluminum scrap*, between the site of the Quaker State Metals Company Plant in Manheim Township, Lancaster County, Pa., on the one hand, and on the other, points in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Maryland, Delaware, Pennsylvania, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, Arkansas, and the District of Columbia.

HEARING: January 6, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James I. Carr.

No. MC 107515 (Sub No. 348), filed March 17, 1960. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Allan Watkins, 214 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, including *frozen citrus concentrates*, from Harlingen, Texas, to points in Alabama, Florida, Georgia, Indiana, Kentucky, Minnesota, North Carolina, Ohio, South Carolina, Tennessee (except Memphis) and Wisconsin.

HEARING: January 25, 1961, at the Hilton Hotel, San Antonio, Tex., before Examiner Walter R. Lee.

No. MC 108207 (Sub No. 77), filed July 29, 1960. Applicant: FROZEN FOOD EXPRESS, P.O. Box 5888, Dallas, Tex. Applicant's attorney: Ralph W. Pulley, Jr., First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, as defined by the Commission, from Amarillo, Tex., to points in Wisconsin.

HEARING: January 27, 1961, at the Baker Hotel, Dallas, Tex., before Examiner Dallas B. Russell.

No. MC 108223 (Sub No. 11), filed October 17, 1960. Applicant: CENTURY MOTOR FREIGHT, INC., 3245 Fourth Street SE., Minneapolis, Minn. Applicant's attorney: Douglas R. Seltz, Twin City Federal Building, 112 East Sixth Street, St. Paul 1, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment, (1) between Minneapolis, Minn., and Cambridge, Minn.: from Minneapolis over Minnesota Highway 65 to Cambridge, and return over the same route, serving no intermediate points. (2) Between Cambridge, Minn., and McGregor, Minn.: from the junction

of Minnesota Highways 65 and 95, at or near Cambridge, over Minnesota Highway 65 to its junction with U.S. Highway 210, at or near McGregor, and return over the same route, serving no intermediate points. (3) Between the junction of Minnesota Highway 65 and U.S. Highway 210 and the junction of Minnesota Highway 65 and U.S. Highway 2: from the junction of Minnesota Highway 65 and U.S. Highway 210 over Minnesota Highway 65 to its junction with U.S. Highway 2, and return over the same route, serving no intermediate points. (4) Between the junction of Minnesota Highway 65 and U.S. Highway 2 and the junction of Minnesota Highway 65 and U.S. Highway 169: from the junction of Minnesota Highway 65 and U.S. Highway 2 over Minnesota Highway 65 to its junction with U.S. Highway 169, and return over the same route, serving no intermediate points. (5) Between the junction of U.S. Highway 169 and Minnesota Highway 73 and the junction of Minnesota Highway 73 and U.S. Highway 53: from the junction of U.S. Highway 169 and Minnesota Highway 73 over Minnesota Highway 73 to its junction with U.S. Highway 53, and return over the same route, serving no intermediate points. (6) Between the junction of Minnesota Highway 73 and U.S. Highway 61 and the junction of Minnesota Highway 73 and U.S. Highway 210: from the junction of Minnesota Highway 73 and U.S. Highway 61 over Minnesota Highway 73 to its junction with U.S. Highway 210, and return over the same route, serving no intermediate points. (7) Between the junction of Minnesota Highway 73 and U.S. Highway 210 and the junction of Minnesota Highway 73 and U.S. Highway 2: from the junction of Minnesota Highway 73 and U.S. Highway 210 over Minnesota Highway 73 to its junction with U.S. Highway 2, and return over the same route, serving no intermediate points. (8) Between the junction of Minnesota Highway 73 and U.S. Highway 2 and the junction of Minnesota Highway 73 and U.S. Highway 169: from the junction of Minnesota Highway 73 and U.S. Highway 2 over Minnesota Highway 73 to its junction with U.S. Highway 169, and return over the same route, serving no intermediate points. (9) Between Duluth, Minn., and Aurora, Minn.: from Duluth over County SA Road 4 to junction Minnesota Highway 135, thence over Minnesota Highway 135 to Aurora, and return over the same route, serving no intermediate points. The above-described routes (1) through (9), inclusive, are alternate routes for operating convenience only in connection with applicant's presently authorized regular route operations in the State of Minnesota.

HEARING: January 9, 1961, at the Metropolitan Building, Room 926, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 145.

No. MC 109288 (Sub No. 5), filed October 24, 1960. Applicant: JUNEAU TRANSIT, INC., 709 Franklin Street, Manitowoc, Wis. Applicant's attorney: Leslie J. Valleskey, 709 Franklin Street, Manitowoc, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Raw butter and finished butter* in packages, from Juneau, Wis., to Chicago and Bloomington, Ill., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, and *rejected shipments*, thereof, on return.

HEARING: January 16, 1961, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 110525 (Sub No. 426), filed October 24, 1960. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Willow Springs, Cook County, Ill., to points in Indiana, Kentucky, Michigan, and Ohio, and *rejected shipments* on return.

HEARING: January 16, 1961, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Samuel Horwich.

No. MC 110686 (Sub No. 15), filed October 27, 1960. Applicant: MCCORMICK DRAY LINE, INC., Avis, Pa. Applicant's attorney: V. Baker Smith and Robert H. Shertz, Suite 601, 226 South 16th Street, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Firebrick, fireclay and firebrick tile*; (b) *Clay and clay products*, not included in (a) above; from Orviston, Pa., to points in Virginia, Connecticut, Rhode Island, and Massachusetts, and *empty containers or other such incidental facilities*, used in transporting the above described commodities in (a) and (b), on return.

HEARING: January 12, 1961, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa. before Examiner Reece Harrison.

No MC 110686 (Sub No. 16), filed October 27, 1960. Applicant: MCCORMICK DRAY LINE, INC., Avis, Pa. Applicant's attorney: V. Baker Smith, Suite 601, 226 South 16th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery and machine parts*, from Muncy, Pa., to points in Connecticut, Rhode Island, and Massachusetts, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: January 12, 1961, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Reece Harrison.

No. MC 111159 (Sub No. 119), filed November 2, 1960. Applicant: MILLER TRANSPORTERS, LTD., P.O. Box 1123, Jackson, Miss. Applicant's attorney: Harold D. Miller, Jr., Suite 700 Petroleum Building, P.O. Box 141, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from the site of the Gulf-Ohio Washington, Louisiana, plant, at or near Washington, La., to points in Mississippi.

HEARING: January 16, 1961, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 111159 (Sub No. 120), filed November 2, 1960. Applicant: MILLER TRANSPORTERS, LTD., P.O. Box 1123, Jackson, Miss. Applicant's attorney: H. D. Miller, Jr., Suite 700 Petroleum Building, P.O. Box 141, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in bulk, in tank vehicles, from the site of the Sun Oil Company, Delhi Natural Gasoline Plant at or near Delhi, La., to points in Mississippi.

HEARING: January 16, 1961, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28.

No. MC 111383 (Sub No. 9), filed November 14, 1960. Applicant: BRASWELL MOTOR FREIGHT LINES, INC., 301 Reynolds Street, El Paso, Tex. Applicant's attorney: M. Ward Bailey, 807 Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including *Classes A and B explosives, ammunition* not included in *Classes A and B explosives, component parts of explosives and ammunition, shipper-owned gas trailers loaded with compressed gas or empty*, and excepting commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; serving all United States missile launching sites located in Taylor, Nolen, Jones, Callahan, Shackelford, and Runnels Counties, Tex., as off-route points in connection with applicant's authorized operations under Certificate No. MC-111383 and Sub numbers thereunder.

HEARING: November 30, 1960, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner Jerry F. Laughlin.

No. MC 111401 (Sub No. 118), filed August 19, 1960. Applicant: GROENDYKE TRANSPORT, INC., 2204 North Grand Street, P.O. Box 632, Enid, Okla. Applicant's representative: Vic Comstock, Traffic Supervisor, Groendyke Transport, Inc. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, as defined in the *Maxwell Co., Extension-Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from Kings Mill, Tex., to points in Alabama and Illinois, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, on return.

HEARING: January 26, 1961, at the Baker Hotel, Dallas, Tex., before Examiner Dallas B. Russell.

No. MC 111401 (Sub No. 119), filed September 12, 1960. Applicant: GROENDYKE TRANSPORT, INC., 2204 North Grand, Enid, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in specialized tank vehicles, from King Mill, Texas, to points in Ohio, and

empty containers or other such incidental facilities, used in transporting the above described commodities, on return.

HEARING: January 26, 1961, at the Baker Hotel, Dallas, Tex., before Examiner Dallas B. Russell.

No. MC 111717 (Sub No. 19), filed October 17, 1960. Applicant: TRACTOR TRANSPORT, INC., 535 South 84th Street, Milwaukee, Wis. Applicant's attorney: Frank M. Coyne, Bank of Madison Building, 1 West Main Street, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Attachments and parts for tractors and roadbuilding, industrial and construction machinery, and rejected, damaged, or returned, of the above-described commodities, between points in Wisconsin, Michigan, Ohio, Indiana, Illinois, Missouri, Iowa, Minnesota, Kansas, and Pennsylvania.*

NOTE: Applicant states all movements to be under contract with Allis Chalmers Manufacturing Company of Milwaukee, Wis.

HEARING: January 17, 1961, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Samuel Horwich.

No. MC 111812 (Sub No. 103), filed July 5, 1960. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, from points in Oregon, Washington, and Idaho to points in Michigan and Indiana.*

HEARING: January 12, 1961, at the Public Utilities Commission, State House, Boise, Idaho, before Examiner Leo W. Cunningham.

No. MC 113514 (Sub-No. 63), filed May 23, 1960. Applicant: SMITH TRANSIT, INC., 305 Simons Building, Dallas 1, Tex. Applicant's attorney: W. D. White, 1900 Mercantile Dallas Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid Chemicals, in bulk, in specialized equipment, from points in Montgomery County, Tex., to points in Alabama, Arkansas, California, Connecticut, Georgia, Illinois, Indiana, Louisiana, Mississippi, Missouri, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, South Carolina, and Wisconsin.*

HEARING: January 11, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 113514 (Sub No. 65), filed September 1, 1960. Applicant: SMITH TRANSIT, INC., 305 Simons Building, 1528 Main Street, Dallas 1, Tex. Applicant's attorney: W. D. White, 1900 Mercantile Dallas Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities, except cement and fly ash, in bulk, in specialized equipment, between points in Texas, Oklahoma, Louisiana, New Mexico, Arkansas, and Mississippi.*

HEARING: January 23, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 113666 (Sub No. 5), filed November 3, 1960. Applicant: FREEPORT TRANSPORT, INC., Box 215, Freeport, Pa. Applicant's attorney: James W. Hagar, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pre-fabricated and pre-cut houses, component parts thereof, and materials, supplies, fixtures and accessories used or useful in the erection, construction and completion of pre-fabricated and pre-cut houses, from Philadelphia, Pa., to points in Ohio, West Virginia, Virginia, Maryland, North Carolina, and points in that part of New York on and west of U.S. Highway 14, and empty containers or other such incidental facilities (not specified) used in transporting the above-specified commodities, on return.*

HEARING: January 4, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Maurice S. Bush.

No. MC 113779 (Sub No. 130), filed June 24, 1960. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 La Porte Expressway, P.O. Box 12385, Houston 17, Tex. Applicant's attorney: Dale Woodall, same address as applicant. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, in bulk, in specialized equipment, from points in Montgomery County, Tex., to points in Alabama, Arkansas, California, Connecticut, Georgia, Illinois, Indiana, Louisiana, Mississippi, Ohio, Missouri, New Jersey, New Mexico, New York, North Carolina, South Carolina, Wisconsin, and Oklahoma.*

HEARING: January 11, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 113855 (Sub No. 47), filed August 11, 1960. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cabs for earth-moving machinery, (2) metal tanks, (3) metal buildings, (4) pallets, (5) laminated wood beams, (6) road construction, earth-moving and loading machinery and equipment; between Rochester, Minn. and points in Minnesota within 60 miles thereof, on the one hand, and, on the other, points in the United States, including the District of Columbia and Alaska, but not including Hawaii.*

NOTE: Applicant states it will transport exempt commodities, on return.

HEARING: January 19, 1961, in Room 852, U.S. Customs House, 610 South Canal Street, Chicago, Ill., before Examiner Samuel Horwich.

No. MC 114229 (Sub No. 1) (REPUBLICAN), filed April 13, 1960, published in the FEDERAL REGISTER, issue of November 9, 1960. Applicant: CAPITOL

FREIGHT LINES, INC. (EUGENE GREENER, JR., RECEIVER), c/o Jones Truck Lines, Inc., 610 East Emma Avenue, Springdale, Ark. Applicant's attorney: John Paul Jones, 189 Jefferson Avenue, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry commodities, in collapsible or noncollapsible tanks or bins, or the equivalent thereof, including but not limited to Sealdbins and Sealdtanks, and empty containers or other such incidental facilities used in transporting the commodities specified in this application, over the routes and in the territories, including all intermediate and off-route points, authorized to be served by the applicant in Tennessee and Mississippi, under Certificate No. MC 114229.*

NOTE: The subject application was originally filed and published in the FEDERAL REGISTER in the name of CAPITOL FREIGHT LINES, INC. The application has been re-titled as shown above.

PRE-HEARING CONFERENCE: Remains as previously noticed in the FEDERAL REGISTER.

No. MC 115135 (Sub No. 7), filed August 31, 1960. Applicant: CHEMICAL EXPRESS, a corporation, 305 Simons Building, Dallas, Tex. Applicant's attorney: W. D. White, 1900 Mercantile Dallas Building, Dallas 1, Tex. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement, in bulk, and in packages, from Midlothian (Ward Spur), Tex., to points in Oklahoma.*

HEARING: January 25, 1961, at the Baker Hotel, Dallas, Tex., before Joint Board No. 16, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 115836 (Sub-No. 4), filed October 8, 1960. Applicant: RKO TRANSPORT SERVICE, INC., 416 Tyler, Morton, Ill. Applicant's attorney: Raymond L. Terrell, Myers Building, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, in bulk, in tank vehicles, from the site of the Clark Oil and Refining Corp. at Tuscarora, Ill., to Burlington, Fort Madison, and Muscatine, Iowa.*

HEARING: January 24, 1961, at the U.S. Court Rooms and Federal Building, Springfield, Ill., before Joint Board No. 54.

No. MC 116004 (Sub No. 1), filed October 31, 1960. Applicant: TEXAS OKLAHOMA EXPRESS, INC., 1017 South Ackard Street, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, except loose bulk commodities, livestock, Classes A and B explosives, currency, bullion, articles of virtue, commodities which exceed ordinary equipment and loading facilities, and those injurious or contaminating to other lading; (1) Between Dallas, Tex., and Tulsa, Okla., from Dallas over U.S. Highway 75 to its junction with U.S. Highway 169,*

thence over U.S. Highway 169 to Tulsa, Okla., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations. (2) Between Fort Worth, Tex., and Tulsa, Okla., from Fort Worth over Texas Highway 121 to its junction with U.S. Highway 75 at a point south of McKinney, Tex., thence to Tulsa, Okla., over U.S. Highway 75 to its intersection with U.S. Highway 169, thence over U.S. Highway 169 to Tulsa, and return over the same route, serving no intermediate points. (3) Between Fort Worth, Tex., and the junction of U.S. Highways 377 and 77 at Denton, Tex., from Fort Worth over U.S. Highway 377 to the junction of U.S. Highways 377 and 77 at Denton, and return over the same route, serving no intermediate points, and serving said junction for purposes of joinder or tacking only.

NOTE: Applicant states it proposes to operate over the above-described routes, serving no intermediate points, but serving junctions of routes for purposes of joinder or tacking only, returning over the same routes.

HEARING: January 16, 1961, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 16, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 116077 (Sub No. 87), filed June 8, 1960. Applicant: ROBERTSON TANK LINES, INC., 5700 Polk Avenue, P.O. Box 9218, Houston, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, P.O. Box 858, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups*, from points in Neuces County, Tex., to points in Arkansas, California, Georgia, Illinois, Louisiana, New Jersey, Oklahoma, and Texas.

HEARING: January 9, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 116077 (Sub No. 88), filed July 18, 1960. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston 11, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Brown Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquids*, in bulk, (1) from points in Texas located on the International Boundary line between the United States and the Republic of Mexico to points in Texas; and (2) between points in Texas located on the International Boundary line between the United States and the Republic of Mexico, on the one hand, and, on the other, points in New Mexico, Oklahoma, Arkansas, Louisiana, and Mississippi.

HEARING: January 16, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 116077 (Sub No. 89), filed July 18, 1960. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, P.O. Box 858, Austin, Tex. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk (except petroleum and petroleum products), from points in Harris County, Tex., to points in New Mexico.

HEARING: January 18, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 33, or, if the Joint Board waives its right to participate, before Examiner Walter R. Lee.

No. MC 116514 (Sub No. 11), filed November 7, 1960. Applicant: EDWARDS TRUCKING, INC., Main Street, Hemingway, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wool and wool waste*, between Albany, N.Y., and St. Stephens, S.C.

HEARING: January 20, 1961, at the U.S. Court Rooms, Columbia, S.C., before Examiner Lyle C. Farmer.

No. MC 116544 (Sub No. 12), filed November 13, 1960. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Street, Carthage, Mo. Applicant's attorney: Robert R. Hendon, 3200 Cummings Lane, Chevy Chase 15, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *coconuts and bananas*, on the same vehicle at the same time, from New Orleans, La., and Mobile, Ala., to points in Oklahoma, Missouri, Kansas, Nebraska, Iowa, Minnesota, South Dakota, and Wyoming, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, on return.

HEARING: November 29, 1960, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner William R. Tyers.

No. MC 116710 (Sub No. 4), filed October 11, 1960. Applicant: MISSISSIPPI CHEMICAL EXPRESS, INC., P.O. Box 1634 (McInnis Loop), Hattiesburg, Miss. Applicant's attorney: Warren Woods, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulphur dioxide*, in bulk, in tank vehicles; from the plant site of Consolidated Chemical Industries, Baton Rouge, La., to points in Arkansas, Louisiana, Mississippi, Alabama, Florida, Georgia, Tennessee, and Texas.

HEARING: January 17, 1961, in Room 307, Masonic Temple Building, 333 Charles Street, New Orleans, La., before Examiner Gerald F. Colfer.

No. MC 117119 (Sub No. 11), filed September 6, 1960. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., to points in Washington and Oregon and the Ports of Entry on the United States-Canadian border in the States of Montana, North Dakota, Minnesota, Michigan and New York., and *empty containers* used in transporting bananas

from the above specified destination points to the described origin points.

HEARING: January 16, 1961, in Room 307, Masonic Temple Building, 333 Charles Street, New Orleans, La., before Examiner Gerald F. Colfer.

No. MC 117343 (Sub No. 1), filed October 3, 1960. Applicant: ANDY J. NOWLIN, doing business as ANCO SERVICE COMPANY, 737 Southeast 30th Street, Oklahoma City 9, Okla. Applicant's attorney: W. Samuel Dykeman, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies* used in replacing, servicing or repairs of machinery and equipment used in, or in connection with the discovery, development, and production of natural gas, and petroleum and their products and by-products, between points in Oklahoma County, Okla., on the one hand, and, on the other, points in Louisiana, New Mexico, and points in Texas on and south of U.S. Highway 80. RESTRICTION: Restricted against service to or from any incorporated city or town in Louisiana, Texas, or New Mexico.

HEARING: January 13, 1961, at the Federal Building, Oklahoma City, Okla., before Examiner Dallas B. Russell.

No. MC 117426 (Sub No. 1), filed October 21, 1960. Applicant: STORAGE TRANSFER, INC., 4325 Bath Street, Philadelphia 37, Pa. Applicant's attorney: S. H. Copelin, 1422 Chestnut Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, lumber, meats, and perishable food products, films, and commodities injurious or contaminating to other lading, between Philadelphia, Pa., and points within 200 miles of Philadelphia.

NOTE: Applicant has identical authority as specified above, but restricted to shipments moving to or from public warehouses in Philadelphia, Pa.

HEARING: January 13, 1961, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Reece Harrison.

No. MC 117427 (Sub No. 18), filed November 3, 1960. Applicant: G. G. PARSONS TRUCKING COMPANY, a corporation, P.O. Box 746, North Wilkesboro, N.C. Applicant's attorney: Francis J. Ortman, 1366 National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plate glass silvered for mirrors, not framed (not bent), not over 120 united inches, in cases; plate glass silvered for mirrors, not framed (not bent), over 120 inches, in cases; Mirrors, not bent, 120 united inches or under, in boxes; and glass, shock (window glass silvered), not framed, in boxes; from Toledo, Ohio, to points in Virginia, North Carolina, South Carolina, Georgia, Florida, and Alabama, and empty containers or other such in-*

idental facilities, used in transporting the above-described commodities, on return.

NOTE: Applicant has acquired contract authority through FC-63470, therefore, dual operations may be involved.

HEARING: January 5, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

No. MC 117937 (Sub No. 1) (REPUBLICATION), filed December 19, 1958, published in the FEDERAL REGISTER issue of March 23, 1960. Applicant: BLOOM-MEYERS COMPANY, INC., 3117 Produce Row, Houston, Tex. Applicant's attorney: Jo E. Shaw, Bettes Building, Houston, Tex. The subject application as originally noticed in the FEDERAL REGISTER incorrectly described the territory proposed to be served. Further, at the hearing held July 25, 1960 at Houston, Texas, the application was amended as to the commodities proposed to be transported. The application as amended, and with the territory correctly described reads: Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Galveston and Brownsville, Tex., to points in Alabama, Mississippi, Louisiana, Texas, Arkansas, Missouri, Tennessee, Georgia, Kentucky, Florida, Arizona, California, New Mexico, Colorado, Kansas, Oklahoma, Iowa, Illinois, and Minnesota.

NOTE: The subject application was originally filed and published in the FEDERAL REGISTER in the name of MELVIN H. BLOOM and LAWRENCE MEYERS, doing business as BLOOM-MEYERS COMPANY. The application has been reentitled as shown above.

CONTINUED HEARING: January 12, 1961, in the Federal Office Building, Franklin and Fannin Street, Houston, Tex., before Examiner Walter R. Lee.

No. MC 117975 (Sub No. 2), filed August 9, 1960. Applicant: F. G. HUTCHINS, 612 Oxford Street, Houston 7, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to points in Alabama, Arizona, Arkansas, Colorado, Georgia, Florida, Iowa, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee, and Texas, and *exempt agricultural commodities*, on return.

HEARING: January 13, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 118272 (Sub No. 1), filed November 8, 1960. Applicant: ZUZICH TRUCK LINE, INC., 120 Kansas Avenue, Kansas City, Kans. Applicant's attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen vegetables, frozen berries, and frozen fruit juices and concentrates*, between points in Illinois, Missouri, Kansas, Indiana, and Oklahoma.

NOTE: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's

status is that of a contract or common carrier in No. MC 69752 (Sub No. 16).

HEARING: December 12, 1960, at the Park East Hotel, Kansas City, Mo., before Examiner William N. Culbertson.

No. MC 118286 (Sub-No. 1), filed October 17, 1960. Applicant: EVERETT FREDRICKSON, 925 West 33d South, Salt Lake City 4, Utah. Applicant's attorney: Bartly G. McDonough, 10 Executive Building, 435 East Fourth South, Salt Lake City 11, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *exempt agricultural commodities* in mixed shipments with bananas, from points in California to points in Utah, and to Grand Junction, Colo., and (3) *exempt commodities*, on return.

HEARING: January 18, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Leo W. Cunningham.

No. MC 118831 (Sub No. 10), filed November 2, 1960. Applicant: CENTRAL TRANSPORT, INCORPORATED, P.O. Box 5044, East College Drive, High Point, N.C. Applicant's attorney: Francis W. McInerney, Commonwealth Building, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground pulverized slate*, in bulk, from points in North Carolina to points in South Carolina and Virginia.

HEARING: January 27, 1961, at the Hotel Carolina, Raleigh, N.C., before Joint Board No. 196.

No. MC 118831 (Sub No. 11), filed November 2, 1960. Applicant: CENTRAL TRANSPORT, INCORPORATED, P.O. Box 5044, East College Drive, High Point, N.C. Applicant's attorney: Francis W. McInerney, Commonwealth Building, 1625 K Street, NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, Kaloin*, in bulk, from points in Aiken County, S.C., to points in North Carolina and Virginia.

HEARING: January 27, 1961, at the Hotel Carolina, Raleigh, N.C., before Joint Board No. 196.

No. MC 119346 (Sub No. 2), filed August 29, 1960. Applicant: RED CREST EXPRESS, INC., 501 North Douglas, Oklahoma City, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in bottles, kegs, or cans; and *Advertising and promotional material*, distributed in connection therewith, from Oklahoma City, Okla., to Denison, Pampa, and Post, Tex., and *empty containers or other incidental facilities* (not specified) used in transporting the commodities specified in this application, on return.

HEARING: January 17, 1961, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 16, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 119478 (Sub No. 1), filed June 28, 1960. Applicant: BENNIE W. HASKINS, doing business as HASKINS TRUCKING COMPANY, 203 East Collins, Henderson, Tex. Applicant's attorney: Mert Starnes, 401 Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden poultry coops*, from Nacogdoches, Tex., to points in Georgia, North Carolina, and South Carolina, excluding Rion, S.C., and *damaged, defective or rejected commodities* specified above, on return.

NOTE: Applicant holds authority under Permit No. MC 116087 Sub 1, therefore dual operations may be involved.

HEARING: January 10, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Walter R. Lee.

No. MC 119676, filed April 18, 1960. Applicant: MEREDITH JOE NASH, doing business as ALAMO RECOVERY BUREAU, 2723 South Flores, San Antonio, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Repossessed automobiles*, in driveway, truckaway and haulaway service, between points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

NOTE: Applicant describes the repossessed automobiles as used automobiles only for person or company which repossessed said automobiles.

HEARING: January 26, 1961, at The Hilton Hotel, San Antonio, Tex., before Examiner Walter R. Lee.

No. MC 119835 (Sub No. 3), filed October 24, 1960. Applicant: READY MIX CONCRETE COMPANY, LTD., Carolina and Mariposa Streets, San Francisco, Calif. Applicant's representative: Pete H. Dawson, 1261 Drake Avenue, P.O. Box 1007, Burlingame, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in hopper-type tank vehicles; from San Andreas, Calif., to points in Klamath and Lake Counties, Ore.

HEARING: January 11, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 151, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 119912 (Sub-No. 1), filed October 17, 1960. Applicant: CLIFFORD L. AKSLAND, doing business as SUNRISE TRANSPORTATION, Route 1, Box 69, Manteca, Calif. Applicant's attorney: Francis X. Vieira, 22 North San Joaquin Street, Stockton, Calif. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery goods*, (bread, cake or roll, including brown, chocolate and nut, date and nut, orange and nut or pumpernickel), between San Francisco, Oakland, Berkeley, San Leandro, Hayward, San Jose, Stockton, Sacramento, and Manteca, Calif., on the one hand, and, on the other, Reno, Sparks, and Carson City, Nev. and points within 20 miles of Reno and within 20 miles of Carson City, and only *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified above, on return.

HEARING: January 10, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 119927 (Sub No. 1) (REPUBLICAN), filed October 20, 1960, published in the FEDERAL REGISTER, issue of November 2, 1960. Applicant: PENNDISPATCH, INC., 120 Turner Street, Allentown, Pa. Applicant's representative: A. E. Enoch, Brodhead Block, 556 Main Street, Bethlehem, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by chain retail department stores and mail order houses, from Allentown, Bethlehem, and Easton, Pa., to points in Hunterdon and Warren Counties, N.J., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, on return.

NOTE: Under No. MC 97221 Sub No. 1, applicant conducts operations within the State of Pennsylvania, under the second proviso of section 206(a) (1) of the Interstate Commerce Act, and is agreeable to the revocation of such filing, if and when, the authority sought herein is granted. Also applicant states the proposed operation will be for the account of Sears Roebuck and Co. The purpose of this republication is to indicate that the subject application involves a Corporation. C. W. Finady, the individual shown in the previous application, is Secretary of the Corporation.

HEARING: Remains as assigned December 15, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner David Waters.

No. MC 123061 (Sub No. 4), filed October 17, 1960. Applicant: LEATHAM BROTHERS, INC., 1160 Beck Street, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, Continental Bank Building, Salt Lake City 1, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products* in packages or mixed loads of package, and bulk, from Sillsbee and Salt Lake City, Utah, to points in Montana, Wyoming, Idaho, Oregon, and Washington and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, on return.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 22300 and subs thereunder; therefore dual operations under section 210 may be involved.

HEARING: January 16, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Leo W. Cunningham.

No. MC 123073 (Sub No. 1), filed October 25, 1960. Applicant: R. B. HAMILTON HAULING & RIGGING CORP., 1017 Merrick Road, Baldwin, N.Y. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Telephone equipment, tools, supplies and materials*; from applicant's warehouse sites in Roslyn Heights and Huntington Station, Long Island, N.Y., to points in Nassau and Suffolk Counties, N.Y., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities on return. **RESTRICTION:** To be performed under continuing contract or contracts with Western Electric Company, Inc.

NOTE: Applicant states it is under common control and management with R. B. Hamilton Moving and Storage Corporation of Roslyn Heights, N.Y., which corporation holds Certificate MC-8338.

HEARING: January 23, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 123076, filed September 19, 1960. Applicant: H. RAYMOND STANLEY, H. DALE STANLEY, AND J. GALE STANLEY, doing business as FAIR FEED COMPANY, 101 Front Street, Effingham, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, in bags and in bulk; *insecticides, fungicides and animal medicines; seeds; fertilizer; animal and poultry sanitation products and farm supplies*, from points in the St. Louis, Mo., Commercial Zone, as defined by the Commission, to points in Effingham, Jasper, and Crawford Counties, Ill., and *refused and returned shipments, and livestock and exempt agricultural commodities*, on return movements.

HEARING: January 24, 1961, at the U.S. Court Rooms and Federal Building, Springfield, Ill., before Joint Board No. 135.

No. MC 123079 (Sub No. 1), filed October 10, 1960. Applicant: JAMES F. HAZARD, Cooperstown, N. Dak. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and poultry feed and ingredients thereof*, in bulk and in bags; from Minneapolis, Minn., to points in that part of North Dakota bounded on the north by North Dakota Highway 15, on the east by the Steele-Traill County line, on the south by a line running southwesterly from the junction of the Steele-Traill County lines near Galesburg to Wimbledon, N. Dak., and on the west by a line running northwesterly from Wimbledon to Warwick, N. Dak., and (2) *grit*, in bulk and in bags; from Cold Spring, Minn., to points in that part of North Dakota bounded on the north by North Dakota Highway 15, on the east by the Steele-Traill County line, on the south by a line running southwesterly from the junction

of the Steele-Traill County lines near Galesburg to Wimbledon, N. Dak., and on the west by a line running northwesterly from Wimbledon to Warwick, N. Dak., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, on return, in connection with (1) and (2) above.

HEARING: January 6, 1961, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Joint Board No. 24.

No. MC 123092, filed September 22, 1960. Applicant: HERBERT F. JAUQUET, doing business as HERBERT JAUQUET TRUCKING, Channing, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, in seasonal operations between December 15 and June 15 inclusive of each year, between points in Wisconsin and points in the Upper Peninsula of Michigan.

NOTE: Applicant states he will transport potatoes, on return.

HEARING: January 13, 1961, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 95.

No. MC 123095, filed September 26, 1960. Applicant: BOBBY ROSS EDDINS, doing business as EDDINS OIL COMPANY, Route No. 3, Zebulon, N.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in seasonal operations between January 1 and July 15, inclusive of each year, from Norfolk, Va., to Zebulon, N.C., and points within 25 miles thereof.

HEARING: January 26, 1961, at the Hotel Carolina, Raleigh, N.C., before Joint Board No. 7.

No. MC 123109 (Sub No. 2), filed October 31, 1960. Applicant: LYLE A. SCHWAHN, doing business as SCHWAHN LUMBER TRANSFER, R.R. No. 1, Brillion, Wis. Applicant's attorney: Ernst John Watts, Delavan, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and building materials*, as defined in Appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from the site of the Wickes Lumber Company plant located approximately one-fifth (1/5) of a mile west of the intersection of U.S. Highway 10 and Wisconsin Highway 57, in the Town of Brillion, Calumet County, Wis., to points in Keeweenaw, Houghton, Baraga, Iron, Dickinson, Marquette, Menominee, Delta, and Alger Counties, Mich., and *returned and rejected shipments* of the above-specified commodities, on return.

HEARING: January 17, 1961, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 95.

No. MC 123124, filed October 6, 1960. Applicant: W. A. BOOTH, doing business as BOOTH DELIVERY SERVICE, 401 South Fifth Street, Moorhead, Minn. Applicant's attorney: Lee F. Brooks, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packing houses* as described in Appendix I of the report on descriptions in motor carrier certificates 61-M.C.C. 209-766, from Fargo, N. Dak., to all points in Traill, Richland, Cass, and Grand Forks Counties, N. Dak., Clay, Wilkin, Becker, Otter Tail, Polk, Mahnomen, Pennington, Red Lake, and Norman Counties, Minn., with only *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

HEARING: January 5, 1961, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Joint Board No. 24.

No. MC 123138, filed October 17, 1960. Applicant: ROSE BROS. TRUCKING COMPANY, a partnership, 1308 Commercial Avenue, Cairo, Ill. Applicant's attorney: Ernest A. Brooks II, 1301 Ambassador Building, St. Louis 1, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except liquid commodities in bulk; between Cairo, Ill., and Mississippi River docks within five miles thereof, on the one hand, and, on the other, points in Indiana, Wisconsin, Kentucky, Tennessee, Illinois, and Missouri. **RESTRICTION:** Limited to those commodities having immediate prior movement by river barge or to be loaded on river barges.

HEARING: January 9, 1961, at the U.S. Court Rooms and Federal Building, Springfield, Ill., before Examiner Samuel Horwich.

No. MC 123142, filed October 17, 1960. Applicant: NORTHEAST OKLAHOMA RAILROAD, N.E.O., a corporation, Box 151, Miami, Okla. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Miami, Okla., and Baxter Springs, Kans., from Miami over U.S. Highway 66 to Baxter Springs; (2) between Commerce, Okla., and Carona, Kans., from Commerce over U.S. 60 to Columbus, thence over Kansas State 7 to Scammon, thence via Kansas State 102 to Carona, Kans.; (3) between Baxter Springs and Junction U.S. Highway 69, from Baxter Springs, over U.S. Highway 166 to its Junction to U.S. 69 at or near Treece, Kans. Serving to, from, and between all intermediate points, and the following off-route points: Pioneer, Bird Dog, Mineral Heights, Century, Martin, Hockerville, Okla., and Commonwealth, Captain, Treece, Cravensville, Hawkins, Taylor, Westville, and Engle, Kans.

HEARING: January 19, 1961, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 39, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 123143, filed October 17, 1960. Applicant: JAMES COONEY, doing business as KITTSON TRUCK LINES, Hallock, Minn. Applicant's attorney: Lyman A. Brink, Hallock, Minn. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grain*, from Hallock, Minn., to Superior, Wis., and (2) *Cement* from Superior, Wis., to points in Kittson County, Minn.

HEARING: January 11, 1961, at the Metropolitan Building, Room 926, Second Avenue South and Third, Minneapolis, Minn., before Joint Board No. 142.

No. MC 123146, filed October 14, 1960. Applicant: ARCANGELO ROMANO AND EMIL A. VENA, doing business as A AND E AUTO SALVAGE, Route No. 3, Box 248-A, Kenosha, Wis. Applicant's attorneys: Cavanagh, Mittelstaed, Sheldon, Heide & Hartley, First National Bank Building, Kenosha, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled motor vehicles*, for the purpose of making emergency repairs, between points in Kenosha County, Wis., and points in the northeastern part of Illinois located north of and including U.S. Highway 30 from the Illinois-Indiana State line to Joliet, Ill., and U.S. Highway 6 from Joliet to Peru, Ill., and including U.S. Highway 51 from the Illinois-Wisconsin State line to Peru, including points on the indicated portions of the highways specified.

HEARING: January 16, 1961, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

No. MC 123160, filed October 25, 1960. Applicant: C. A. BUCK MOVING & STORAGE COMPANY, a corporation, 815 Woodside Way, San Mateo, Calif. Applicant's attorney: Frank Loughran, Suite 1620, Russ Building, San Francisco 4, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined by the Commission in 17 M.C.C. 467; between (1) Albany, Calif., and the intersection of California Highway 17 with U.S. Highway 101 By-Pass near San Jose, Calif., from Albany over California Highway 17 to the intersection with U.S. Highway 101 By-Pass near San Jose, and (2) San Francisco, Calif., and Morgan Hill, Calif., from San Francisco over U.S. Highway 101 to Morgan Hill, serving points located on and within 5 miles of the above-described highways, in connection with (1) and (2) above.

HEARING: January 9, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 123161, filed October 26, 1960. Applicant: GARDEN STATE MOTOR FREIGHT, INC., 646 Ramsey Street, Hillside, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Waste paper, paper products, pulverized waste materials and blended chemicals*, in containers, and *empty containers or other such incidental facilities*, between points in Union, Essex, Morris, and Passaic Counties, N.J., on the one hand, and, on the other, New York, N.Y., and points in

Nassau, Suffolk, Westchester, and Orange Counties, N.Y.

HEARING: January 24, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 123180, filed October 31, 1960. Applicant: JAMES L. BLOCK, doing business as TRI-CITY DELIVERY, 939 Center Street, San Carlos, Calif. Applicant's attorney: Sidney L. Berlin, 515 Allerton Street, P.O. Box 111, Redwood City, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New crated and uncrated furniture and appliances*, between San Francisco, Calif., and San Jose, Calif.

HEARING: January 12, 1961, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 123183, filed November 1, 1960. Applicant: ARTHUR STERN AND ALBERT SALAND, doing business as CAROLINA DRESS CARRIERS, 45 Windless Terrace, Wappinger Falls, N.Y. Applicant's attorney: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, cut goods, piece goods, belts, buckles, buttons, hangers, trimmings and supplies, materials and equipment* used in or incidental to the manufacture of wearing apparel and to the shipping thereof, between New York, N.Y., on the one hand, and, on the other, points in North Carolina and Lynchburg, Bedford, and Appomattox, Va.

HEARING: January 4, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner C. Evans Brooks.

No. MC 123186, filed November 2, 1960. Applicant: DAN'S MOTOR LINES, INC., P.O. Box 347, Fredonia, N.Y. Applicant's attorney: Donald E. Cross, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soap, soap products, cleaning and washing compounds, and detergents*, from Cincinnati, Ohio, to Erie, Pa., and Buffalo, Rochester, Jamestown, and Syracuse, N.Y.

NOTE: A proceeding has been instituted under section 212(c) of the Interstate Commerce Act to determine whether applicant's status is that of a contract or common carrier in No. MC 106095 (Sub No. 4). Applicant presently holds Interim Permit No. MC-106095 (Sub No. 3) authorizing performance of the operations here involved as a contract carrier, limited to a transportation service to be performed under a continuing contract, or contracts, with Procter and Gamble Co., of Cincinnati, Ohio. The purpose of this application is to convert that authority to a Certificate of Public Convenience and Necessity and to eliminate the restriction as to the person or persons which may be served. Accordingly, applicant will, upon the granting of this application consent to the revocation of the Interim Permit in No. MC-106095 (Sub No. 3). Dual operations may be involved.

HEARING: January 19, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 123187, filed November 3, 1960. Applicant: CHARLES NEWMAN, doing business as BERMA PARCEL DELIVERY, 631 South May Street, Chicago, Ill. Applicant's attorney: Shayle P. Fox, The First National Bank Building, 38 South Dearborn Street, Chicago 3, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over a regular route, transporting: *Merchandise* as is sold in department stores, between Chicago, Ill., and Highland, Ind., from Chicago over South Chicago Avenue to junction Indiana Toll Road (Interstate Highway 94), thence over Indiana Toll Road (Interstate Highway 94) to junction Combined U.S. Highways 12 and 20 to junction Indianapolis Boulevard, thence continue south over Indianapolis Boulevard to junction U.S. Highway 6, thence east over U.S. Highway 6 to Highland, and return over the same route, serving no intermediate points.

HEARING: January 19, 1961, at the U.S. Custom House, Room 852, 610 South Canal Street, Chicago, Ill., before Joint Board No. 21.

MOTOR CARRIERS OF PASSENGERS

No. MC 153 (Sub No. 2), filed October 12, 1960. Applicant: SCHENCK TOURS, INC., 255-22 87th Terrace, Floral Park, Queens County, N.Y. Applicant's attorney: W. Royden Klein, 1 West Main Street, Smithfield, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, (1) in one-way and round trip charter operations from points in New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., to all points in the United States, including Alaska, but excluding Hawaii; and (2) in round trip special operations beginning and ending at points in New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., and extending to all points in the United States.

HEARING: January 18, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 3647 (Sub No. 295), filed September 2, 1960. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, Law Department (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip, special operations, seasonal during the racing seasons, (1) beginning and ending at East Paterson, Fair Lawn, and Paramus, N.J., and extending to Yonkers Raceway, Yonkers, N.Y.; and (2) beginning and ending at East Paterson, Fair Lawn, Paramus, Hackensack, and Fort Lee, N.J., and extending to Roosevelt Raceway, Westbury, N.Y.

NOTE: Applicant has authority to operate from Paterson, N.J. to Yonkers Raceway, Yonkers, N.Y., and Roosevelt Raceway, Westbury, Long Island and return, under Certificates issued in Docket No. MC 3647 (Sub Nos.

189 and 235). Applicant states it seeks permission to consolidate the rights from Paterson in those certificates with that presently sought.

HEARING: January 6, 1961, at the State Office Building, Room 212, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 3.

No. MC 3647 (Sub No. 296), filed September 2, 1960. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a corporation, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, Law Department (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express and newspapers*, in the same vehicle with passengers, between Florham Park, N.J., and Clifton, N.J., beginning at the Florham Park-Hanover Municipal Line on South Orange Avenue (also known as Columbia Turnpike in Florham Park), thence over South Orange Avenue through Florham Park, Livingston, Millburn, South Orange, East Orange, and Newark, N.J., to Oratton Parkway, thence over Oratton Parkway to 14th Avenue, thence over 14th Avenue to access road leading to Garden State Parkway Interchange 144A, thence over access road to Garden State Parkway, thence over Garden State Parkway to junction New Jersey Highway 3, in Clifton, N.J. (to join applicant's existing authority), thence return over the same route to junction Garden State Parkway Interchange 145A in East Orange, N.J., thence over access roads to parallel roads adjacent to Parkway, thence over parallel roads (South Oratton Parkway, Whittlesey Avenue, East Orange, and Maybaum Avenue, Newark) to South Orange Avenue, Newark, thence over the same route to Florham Park, N.J. serving all intermediate points between Florham Park, N.J., and junction Garden State Parkway, Newark, N.J.

HEARING: January 9, 1961, at the State Office Building, Room 212, 1100 Raymond Boulevard, Newark 2, N.J., before Joint Board No. 119.

No. MC 3700 (Sub No. 44), filed September 21, 1960. Applicant: MANHATTAN TRANSIT COMPANY, U.S. Highway 46, East Paterson, N.J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in special round-trip sightseeing tours, beginning and ending at points in Hudson County, N.J., and extending to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Maryland, Maine, Massachusetts, Michigan, Mississippi, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: January 16, 1961, at 346 Broadway, New York, N.Y., before Examiner Reece Harrison.

No. MC 119940 (Sub No. 2), filed October 28, 1960. Applicant: GEORGE D. MILLECAM, doing business as CANYON LAND TOURS, 800 West Main Street, Vernal, Utah. Applicant's attorney: Bartly G. McDonough, 10 Executive Building, 455 East Fourth South, Salt Lake City 11, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations, consisting of round-trip, sightseeing and pleasure tours, beginning and ending at Vernal, Utah, and extending into Dinosaur National Monument, Colorado and Utah.

HEARING: January 16, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 213, or, if the Joint Board waives its right to participate, before Examiner Leo W. Cunningham.

No. MC 123128, filed October 13, 1960. Applicant: THE HATOM CORPORATION, 520 West Avenue, Norwalk, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, having an immediately prior or immediately subsequent movement by aircraft, limited to the transportation of not more than six passengers in any one vehicle, but not including the driver thereof, between Norwalk, Conn., on the one hand, and, on the other, La Guardia and Idlewild Airports, Long Island, N.Y., and Newark Airport, Newark, N.J.

HEARING: January 27, 1961, at the Bond Hotel, Hartford, Conn., before Joint Board No. 305, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12710 (Sub No. 1), filed September 12, 1960. Applicant: TOM C. SWOPE, doing business as HERITAGE TOURS, Gaylann Office Center, P.O. Box 5326, Beaumont, Tex. Applicant's attorney: John H. Benckenstein, Goodhue Building, Beaumont, Tex. For a license (BMC 5) to engage in operations as a *broker* at Abilene, Amarillo, Austin, Beaumont, Brownville, Bryan, Corpus Christi, Dallas, El Paso, Fort Worth, Galveston, Harlingen, Houston, Laredo, Lubbock, McAllen, Midland, San Angelo, San Antonio, Texarkana, Tyler, Waco, Wichita Falls, Texas; Baton Rouge, Lake Charles, Monroe, New Orleans, and Shreveport, La.; and Jackson, Miss.; in arranging for the transportation of motor vehicle in interstate or foreign commerce of *Passengers and their baggage*, in round trip all expense tours, beginning and ending at Abilene, Amarillo, Austin, Beaumont, Brownville, Bryan, Corpus Christi, Dallas, El Paso, Fort Worth, Galveston, Harlingen, Houston, Laredo, Lubbock, McAllen, Midland, San Angelo, San Antonio, Texarkana, Tyler, Waco, Wichita Falls, Texas; Baton Rouge, Lake Charles, Monroe, New Orleans, and Shreveport, La.; and Jackson, Miss., and extending to points in the United States including Alaska.

HEARING: January 25, 1961, at the Baker Hotel, Dallas, Tex., before Joint

Board No. 77, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 12736, filed July 4, 1960. Applicant: HOWARD WARREN TORRIBLE, doing business as HOUSTON GRAY LINE TOURS, Ben Milam Hotel Lobby, Houston 2, Tex. Authority sought to operate as a broker (BMC 5), at Houston, Tex., in arranging for transportation in interstate or foreign commerce by motor vehicle, of: *Passengers and their baggage*, in the same vehicle with passengers, both as individuals and organized groups, in all expense, sightseeing tours, beginning and ending at Houston, Tex., and extending to all points in the United States, including Ports of Entry on the International Boundary line between the United States and Canada.

NOTE: Applicant states the proposed operations will be sightseeing tours, escorted by lecturer, who will give descriptions, history, etc., of the areas to be covered on the various tours.

HEARING: January 13, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner Walter R. Lee.

No. MC 12742, filed October 18, 1960. Applicant: HERMAN WALLACE WILCOX, 211—Depot Street, Boone, N.C. For a license (BMC-5) to engage in operations as a broker at Boone, N.C., in arranging for the transportation of *Passengers and their baggage*, in round trip sightseeing tours, by motor vehicle, in interstate or foreign commerce, beginning and ending at points in North Carolina and Tennessee, and extending to points in Virginia, District of Columbia, Florida, and New York.

HEARING: January 26, 1961, at the Hotel Carolina, Raleigh, N.C., before Joint Board No. 103.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 19553 (Sub No. 23), filed November 9, 1960. Applicant: KNOX MOTOR SERVICE, INC., P.O. Box 359, Rockford, Ill. Applicant's representative: Robert M. Kaske (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, including bulk liquids, assembled automobiles, and heavy machinery requiring special equipment for handling; serving the site of the Archer-Daniels-Midland Company plant located near Mapleton, Ill., as an off-route point in connection with carriers authorized regular-route operations to and from Peoria, Ill.

NOTE: Applicant states that corporate officers of Knox Motor Service, Inc. are affiliated with Economy Express and Cartage, Milwaukee, Wis., therefore, common control may be involved.

No. MC 66562 (Sub. No. 1748), filed November 8, 1960. Applicant: RAILWAY

EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorneys: Slovacek & Galliani, Suite 2800, 188 Randolph Tower, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service; between Chicago, Ill. and Green Bay, Wis., (1) from Chicago over U.S. Highway 41 to Green Bay, Wis., serving the intermediate or off-route points of Evanston and Waukegan, Ill., and Kenosha, Racine, South Milwaukee, Milwaukee, West Bend, Fond du Lac, Oshkosh, Neenah, and Appleton, Wis., and (2) from Chicago over the above-described route to Milwaukee, Wis., thence over U.S. Highway 141 to Green Bay, Wis., serving the intermediate or off-route points of Port Washington, Oostburg, Sheboygan, Cleveland, Manitowoc, and Denmark, Wis.

NOTE: Applicant states that the application is for authority to substitute motor for rail operation in the rendition of existing express service; and is based upon operating economies, efficiencies and improvements in existing express service resulting from the substitution proposed. As a substituted application, same is made for RESTRICTED authority as follows: To be limited to transportation of general commodities moving in express service; the general restriction "moving in express service" to include the following specific restrictions: (1) The service to be performed shall be limited to that which is auxiliary to, or supplemental of, express service; (2) Shipments transported shall be limited to those moving on through bills of lading or express receipts of Railway Express Agency, Inc.; (3) Such further conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operation to service which is auxiliary to, or supplemental of, express service.

No. MC 66562 (Sub No. 1749), filed November 8, 1960. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: Robert C. Boozer, 1220 Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between Memphis, Tenn., and Trenton, Tenn.: from Trenton over Tennessee Highway 54 to junction Tennessee Highway 20, thence over Tennessee Highway 20 to junction U.S. Highway 79, thence over U.S. Highway 79 to Memphis, and return over the same route, serving no intermediate points. RESTRICTIONS: (1) The service to be performed by applicant shall be limited to service which is auxiliary or supplemental to air or rail service of applicant. (2) Shipments transported by applicant shall be limited to those moving on a through bill of lading or express receipt covering, in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by rail or air. (3) Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary or supplemental to air or rail express service of applicant.

No. MC 103880 (Sub No. 212), filed November 10, 1960. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glacial acetic acid*, in bulk, in tank vehicles, from Elkhart, Ind., to Midland, Mich., North Chicago, Ill., and points in the Chicago, Ill., Commercial Zone.

No. MC 113267 (Sub No. 33), filed November 7, 1960. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Frederick H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned milk*, from Nashville, Ill., to Norton, Va., and *exempt agricultural commodities*, on return.

NOTE: Applicant has also pending contract carrier applications in No. MC 50132 and subs thereunder, therefore, dual operations under section 210 may be involved.

No. MC 115716 (Sub No. 7), filed November 10, 1960. Applicant: DENVER-LIMON-BURLINGTON TRANSFER COMPANY, a corporation, 1420 Eighteenth Street, Denver, Colo. Applicant's attorney: Edward C. Hastings, 1505 Dallas Street, Denver 8, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between the Colorado-Kansas State line near Kanorado, Kans., and Kanorado, Kans., over U.S. Highway 24, serving all intermediate points.

No. MC 123000 (Sub No. 1), filed November 7, 1960. Applicant: SPECIAL SERVICE DELIVERY COMPANY, INC., 1836 West 25th Street, Cleveland, Ohio. Applicant's attorney: James M. Burtch, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film, complementary replacement film and incidental handling supplies and materials*; (1) between points in Cuyahoga County, Ohio, on the one hand, and, on the other, points in Cuyahoga, Lorain, Erie, Sandusky, Huron, Seneca, Wood, Hancock, Lake, Geauga, Ashtabula, Summit, Portage, and Medina Counties, Ohio, and (2) between points in Hancock County, Ohio, on the one hand, and, on the other, points in Cuyahoga, Lorain, Erie, Sandusky, Huron, Seneca, Wood, Hancock, Lake, Geauga, Ashtabula, Summit, Portage, and Medina Counties, Ohio. RESTRICTION: All shipments will have a prior or subsequent movement by air, rail or bus service.

NOTICE OF FILING OF PETITION

No. MC 43144 (Sub No. 4) and (Sub No. 6) (PETITION FOR MODIFICATION OF PERMITS), dated November 7, 1960. Petitioner: GUILFORD TRUCK-

ING, INC., Boston, Mass. Petitioner's attorney: Carmine Garofalo, 3814 Alton Place NW., Washington 16, D.C. Permits dated March 6, 1959, and October 21, 1960, authorized the transportation of (1) pig iron, in dump vehicles, from Everett, Mass., to West Warwick and Woonsocket, R.I., and the plant site of Cumberland Foundry Company in the Town of Cumberland, R.I., and (2) pig iron, in dump vehicles, from Everett, Mass., to points in Connecticut. Operations are limited to a transportation service under a continuing contract or contracts with Mystic Iron Works, Everett, Mass. The subject petition, dated November 7, 1960, seeks the addition of another shipper, Miller & Company of Boston, Mass., and the modification of the permits to serve Miller & Company in addition to Mystic Iron Works in the transportation of pig iron from Boston, Mass. (which petitioner states is a city contiguous to and within the commercial zone of the City of Everett), to points in the States of Connecticut and Rhode Island, which petitioner is presently authorized to serve under the above-numbered permits. Any person, or persons, desiring to oppose the allowance of the additional shipper, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7619, TURNER BROS. TRUCKING CO.—PURCHASE (PORTION—GULF SOUTHWESTERN TRANSPORTATION CO.), published in the August 17, 1960, issue of the FEDERAL REGISTER on page 7910. Amendment filed November 14, 1960. Application modified by deleting the following from authority to be transferred: *Machinery equipment, materials, and supplies used in, or in connection with, the drilling of water wells, between points in Mississippi, Alabama, Georgia, and Florida.*

No. MC-F 7702 (DALLAS & MAVIS FORWARDING CO., INC.—PURCHASE—G.M.S. TRUCKING, INC.), published in the November 16, 1960, issue of the FEDERAL REGISTER on page 10908. Application filed November 14, 1960, for temporary authority under section 210a(b).

No. MC-F 7707. Authority sought for merger into LEE WAY MOTOR FREIGHT OF INDIANA, INC., 1220 South West Street, Indianapolis, Ind., of the operating rights and property of SUMMIT FAST FREIGHT, INC., 1142 Newton Street, Akron, Ohio, and for acquisition by R. W. LEE, RWL INVESTMENTS, INC., and LEE WAY MOTOR FREIGHT, INC., all of 3000 West Reno, Oklahoma City, Okla., of control of such rights and property through the trans-

action. Applicants' attorney: Sidney P. Upsher, P.O. Box 2458, Oklahoma City, Okla. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Fort Wayne, Ind., and Chicago, Ill., between Cleveland, Ohio, and Mansfield, Ohio, between Lima, Ohio, and St. Louis, Mo., between Youngstown, Ohio, and Lodi, Ohio, between Warren, Ohio, and junction Ohio Highway 45 and Ohio Highway 18, between Akron, Ohio, and Massillon, Ohio, between Beavertown, Ohio, and Lima, Ohio, between junction Indiana Highway 152 and U.S. Highway 6 and Cleveland, Ohio, between junction Indiana Highway 152 and U.S. Highway 6 and Akron, Ohio, between Chicago, Ill., and Pittsburgh, Pa., between Cleveland, Ohio, and Canton, Ohio, and between Wooster, Ohio, and Warren, Ohio, serving certain intermediate and off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, from points in the CHICAGO, ILL., COMMERCIAL ZONE, as defined by the Commission, to points in Ohio, and certain points in West Virginia, Pennsylvania and New York, from North Canton, Massillon, and Youngstown, Ohio, to certain points in West Virginia and Pennsylvania, from Canton, Ohio, to certain points in West Virginia and Pennsylvania, from points in Allegheny County, Pa., those on the above-specified regular routes east of Fort Wayne, Ind., and all of the off-route points specified in Certificate No. MC 68715 Sub 1 to points in Lake County, Ind., and Cook, Du Page, Kane, and Will Counties, Ill., between Plymouth, Newark, Shelby, Fostoria, and Elyria, Ohio, on the one hand, and, on the other, points in Ohio located on U.S. Highway 30N, between certain points in Ohio on the one hand, and, on the other, certain points in Ohio, between points in the CHICAGO, ILL., COMMERCIAL ZONE, as defined by the Commission, between points in the ST. LOUIS, MO., COMMERCIAL ZONE, as defined by the Commission, from certain points in Illinois to points in Allegheny County, Pa., between St. Louis, Mo., on the one hand, and, on the other, certain points in Illinois, between points in St. Louis County, Mo., other than Valley Park, Mo., on the one hand, and, on the other, St. Louis, Mo., and certain points in Illinois, and between junction U.S. Highway 40 and Illinois Highway 111 (Fairmont City, Ill.), on the one hand, and, on the other, certain points in Illinois; *general commodities*, excepting, among others, household goods but not excepting commodities in bulk, between Canton, Ohio, on the one hand, and, on the other, certain points in Ohio, Pennsylvania and West Virginia. LEE WAY MOTOR FREIGHT OF INDIANA, INC., holds no authority from this Commission. However, it is affiliated with LEE WAY MOTOR FREIGHT, INC., its controlling stockholder, which is authorized to operate as a *common carrier* in Texas, Kansas, Oklahoma, Illinois, Missouri, and New Mexico.

Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7708. Authority sought for purchase by WITTE TRANSPORTATION COMPANY, 2481 North Cleveland Avenue, St. Paul 13, Minn., of the operating rights of HOVEY TRANSFER, INC., 238 West Hudson Street, Mondovi, Wis., and for acquisition by H. G. McNEELY, also of St. Paul, of control of such rights through the purchase. Applicants' representative: Salvatore F. Caruso, Traffic Manager, Witte Transportation Company, 2481 North Cleveland Avenue, St. Paul 13, Minn. Operating rights sought to be transferred: *General commodities*, excepting among others, household goods and commodities in bulk, as a *common carrier* over a regular route between Mondovi, Wis., and Eau Claire, Wis., serving no intermediate points. Vendee is authorized to operate as a *common carrier* in Wisconsin, Minnesota, and North Dakota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7709. Authority sought for purchase by BOSTON AND ROCKLAND TRANSPORTATION CO., 44 Maverick Street, Rockland, Maine, of the operating rights of JULIANO BROS., INC. (JACK F. SCHWARTZ, TRUSTEE), 443 Congress Street, Portland, Maine, and for acquisition by IRMA F. UPHAM as executrix of the estate of SHERWOOD S. UPHAM, also of Rockland, of control of such rights through the purchase. Applicants' attorneys: Barrett, Barrett and Barrett, Professional Building, 25 Bryant Avenue, East Milton 86 (Boston), Mass. Operating rights sought to be transferred: *Fresh, frozen, and processed (including canned) fish and shellfish*, as a *common carrier* over irregular routes, from certain points in Maine to Newark, N.J., and points in the respective commercial zones of Hartford and New Haven, Conn., New York, N.Y., and Philadelphia, Pa., as defined by the Commission; *empty barrels, boxes, and paper containers*, from Newark, N.J., and points in the above-specified commercial zones to certain points in Maine; *fresh fish, clams, and lobsters*, between Rockland, Freeport, and Portland, Maine, on the one hand, and, on the other, Boston, Mass.; *metal containers* used in packing fish, shell-fish and the products thereof, from Boston, Mass., to Portland, New-castle, and Pine Point, Maine. Vendee is authorized to operate as a *common carrier* in Massachusetts and Maine. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7710. Authority sought for purchase by RETAIL STORES DELIVERY OF RHODE ISLAND, INC., 350 Allens Avenue, Providence, R.I., of the operating rights and certain property of DELIVERY SERVICE, INC., 350 Allens Avenue, Providence, R.I., and for acquisition by JAMES B. MOORE and JAMES B. MOORE, JR., both of 460 West 38th Street, New York, N.Y., and THOMAS J. CARTY, 144 Second Street, Cambridge, Mass., of control of such rights and property through the purchase. Applicants' attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Operating rights sought to be transferred: *Such*

merchandise as is dealt in by retail department stores, as a *contract carrier* over irregular routes, from Providence, R.I., to certain points in Connecticut and Massachusetts; *damaged, defective or traded-in merchandise*, from certain points in Connecticut and Massachusetts to Providence, R.I. Vendee holds no authority from this Commission. However, two of its controlling stockholders, JAMES B. MOORE and THOMAS J. CARTY, are affiliated with STONE'S EXPRESS, INC., 144 Second Street, Cambridge, Mass., which is authorized to operate as a *common carrier* in Massachusetts, Rhode Island, New York, and Connecticut. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7711. Authority sought for purchase by RAYMOND C. HIRSCHBACH, doing business as HIRSCHBACH'S FRUITS AND VEGETABLES, 3324 U.S. Highway 75 North, Sioux City, Iowa, of the operating rights and certain property of WAYNE A. KIMBALL AND WILLIAM J. NIEMOTH (ELSIE M. NIEMOTH, ADMINISTRATRIX), doing business as BK & N COMPANY, 346 North Greenwich, Grand Island, Nebr. Applicants' attorney: J. Max Harding, 605 South 12th Street, Lincoln, Nebr. Operating rights sought to be transferred: Those rights claimed in an application seeking a "grandfather" certificate under section 7 of the Transportation Act of 1958 (which amended section 203(b)(6) of the Act), viz, *bananas*, as a *contract carrier* by motor vehicle over irregular routes, in mixed and straight shipments with certain exempt commodities, from New Orleans, La., to Kearney and Grand Island, Nebr.; those operations claimed to have been instituted after May 1, 1958, and before August 12, 1958, as covered by application in No. MC 118291 Sub 1 covering the transportation of *bananas*, in mixed and straight shipments with certain exempt commodities, from New Orleans, La., to Kearney and Grand Island, Nebr. The application in MC 118291 Sub 1 states that coconuts and yams were transported in mixed shipments with the above commodities. Vendee has claimed operating rights in an application seeking a "grandfather" certificate under section 7 of the Transportation Act of 1958 in the States of Louisiana, Alabama, Iowa, Nebraska, Minnesota, South Dakota, and Illinois. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7712. Authority sought for purchase by BALBONI EXPRESS CO., 655 Pleasant Street, Norwood, Mass., of the operating rights and certain property of NEWARK TERMINAL & TRANSPORTATION CO., 855 Raymond Boulevard, Newark 5, N.J., and for acquisition by L. P. BALBONI, also of Norwood, of control of such rights and property through the purchase. Applicants' attorney: Mary E. Kelley, 10 Tremont Street, Boston, Mass. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in Essex, Union, Hudson,

Passaic, and Bergen Counties, N.J., on the one hand, and, on the other, New York, N.Y. Vendee is authorized to operate as a *common carrier* in Massachusetts, Connecticut, Rhode Island, New Hampshire, and New York. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7713. Authority sought for purchase by LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville 5, Ky., of a portion of the operating rights and certain property of ALABAMA TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky., and for acquisition by CHARLES E. CRANMER, P.O. Box 5135, Cherokee Station, Louisville 5, Ky., and JOSEPH J. LEARY, McClure Building, Frankfort, Ky. Applicants' attorney and representative, respectively: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C., and Charles E. Cranmer, President, Liquid Transporters, Inc., P.O. Box 5135, Cherokee Station, Louisville 5, Ky. Operating rights sought to be transferred: *Acids and chemicals*, including liquid fertilizer, fertilizer compounds and solutions, in bulk, in tank vehicles, as a *common carrier* over irregular routes, from Sheffield, Ala., and points within 15 miles thereof, to points in Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas (except points in Harris County), and Virginia, all of the above authority being restricted against the transportation of (1) formaldehyde to Tyler, Tex., and points within 10 miles thereof, (2) paint, paint materials, resins, and products and blends thereof, to Garland, Tex., (3) muriatic acid to points in South Carolina and Tennessee, except Kingsport, (4) naval stores to Pensacola, Fla., and Oakdale and DeQuincy, La., (5) caustic soda to points in Georgia, North Carolina, South Carolina, Virginia, Tennessee, Mississippi, Kentucky, Arkansas, and Louisiana, (6) caustic potash to points in Georgia, Tennessee, Mississippi, Kentucky, Arkansas and Louisiana, and (7) chemicals, not including liquid fertilizer, fertilizer compounds and solutions, to Virginia; *paving tar*, in bulk, in tank vehicles, from Decatur, Ala., to points in Tennessee. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Kentucky, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi West Virginia, Pennsylvania, Michigan, Illinois, Tennessee, Missouri, Wisconsin, Minnesota, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Louisiana, Texas, Florida, and New York. Application has not been filed for temporary authority under section 210a(b).

No. MC-F 7714. Authority sought for purchase by PRE-FAB TRANSIT CO., Farmer City, Ill., of a portion of the operating rights of JULIA L. HAGAN, doing business as HAGAN TRUCK LINE, 3405 Bainbridge Avenue, P.O. Box 5037, South Norfolk, Va., and for acquisition by ROY R. ROBERSON and STANLEY ALBERT, both of Farmer City, of control of such rights through the purchase. Applicants' attorney: Mack Stephenson,

208 East Adams Street, Springfield, Ill. Operating rights sought to be transferred: *Prefabricated and precut buildings or houses*, complete, knocked down, or in sections, and *all component parts* necessary to the construction, erection, or completion of such buildings or houses, when shipped with same, as a *common carrier* over irregular routes, between points in Delaware, District of Columbia, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, from Baltimore, Md., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, and (restricted against tacking, joining or combining with any other authority now held by carrier for the purpose of performing any through service) from Allentown, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont; *prefabricated and precut buildings or houses*, complete, knocked down, or in sections, and *all component parts* necessary to the construction, erection, or completion of such buildings or houses, from Lumberton, N.C., and points within five miles of Lumberton, to points in Florida, Georgia, and South Carolina; *prefabricated buildings*, complete, knocked down, or in sections, and *all component parts* necessary to the construction, erection, or completion of such buildings or houses, when shipped therewith, from Greenville and Atlanta, Ga., to points in Delaware, District of Columbia, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, and from Atlanta, Ga., to points in Alabama and Kentucky; *dismantled buildings*, cut in sections or knocked down, and *all component parts* thereof, between points in Delaware, District of Columbia, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia. Vendee is authorized to operate as a *common carrier* in the District of Columbia and all States in the United States except Hawaii. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F 7706 Authority sought for merger into VIRGINIA STAGE LINES, INC., 401 East Water Street, Charlottesville, Va., of the operating rights and property of BLUE RIBBON LINES CORPORATION, 1108-1130 Winchester Avenue, Ashland, Ky., and for acquisition by CLAUDE A. JESSUP, JAMES L. JESSUP and VIRGINIA PEPSI COLA BOTTLING COMPANY, INCORPORATED, all of Charlottesville, of control of such rights and property through the transaction. Applicants' attorney: William C. Battle, Court Square Building, Charlottesville, Va. Operating rights sought to be merged: *Passengers and their baggage*, as a *common carrier* over regular routes, between Catlettsburg, Ky., and

Ashland, Ky., serving all intermediate points, with service at Ashland, Ky., and intermediate points restricted to the pick-up or discharge of passengers originating at or destined to points east of Catlettsburg, Ky., or west of Russell, Ky.; *passengers and their baggage* in the same vehicle with passengers, between Portsmouth, Ohio, and South Shore, Ky., serving all intermediate points in Kentucky; *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Ashland, Ky., and Cincinnati, Ohio, between Portsmouth, Ohio, and King's Addition, Ky., and between Fullerton, Ky., and Carter, Ky., serving all intermediate points; *passengers and their baggage*, and *express* in the same vehicle with passengers, between Portsmouth, Ohio, and New Boston, Ohio, serving no intermediate points, and service at New Boston is restricted to the pick-up or discharge of passengers and their baggage and express moving over carrier's lines to or from points in Kentucky. VIRGINIA STAGE LINES, INC., is authorized to operate as a *common carrier* in Virginia, North Carolina, West Virginia, Kentucky, Pennsylvania, Ohio, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-10880; Filed, Nov. 22, 1960;
8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 18, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36721: *Petroleum oil—Southwest to western trunk line points.* Filed by Southwestern Freight Bureau, Agent (No. B-7924), for interested rail carriers. Rates on petroleum transformer oil, in packages, in carloads, from points in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, to points in Colorado, New Mexico, Utah, Wyoming.

Grounds for relief: Maintain commodity relationship.

Tariff: Supplement 155 to Southwestern Freight Bureau tariff I.C.C. 4066.

FSA No. 36722: *T.O.F.C. service—Between southern and western trunk line*

points. Filed by Western Trunk Line Committee, Agent (No. A-2150), for interested rail carriers. Rates on various commodities moving on class and commodity rates loaded in trailers and transported on railroad flat cars, between Atlanta, Ga., Chattanooga, Tenn., and Montgomery, Ala., and points grouped therewith, on the one hand, and points in western trunk-line territory, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 27 to Western Trunk Line Committee tariff I.C.C. A-4275.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-10877; Filed, Nov. 22, 1960;
8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

GEORGE W. FLANAGAN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

- A. Deletions: None.
B. Additions:
Fairchild Engine.
Chicago, Milwaukee, St. Paul and Pacific.
Brunswick Corporation.

This statement is made as of November 4, 1960.

GEORGE W. FLANAGAN.

NOVEMBER 4, 1960.

[F.R. Doc. 60-10866; Filed, Nov. 22, 1960;
8:45 a.m.]

GEORGE A. SANDS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

- A. Deletions: No change.
B. Additions: No change.

This statement is made as of November 8, 1960.

GEORGE A. SANDS.

NOVEMBER 9, 1960.

[F.R. Doc. 60-10867; Filed, Nov. 22, 1960;
8:45 a.m.]

CHARLES F. McCAHILL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

- A. Deletions:
Pittsburgh Metallurgical Co.
National Lead Co.
M A Hanna Co.
Union Carbide Corp.
U S Steel Corp.
General Electric Co.
Dow Chemical Co.
Republic Steel Corp.
B. Additions:
City of Newark, N.J., Bonds.
Alabama Highway Authority Bonds.
CSD No. 1 of Towns of Salina and Clay, N.Y., School District Serial Bonds.

This statement is made as of October 26, 1960.

CHARLES F. McCAHILL.

NOVEMBER 16, 1960.

[F.R. Doc. 60-10889; Filed, Nov. 22, 1960;
8:49 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

OKLAHOMA

Amendment to Notice of Major Disaster

Notice of Major Disaster for the State of Oklahoma, published December 17, 1959 (24 F.R. 10240) as amended July 28, 1960 (25 F.R. 7172) is hereby further amended to include the following county among those determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 9, 1959:

Okmulgee.

Dated: November 10, 1960.

LEO A. HOEGH,
Director.

[F.R. Doc. 60-10865; Filed, Nov. 22, 1960;
8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

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Telephone _____ WOrth 3-3261

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