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Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. III]

PART 483—WHEAT AND FLOUR

Subpart—Wheat Export Program—Payment in Kind (GR-345) Terms and Conditions

The Terms and Conditions of the Wheat Export Program—Payment in Kind (GR-345) (25 F.R. 5807), as amended (25 F.R. 10757), are further amended herein and are reissued as Revision III, as follows:

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AUTHORITY: §§ 483.101 to 483.199 issued under secs. 4 and 5, 62 Stat. 1070 and 1072; sec. 2, 63 Stat. 945, as amended; sec. 407, 63 Stat. 1051 as amended; sec. 201(a), 70 Stat. 188; 15 U.S.C. 1641, 1427, 1851.

GENERAL

§ 483.101 General statement.

Commodity Credit Corporation (hereinafter referred to as "CCC") pursuant to this subpart will conduct a Wheat Export Program (referred to in this subpart as the "program") under which a person or firm who has exported wheat produced in the United States may apply for an export payment in the form of a certificate which is redeemable in wheat held in the inventory of CCC. The program is designed to encourage the exportation through normal trade channels of wheat held in private inventories and in CCC stocks in order (a) to maintain and expand the market in friendly countries for United States produced wheat, (b) to obtain the benefits and fulfill the obligations of the United States under the International Wheat Agreement, (c) to aid the price support program by strengthening the domestic market price to producers, (d) to reduce the quantity of wheat which would otherwise be taken into CCC's stocks under its price support program, and (e) to promote the orderly liquidation of CCC stocks. This program will be administered by the Agricultural Stabilization and Conservation Service, United States Department of Agriculture and information pertaining to the program may be obtained from any ASCS Commodity Office listed in § 483.180.

ELIGIBILITY FOR PAYMENT BY CCC

§ 483.105 General conditions of eligibility.

(a) Payment under this program will be made to an exporter, subject to the terms and conditions set forth in this subpart, in connection with (1) the net quantity of wheat exported from the United States and (2) the net quantity of wheat shipped to Canada via the Great Lakes if the wheat so shipped to Canada is exported from a Canadian port on the St. Lawrence River. Such

exportation must be to a designated country as defined in § 483.187 pursuant to a sale to a foreign buyer for which the exporter has received a Notice of Registration from a Contracting Officer of CCC, in accordance with § 483.126. Payment also will be made to an exporter for wheat which was exported prior to sale and for which the exporter has received a Notice of Registration from a Contracting Officer of CCC, subject to the terms and conditions of this subpart, particularly § 483.109.

(b) CCC will determine which sales registered under the program in accordance with § 483.126, are considered eligible for recording under the International Wheat Agreement, and will report such sales to the Wheat Council. Final determination of recordability rests with the Wheat Council. An exporter's rights under this subpart will not be impaired if any transaction is not ultimately recorded by the Wheat Council.

(c) A sale which involves wheat produced outside the United States, or a mixture of wheat which is partly derived from wheat produced outside the United States is not eligible for registration under the program. However, in the event the Director determines that such a mixture is exported unintentionally, payment may be made but only on that portion which it is established to his satisfaction was produced in the United States.

(d) Sales of wheat grading sample because of total damage of thirty percent or more, or because it is musty, sour, heating or unfit for human consumption will not be eligible for registration under this program. Sales of wheat grading sample because of other factors will not be registered for payment if they are not considered to be in the best interests of the program. See § 483.126.

(e) To be eligible for payment under this program, the exporter shall furnish documentary evidence of export, as required in § 483.147, which has not been used, or will not subsequently be used as evidence of export in connection with (1) any other application for wheat export payment under this program, (2) any other export program under which CCC has made or has agreed to make an export allowance, (3) any other export program which involves the sale of wheat for export at prices which reflect any export allowance or (4) a CCC barter transaction. Nothing herein shall be construed as precluding exportations of wheat under this program in fulfillment of Purchase Authorizations pursuant to Public Law 480 (83d Congress), as amended. Documentary evidence of export submitted under Sec. 483.162 in connection with purchases of wheat from CCC may also be submitted to CCC as evidence of export in connection with Applications for Wheat Export Payments.

(f) Sales may be made pursuant to this program to a foreign buyer for ship-

ment to any designated country defined in § 483.187 whether or not such buyer is located in the country of destination. A sale to be eligible for payment must be a bona fide sales transaction with the foreign buyer named in the Declaration of Sale. Brokers or agents of either the seller or the foreign buyer shall not be named as the buyer in the Declaration of Sale.

(g) The foreign buyer may be an affiliate of the U.S. exporter, in which case the sale registered for export payment must be a bona fide sales transaction in which the affiliate is acting in its own behalf as an independent buyer and not on behalf of the exporter. The foreign sale shall not be a "wash sale" or any other type of inter-company transaction which does not result in an actual exportation of wheat against the specific sale on which the export payment rate was based.

(h) Where a sale is made by an exporter to a foreign buyer who simultaneously resells to another foreign buyer, the latter may be the buyer named in the Notice of Sale and Declaration of Sale.

(i) Exportation of wheat by or to a United States Government agency as defined in § 483.195 to or in a designated country shall not qualify as an exportation for the purposes of this program.

§ 483.106 Countries and buyers to which wheat may be exported.

(a) Except as provided in paragraphs (b) and (c) of this section, exports under this program shall be made only to the designated country and buyer named in the Declaration of Sale and the exporter shall not ship, tranship or cause the wheat to be transhipped to any other country.

(b) Shipment shall be made only to the country named in the Declaration of Sale, unless the exporter (1) obtains the written approval of a Contracting Officer, CCC for shipment to a designated country other than the country named in the Declaration of Sale and (2) furnishes a certification to the Contracting Officer, CCC that such shipment is at the request of the buyer named in the Declaration of Sale, that such shipment constitutes delivery against the exporter's sale to the foreign buyer on which the export payment is based pursuant to § 483.121 and is not in connection with a different sale, and that the exporter knows of no circumstances with respect to such shipment which would impair the integrity of such sale.

(c) Shipment may be made to a consignee or notify party other than the buyer named in the Declaration of Sale, provided the exporter furnishes a certification to the Contracting Officer, CCC, as required in paragraph (b) of this section.

§ 483.107 Date of exportation.

Where the wheat is sold for export in a specified rate period announced by CCC the exportation must be completed before the end of that period in order for the exporter to obtain the export payment rate applicable to that period. If two or more export rate periods were

announced by CCC (see § 483.120) at time of sale and exportation takes place during one of the later of such export rate periods, the exporter shall be entitled to payment at the export payment rate in effect during such later export rate period without having to obtain approval in writing from the Contracting Officer, CCC for an extension of the export period. If exportation is not completed before the expiration of any and all export rate periods announced at time of sale, no payment shall be made unless an extension of the export period is granted in writing by the Contracting Officer, CCC, and such approval may be given subject to such reduction in the export payment (expressed in a rate per bushel) as may be specified by the Contracting Officer, CCC.

§ 483.108 Loading tolerances.

A contract loading tolerance of not to exceed ten percent more or less is permitted, or if no loading tolerance is specified in the contract, a loading tolerance of one percent more or less is permitted. Payment shall not be made on quantities loaded on vessels, cars, or trucks which are in excess of the contract quantity as shown on the Declaration of Sale plus such loading tolerance, unless (a) a new Notice of Sale and a new Declaration of Sale are filed for such excess quantity loaded and (b) a new Notice of Registration is issued in connection therewith. Failure to export the contract quantity less the loading tolerance shall subject the exporter to the provisions of Section 483.141 for the deficiency in the quantity exported.

§ 483.109 Wheat exported prior to sale.

(a) In connection with any quantity of wheat exported prior to sale, payments shall be made only on that portion thereof which has been reported in accordance with paragraph (b) of this section and only on sales made by the person who actually exports such wheat, and not to a person who buys such wheat after exportation and resells it to a designated country.

(b) In order to receive export payment on wheat exported prior to sale the exporter must have reported the exportation of such wheat to the office indicated in § 483.178 not later than seven days after the date of such exportation as defined in § 483.189, unless additional time for reporting is granted in writing by the Contracting Officer, CCC. This report must include the following information:

- (1) Date of exportation.
- (2) Port of exportation.
- (3) Country and port of original destination of wheat.
- (4) Name of ocean vessel upon which loaded.
- (5) Quantity in bushels.
- (6) Class and grade.
- (7) The report shall also contain a statement that the vessel contains other wheat sold by the exporter filing the report, as provided in paragraph (c) of this section.

(c) Unless otherwise approved in writing by the Contracting Officer, CCC, only unsold wheat which is loaded on a vessel which also carries wheat sold

by the same exporter under this program, or other export programs of CCC, shall be reported under paragraph (b) of this section, and shall be eligible for export payment when sold. In the case of full cargo shipments the unsold portion shall not exceed one-third of the total cargo. In the case of part cargo lots the unsold portion shall not exceed 2,000 metric tons. The exporter should obtain separate bill or bills of lading for both the unsold and sold quantities of wheat exported.

(d) At such time as the wheat is sold, the exporter shall report the sale to the office indicated in § 483.178 as provided in § 483.125, and shall submit all other reports and documents as required by this subpart. In reporting the sale the exporter must state that the wheat sold was reported to the office indicated in § 483.178 as provided in paragraph (b) of this section. This may be done by the use of the code word "Abroad".

(e) The export rate applicable to such sale shall be that rate in effect at time of sale, or time of giving Notice of Sale, whichever is the lower, for the export rate period current at that time which applies (1) to the port from which the wheat was exported, and (2) to the country shown in the Declaration of Sale.

EXPORT PAYMENT RATES AND ANNOUNCEMENTS

§ 483.120 Announcement of rates.

Export payment rates will be announced from Washington, D.C., daily or at intervals of up to 7 days. Rates will be released at approximately 3:31 p.m., e.s.t. (see § 483.199), and will remain in effect through 3:30 p.m., e.s.t., on the expiration date stated in the announcement at which time a new announcement will be made. No rates will be announced on Saturday, and rates effective at 3:31 p.m., e.s.t., on Friday will be in effect through 3:30 p.m., e.s.t., of the market day succeeding Saturday unless the announcement specifically provides otherwise. Announcements will be available through the press, ticker service, Agricultural Stabilization and Conservation Service Offices at Portland (Oregon), Minneapolis, Kansas City (Missouri), Dallas, Evanston (Illinois), and through representatives of the Office of the General Sales Manager, Foreign Agricultural Service (FAS), located at San Francisco and New York. Different rates of payment for separate coasts or ports, various classes of wheat, destinations, periods of exportation, etc., may be announced simultaneously.

§ 483.121 Determination of rates.

The rate in effect at the time of sale to the foreign buyer or the time of filing Notice of Sale as required by § 483.125 (a), whichever rate is the lower, shall be the rate applicable to the sale. The supporting evidence of sale submitted by the exporter in form prescribed in § 483.127(d), will be the basis for determining the time of sale. Some of the factors which are determinative of such time of sale, for the purpose of this program, are as follows:

(a) Time of the exporter's filing a cablegram or mailing a written accept-

ance of a definite offer to purchase received from the foreign buyer.

(b) Time of receipt by the exporter of a cablegram or other written acceptance from the foreign buyer of a definite offer by the exporter to sell or the time of receipt by the exporter of a cablegram or other written notification from his agent that the foreign buyer has accepted a definite offer by the exporter to sell.

(c) Time of filing by the exporter of a cablegram or time of mailing of a written confirmation by the exporter of the booking of a shipment or shipments to be made pursuant to a standing order of the buyer to purchase. It must be clear from the evidence, however, that the exporter has the right under the terms of the standing order to create a firm contract of sale by issuing a confirmation. For example, if he is authorized to confirm the sale at a price which may be established at his option, the evidence must show that such is the understanding between buyer and seller, otherwise it will be necessary for the buyer also to confirm the price, and receipt of the buyer's confirmation will establish the time of sale.

(d) A sale shall not be considered as made until the purchase price has been established, and time of sale shall be the earliest time the exporter has knowledge that a firm contract exists with the foreign buyer on which a firm dollar and cent price has been established pursuant to paragraphs (a), (b) and (c) of this section. Any contract provisions which entail provisional, or basic or maximum or minimum prices to be adjusted at a future date, may affect the time of sale for purposes of this subpart. For example, a contract will be considered to have a firm dollar and cent price if it contains a maximum price which can be reduced only at the seller's option or a minimum price which can be increased only at the buyer's option.

(e) If export is wholly by truck or rail and a firm contract exists at a firm dollar and cents price but the time of sale cannot be determined on the basis of the factors set forth in this section, or by any other means, the sale will be deemed to have been made at the time of issuance of the inland bill of lading, or if none is issued, at the time of clearance through United States Customs. If export is by ocean carrier and time of sale cannot be determined under other provisions of this section, the sale will be deemed to have been made at the time of issuance of ocean carrier bill of lading, or if none is issued, at the time the wheat is loaded on board ocean carrier.

(f) If the time of day at which the sale was made is not established and two payment rates are in effect on such day, the time of sale will be deemed to occur at the time the lower of the two rates was in effect.

(g) If a sale is made through an intermediary, for purposes of determination of the applicable export payment rate, no substantially greater lapse of time for concluding the sales transaction may be recognized than would have elapsed had the exporter been dealing directly with the foreign buyer.

(h) In any unusual cases involving factors other than those enumerated

above, an exporter should make a written request for a determination in writing from the office indicated in § 483.178, in advance of making the sale as to the effect of such factors on the time of sale.

REGISTRATION OF SALES

§ 483.125 Notice of Sale.

(a) *Time.* (1) The exporter shall file a Notice of Sale as soon as possible after the date of the sale.

(2) Notices of Sale should normally be filed by telegraph, although telephone may be used. Telephoned notices should be confirmed immediately by telegraph.

(3) In order for the exporter to be assured of the current rate of payment, the telegram reporting the sale must be filed or the telephone call made by 3:30 p.m., e.s.t. of the expiration date for such rate as shown in the rate announcement.

(4) The time of filing the Notice of Sale is considered to be as follows:

(i) In the case of a postal notice, the time which appears on the postmark on the envelope;

(ii) In the case of a telephonic notice, the time transmission of the telephonic message to CCC begins;

(iii) In the case of a telegraphic notice, the time transmission of the message to the telegraph company begins. CCC will accept as evidence of the time of filing a telegraphic Notice of Sale the time which appears on such notice. However, CCC will give consideration to any other corroborative evidence submitted by the exporter to support an earlier filing time. If the time of filing the Notice of Sale cannot be established and two rates are in effect on the day of filing, the time of filing the Notice of Sale will be deemed to be at the time the lower of the two rates was in effect.

(b) *Information required.* In giving Notice of Sale the exporter must report the following information:

(1) Date of sale.

(2) The Purchase Authorization Number, if a sale under Public Law 480 (83d Congress), as amended.

(3) Contract quantity in bushels and the contract loading tolerance, if any, in percentage but not in excess of 10 percent, more or less.

(4) The sale price must be shown on an f.o.b. vessel bulk basis, except that on exports from West Coast ports the price may be given on an instore basis. The f.o.b. or the instore price shown should include all charges and commissions necessary to the sale and moving of the wheat to the f.o.b. or the instore position. For example, a selling agent's commission would be included, whereas guaranteed outturn insurance would not be included.

(5) Coast of export.

(6) Country of destination.

(7) Name of purchaser. (Where the sale involves more than one purchaser, the Notice of Sale should contain the name of one purchaser and the word "others.")

(8) Delivery period specified in contract.

(9) Class and grade of wheat, and protein content or sedimentation value if specified in contract.

(10) If under subparagraph (5) of this paragraph, more than one coast of export is shown, indicate the ASCS Commodity Office (Evanston, Dallas or Portland), to which the exporter will submit Application for Wheat Export Payment.

(11) The word "Abroad" for wheat exported prior to sale. (See § 483.109(d).)

(12) Such additional information in individual cases as may be requested by the Contracting Officer, CCC.

§ 483.126 Notice of Registration.

(a) Upon receipt of the Notice of Sale, a Contracting Officer of CCC will issue a Notice of Registration by telegram unless he determines that to do so would not be in the best interests of the program. A Notice of Registration is a condition precedent to the exporter receiving payment under this subpart. Accordingly, before concluding a transaction it may be to the exporter's advantage in instances involving sales of an unusual nature to ascertain from the office indicated in § 483.178 whether the sale may be registered, or to condition his sales contract upon his receiving a Notice of Registration under this subpart.

(b) In the telegram of registration, the Contracting Officer may utilize the code letters REP to indicate Registered as Eligible for Payment.

(c) Each Notice of Registration will include a registration number which shall be shown on the Declaration of Sale (see § 483.127), and on the Application for Wheat Export Payment, CCC Form 357, and in all correspondence with reference to the transaction.

§ 483.127 Declaration of Sale and evidence of sale.

(a) *Time of submission and required copies.* (1) The exporter shall prepare a Declaration of Sale (CCC Form No. 359), and mail or deliver it normally within two days after receipt of CCC's Notice of Registration (see § 483.178).

(2) The Declaration of Sale must be submitted in an original and three copies all of which shall be signed in an original signature by the exporter or his authorized representative. One copy of the Declaration of Sale will be acknowledged and returned to the exporter.

(3) Only one Declaration of Sale should be submitted by the exporter for each sale identified by a Registration Number assigned in the Notice of Registration (see § 483.126(c)), although this is not mandatory. If more than one Declaration of Sale is submitted, the letters A, B, C, etc., shall be added to Registration Numbers on the respective declarations.

(b) *Information required.* The information to be entered on the Declaration of Sale, is as follows:

(1) The Registration Number.

(2) The Purchase Authorization Number, if a sale under Public Law 480 (83d Congress), as amended.

(3) Date and time of sale and of filing Notice of Sale.

(4) Name of purchaser, or purchasers.

(5) Country of destination.

(6) Contract quantity in bushels, and if the contract provides for a loading tolerance, the amount of such tolerance

in percentage but not to exceed 10 percent more or less.

(7) Class and grade of wheat.

(8) The sales price in the case of bulk wheat must be given on an f.o.b. vessel, bulk basis, on exports from Gulf and East Coast ports and on an instore, or f.o.b. vessel, bulk basis, on exports from West Coast ports. The f.o.b. or the instore price shown should include all charges and commissions necessary to the sale and the moving of the wheat to the f.o.b. or the instore position. For example, a selling agent's commission would be included, whereas guaranteed outturn insurance would not be included.

(9) Delivery period specified in the contract.

(10) Coastal area from which it is anticipated exportation will be made.

(11) Export payment rate per bushel of wheat in effect as determined by § 483.121.

(12) ASCS Commodity Office to which Application for Wheat Export Payment will be submitted.

(13) Where the exporter intends to ship, tranship, or cause wheat to be shipped or transhipped to one or more of the countries or areas to which a validated license is required by the Bureau of International Programs, U.S. Department of Commerce, the license issued for such movement by such agency shall be identified.

(14) Such additional information in individual cases as may be requested by the Contracting Officer, CCC.

(c) *Name in which filed.* The Declaration of Sale must be filed in the name of the exporter who sold the wheat to a foreign buyer. If the sale is made under a trade name, the Declaration of Sale may be filed under such name provided the name of the actual exporter and the relationship between the two is clearly established by an appropriate signature on the Declaration of Sale and all related documents, such as:

American Grain Company

(Trade Name)

U.S. Grain Company

/s/ John Smith, Secretary

(d) *Evidence of sale.* Supporting evidence of sale, in one copy only, must be filed with each Declaration of Sale. Such evidence may be in the form of certified true copies of offer and acceptance or other documentary evidence of sale including contracts between exporter and buyer. In transactions involving an intermediate party (see § 483.121(g)) the evidence required shall consist of certified true copies of all documents evidencing the sales which are exchanged between the exporter, the intermediate party and the buyer shown in the Declaration of Sale, provided such evidence includes all information required under paragraph (b) of this section, and any additional documentation specifically requested by the Contracting Officer, CCC.

OBLIGATION AND DEFAULT

§ 483.140 Exporter's agreement with CCC.

The Notice of Sale by the exporter and the Notice of Registration shall con-

stitute an agreement by the exporter to export the quantity of wheat to which such notices relate in accordance with the provisions of this subpart, in consideration of the undertaking of CCC to make an export payment, subject to the terms and conditions of this subpart.

§ 483.141 Cancellation of sale or failure to export.

(a) The exporter shall notify the office indicated in § 483.178 promptly in every case where he is not able to fulfill his obligation under § 483.140 of this subpart because of (1) cancellation of a sale, (2) failure to export, (3) the re-entry into Canada or the United States, Alaska, Hawaii, or Puerto Rico of wheat previously exported, or (4) failure to discharge fully any other obligation assumed by him under the program, and must state the reasons therefor.

(b) The provisions of subparagraph (1) and (2) of this paragraph shall apply if after an exporter has been afforded the opportunity to present evidence, the Vice President determines that the exporter has cancelled the sale, or failed to export, or failed to discharge fully any other obligation under the program unless the exporter establishes to the satisfaction of the Vice President that such failure to discharge his obligations under the program was not due to his fault or negligence. (1) The exporter shall pay on demand any damages resulting from such failure, and (2) the exporter may be denied the right to continue participating in this program or in any other program of CCC for such period as the Vice President may determine and until the exporter has complied with such other terms and conditions as the Vice President may prescribe.

(c) If any quantity of wheat exported pursuant to the exporter's contract with CCC is re-entered into Canada or the United States, Alaska, Hawaii, or Puerto Rico, whether or not such re-entry is caused by the exporter, or if any wheat is transhipped or caused to be transhipped by the exporter to any country that is not a designated country, the exporter shall be in default, shall refund any payment received, and shall comply with the requirements of paragraph (b) of this section unless he establishes to the satisfaction of CCC with respect to any re-entry that (1) the re-entry was not due to his fault or negligence and promptly after receiving notice of re-entry he caused to be exported to any designated country, without benefit of an export payment by CCC, the re-entered wheat or wheat of an equivalent quantity to that required to be exported under his contract with CCC or (2) the wheat re-entered was lost, damaged, and/or destroyed and the physical condition is such that its re-entry into the United States will not impair CCC's price support program.

WHEAT EXPORT PAYMENT CERTIFICATE

§ 483.145 Application for wheat export payment.

An original and two (2) copies of Application for Wheat Export Payment, CCC Form 357, must be prepared and submitted together with the evidence of export as provided in § 483.147, to the

ASCS Commodity Office shown on the acknowledged copy of the Declaration of Sale which is returned to the exporter. The exporter should submit the application as soon as possible after exportation as the face value of the certificate is subject to discount as provided in § 483.146(b). Supplies of CCC Form 357 and detailed instructions regarding the preparation and submission of the form may be obtained from the ASCS Commodity Offices in Evanston, Dallas and Portland (Oregon).

§ 483.146 Description of certificate.

Upon receipt of an Application for Wheat Export Payment (CCC Form 357) and satisfactory evidence of export the ASCS Commodity Office will determine the amount of payment due and issue to the exporter a Wheat Export Payment Certificate (CCC Form 358), hereinafter referred to as "Certificate", for the amount due. Such Certificate will be subject to the provisions contained therein and the applicable provisions of this subpart.

(a) *Payee.* Except as provided in § 483.176, the Certificate will be issued only to the exporter who has filed a Declaration of Sale and has obtained the Registration Number which shall be shown in the space provided in the Certificate.

(b) *Face Value.* The amount shown in the space provided for the face value of the Certificate will be the amount obtained by multiplying the number of net bushels of wheat exported in accordance with the exporter's contract with CCC by the applicable export payment rate. Certificates will be accepted by CCC at face value if applied to the purchase of wheat under contracts with CCC entered into pursuant to this subpart which specify a date of sale not more than 60 days after the date of export shown on the certificate. If a certificate is applied to the purchase of wheat under a contract with CCC, as provided in this subpart, which specifies a date of sale more than 60 days after the date of export shown on the certificate, the value at which the certificate will be accepted will be the face value reduced by 1/50 of one percent for each day beginning on the 61st day after such date of export and ending on the date of sale specified in the CCC contract to which it is applied unless for good cause shown on request by the holder, the Director specifies a later beginning date for the reduction in value.

(c) *Date of export.* The date of export shown on the Certificate will be the date of export as defined in § 483.189. Such date shall be deemed to be the date on which the export payment was earned.

(d) *General provisions.* The Certificate will be redeemable in wheat which Commodity Credit Corporation makes available from its stocks for sale under this program. The Certificate may be presented to the Dallas, Evanston, Kansas City, Minneapolis, or Portland offices of the Agricultural Stabilization and Conservation Service, as provided in § 483.155, for wheat handled by the Office to which submitted. The Certificate may be transferred by endorsement sub-

ject to all terms and conditions, contained in this section and §§ 483.155 through 483.199 inclusive, applicable to the person or firm to whom it was originally issued.

§ 483.147 Documents required as evidence of export.

Each Application for Wheat Export Payment (CCC Form 357) must be supported by the following documentary evidence, as applicable:¹

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading issued at point of export signed by an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed, the designated country to which the wheat was shipped, and the Purchase Authorization Number if exported under Public Law 480 (83d Congress), as amended. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading. If the country of destination shown on the ocean bill of lading differs from that shown on the Declaration of Sale or the country of destination approved by the Contracting Officer, CCC, pursuant to § 483.106, the exporter shall also furnish one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom Official, showing that the country of destination is, in fact, the country to which the wheat is required to be exported. In the circumstances described in the preceding sentence, if the export shipment is made from a Canadian port, the exporter shall furnish one copy of a document, in lieu of the Shipper's Export Declaration, authenticated by the appropriate Canadian Customs official showing that the country of destination is in fact the country to which the wheat is required to be exported.

(b) If export is by rail or truck, one copy of the Shipper's Export Declaration, authenticated by the appropriate United States Custom official, which identifies the shipment(s), the date of clearance into the foreign country and the weight of the wheat.

(c) A copy of an official loading weight certificate as defined in § 483.193 applicable to the wheat described in the on-board-ship bill of lading issued at point of export, or Shipper's Export Declaration and showing (1) the date and place of issuance, and (2) name of vessel, and description of hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, description of such rail-car or truck. In

the case of bagged wheat, the official loading weight certificate and the bill of lading or Shipper's Export Declaration shall contain the gross weight of the wheat and either the tare or the number of bags and an acceptable certification as to the weight of the bags. An official loading weight certificate covering bagged wheat issued at an inland bagging point instead of at point of export as required above, may also be accepted by CCC. Such acceptance is conditioned upon the requirement that the exporter establish to the satisfaction of the applicable ASCS Commodity Office that the bagged wheat covered by each such certificate is (1) properly identified by evidence of continuity of movement from the bagging point to on-board the export carrier and (2) the certificate is dated not more than 30 days prior to date of exportation.

(d) A copy of a grain inspection certificate issued at the point of export applicable to the wheat described in the on-board-ship bill of lading or Shipper's Export Declaration and showing (1) the date and place of issuance, (2) quantity of wheat, and (3) name of vessel and description of the hold or tank in which the wheat was stowed, or where exportation is by rail-car or truck, a description of such rail-car or truck. The grain inspection certificate shall be issued by an inspector licensed or authorized under the United States Grain Standards Act or the Agricultural Marketing Act of 1946 and shall show the grade of the wheat determined in accordance with the Official Grain Standards of the United States. If the certificate shows mixed wheat it will be necessary for the grade designation to show the approximate percentage of each class of wheat which constitutes more than 10 percent of the mixture. With respect to grain inspection certificates covering bagged wheat not exported under Public Law 480, as amended, an exporter may apply to the Director for consideration under § 483.147(f) in circumstances which do not enable him to supply inspection certificates issued at point of export as required above.

(e) In the event of exportation from a point in Canada, (1) the bill of lading and other documentary evidence covering the movement of the wheat from the United States to the export vessel described in the on-board-ship bill of lading issued at the point of export, (2) a certification by the exporter that the wheat exported was produced in the United States, and (3) a copy of an official loading weight certificate and of a grain inspection certificate issued by an inspector licensed under the United States Grain Standards Act applicable to the grain shipped from the United States and showing date and place of issuance, name of vessel and description of hold or tank in which wheat was stowed.

(f) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export as specified in the above provisions of this section, CCC may accept such other evidence of export as will establish to the satisfaction of the Director, that the

exporter has fully complied with his obligations to export.

(g) If the shipper or consignor named in the evidence of export is other than the exporter named in the Declaration of Sale, waiver by such shipper or consignor of any interest in the claim in favor of such exporter is required. Such waiver must clearly identify the document which is submitted to evidence export.

(h) Where exportation of the wheat has been made by anyone or transshipment made or caused by the exporter to one or more countries or areas to which a validated license is required by the Bureau of International Programs, United States Department of Commerce, the license issued for such movement by such agency shall be identified.

(i) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of wheat which is applied against the exporter's agreement with CCC, and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with CCC under this program or under any other export program of CCC pursuant to which CCC has paid or agreed to pay an export allowance, each copy of such documentary evidence of export submitted pursuant to paragraph (a) of this section shall be accompanied by a statement certified by the exporter identifying all contracts with CCC to which the documentary evidence of export has been or will be applied and the quantity applicable to each contract.

(j) If the export shipment is made by vessel, plane, truck or other carrier, operated by a United States Government agency, then in lieu of the bill of lading or Shipper's Export Declaration provided for in paragraphs (a) and (b) of this section, the exporter may submit a certificate issued by an authorized official or employee of such agency showing the date of shipment(s), type of carrier used, identification of the commodity, the quantity, the export destination, a certification by the exporter that shipment is not by or to a U.S. Government agency, and such other information required in paragraph (a) of this section as may be applicable hereto.

REDEMPTION OF WHEAT EXPORT CERTIFICATE

§ 483.155 Submission of offers.

Offers to purchase CCC wheat with certificates may be submitted by letter, telegram, or orally to any ASCS Commodity Office from which the exporter desires delivery. The offeror must specify the class, grade, quality and quantity desired, and the desired point of delivery. CCC reserves the right to determine the classes, grades, qualities and quantities and point of delivery for which offers will be considered, and to reject any offer in whole or in part.

§ 483.156 Creation of contracts.

Preliminary negotiations for purchase of wheat under this subpart shall be confirmed by written Confirmation of Sale which shall be issued by the ASCS Commodity Office in duplicate. One copy shall be signed and returned by the ex-

¹ The requirements of this section do not supersede requirements applicable to exports under Public Law 480, 83d Congress, as amended, which exports must also conform to requirements in applicable Public Law 480 regulations or Purchase Authorizations in order to be eligible for Public Law 480 financing.

porter whose offer to purchase wheat is accepted by CCC. Such exporter is hereinafter called "the Purchaser." The Confirmation of Sale, together with the terms and conditions of this subpart and any amendments in effect on the date of sale, shall constitute the sales contract. Any provision of prior negotiations not contained in the Confirmation of Sale shall be of no effect. The term "date of sale," as used in § 483.146 and in §§ 483.155 to 483.165, inclusive, shall mean the date that the parties concluded their preliminary negotiations, and such date will be specified in the Confirmation of Sale.

§ 483.157 Price.

The price shall be basis f.o.b. vessel, instore, or track at port or other point of export (without export allowance) as determined by CCC and shall be specified in the Confirmation of Sale.

§ 483.158 Payment terms and financial arrangements.

(a) The amount due CCC for wheat purchased hereunder shall be paid by the purchaser by surrender to CCC of properly endorsed certificate(s). If certificates having a value in excess of the purchase price are surrendered by the purchaser to CCC, the certificates having the earliest dates of export shall be applied first to the purchase and any certificates not applied shall be returned to the purchaser. If the value of certificates applied to the purchase exceeds the purchase price, such excess will be adjusted by issuance and delivery to the purchaser of a balance certificate which may be used on a subsequent purchase from CCC. The date of export shown on the balance certificate will be the date shown on the original certificate, or if more than one certificate is applied to the purchase, the date of export shown on the latest date of export shown on a certificate applied to the purchase. The face value of the balance certificate will be determined by deducting from the face value of certificates surrendered to CCC, the purchase price of the wheat and any discount applicable to the portion of the certificates being applied to the purchase as provided in § 483.146(b).

(b) Financial arrangements covering the purchase price specified in the Confirmation of Sale of any wheat purchased from CCC hereunder shall be made prior to delivery of the wheat by CCC in one (or a combination) of the following ways:

(1) Surrender to the appropriate ASCS Commodity Office of certificate(s) sufficient to pay for the wheat.

(2) If a purchaser desires delivery prior to receipt by CCC of certificates, he may make payment in cash, certified check, or cashier's check for the wheat to be delivered, or if delivery is to be made in store, he may request that CCC draw a sight draft on him through a named bank with warehouse receipts attached or request that CCC surrender the warehouse receipts to him in a simultaneous exchange for an acceptable remittance delivered at the ASCS Commodity Office. To the extent that ac-

ceptable certificates are received by CCC within 90 days after delivery of the wheat to the purchaser, CCC shall promptly make refund of funds received.

(3) If a purchaser desires delivery prior to receipt by CCC of certificates, he may establish an irrevocable commercial letter of credit acceptable to CCC for an amount equivalent to the total amount of the purchase price of the wheat plus interest thereon for 60 days, against which CCC will not draw to the extent that the purchaser pays to CCC the purchase price of the wheat and any applicable interest promptly upon presentation of invoices or prior to invoicing by CCC. To the extent that such payment is not made, CCC will draw drafts under the letter of credit for the amount remaining unpaid, supported by a statement specifying the amount due. When financial arrangements are made in this manner, the following shall apply:

(i) The letter of credit shall have an effective period of at least 60 days from the final date for delivery of the wheat to the purchaser as specified in the Confirmation of Sale. If a single letter of credit is used for this purpose as well as for the upward adjustment in price required under paragraph (c) of this section, the effective period shall be 150 days from the final date for delivery.

(ii) Interest on the purchase price of the wheat shall be paid in cash for the period from the date of delivery of the wheat to the date CCC receives acceptable certificates or cash or, in the case of payments against sight drafts drawn by CCC, the date CCC estimates the draft will be paid. The rate of interest will be the rate in effect on the date of sale as announced in the CCC Monthly Sales List for sales made under the CCC credit sales program for periods up to 6 months. The interest shall be included in the amount of sight drafts drawn by CCC.

(iii) Unless otherwise requested by the purchaser, CCC shall, promptly after receiving cash for application on the purchase price and/or interest, or acceptable certificates for application on the purchase price, notify the bank which issued or confirmed the letter of credit that CCC consents to a reduction of such letter of credit in an amount equivalent to the amount of cash or acceptable certificates received.

(iv) To the extent acceptable certificates are received by CCC within 90 days after delivery of the wheat to the purchaser, CCC shall promptly make refund of any funds received representing the purchase price of the grain (but not any interest).

(c) The amount of the upward adjustment in price which is provided in § 483.163 for failure to submit certificates within 90 days after delivery shall be computed as of the date of sale, and shall be specified in the Confirmation of Sale. Financial arrangements for such price adjustments shall be made in one of the following ways:

(1) Payment in cash, certified check, or cashier's check or

(2) Establishment of an irrevocable commercial letter of credit acceptable to

CCC which shall have an effective period of at least 150 days from the date for delivery specified in the Confirmation of Sale and upon which CCC will draw drafts for the amount of the upward adjustment in price resulting from such failure to submit certificates within 90 days after delivery, supported by a statement specifying the amount due CCC. Promptly after CCC receives acceptable certificates in payment of the wheat purchased as provided in paragraph (b) (2) or (3) of this section, CCC shall notify the bank which issued or confirmed the letter of credit that CCC consents to a reduction of such letter of credit, unless otherwise requested by the purchaser, or shall make refund to the purchaser of funds received. Any such reduction or refund shall be in an amount equivalent to the purchaser's financial coverage under this subsection related to the quantity for which payment has been received in the form of acceptable certificates by CCC.

(d) The financial arrangements provided in paragraphs (b) and (c) of this section shall be made:

(1) Prior to delivery of the wheat by CCC on purchases which provide for delivery within 5 days following the date of the sale, and,

(2) On all other purchases, not less than 5 days prior to delivery of the wheat by CCC, but in no event later than 30 days following the date of sale, unless CCC consents in writing to a different period.

(e) If the purchaser fails to make a financial arrangement acceptable to CCC in accordance with paragraph (d) of this section, CCC shall have the right to deem the purchaser in default and may avail itself of any remedy available to an unpaid seller. The purchaser shall be liable to CCC for any loss or damages resulting from such default.

§ 483.159 Delivery.

(a) The method, time, and place of delivery will be as specified in the Confirmation of Sale.

(b) If the wheat is to be delivered instore, delivery shall be accomplished by delivery to the purchaser of endorsed warehouse receipts, or other evidence of title. Delivery may be made by posting warehouse receipts in the mail. In the case of instore delivery the terms of continued storage thereafter shall be for determination between the purchaser and warehouseman.

(c) If the wheat is to be delivered other than instore, the details thereof shall be specified in the Confirmation of Sale.

(d) Title and risk of loss and damage shall pass to the purchaser upon delivery. All charges thereafter accruing, including warehouse and loading-out charges, in the case of instore delivery, shall be for the account of the purchaser: *Provided*, That if delivery is not made within 30 days after the date of sale, the purchaser shall pay CCC for warehouse charges on the wheat not delivered, at the rate specified in the Confirmation of Sale for the period beginning on the 31st day to and including the date of delivery or, if the purchaser fails to take delivery, to and including

the final date for delivery specified in the Confirmation of Sale or any written extension thereof: *Provided further*, That the purchaser shall not be responsible for such charges accruing after such 30-day period as a result of delay on the part of CCC in making delivery which is not attributable to the fault or negligence of the purchaser.

(e) If on deliveries other than instore the purchaser fails to take delivery of the wheat within the delivery period specified in the Confirmation of Sale, or any written extension thereof, CCC may at its option deliver the wheat instore in a warehouse of its choice by delivery of endorsed warehouse receipts, or CCC shall have the right to deem the purchaser in default and the purchaser shall be liable to CCC for any loss or damages resulting from such default.

§ 483.160 Specifications.

(a) If the wheat is to be delivered instore, CCC shall deliver warehouse receipts, or other evidence of title, representing the kind of wheat and the quantity, class, grade and/or quality stated in the Confirmation of Sale, and CCC shall have no responsibility in the event of failure of the warehouseman to deliver in accordance with the warehouse receipts or other evidence of title.

(b) If the wheat is to be delivered other than instore, the kind of wheat and the quantity, class, grade and/or quality delivered shall be that stated in the Confirmation of Sale. Determinations as to the class, grade and/or quality of the wheat delivered shall be made on the basis of official inspection at point of delivery, unless otherwise specified in the Confirmation of Sale. The method of determining the quantity delivered shall be as stated in the Confirmation of Sale. If the wheat delivered is within the quality tolerance, if any, specified in the Confirmation of Sale, such delivery shall be accepted by the purchaser. If the wheat delivered is not within the quality tolerance, if any, specified in the Confirmation of Sale, the wheat may be rejected by the purchaser at the time of delivery or accepted subject to an adjustment in price for grade and quality difference in accordance with current market premiums and discounts, as determined by CCC. In case of rejection, CCC shall, upon request of the purchaser, replace such rejected quantity. The purchaser may reject any overdeliveries in quantity. Overdeliveries in quantity accepted by the purchaser shall be settled for at the contract price unless a different price has been agreed to between CCC and the purchaser. In case of underdeliveries a balance certificate shall be issued by CCC, or if other financial arrangements were furnished, the value of certificates the purchaser is required to surrender will be reduced. In the case of overdeliveries the purchaser shall tender cash or certificates to CCC. If the value of wheat delivered exceeds the value of certificates surrendered by \$3.00 or less, no adjustment will be necessary. If the value of certificates surrendered exceeds the value of wheat delivered by \$3.00 or

less, a balance certificate will not be issued unless requested.

§ 483.161 Export requirements.

(a) The purchaser shall, on or after the date of sale and within 60 days after delivery by CCC of the wheat to him or within such extension of that period as may for good cause be approved by the Vice President in writing pursuant to sec. 483.163(c) cause exportation to a designated country of wheat equal in quantity to and of the same class as the wheat delivered by CCC. In the case of delivery of wheat to the purchaser at a Great Lakes port, if exportation takes place other than from the place of delivery by CCC, the purchaser must within such 60-day period, or within such extension of that period as may for good cause be approved by the Vice President in writing, ship from the place of delivery by CCC to any export point not on the Great Lakes, wheat equal in quantity and of the same class as the wheat delivered by CCC. Wheat so shipped shall not be unloaded at any Lake Michigan or Lake Superior port. The requirement that wheat of the same class be exported or shipped may be satisfied by exporting or shipping a quantity of mixed wheat which contains, as evidenced by the applicable Grain Inspection Certificate, wheat at least equal in quantity and of the same class as that delivered by CCC. The wheat exported shall not be reentered by anyone into the United States, Alaska, Hawaii or Puerto Rico, nor shall the purchaser cause the wheat exported to be transhipped to any country excluded by § 483.187.

(b) Except as provided in § 483.162 (g), the purchaser shall, within 30 days after exportation, furnish to the ASCS Commodity Office evidence of such exportation, as required in § 483.162. Failure of the purchaser to furnish CCC proof of exportation within 90 days after delivery of the wheat to him, or in the case of extension of the time for export, within 30 days from the last date specified for exportation under such extension, shall constitute prima facie evidence of failure to export. Documents supporting an Application for Wheat Export Payment on the wheat exported will be accepted as evidence of export of wheat purchased from CCC if they satisfy the requirements specified in § 483.162, and the Application for Wheat Export Payment is accompanied by a letter in duplicate specifying the documents which are submitted as evidence of export and the CCC sales contract number to which they relate.

§ 483.162 Evidence of export.

Evidence of export shall consist of the following documentation, as applicable:¹

(a) If export is by water, a non-negotiable copy or photostat of the on-board-ship bill of lading certified by the exporter as true and correct and signed by

¹ The requirements of this section do not supersede requirements applicable to exports under Public Law 480, 83d Congress, as amended, which exports must also conform to requirements in applicable Public Law 480 regulations or Purchase Authorizations to be eligible for Public Law 480 financing.

an agent of the ocean carrier. The bill of lading must show the name of the vessel, the date and place of issuance, the weight of the wheat, the number or description of the hold or tank in which the wheat was stowed, the designated country to which the wheat was shipped, and the CCC sales contract number. Where loss, destruction or damage to the wheat occurs subsequent to loading aboard the ocean carrier but prior to issuance of the on-board-ship bill of lading, one copy of a loading tally sheet or acceptable similar document may be substituted for the ocean bill of lading.

(b) If export is by rail or truck, one unauthenticated copy of Shipper's Export Declaration (or photostat copy of an unauthenticated copy) which identifies the shipment(s), the date of clearance into the foreign country, the weight of the wheat, and the CCC sales contract number. The unauthenticated copy, or photostat copy, shall bear the following statement certified by the purchaser:

The authenticated copy of this Shipper's Export Declaration was forwarded to (name of the ASCS Commodity Office) with application for Wheat Export Payment under Registration No. -----

(c) A copy of an official loading weight certificate as defined in § 483.193 applicable to the wheat described in the on-board-ship bill of lading or Shipper's Export Declaration and showing (1) date and place of issuance, and (2) name of vessel, and description of hold or tank in which wheat was stowed, or where exportation is by rail-car or truck, description of such rail-car or truck. In the case of bagged wheat, the official loading weight certificate and the bill of lading or Shipper's Export Declaration shall contain the gross weight of the wheat, and either the tare or the number of bags and an acceptable certification as to the weight of the bags. An official loading weight certificate covering bagged wheat issued at an inland bagging point instead of at point of export, as required above, may also be accepted by CCC. Such acceptance is conditioned upon the requirement that the exporter establish to the satisfaction of the applicable ASCS Commodity Office that the bagged wheat covered by each such certificate is (1) properly identified by evidence of continuity of movement from the bagging point to on-board the export carrier and (2) the certificate is dated not more than 30 days prior to date of exportation.

(d) A copy of a grain inspection certificate issued at the point of export applicable to the wheat described in the on-board-ship bill of lading or Shipper's Export Declaration and showing (1) the date and place of issuance, (2) quantity of wheat, and (3) name of vessel and description of the hold or tank in which wheat was stowed, or where exportation is by rail-car or truck, a description of such rail-car or truck. The grain inspection certificate shall be issued by an inspector licensed or authorized under the United States Grain Standards Act or the Agricultural Marketing Act of 1946 and shall show the grade of the wheat determined in accordance with the Official Grain Standards of the

United States. If the certificate shows mixed wheat it will be necessary for the grade designation to show the approximate percentage of each class of wheat which constitutes more than 10 percent of the mixture. With respect to grain inspection certificates covering bagged wheat not exported under Public Law 480, as amended, an exporter may apply to the Director for consideration under § 483.162(g) in circumstances which do not enable him to supply inspection certificates issued at point of export as required above.

(e) In the event of exportation from a point in Canada, (1) the bill of lading and other documentary evidence covering the movement of wheat from the United States to the export vessel described in the bill of lading issued at the point of export, (2) a certification by the exporter that the wheat exported was produced in the United States and (3) a copy of an official loading weight certificate and of a grain inspection certificate issued by an inspector licensed under the United States Grain Standards Act applicable to the grain shipped from the United States and showing date and place of issuance, name of vessel and description of hold or tank in which wheat was stowed.

(f) If the wheat is delivered by CCC at a Great Lakes port and if exportation takes place other than from the place of delivery by CCC, the exporter must, in conformance with the requirement in § 483.161(a) submit a non-negotiable copy(s) of the applicable bill(s) of lading showing the shipment of wheat of the required quantity and kind, from the place of delivery by CCC to an export point not on the Great Lakes. This evidence of shipment must be accompanied by an affidavit of the exporter that the wheat represented by such bill(s) of lading was not unloaded at a point other than the destination indicated on the evidence of shipment. The affidavit must also affirm that the bill(s) of lading submitted therewith has not or will not be used in any other instance as proof of such movement pursuant to a similar requirement except as provided in § 483.162(i). Such evidence shall be submitted in the time required by § 483.161(b) or within such extension of that time as may be approved by CCC in writing.

(g) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export as specified in the above provisions of this section, CCC may accept such other evidence of export as will establish to the satisfaction of the Director that the exporter has fully complied with his obligations to export.

(h) Where exportation of the wheat has been made by anyone or transshipment made or caused by the exporter to one or more countries or areas to which a validated license is required by the Bureau of Foreign Commerce, United States Department of Commerce, the license issued for such movement by such agency shall be identified.

(i) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of wheat which is applied against any one

contract with CCC and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with CCC under any export program of CCC pursuant to which CCC has paid or agreed to pay an export allowance or has sold grain at prices which reflect any export allowance, each copy of such documentary evidence of export submitted pursuant to this section shall be accompanied by a statement certified by the exporter identifying all contracts with CCC to which this documentary evidence of export has been or will be applied and the quantity applicable to each contract.

(j) If the export shipment is made by vessel, plane, truck or other carrier, operated by a Government agency, then in lieu of the bill of lading or Shipper's Export Declaration provided for in paragraphs (a) and (b) of this section, the exporter may submit a certificate issued by an authorized official or employee of such agency showing the date of shipment(s), type of carrier used, identification of the commodity, the net quantity, the export destination, a certification by the exporter that shipment is not by or to a U.S. Government agency, and such other information required in paragraph (a) of this section as may be applicable hereto.

§ 483.163 Adjusted sales price.

(a) Sales of wheat by CCC under this announcement are made at prices below the statutory minimum required under section 407 of the Agricultural Act of 1949, as amended, for sales for unrestricted use upon condition that payment in certificates is made as provided in § 483.158, and upon the further condition that all applicable provisions of §§ 483.161 and 483.162 are complied with. In the event of failure to comply with such conditions (but not including a failure to meet requirements as to the time of exportation), the sales price with respect to the quantity of wheat involved shall be the highest of the following prices in effect on the date of sale:

(1) CCC's statutory minimum sales price for unrestricted use for the same kind, class, grade and quality of the wheat, as determined by CCC, or

(2) The sales price, announced by CCC for sale for unrestricted use of the same kind, class, grade and quality of the wheat, or

(3) If no such sales price has been announced, the highest domestic market price at the point where CCC delivered the wheat, as determined by CCC.

(b) The total amount of any upward adjustment in sales price under this section shall be paid in cash by the purchaser to CCC promptly upon demand plus interest at the rate of 6 percent per annum from the date of sale. Any upward adjustment of sales price will not be made to the extent that the Vice President or his designated representative, determines:

(1) That the wheat has been entered into the United States, Alaska, Hawaii or Puerto Rico due to causes without the fault or negligence of the

purchaser, that such wheat was pursuant to written approval of CCC, subsequently actually exported to a designated country within the period specified by CCC, and that the purchaser submitted evidence of such exportation in accordance with § 483.162, or

(2) That the wheat placed in transit to an export location for export under this announcement or re-entered into the United States, Alaska, Hawaii or Puerto Rico was lost, damaged, destroyed, or deteriorated and the physical condition thereof was such that its entry into domestic market channels will not impair CCC's price support operations, or

(3) That the wheat required to be moved from a Great Lakes port to an export point not on the Great Lakes was not moved as a result of its loss, damage, destruction, or deterioration after it was placed in transit for such shipment and the physical condition was such that its entry into domestic market channels will not impair CCC's price support operations.

(c) (1) Late exportation of the wheat required to be exported will cause serious and substantial damage to CCC in carrying out its price support and other programs. Since it will be difficult to prove the amount of such damages, the purchaser shall pay CCC, by way of compensation, and not as a penalty, liquidated damages for delay in exportation not excused pursuant to subparagraph (2) of this paragraph at the rate of 1 cent per calendar day for each bushel of the wheat involved commencing on the sixty-first day after delivery of the wheat or the day following any extension in time for exportation pursuant to subparagraph (2) of this paragraph and ending on the date of actual exportation; provided however, that the total amount of liquidated damages shall not exceed the amount of the upward adjustment in sales price that would be established if the late exportation were considered a failure to export pursuant to paragraph (a) of this section. It is mutually agreed that such damages are a reasonable estimate of the probable actual damages.

(2) An extension of time for exportation may be granted, either before or after the final date for exportation, subject to such terms and conditions as CCC may prescribe, if the purchaser gives CCC prompt written notice of a delay in exportation and the cause thereof, and the contracting officer determines in writing that the delay is due solely to causes without the fault and negligence of the purchaser. Written notice of such determination shall be given to the purchaser and shall be final and conclusive upon the parties, subject only to appeal by the purchaser to the Executive Vice President, CCC, or such other persons designated by CCC to receive such appeals. Any extension of time for exportation will be equivalent to the period of time lost because of such excusable delay.

§ 483.164 Inability to perform.

CCC shall not be responsible for damages for any failure to deliver, or delay in delivery of, the wheat due to any cause without the fault or negligence of

CCC, including, but not restricted to, failure of warehousemen to meet delivery instructions. In case of delay in delivery due to any such causes, CCC shall make delivery to the purchaser as soon as practicable.

§ 483.165 Covenant against contingent fees.

The purchaser warrants that no person or selling agency has been employed or retained to solicit or secure a contract under § 483.140 or § 483.156 upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial agencies maintained by the exporter for the purpose of occurring business. For breach or violation of this warranty CCC shall have the right to annul any such contract without liability or in its discretion in the case of contracts under § 483.140 to deduct from the value which a certificate would otherwise have or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee, or in the case of contracts under § 483.156 require the purchaser to pay such amount in addition to the contract price.

MISCELLANEOUS PROVISIONS

§ 483.174 Performance guarantee.

In addition to the performance guarantees required under § 483.158 (b) (3) and (c), CCC reserves the right to require the exporter to furnish a cash deposit, performance bond, or performance type letter of credit, acceptable to CCC to guarantee performance of any of his obligations under this subpart.

§ 483.175 Good faith.

If the Vice President after affording the exporter an opportunity to present evidence determines that such exporter has not acted in good faith in connection with any transaction under this subpart such exporter may be denied (a) the right to continue participating in this or in any other program of CCC for such period as the Vice President may prescribe and (b) the right to receive payment under this subpart in connection with any sales previously made under this program. Any such action shall not affect any other right of CCC, the Department of Agriculture or the Government by way of the premises.

§ 483.176 Assignments and setoffs.

(a) No exporter shall, assign any right to an export payment under this subpart, except that certificates received by him may be transferred by endorsement as provided in § 483.146(d).

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under an Application for Wheat Export Payment, CCC Form 357. Setoff as provided herein shall not deprive the exporter of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 483.177 Records and accounts.

Each exporter shall maintain accurate records showing sales and deliveries of wheat exported or to be exported in connection with this program. Such records, accounts, and other documents relating to any transaction in connection with this program shall be available during regular business hours for inspection and audit by authorized employees of the United States Department of Agriculture, and shall be preserved for three years after date of export.

§ 483.178 Submission of reports.

The Notice of Sale, Declaration of Sale, and related reports required under this subpart to be submitted to the Director, should be addressed as follows:

Chief, Commercial Export Branch
Grain Division
Agricultural Stabilization and Conservation Service
U.S. Department of Agriculture
Washington 25, D.C.

Delivery to the above office of telegraphic Notices of Sale will be expedited if addressed as follows:

Com Ex Branch, USDA (AG), Washington, D.C.

Exporters calling this office by long distance telephone may do so by direct dialing. The long distance area number for Washington, D.C. is 202. The telephone numbers of this office are DUDley 8-3261, -3262, -3927, and -3928. For example, exporters may dial 202DUD8-3261.

§ 483.179 Additional reports.

The exporter shall file such additional reports as may be required from time to time by the Director, subject to the approval of the Bureau of the Budget.

§ 483.180 ASCS Commodity Offices.

Information concerning this program may be obtained from ASCS Commodity Offices listed below:

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 2201 Howard Street, Evanston, Ill.

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 500 South Ervay Street, Dallas, 1, Tex.

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, P.O. Box 205, Kansas City 41, Mo.

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 6400 France Avenue South, Minneapolis 10, Minn.

Director, Agricultural Stabilization and Conservation Service Office, U.S. Department of Agriculture, 1218 Southwest Washington Street, Portland 5, Oreg.

§ 483.181 Officials not to benefit.

No member or delegate to Congress, or resident commissioner, shall be admitted to any benefit that may arise from any provision of this program but this provision shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 483.182 Amendment and termination.

This offer may be amended or terminated by filing of such amendment or

termination with the FEDERAL REGISTER for publication. Any such amendment or termination shall not be applicable to sales for export which otherwise comply with the Terms and Conditions of this offer made before the effective time and date of such amendment or termination.

§ 483.183 Written approval by the Vice President, Director or Contracting Officer, CCC.

Where the program specifies certain requirements unless otherwise approved in writing by the Vice President, Director or Contracting Officer, CCC, and the exporter wishes to obtain such an approval, an application therefor should be filed in writing with the office specified in § 483.178 in advance of the last day for performance of the requirement in order for the exporter to assure himself whether his request will be approved. Approval may also be granted after the time specified for performance of the requirement where the exporter has established good cause therefor.

DEFINITIONS

§ 483.186 Day.

"Day" means calendar day.

§ 483.187 Designated countries.

A "designated country" means any destination outside the United States, excluding Alaska, Hawaii or Puerto Rico and also excluding any country or area for which an export license is required under regulations issued by the Bureau of International Programs, U.S. Department of Commerce, unless a license for exportation or transshipment thereto has been obtained from such bureau.

§ 483.188 Director.

"Director" means the Director of the Grain Division, Agricultural Stabilization and Conservation Service, Washington, D.C.

§ 483.189 Export and exportation.

"Export" and "exportation" mean, except as hereinafter provided, a shipment of wheat from the United States destined to a designated country, or a shipment from Canada destined to a designated country, of wheat which has been moved from the United States into Canada, provided the identity of the wheat is preserved until shipped from Canada. The wheat so shipped shall be deemed to have been exported on the date which appears on the applicable on-board export bill of lading, or if shipment to the designated country is by truck or rail, on the date the shipment clears the United States Customs. If wheat is lost, destroyed or damaged after loading on board an export vessel, exportation shall be deemed to have been made as of the date of the on-board-vessel bill of lading or the latest date appearing on the loading tally sheet or similar documents if the loss, destruction or damage occurs subsequent to loading aboard vessel but prior to issuance of the on-board bill of lading: *Provided*, That if the "lost" or "damaged" wheat remains in the United States, it shall be considered as re-entered wheat and shall be subject to the provisions of § 483.141(c) or § 483.163, as

applicable. Exportation by or to a United States Government agency shall not qualify as an exportation under the provisions of this announcement.

NOTE TO EXPORTER: Since the export payment on any given quantity of wheat is conditioned upon the exportation thereof to a designated country, exporters may find it desirable to carry insurance on the full domestic value of wheat against any loss which may occur prior to the wheat leaving this country by rail or truck or prior to loading on the export vessel.

§ 483.190 Exporter.

"Exporter" means an individual, corporation, partnership, association or other business entity, which is engaged in the business of buying and selling wheat for export and for this purpose maintains a bona fide business office in the United States, and therein has a person, principal, or resident agent upon whom service of process may be had.

§ 483.191 International Wheat Agreement.

"International Wheat Agreement" or "IWA" means the 1959 International Wheat Agreement, ratified by the United States on July 16, 1959, or subsequent agreements duly ratified by the United States.

§ 483.192 Ocean Carrier.

"Ocean Carrier" means the vessel on which shipment from the United States or Canada, other than shipments between such countries, is exported under this program.

§ 483.193 Official weight certificate.

"Official weight certificate" means a weight certificate issued:

(a) By Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations having qualified, independent, impartial, paid employees stationed at elevators, or

(b) On authority of Chambers of Commerce, Boards of Trade, Grain Exchanges, State Weighing Departments, or other organizations where weighing is performed by elevator employees under the supervision of a qualified, independent, impartial, supervising weighmaster employed by one of the above organizations.

§ 483.194 United States.

"United States" unless otherwise qualified means all of those States situated on the North American Continent excluding Alaska.

§ 483.195 United States Government Agency.

"United States Government Agency" means any corporation, wholly owned by the Federal Government and any department, bureau, administration or other unit of the Federal Government as, for example, the Departments of the Army, Navy, and Air Force, the Agency for International Development, the Army, Navy and Air Force Exchange Services, and the Panama Canal Company. Sales of wheat to foreign buyers, including foreign governments though financed with funds made available by a U.S. agency, such as the Agency for Inter-

national Development or the Export-Import Bank, are not sales to a U.S. Government agency, provided such wheat is not for transfer to a U.S. Government agency.

§ 483.196 Vice President.

"Vice President" means the Executive Vice President of the Commodity Credit Corporation or his designee.

§ 483.197 Wheat.

"Wheat" means wheat grown in the United States and as defined in the Official Grain Standards of the United States. The quantity of wheat exported which is eligible for export payment and which satisfies the exportation requirements of this subpart, shall be determined by deducting from the weight of the wheat (which shall not include the weight of any bags) any dockage indicated on the inspection certificate issued at the time of loading for export.

§ 483.198 Wheat Council.

"Wheat Council" means the International Wheat Council established by the International Wheat Agreement.

§ 483.199 3:31 e.s.t.

"3:31 e.s.t." as used in the subpart means 3:31 eastern standard time, except that when Washington, D.C., is on daylight saving time 3:31 e.s.t. means 3:31 eastern daylight saving time (2:31 eastern standard time).

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This Revision III shall become effective on the date of filing with the Office of the Federal Register.

Issued at Washington, D.C., this 2d day of July 1962.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

APPENDIX

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Programs (The Bureau of Foreign Commerce until Aug. 9, 1961) pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities (except absorbent cotton and sterilized gauze and bandages with respect to Cuba only) under this program to Cuba, the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Programs.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to

Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule, 15 CFR 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Programs or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

[F.R. Doc. 62-6661; Filed, July 6, 1962; 8:52 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 20]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.320 Valencia Orange Regulation 20.

(a) **Findings.** (1) Pursuant to the marketing agreement and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this

section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 5, 1962.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., July 8, 1962, and ending at 12:01 a.m., P.s.t., July 15, 1962, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 400,000 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 5, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 62-6741; Filed, July 6, 1962;
11:48 a.m.]

[Lemon Reg. 29]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.329 Lemon Regulation 29.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by

the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on July 3, 1962.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., July 8, 1962, and ending at 12:01 a.m., P.s.t., July 15, 1962, are hereby fixed as follows:

- (i) District 1: unlimited movement;
- (ii) District 2: 325,500 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 5, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Agricultural
Marketing Service.

[F.R. Doc. 62-6711; Filed, July 6, 1962;
8:53 a.m.]

[Nectarine Order 7]

PART 916—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 916.306 Nectarine Order 7.

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time

hereof. Such committee meeting was held on June 29, 1962.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., July 11, 1962, and ending at 12:01 a.m., P.s.t., November 1, 1962, no handler shall handle any package or container of Freedom, Grandeur, Le Grand, Late Le Grand, Golden Grand, Gold King, Red Grand, or Marigold nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 88 nectarines in the respective lug box; or

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-quarter (2¼) inches in diameter: *Provided*, That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box" and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 3, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-6660; Filed, July 6, 1962; 8:51 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 95—SAFEGUARDING OF RESTRICTED DATA

The Atomic Energy Commission amendment to Atomic Energy Rules and Regulations Part 95—Safeguarding of Restricted Data (10 CFR Chapter I, Part 95) revises certain requirements for the safeguarding and transmission of Secret and Confidential Restricted Data and will apply to all persons who receive such data under an Access Permit issued pursuant to the regulations of Part 25 "Permits for Access to Restricted Data" of this Chapter 10.

The changes vary in complexity and relate in general to the following matters: New terminology; new address for communications and reports; technical changes in right of access, termination thereof, and limitations thereon; clearance by other agencies under certain cir-

cumstances; marking of documents; provisions for accounting for Restricted Data upon expiration, suspension or revocation of an Access Permit; new reports particularly year-end reporting of use made of Access Permit and number of access authorizations received; and miscellaneous technical changes.

The currently effective issue of this Part 95 which is to be superseded is identified as follows:

Sections 95.1 to 95.44 appears at 21 F.R. 718, Feb. 2, 1956; § 95.33(d) amended appears at 25 F.R. 3243, April 15, 1960.

Notice of proposed issuance of the amendments was published in the FEDERAL REGISTER on August 12, 1961 (26 F.R. 7357) and a period of 30 days was allowed for receipt of comments by interested persons. The comments received have been considered, and where deemed appropriate, have been used as the basis for revisions.

With the exception of additions of definitions for "access authorization" and "security clearance" under § 95.3, and clarification of §§ 95.4, 95.5 and 95.31, the provisions of the amendments are unchanged from those which appeared in the notice of proposed rule making.

Pursuant to the Administrative Procedures Act of 1946, and the Atomic Energy Act of 1954, as amended, the following revision is published to be effective thirty (30) days after publication in the FEDERAL REGISTER.

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AUTHORITY: §§ 95.1 to 95.44 issued under sec. 1611, 68 Stat. 948, 42 U.S.C. 2201.

GENERAL PROVISIONS

§ 95.1 Purpose.

The regulations in this part establish requirements for the safeguarding

of Secret and Confidential Restricted Data received or developed under an Access Permit. This part does not apply to Top Secret Restricted Data.

§ 95.2 Scope.

The regulations in this part apply to all persons who receive access to Restricted Data under an Access Permit issued pursuant to the regulations in Part 25 of this chapter.

§ 95.3 Definitions.

As used in this part,

(a) "Access authorization" means an administrative determination by the AEC that an employee of an AEC contractor, an employee of a contractor of another Federal agency, or an employee of an Access Permittee is eligible for access to Restricted Data;

(b) "Act" means the Atomic Energy Act of 1954 (68 Stat. 919), including any amendments thereto;

(c) "Commission," "USAEC," or "AEC" means the United States Atomic Energy Commission or its duly authorized representatives;

(d) "Document" means any piece of recorded information regardless of its physical form or characteristics;

(e) "DOD" means the Department of Defense;

(f) "L(X) access authorization" means a determination by the AEC that an individual is eligible for access to Confidential Restricted Data under an Access Permit;

(g) "NASA" means the National Aeronautics and Space Administration;

(h) "Permittee" means the holder of an Access Permit issued pursuant to the regulations in Part 25 of this chapter;

(i) "Person" means (1) any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission, any State or any political subdivision of, or any political entity within a State, or other entity; and (2) any legal successor, representative, agent or agency of the foregoing;

(j) "Q(X) access authorization" means a determination by the AEC that an individual is eligible for access to Secret and Confidential Restricted Data under an Access Permit;

(k) "Restricted Data" means all data concerning (1) design, manufacture or utilization of atomic weapons; (2) the production of special nuclear material; or (3) the use of special nuclear material in the production of energy, but shall not include data declassified or removed from the Restricted Data category pursuant to section 142 of the Act;

(l) "Security area" means a physically defined space, access to which is subject to security restrictions and control;

(m) "Security clearance" means an administrative determination by the AEC that an employee of the AEC or of another Federal agency is eligible for access to Restricted Data or defense information; and

(n) "United States," when used in a geographical sense, includes all Territories and Possessions of the United States, the Canal Zone and Puerto Rico.

§ 95.4 Communications.

Communications concerning rule making, i.e., petition to change Part 95, should be addressed to Secretary, U.S. Atomic Energy Commission, Washington 25, D.C. All other communications concerning the regulations in this part should be addressed to the U.S. Atomic Energy Commission at the Commission Operations Office (listed in Appendix "B" of 10 CFR Part 25) administering Access Permits for the geographical area.

§ 95.5 Submission of procedures by Access Permit holder.

No Permittee shall have access to Restricted Data until he shall have submitted to the Commission a written statement of his procedures for the safeguarding of Restricted Data and for the security education of his employees and the Commission shall have determined and informed the Permittee that his procedures for the safeguarding of Restricted Data are in compliance with the regulations in this part and that his procedures for the security education of his employees assure that all his employees, who will have access to Restricted Data, are informed about and understand the regulations in this part.

§ 95.6 Specific waivers.

The Commission may, upon application of any interested party, grant such waivers from the requirements of this part as it determines are authorized by law and will not constitute an undue risk to the common defense and security.

§ 95.7 Interpretations.

Except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations in this part by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission.

PHYSICAL SECURITY

§ 95.21 Protection of Restricted Data in storage.

(a) Persons who possess Restricted Data pursuant to an Access Permit shall store Secret and Confidential documents and material when not in use in accordance with one of the following methods:

(1) In a locked vault, safe or safe-type steel file cabinet having a 3-position dial-type combination lock; or

(2) In a dual key, Bank Safety Deposit Box; or

(3) In a steel file cabinet secured by a steel lock bar and a 3-position dial-type changeable combination padlock; or

(4) In a locked steel file cabinet when located in a security area established under § 95.23 or when the cabinet or the place in which the cabinet is located is under Commission approved automatic alarm protection.

(b) Changes of combination: Each permittee shall change the combinations on locks of his safekeeping equipment whenever such equipment is placed in use, whenever an individual knowing the combination no longer requires access to the repository as a result of change in

duties or position in the Permittee's organization, or termination of employment with the Permittee, or whenever the combination has been subjected to compromise, and in any event at least once a year. Permittees shall classify records of combinations no lower than the highest classification of the documents and material authorized for storage in the safekeeping equipment concerned.

(c) The lock on safekeeping equipment of the type specified in paragraph (a) (4) of this section shall be replaced immediately whenever a key is lost.

§ 95.22 Protection while in use.

While in use, documents and material containing Restricted Data shall be under the direct control of an appropriately cleared individual and the Restricted Data shall be capable of being removed from sight immediately.

§ 95.23 Establishment of security areas.

(a) When, because of their nature or size, it is impracticable to safeguard documents and material containing Restricted Data in accordance with the provisions of §§ 95.21 and 95.22, a security area to protect such documents and material shall be established.

(b) The following controls shall apply to security areas:

(1) Security areas shall be separated from adjacent areas by a physical barrier designed to prevent entrance into such areas, and access to the Restricted Data within the areas, by unauthorized individuals.

(2) During working hours, admittance shall be controlled by an appropriately cleared individual posted at each unlocked entrance.

(3) During non-working hours, admittance shall be controlled by protective personnel on patrol, with protective personnel posted at unlocked entrances, or by such automatic alarm systems as the Commission may approve.

(4) Each individual authorized to enter a security area shall be issued a distinctive badge or pass when the number of employees assigned to the area exceeds thirty.

§ 95.24 Special kinds of classified material.

When the Restricted Data contained in material is not ascertainable by observation or examination at the place where the material is located and when the material is not readily removable because of size, weight, radioactivity, or similar factors, the Commission may authorize the Permittee to provide such lesser protection than is otherwise required by §§ 95.21 to 95.23, inclusive, as the Commission determines to be commensurate with the difficulty of removing the material.

§ 95.25 Protective personnel.

Whenever protective personnel are required by § 95.23, such protective personnel shall:

(a) Possess a "Q" or "L" security clearance or access authorization or "Q(X)" or "L(X)" access authorization if the Restricted Data being protected is classified Confidential or a "Q" se-

curity clearance or access authorization or "Q(X)" access authorization if the Restricted Data being protected is classified Secret.

(b) Be armed with side-arms of not less than .38 caliber.

§ 95.31 Access to Restricted Data.

(a) Except as the Commission may authorize, no person subject to the regulations in this part shall permit any individual to have access to Secret or Confidential Restricted Data in his possession unless the individual has an appropriate security clearance or access authorization granted by AEC, or has been certified by DOD or NASA through the Commission, and:

(1) The individual is authorized by an Access Permit to receive Restricted Data in the categories involved and, in the case of Secret Restricted Data, the Permittee determines that he requires the access in the course of his duties, or

(2) The individual needs such access in connection with his duties as a Commission employee or Commission contractor employee, or as certified by DOD or NASA.

(b) Inquiries concerning the clearance status of individuals, the scope of Access Permits, or the nature of contracts should be addressed to the Commission Office administering the Access Permit or the contract.

§ 95.32 Classification and preparation of documents.

(a) *Classification.* Restricted Data originated by an Access Permit holder must be appropriately classified. OC DOC-54, "Classification Guide for Use in the Civilian Application Program," will be furnished each Permittee. In the event an Access Permit holder originates information within the definition of Restricted Data (§ 95.3(k)) or information which he is not positive is not within that definition and OC DOC-54 does not provide positive classification guidance for such information, he shall designate the information as Confidential, Restricted Data and request classification guidance from the USAEC through the Classification Officer at the Operations Office administering the Permit, who will refer the request to the Director, Division of Classification, U.S. Atomic Energy Commission, Washington 25, D.C., if he does not have authority to provide the guidance.

(b) *Classification consistent with content.* Each document containing Restricted Data shall be classified Secret or Confidential according to its own content.

(c) *Document which custodian believes improperly classified or lacking appropriate classification markings.* If a person receives a document which in his opinion is not properly classified, or omits the appropriate classification markings, he shall communicate with the sender and suggest the classification which he believes to be appropriate. Pending final determination of proper classification, such documents shall be safeguarded with the highest classification in question.

(d) *Classification markings.* Unless otherwise authorized below, the assigned classification of a document shall be

RULES AND REGULATIONS

conspicuously marked or stamped at the top and bottom of each page and on the front cover, if any, and the document shall bear the following additional markings on the first page and on the front cover:

RESTRICTED DATA

This document contains Restricted Data as defined in the Atomic Energy Act of 1954. Its transmittal or the disclosure of its contents in any manner to an unauthorized person is prohibited.

(e) Documentation. (1) All Secret documents shall bear on the first page a properly completed documentation stamp such as the following:

This document consists of ---- pages. Copy No. ----- of ----- Series -----

(2) The series designation shall be a capital letter beginning with the letter "A" designating the original set of copies prepared. Each subsequent set of copies of the same documents shall be identified by the succeeding letter of the alphabet.

(f) Letter of transmittal. A letter transmitting Restricted Data shall be marked with a classification at least as high as its highest classified enclosure. When the contents of the letter of transmittal warrant lower classification or require no classification, a stamp or marking such as the following shall be used on the letter:

When separated from enclosures handle this document as -----

(g) Permanently fastened documents. Classified books or pamphlets, the pages of which are permanently and securely fastened together, shall be conspicuously marked or stamped with the assigned classification in letters at least one-fourth (1/4) inch in height at the top and bottom on the outside front cover, on the title page, on the front page and on the inside and outside of the back cover. The additional markings referred to in paragraph (d) of this section shall be placed on the first page and on the front cover.

(h) Physically connected documents. The classification of a file or group of physically connected documents shall be at least as high as that of the most highly classified document therein. It shall bear only one over-all classification, although pages, paragraphs, sections, or components thereof may bear different classifications. Each document separated from the file or group shall be handled in accordance with its individual classification.

(i) Attachment of security markings. Documents which do not lend themselves to marking or stamping shall have securely affixed or attached a tag, sticker, or similar device bearing the appropriate security markings.

§ 95.33 External transmission of documents and material.

(a) Restrictions. (1) Documents and material containing Restricted Data shall be transmitted only to persons who possess appropriate clearance or access authorization and are otherwise eligible for access under the requirements of § 95.31.

(2) In addition, such documents and material shall be transmitted only to

persons who possess facilities for their physical security consistent with this part. Any person subject to the regulation in this part who transmits such documents or material shall be deemed to have fulfilled his obligations under this subparagraph by securing a written certification from the prospective recipient that such recipient possesses facilities for its physical security consistent with this part.

(3) Documents and material containing Restricted Data shall not be exported from the United States without prior authorization of the Commission.

(b) Preparation of documents. Documents containing Restricted Data shall be prepared for transmission outside an individual installation in accordance with the following:

(1) They shall be enclosed in two sealed opaque envelopes or wrappers.

(2) The inner envelope or wrapper shall be addressed in the ordinary manner and sealed with tape, the appropriate classification shall be placed on both sides of the envelope and the additional marking referred to in § 95.32(d) shall be placed on the side bearing the address.

(3) The outer envelope or wrapper shall be addressed in the ordinary manner. No classification, additional marking or other notation shall be affixed which indicates that the document enclosed therein contains classified information or Restricted Data.

(4) A receipt, which identifies the document, the date of transfer, the recipient and the person transferring the document shall accompany the document and shall be signed by the recipient and returned to the sender whenever the custody of a Secret document is transferred.

(c) Preparation of material. Material, other than documents, containing Restricted Data shall be prepared for shipment outside an individual installation in accordance with the following:

(1) The material shall be so packaged that the classified characteristics will not be revealed.

(2) A receipt which identifies the material, the date of shipment, the recipient, and the person transferring the material shall accompany the material and the recipient shall sign such receipt whenever the custody of Secret material is transferred.

(d) Methods of transportation. (1) Secret documents and material shall be transported only by one of the following methods:

(i) Registered mail.

(ii) Railway or air express in "Armed Guard Service" or "Armed Surveillance Service."

(iii) Individuals possessing appropriate AEC security clearance or access authorization who have been given written authority by their employers.

(2) Confidential documents and material shall be transported by one of the methods set forth in subparagraph (1) of this paragraph or by one of the following methods:

(i) Certified or first-class mail, if approved by the Manager of Operations administering the Permit. Certified or first-class mail may not be used in any transmission of Confidential documents

to Alaska, Hawaii, the Canal Zone, Puerto Rico, or any United States territory or possession.

(ii) Railway or air express "Protective Signature Service"; railway express "Recorded Tally Service"; airlines "Protective Signature Service," when available; rail or motor vehicles in sealed car or sealed van service; or services providing equivalent protection.

(iii) Material in less than carload, truckload, or planeload lots, by regular commercial carrier when the container and its contents weigh more than 500 pounds and such container is locked and sealed.

(e) Transmission by cryptographic means. Cryptographic systems shall not be used for the transmission of Restricted Data unless approved by the Commission.

(f) Telephone conversations. No discussion of classified information is permitted during a telephone conversation.

§ 95.34 Accountability for Secret documents.

Each permittee possessing documents containing Secret Restricted Data shall establish a document accountability procedure and shall maintain records to show the disposition of all such documents which have been in his custody at any time.

§ 95.35 Authority to reproduce.

Nothing in this part shall be deemed to prohibit any person possessing documents containing Restricted Data from reproducing any Confidential documents, or any Secret documents originated by him. He shall not reproduce any other documents containing Secret Restricted Data without prior authorization from the Commission or from the originator of the document.

§ 95.36 Changes in classification.

Documents containing Restricted Data shall not be downgraded to a lower classification or declassified except as authorized by the Commission. Requests for downgrading or declassification shall be submitted to the AEC's Operations Office administering the Permit; the U.S. Atomic Energy Commission, Declassification Branch, Oak Ridge Operations Office, P.O. Box E, Oak Ridge, Tennessee; or U.S. Atomic Energy Commission, Washington 25, D.C., Attention: Division of Classification. If the Commission approves a change of classification or declassification, the previous classification marking shall be cancelled and the following statement, properly completed, shall be placed on the first page of the document:

Classification canceled (or changed to) -----
(Insert appropriate classification)
by authority of -----
(Person authorizing change in classification)
by -----
(Signature of person making change and date thereof)

Any person making a change in classification or receiving notice of such a change shall forward notice of the change in classification to holders of all copies as shown on his records.

§ 95.37 Destruction of documents or material containing Restricted Data.

(a) Documents containing Restricted Data may be destroyed only by shredding and burning, pulping, or by any other method that assures complete destruction of the information. If the document contains Secret Restricted Data, a permanent record of the subject, title, or report number of the document, its date of preparation, its series designation and copy number, and the date of destruction shall be signed by the person destroying the document and shall be maintained in the office of the last custodian.

(b) Restricted Data contained in material, other than documents, may be destroyed only by a method that assures complete obliteration, removal, or destruction of the Restricted Data.

§ 95.38 Suspension or revocation of access authorization.

In any case where the access authorization of an individual subject to the regulations in this part is suspended or revoked in accordance with the procedures set forth in Part 10 of this chapter, such individual shall, upon due notice from the Commission of such suspension or revocation and demand by the Commission, deliver to the Commission any and all documents or materials in his possession containing Restricted Data for safekeeping and such further disposition as the Commission determines to be just and proper.

§ 95.39 Expiration, suspension or revocation of Access Permits.

(a) Upon expiration of an Access Permit, the person to whom such Permit has been issued may, except as provided in paragraph (b) of this section, (1) deliver all documents or materials in his possession containing Restricted Data to the Commission or to a person authorized to receive them and file with the Commission a certificate of non-possession of Restricted Data; (2) destroy them, and file with the Commission a certificate of non-possession; or (3) file with the Commission a certified inventory of Restricted Data attached to a request for approval of retention of such data. A person retaining Restricted Data must maintain an active Access Permit unless otherwise authorized by the Commission.

(b) In any case where an Access Permit has expired or has been suspended or revoked and the Commission has determined that further possession by the former Access Permit holder of documents or materials containing Restricted Data would endanger the common defense and security, such former Access Permit holder shall upon due notice from the Commission of such expiration, suspension, or revocation and of such determination, deliver to the Commission any and all documents or materials in his possession containing Restricted Data for safekeeping and such further disposition as the Commission determines to be just and proper.

§ 95.40 Termination of employment or change of duties.

Each Permittee shall furnish promptly to the Commission written notification of the termination of employment of each individual who possesses an access authorization under his Permit or whose duties are changed so that access to Restricted Data is no longer needed. Upon such notification, the Commission may, (a) terminate the individual's access authorization or (b) transfer the individual's access authorization to the new employer of the individual to allow continued access to Restricted Data where authorized pursuant to Commission regulations. Permittees shall also report to the cognizant AEC Operations Office at the end of each calendar year the use made of the Permit and access authorizations during the year, the number of "Q(X)" and "L(X)" access authorizations received or terminated during the year and the number remaining active at the end of the year and such other information requested by the Commission for determination of the use and continuing need of the Access Permit Program.

§ 95.41 Continued applicability of the regulations in this part.

The expiration, suspension, revocation or other termination of a security clearance or access authorization or Access Permit shall not relieve any person from compliance with the regulations in this part.

§ 95.42 Reports.

Each Permittee shall report promptly to the Commission office administering the Access Permit all losses of Restricted Data documents or material and to that Commission office and the nearest office of the Federal Bureau of Investigation any alleged or suspected violation of the Atomic Energy Act or the Espionage Act.

§ 95.43 Inspection.

The Commission may make such inspections of the premises, activities, records, and procedures of any person subject to the regulations in this part as the Commission deems necessary to effectuate the purposes of the Act.

§ 95.44 Violations.

An injunction or other court order may be obtained prohibiting any violation of any provision of the Act or any regulation or order issued thereunder. Any person who willfully violates, attempts to violate or conspires to violate any provision of the Act or any regulation or order issued thereunder, including the provisions of this part, may be guilty of a crime and upon conviction may be punished by fine or imprisonment, or both, as provided by law.

NOTE: The record keeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated at Germantown, Md., this 13th day of June 1962.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary.

[F.R. Doc. 62-6621; Filed, July 6, 1962; 8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-1,392]

PART 563—OPERATIONS

Other Insurance or Guaranty

JULY 3, 1962.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of Part 563 of the rules and regulations for Insurance of Accounts (12 CFR Part 563) as hereinafter set forth, and for the purpose of effecting such amendment hereby amends said Part 563 as follows, effective July 7, 1962:

Part 563 aforesaid is hereby amended by adding thereto, immediately after § 563.30, the following new section:

§ 563.31 Other insurance or guaranty.

An insured institution shall not, except with the prior approval of the Corporation, acquire or obtain any insurance or guaranty of all or any part of the accounts of such insured institution in addition to the insurance provided by title IV of the National Housing Act. As used in this section, the term "accounts" shall have the same meaning as the term "withdrawable or repurchasable shares, investment certificates, or deposits" where used in subsection (a) of section 405 of the National Housing Act.

(Ses. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as the obtaining by insured institutions of such additional insurance or guaranty would in the opinion of the Board tend to cause confusion in the minds of the public with respect to whether such insurance or guaranty was being provided by the Federal Savings and Loan Insurance Corporation and with respect to the extent of insurance by that corporation and such additional insurance or guaranty is, according to information received by the Board, being sought or about to be sought by a number of insured institutions, the Board hereby finds that notice and public procedure on said amendment are impracticable and contrary to the public interest under the provisions of § 508.12 of the general regulations of the Federal Home Loan Bank Board or section 4(a) of the Administrative Procedure Act, and the Board hereby finds that for the same

reason the publication of said amendment for the period specified in section 4(c) of said act prior to the effective date of said amendment would be impracticable and contrary to the public interest and hereby provides that said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 62-6662; Filed, July 6, 1962;
8:52 a.m.]

Title 29—LABOR

Chapter IV—Bureau of Labor-Management Reports, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 403—LABOR ORGANIZATION ANNUAL FINANCIAL REPORTS

Terminal Financial Reports; When Filed

Pursuant to section 208 of the Labor-Management Reporting and Disclosure Act of 1959 (29 U.S.C. 208), 29 CFR 403.5(a) published in the FEDERAL REGISTER dated April 18, 1962 (27 F.R. 3656) is hereby amended in the manner herein-after indicated.

The requirement that terminal financial reports be filed within 30 days of the effective date of § 403.5 is deleted, because it is now obsolete. In lieu of this requirement, a provision is added which requires any labor organization which loses its identity as a reporting labor organization to file a terminal financial report within 30 days following such loss.

The amendment shall become effective upon its publication in the FEDERAL REGISTER. The amendment is procedural and does not alter substantive reporting requirements. Therefore, the public procedure and effective date requirements of section 4 of the Administrative Procedure Act do not apply.

As amended, 29 CFR 403.5(a) reads as follows:

§ 403.5 Terminal financial report.

(a) Any labor organization required to file a report under the provisions of this part, which during its fiscal year loses its identity as a reporting labor organization through merger, consolidation, or otherwise, shall, within 30 days after such loss, file a terminal financial report, and one copy, with the Commissioner, Bureau of Labor-Management Reports, United States Department of Labor, Washington 25, D.C., on Form LM-2 (Revised) or Form LM-3 (Revised), as may be appropriate, signed by the President and Treasurer or corresponding principal officers of the labor organization immediately prior to the time of its loss of reporting identity.

(Sec. 208, 73 Stat. 529; 29 U.S.C. 438)

Signed at Washington, D.C., this 27th day of June 1962.

ARTHUR J. GOLDBERG,
Secretary of Labor.

[F.R. Doc. 62-6638; Filed, July 6, 1962;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1278; Amdt. 460]

PART 507—AIRWORTHINESS DIRECTIVES

Douglas DC-6 Series Aircraft

Investigation has shown that extensions of repetitive inspection intervals based on service experience may be granted to some operators of Douglas DC-6 Series aircraft in complying with AD 56-13-1, 21 F.R. 9543. Accordingly, this amendment is being published to permit extension of inspection intervals where justified.

Since this amendment provides a procedure by which a different inspection interval may be established for the operators concerned, and thus relieves a present restriction, compliance with notice and public procedure hereon is unnecessary, and it may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended as follows:

AD 56-13-1, 21 F.R. 9543, Douglas DC-6, DC-6A and DC-6B aircraft, is amended by adding the following paragraph before the parenthetical reference statement:

Upon request of the operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Western Region, may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

This amendment shall become effective July 7, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 29, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-6624; Filed, July 6, 1962;
8:46 a.m.]

[Regulatory Docket No. 1277; Amdt. 459]

PART 507—AIRWORTHINESS DIRECTIVES

Sikorsky S-58 Series Helicopters

Amendment 181, 25 F.R. 7015, requires inspection and replacement of the upper pylon hinge fittings on Sikorsky S-58

Series helicopters. Recent service experience has indicated that the mating fitting is equally subject to fatigue cracking. To correct this unsafe condition, Amendment 181 is being superseded by a new directive requiring daily inspection of both fittings.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days after date of publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended by adding the following new airworthiness directive:

SIKORSKY. Applies to all S-58 Series helicopters.

Compliance required as indicated. Fatigue cracks have been found in the area of the rear three bolt holes of upper pylon folding hinge fitting P/N S1620-63130-2 and the forward bolt holes of the mating fitting P/N S1620-64127. In order to preclude propagation of fatigue cracks in these areas, and consequent serious weakening of the pylon attachment, the following must be accomplished on all fittings, P/N's S1620-63130-2, -11, and P/N S1620-64127.

(a) As of the effective date of this AD, conduct daily visual inspections of the area around the fitting bolt holes for cracks. Fittings with cracks must be replaced prior to further flight.

(b) When P/N's S1620-63130-2 and -11 are reinforced in accordance with Sikorsky Drawing S1607-2169, the provisions of the AD no longer apply to these parts. (Sikorsky Service Bulletin No. 58B20-1 covers this subject.)

(c) When P/N S1620-64127 is reinforced in accordance with Sikorsky Drawing S1607-2251, the provisions of the AD no longer apply to this part. (Sikorsky Service Bulletin 58B20-6A covers this subject.)

This supersedes Amendment 181, 25 F.R. 7015 (AD 60-15-2).

This amendment shall become effective July 18, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 29, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-6625; Filed, July 6, 1962;
8:46 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-LA-66]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Federal Airway and Associated Control Areas

On February 13, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1323) stating

that the Federal Aviation Agency (FAA) proposed the revocation of the south alternate of VOR Federal airway No. 210 and its associated control areas between Goffs, Calif., and Tuba City, Ariz.

No comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, the following action is taken:

1. In the text of § 600.6210 (14 CFR 600.6210, 27 F.R. 4243, 4592) "including a south alternate via the INT of the Goffs VOR 084° and the Peach Springs VOR 222° radials; Tuba City, Ariz., VOR; including a south alternate via the INT of the Peach Springs VOR 096° and the Tuba City VOR 236° radials;" is deleted and "Tuba City, Ariz., VOR;" is substituted therefor.

2. In the text of § 601.6210 (14 CFR 601.6210) "north and south alternates." is deleted and "north alternates and a south alternate." is substituted therefor.

This amendment shall become effective 0001 e.s.t., August 23, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 2, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-6627; Filed, July 6, 1962; 8:47 a.m.]

[Airspace Docket No. 62-WE-87]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Alteration of Control Zone

The purpose of this amendment to § 601.2120 of the regulations of the Administrator is to alter the Lewistown, Mont., control zone.

The Lewistown control zone is presently designated, in part, with reference to the Lewistown radio range. The control zone extension based on this navigational aid is no longer required for air traffic control purposes. Therefore, action is taken herein to revoke the control zone extension based on the Lewistown radio range.

Since the change effected by this amendment is less restrictive in nature than the present requirements, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2120 (14 CFR 601.2120) is amended to read:

§ 601.2120 Lewistown, Mont., control zone.

Within a 5-mile radius of the Lewistown Airport (latitude 47°03'00" N., longitude 109°28'30" W.), and within 2 miles either side of the Lewistown VOR 090° radial extending from the 5-mile radius zone to the VOR.

This amendment shall become effective 0001 e.s.t., August 23, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 29, 1962.

D. D. THOMAS,
Director, Air Traffic Service.

[F.R. Doc. 62-6626; Filed, July 6, 1962; 8:46 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Various Waterways, Tex.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended with respect to paragraph (j) revising subparagraph (27) to include the Texas Highway Department bridge at Bridge City, redesignating subparagraphs (28)-(40) as (29)-(41), and adding new subparagraph (28) to govern the operation of the Gulf, Colorado and Santa Fe Railway Company bridge across Neches River at Evadale, Texas, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where the constant attendance of draw tenders is not required.

(j) *Waterways discharging into Gulf of Mexico west of Mississippi River.*

(27) Cow Bayou, Tex.; Orange County highway bridge on Round Bunch Road and Texas Highway Department bridges at Bridge City and at Orangefield. At least 6 hours' advance notice required.

(28) Neches River, Tex.; Gulf, Colorado and Santa Fe Railway Company bridge at Evadale. The draw need not be opened for the passage of vessels, and paragraphs (b) to (e), inclusive, of this section shall not apply to this bridge.

(29)-(41) [Redesignated.]

[Regs., June 19, 1962, 285/111 (Various Waterways, Tex.)—ENG CW—ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, USA,
The Adjutant General.

[F.R. Doc. 62-6620; Filed, July 6, 1962; 8:45 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Great Smoky Mountains National Park, North Carolina and Tennessee; Fishing

On page 4031 of the FEDERAL REGISTER of April 26, 1962, there was published a notice and text of a proposed amendment to § 7.14 of Title 36, Code of Federal Regulations. The purpose of the amendment is to close additional waters to general fishing and to provide special fishing streams for the exclusive use of children under age twelve. Special creel limits and rules governing lures are provided for this purpose.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received. The proposed regulation is hereby adopted with the following minor change: The word "live" is omitted from the list at the end of subparagraph (c). This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

(39 Stat. 535; 16 U.S.C. 3)

Paragraph (a) of § 7.14 is amended to read as follows:

§ 7.14 Great Smoky Mountains National Park.

(a) *Fishing*—(1) *Open and closed waters.* All park waters are open to fishing except the following:

(ii) *Tennessee:* All waters of the Middle Prong of Little Pigeon River above the point where Ramsey Prong enters it; and that portion of LeConte Creek (also known as Mill Creek) as posted through the residential area of Twin Creeks.

(4) *Restrictions as to use of bait.* Fishing is permitted only with artificial flies or lures with one hook. Possession of insect adults, pupae and larvae, earthworms, amphibians or mammals, or parts thereof, along any stream while in possession of fishing tackle shall be considered prima facie evidence of violation of this section, except as noted in subparagraph (7) (i) (c) of this paragraph.

(6) *Limit of catch and in possession.* Five fish is the maximum number of trout or bass, or combination thereof, which an angler may catch and retain in any one day or have in his possession at any time, except upon portion of streams designated as waters reserved for children, where limit shall be two (2) fish per child fishing per day with one day's catch in possession. Immediately upon retention of the fifth fish, the fisherman

RULES AND REGULATIONS

must disassemble his fishing tackle and cease fishing. There is no creel limit on other species of fishes.

(7) *Restrictions and exceptions in certain waters of the park.* The following waters are designated as "Sport Fishing Streams" and subject to the following restrictions:

(i) * * *

(c) Waters reserved for children. That portion of the Little River in Tennessee which lies between the stone bridge at the entrance to the Appalachian Club downstream to the lower boundary of Millsaps Picnic Area, and that portion of the Oconaluftee River in North Carolina which lies between the junction of the Bradley Fork with the Oconaluftee River to the steel bridge where Tow String Road crosses the Oconaluftee River, shall be reserved for children under the age of 12 during the regular fishing season as permitted under subparagraph (3) of this paragraph. Children may use artificial flies and lures, worms, grasshoppers, or other insects, on single hook.

FRED J. OVERLY,
*Superintendent, Great Smoky
Mountains National Park.*

[F.R. Doc. 62-6650; Filed, July 6, 1962;
8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 20, 25]

VALUATION OF SHARES OF OPEN-END INVESTMENT COMPANIES

Notice of Hearing on Proposed Regulations

Proposed amendments to the regulations under sections 2031 and 2512 of the Code, relating to valuation of shares of open-end investment companies, were published in the FEDERAL REGISTER for June 5, 1962.

A public hearing on the provisions of these proposed regulations will be held on Wednesday, July 25, 1962, at 10:00 a.m., e.d.s.t., in Room 3303, Internal Revenue Building, 12th and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by July 23, 1962.

[SEAL] PAUL T. MAGINNIS,
Acting Director, Technical
Planning Division, Internal
Revenue Service.

[F.R. Doc. 62-6695; Filed, July 6, 1962;
8:53 a.m.]

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

GRAND CANYON NATIONAL MONUMENT, ARIZONA

Travel on Monument Waters

Notice is hereby given that pursuant to the authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), Departmental Order 2640 (16 F.R. 5846), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Region Three, Order No. 3 (24 F.R. 5748), as amended, it is proposed to amend Title 36 CFR 7 as set forth below. The purpose of this amendment is to establish suitable control to provide for safe travel over hazardous waters of the monument.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Superintendent, Grand Canyon National Park, Grand Canyon, Arizona, within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

JOHN S. McLAUGHLIN,
Superintendent,
Grand Canyon National Park.

A new section is added to Part 7, to read as follows:

§ 7.60 Grand Canyon National Monument.

(a) *Travel on water*—(1) *Permit*. A permit, issued by the Superintendent of Grand Canyon National Park, is required for all travel upon the waters of the monument. Travel as used herein includes boat or raft use, or the use of any floating or mechanical device to support a person or property, or use by any means which may be deemed hazardous by the Superintendent.

(2) *Sanitation*. No cans, rubbish, bottles, or other refuse shall be discarded along the shores of the waters of the monument. Such refuse shall be buried or removed to facilities provided at specified places.

[F.R. Doc. 62-6637; Filed, July 6, 1962;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Parts 1103, 1105, 1107]

[Docket Nos. AO 252-A8, AO 297-A3,
AO 304-A4]

MILK IN THE CENTRAL MISSISSIPPI, MISSISSIPPI DELTA AND MISSISSIPPI GULF COAST MARKETING AREAS

Supplemental Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

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), notice is hereby given that the notice of hearing on proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Central Mississippi, Mississippi Delta, and Mississippi Gulf Coast marketing areas which was issued June 19, 1962, and published in the FEDERAL REGISTER on June 23, 1962 (27 F.R. 5960), is hereby amended by changing the date on which such hearing is to be held from July 10, 1962, to July 23, 1962. The hearing will begin at 10:00 a.m., local time, in the Rose Room, Heidelberg Hotel, 131 East Capitol Street, Jackson, Mississippi.

In addition to the proposals set forth in the said notice of June 19, 1962, evidence will be received with respect to an additional proposal, hereafter set forth, and any appropriate modifications thereof, to provide for individual-handler pooling under the tentative marketing agreement and order regulating the handling of milk in the Mississippi Gulf Coast marketing area. The additional

proposal contained in this supplemental notice has not received the approval of the Secretary of Agriculture.

Additional proposal is as follows:

Proposed by a number of dairy farmers:

Proposal No. 1. That the Mississippi Gulf Coast order be amended to provide for individual-handler pooling in lieu of the present marketwide pooling.

Copies of this supplemental notice of hearing and the orders may be procured from the Market Administrator, P.O. Box 4646, Fondren Station, Jackson 6, Mississippi; P.O. Box 864, Greenwood, Mississippi; P.O. Box 971, Gulfport, Mississippi, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on July 5, 1962.

W. E. UNDERHILL,
Acting Deputy Administrator,
Price and Production, Agri-
cultural Stabilization and
Conservation Service.

[F.R. Doc. 62-6678; Filed, July 6, 1962;
10:45 a.m.]

DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRI- CULTURAL COMMODITIES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition has been filed by Stauffer Chemical Company, 380 Madison Avenue, New York 17, New York, proposing the establishment of tolerances for residues of the insecticide carbophenothion (*S*-(*p*-chlorophenylthiomethyl) *O,O*-diethyl phosphorodithioate) in or on raw agricultural commodities, as follows:

10 parts per million in or on almond hulls.

5 parts per million in or on alfalfa (fresh), alfalfa (hay), bean straw, clover (fresh), clover (hay), corn forage, and sorghum forage.

2 parts per million in or on sorghum grain.

0.5 part per million in or on corn (kernels plus cob with husks included).

The 10 parts per million in or on almond hulls would represent an increase from the present tolerance of 2 parts per million.

The analytical method proposed in the petition for determining residues of carbophenothion (*S*-(*p*-chlorophenylthio-methyl) *O,O*-diethyl phosphorodithio-ate) is a modification of that published in *Journal of Agricultural and Food Chemistry*, Volume 8, page 54 (1960).

Dated: June 29, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-6635; Filed, July 6, 1962;
8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 1276]

CERTAIN BELLANCA AIRCRAFT

Proposed Airworthiness Directive

Pursuant to the authority delegated to me by the Administrator, (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring inspection of the rudder bellcranks and replacement of any with elongated bolt holes on Bellanca 14-13 Series, 14-19 and 14-19-2 aircraft.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before August 7, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time. This proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

BELLANCA. Applies to 14-13 Series (Downer), 14-19, and 14-19-2 aircraft.
Compliance required as indicated.

As a result of instances of elongation of the control cable attachment bolt hole in the rudder bellcrank, P/N 9817, accomplish the following inspection within the next 25 hours' time in service after the effective date of this airworthiness directive, unless accomplished within the last 75 hours' time in service, and thereafter within each 100 hours' time in service.

Remove the left and right rudder bellcranks, P/N 9817, located at the left and right ends of the rudder torque tube. (This may be accomplished by working from in-

side the cabin and through the inspection hole in the bottom cabin cowl.) If the control cable attachment bolt hole in the rudder bellcrank is elongated beyond maximum diameter of 0.210 inch, the rudder bellcrank must be replaced with a new rudder bellcrank of the same part number (P/N 9817), or FAA approved equivalent prior to further flight. The new rudder bellcrank must be inspected thereafter within each 100 hours' time in service.

Issued in Washington, D.C. on June 29, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-6623; Filed, July 6, 1962;
8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1267]

DOUGLAS DC-3 SERIES AIRCRAFT

Proposed Airworthiness Directive

Correction

In F.R. Doc. 62-6254, appearing at page 6097 of the issue for Thursday, June 28, 1962, the designation "A-632-5110506-IF2" in the second paragraph of (3) (i) should read "A-652-5110506-IF2".

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[RM-327 and Docket No. 14245]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS; COLUMBIA, S.C.

Order Extending Time for Filing Reply to Counterproposal

In the matter of amendment of § 3.606 Table of Assignments, Television Broadcast Station (Columbia, South Carolina) and deintermixture of Columbia, South Carolina.

1. WCSC, Inc., licensee of WCSC-TV, Channel 5, Charleston, South Carolina, requests an extension of time until July 12, 1962, to file a reply to the counterproposal of the First Carolina Corp. in the above-captioned proceeding.

2. In support of the requested extension WCSC, Inc., cites the complex changes in television channel assignments which First Carolina Corp. has proposed and states that adequate time to prepare a considered response necessitates this extension. WCSC, Inc., states that counsel for First Carolina Corp. has consented to grant of the extension.

3. The Commission believes that good cause has been shown in support of the request and interested persons may file replies to the First Carolina Corp. counterproposal by July 12, 1962.

4. Accordingly, it is ordered, This 2d day of July 1962, that the request of WCSC, Inc., is granted and that the time for filing replies to the counterproposal

of First Carolina Corp. is extended to July 12, 1962.

5. This action is taken pursuant to authority found in sections 4(i), 5(d) (1), and 303(r) of the Communications Act of 1934, as amended, and section 0.241 (d) (8) of the Commission's rules.

Released: July 2, 1962.

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

[F.R. Doc. 62-6656; Filed, July 6, 1962;
8:51 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. 1]

[Ex Parte No. 230]

SUBSTITUTED SERVICE; CHARGES AND PRACTICES OF FOR-HIRE CARRIERS AND FREIGHT FORWARDERS; PIGGYBACK SERVICE

Notice of Proposed Rule Making

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 29th day of June A.D. 1962.

It appearing that in recent years there has been a marked expansion of and changes in the use of coordinated and substituted service, in particularly in so-called motor-rail piggyback operations; and that it is desirable that certain aspects of coordinated and substituted service be further considered by the Commission looking to the resolution and control of the legal and operational problems arising in connection therewith through the promulgation of appropriate rules, regulations, statements of policy, and precedent; therefore:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of Parts I, II, III, and IV of the Interstate Commerce Act and section 4 of the Administrative Procedure Act, into the practices of, and the manner and methods of the performance and use of coordinated and substituted motor-rail service, as hereinafter more particularly described, and all similar and related types of service, including, but not limited to, so-called "piggyback" service under Plans I to V, both inclusive (defined in the Appendix hereto), now provided by or participated in, or to be provided by or participated in, or used by shippers and carriers not subject to economic regulation, and by motor common and contract carriers, rail carriers, water carriers, express companies and freight forwarders subject to the Act, for the transportation or shipment of property, in interstate or foreign commerce, for the purposes of ascertaining and determining, in the light of the national transportation policy, and the provisions of the Interstate Commerce Act, the desirability, feasibility, and lawfulness of the operational

practices, services, and facilities provided and utilized by or for rail, motor, and water carriers, express companies and freight forwarders subject to the Act, and of encouraging the participation in and the expansion of coordinated service by all such carriers, and of taking such other and further action as the facts and circumstances may justify or require.

Specific issues to be considered and determined in this proceeding, among others, are:

I. What is the nature of the operating rights that must be held by motor carriers in order to participate in TOFC Plan I substituted service, including the question whether motor carriers may participate in such service where the motor carrier's route is circuitous with respect to the portion of the rail route used.

II. The extent to which motor carriers, water carriers, express companies and freight forwarders should be permitted to use Plans III and IV TOFC rail rates and service in their operations. If so permitted, under what conditions and limitations.

Evidence to be considered in this proceeding bearing upon the above-described issues shall include, but not be limited to:

I. All operational practices and methods utilized in coordinated and substituted service transportation;

II. Re-examination of existing Commission precedents and pronouncements governing coordinated and substituted service transportation;

III. Rules and regulations, if any, which may be required to regulate, in the public interest, the utilization of coordinated and substituted service transportation from a competitive standpoint or otherwise, particularly in connection with the substitution of rail service for any other mode of transportation;

IV. The need, if any, for corrective or implementing legislation for expansion or regulation of coordinated and substituted service transportation;

V. The existence of unjust discrimination, or undue preference or prejudice in the offering or furnishing of services in the transportation of such vehicles or containers, or in the rates demanded or charged therefor; and

VI. All related matters inherent in or to the basic purposes underlying this investigation.

It is further ordered, That the Bureau of Inquiry and Compliance of this Commission be, and it is hereby, authorized and directed to participate in this proceeding for the purpose of developing the evidence and the issues.

It is further ordered, That all railroads, motor carriers, water carriers, express companies, and freight forwarders of property operating in interstate or foreign commerce, subject to the Interstate Commerce Act, be, and they are hereby, made respondents in this proceeding.

It is further ordered, That all respondents herein that participate in coordinated and substituted service to any extent or any other interested party including shippers or carriers of any mode not subject to the Interstate Commerce

Act, be, and they are hereby, invited to submit to this Commission, on or before September 4, 1962, representations, consisting of an original and 20 copies, setting forth the extent of such participation and the practices connected therewith. Those filing representations are urged to include therein, among other things, the following information to assist the Commission in accomplishing the purposes of this investigation: Whether such service is participated in as joint line service or substituted service; if the latter, whether the motor or water carrier has underlying operating rights and if so, the amount of circuitry involved; the type of tariff arrangements entered into with the railroads; whether at any time the carrier acts as a shipper or agent of a shipper; and whether the trailers or containers move on joint through routes and rates or single factor rates, or otherwise. The statements of the rail respondents should set forth, among other things, the type of tariff arrangements entered into with the motor carriers or other carriers; the particular plans that they have in effect and the nature thereof; the extent to which the several plans utilized are held out to all carriers; whether they receive a division of a rate or a published rate for their services; the extent to which they furnish terminal or over the road services; and the extent to which they participate in coordinated and substituted service with motor or other carriers exempt from economic regulations.

It is further ordered, That, in accordance with Rule 68 of the Commission's general rules of practice, the proceeding be, and it is hereby, assigned for a pre-hearing conference at 8:30 o'clock a.m., United States Standard Time (9:30 o'clock a.m., District of Columbia daylight saving time), on October 9, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Commissioners Clyde E. Herring and William H. Tucker, for the purposes of:

1. Agreeing upon special procedures to expedite and control the handling of this proceeding and the production and submission of evidence on the issues presented;

2. Agreeing as to the time and place or places of any hearing or hearings which may be required;

3. Determining the practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of hearing, if one is to be held;

4. Ascertaining the need, if any, of the entry of a supplemental order changing the scope of the proceeding;

5. Determining any other matters by which the processing of the proceeding can be expedited, simplified, or the Commission's handling thereof aided.

And it is further ordered, That a copy of this order be served on the Public Utility Commissions or Boards, or similar regulatory bodies, of each State having jurisdiction over the transportation here involved; that a copy be posted in the Office of the Secretary of the Interstate Commerce Commission for public inspection; and that a copy be delivered to the Director, Division of the Federal Register, for publication in the FEDERAL

REGISTER as notice to all interested persons.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

APPENDIX

Plan I: Railroad movement of trailers or containers of common motor carriers, with the shipment moving on one bill of lading and billing being done by the trucker. Traffic moves under rates in regular motor carrier tariffs.

Plan II: Railroad performs its own door-to-door service, moving its own trailers or containers on flat cars under tariffs usually similar to those of truckers.

Plan III: Ramp-to-ramp rates based on a flat charge, regardless of the contents of trailers or containers, usually owned or leased by freight forwarders or shippers. No pickup or delivery is performed by the railroad.

Plan IV: Shipper or forwarder furnishes a trailer or container-loaded flat car, either owned or leased. The railroad makes a flat charge for loaded or empty-car movement, furnishing only power and rails.

Plan V: Traffic moves generally under joint railroad-truck or other combination of coordinated service rates. Either mode may solicit traffic for through movement.

[F.R. Doc. 62-6645; Filed, July 6, 1962; 8:50 a.m.]

[49 CFR Ch. I]

[No. 34013]

ASSEMBLING AND PRESENTING OF COST EVIDENCE

Consideration of Cost Principles, Methods, and Formulas; Notice of Proposed Rule Making

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 28th day of June A.D. 1962.

Upon consideration of the record in the above-entitled proceeding, and of a joint petition filed May 29, 1962, by National Motor Freight Traffic Association, Inc., and others for (1) postponement of the date for the filing of representations and (2) for clarification of the notice of proposed rule making dated April 16, 1962 (27 F.R. 4102; 27 F.R. 5748);

It appearing that by notice dated June 4, 1962, the dates for the filing of representations in this proceeding, and of replies thereto, have been postponed to October 1, 1962, and November 20, 1962, respectively;

It is ordered, That the notice issued herein on April 16, 1962, entitled Rules to Govern the Assembling and Presenting of Cost Evidence—Notice of Proposed Rule Making, be, and it is hereby modified to show that the Commission will consider evidence, if presented, respecting cost principles, methods, and formulas other than those used or favored by the Commission's Cost Finding Section and that the petition be, and it is hereby denied in all other respects.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6646; Filed, July 6, 1962; 8:50 a.m.]

Notices

POST OFFICE DEPARTMENT

ASSISTANT POSTMASTER GENERAL, BUREAU OF OPERATIONS

Delegation of Authority

The following is the text of Headquarters Circular No. 62-105, signed by the Postmaster General, delegating authority to the Assistant Postmaster General, Bureau of Operations:

Pursuant to authority of section 1(b) of Reorganization Plan No. 3 of 1949, authority is hereby delegated to the Assistant Postmaster General, Bureau of Operations, to execute and perform in his own name and title all powers, functions and duties conferred by law upon the Postmaster General, including authority to modify, suspend or rescind orders, instructions and regulations which have heretofore, or which may hereafter be issued in the name of the Postmaster General, except that I do hereby reserve exclusive authority to modify, suspend or rescind all, or any part of, the authority delegated to the Assistant Postmaster General, Bureau of Operations, by this order.

The Assistant Postmaster General, Bureau of Operations, is hereby authorized to redelegate to any officer, employee or agency of the Post Office Department such of the powers, functions and duties delegated to him by this order.

All prior delegations made by me or by the Deputy Postmaster General are to remain in full force and effect until changed by the order of the Postmaster General or the Assistant Postmaster General, Bureau of Operations.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62-6651; Filed, July 6, 1962;
8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Forest Service

CERTAIN LANDS ACQUIRED UNDER TITLE III—BANKHEAD-JONES FARM TENANT ACT

Suitability for National Forest Purposes

Pursuant to the requirement of Executive Order 10445, dated April 10, 1953 (18 F.R. 2069), except as to lands within the States of Arizona, California, Colorado, Idaho, Montana, New Mexico, Oregon, Washington, and Wyoming, all lands within the exterior boundaries of national forests which have been acquired through exchange since June 30, 1961, or that are in the process of being acquired through exchange, by the Forest Service on behalf of the United

States under authority of Title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010-1013), are hereby determined to be suitable for national forest purposes.

EDWARD P. CLIFF,
Chief, Forest Service.

JUNE 28, 1962.

[F.R. Doc. 62-6648; Filed, July 6, 1962;
8:49 a.m.]

Office of the Secretary

OKLAHOMA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 (a) of public Law 87-128 (7 U.S.C. 1961) it has been determined that in the hereinafter named counties in the State of Oklahoma natural disasters have caused a need for agricultural credit not readily available from commercial banks, co-operative lending agencies, or other responsible sources.

OKLAHOMA

Cotton.
Harmon.
Jackson.

Kiowa.
Tillman.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1963, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 2d day of July, 1962.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 62-6647; Filed, July 6, 1962;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order 601 Amdt. 8]

REVESTED OREGON AND CALIFORNIA RAILROAD GRANT LANDS, COOS BAY WAGON ROAD GRANT LANDS AND PUBLIC DOMAIN LANDS

Declaration of Annual Productive Capacity

JUNE 29, 1962.

The annual productive capacities of the Master Units composing the Revested Oregon and California Railroad Grant Lands, and the Coos Bay Wagon Road Grant Lands in Oregon declared in Bureau Order No. 601, Amendment No. 7, dated April 1, 1959, are amended as follows:

| Master unit: | Annual productive capacity, feet board measure |
|----------------------------|--|
| 1. Columbia River..... | 59,000,000 |
| 2. Clackamas-Molalla | 34,000,000 |
| 3. Alesia-Rickreall | 90,000,000 |
| 4. Santiam River..... | 61,000,000 |
| 5. Upper Willamette..... | 77,000,000 |
| 6. Siuslaw | 82,000,000 |
| 7. Douglas | 135,000,000 |
| 8. South Umpqua..... | 28,000,000 |
| 9. South Coast..... | 173,000,000 |
| 10. Josephine | 129,000,000 |
| 11. Jackson | 86,000,000 |
| 12. Klamath | 23,000,000 |
| Total..... | 977,000,000 |

Annual Productive Capacity as declared in this amendment, includes the Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands, other lands administered by the Bureau under provisions of the act approved August 28, 1937, and the public lands administered by the Bureau of Land Management which are in Oregon west of Range 8 E., Willamette Meridian, Oregon.

JAMES F. DOYLE,
Acting Director.

[F.R. Doc. 62-6636; Filed, July 6, 1962;
8:48 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-10]

COMMONWEALTH EDISON CO.

Notice of Hearing on Amendment to Operating License for Nuclear Facility

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Part 2, 10 CFR, "Rules of Practice", notice is hereby given that a hearing will be held at 10:00 a.m., e.d.t., on August 8, 1962, in the Auditorium of the Atomic Energy Commission Headquarters in Germantown, Maryland, to consider the applications filed by Commonwealth Edison Company on March 2, 1962, and April 10, 1962, both of which were supplemented by a letter dated May 28, 1962, which respectively request (1) an authorization to increase the maximum heat flux limits for the Dresden Nuclear Power Station (the facility), and (2) an amendment to facility license DPR-2 to authorize operation of the facility at powers up to and including, but not in excess of, 700 megawatts (thermal).

The issues to be considered at the hearing will be the following:

1. Whether there is reasonable assurance that the operation of the facility at the power level proposed in the application filed by Commonwealth Edison Company on April 10, 1962, as supplemented by letter dated May 28, 1962, and at the maximum heat flux limits proposed in the request dated March 2, 1962, as supplemented by letter dated May 28,

1962, can be conducted without endangering the health and safety of the public, and that such operation will be conducted in compliance with the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission;

2. Whether amendment of facility license DPR-2, as proposed, will be inimical to the common defense and security or to the health and safety of the public.

Notice is hereby given that the report of the AEC's Advisory Committee on Reactor Safeguards in this manner is available for public inspection at the Commission's Public Document Room. Copies of this report may be obtained by request to the Director, Division of Licensing and Regulation, United States Atomic Energy Commission, Washington 25, D.C.

Petitions for leave to intervene must be received in the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or in Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than July 30, 1962, or in the event of a postponement of the hearing date specified above at such time as the Presiding Officer may provide.

Answers to this notice pursuant to § 2.705 of the Commission's rules of practice shall be filed on or before July 27, 1962, by the applicant.

Papers required to be filed with the Commission in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty (20) copies of each such paper with the Commission and where service of papers is required on other parties shall file five (5) copies of each.

The hearing will be conducted by a presiding officer to be designated by the Chief Hearing Examiner.

Dated at Germantown, Md., this 6th day of July 1962.

For the Atomic Energy Commission.

WOODFORD B. McCool,
Secretary.

[F.R. Doc. 62-6716; Filed, July 6, 1962;
10:17 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13370; Order No. E-18542]

ALLEGHENY AIRLINES, INC.

Order to Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 3d day of July 1962.

On February 1, 1962, Allegheny Airlines, Inc. (Allegheny) filed an application with the Board requesting that its certificate of public convenience and necessity be amended so as to redesignate Harrisburg, Pa., as Harrisburg/York, Pa. Harrisburg is an intermediate point on Segments 3 and 7 of Allegheny's route 97.

In support thereof, Allegheny alleges that it currently serves the point desig-

nated as Harrisburg through the Harrisburg/York State Airport; that the airport is located 17 miles from York, an industrial community with a population of 54,504,¹ and 4 miles from Harrisburg; that traffic figures indicate Allegheny serves York through the Harrisburg/York State Airport; that in November and December of 1961, 865 York passengers boarded at the airport; that travel time between York and the airport is approximately thirty minutes; and that York is connected with the airport by a new highway, Interstate 83.

The City and Chamber of Commerce of Harrisburg and the Chamber of Commerce of York filed letters in the nature of answers supporting Allegheny's application.

The Board has decided to institute a proceeding under section 401(g) of the Act with a view toward amending Allegheny's certificate of public convenience and necessity for route 97 so as to redesignate the present point, Harrisburg, Pa., as Harrisburg/York, Pa.

In reaching the conclusion that Allegheny's certificate should be amended as sought in its application, the Board has taken all relevant factors into consideration. Because of the proximity of York to Harrisburg, and of the Harrisburg/York State Airport to both communities, service to Harrisburg is, in fact, service to York. Traffic figures submitted by the applicant show that 885 York passengers boarded at Harrisburg during November and December 1961, accounting for approximately 12.1 percent, projected over a three-month period.² This is a substantial number of York passengers actually using Harrisburg and redesignation would reflect the service which is actually being provided. It would also permit the carrier to show York in its advertising and schedules, with resulting benefits to the carrier as well as the traveling public. Since Allegheny proposes service through a single airport, the redesignation would not entail additional subsidy and would be consistent with the area airline service airport concept. In addition, both Harrisburg and York have endorsed Allegheny's application.

Upon consideration of the foregoing, the Board tentatively finds and concludes that the public convenience and necessity require that the certificate held by Allegheny for Route 97 should be amended so as to redesignate the present point Harrisburg, Pa., as Harrisburg/York, Pa. (to be served through a single airport) on segments 3 and 7 thereof.

Accordingly, it is ordered:

1. That a proceeding be, and it hereby is, instituted in Docket 13370, pursuant to section 401(g) of the Act, to determine whether the public convenience and necessity require, and the Board should order, the amendment of the certificate of public convenience and neces-

¹ U.S. Census of Population: 1960. United States Summary. Final Report PC(1)-1A, U.S. Government Printing Office, Washington, D.C.; 1961.

² CAB Form 41 Reports, Schedule T-4, for quarter ending December 31, 1961, show 10,981 passengers boarded at Harrisburg.

sity held by Allegheny for Route 97 so as to redesignate the present point Harrisburg, Pa., as Harrisburg/York, Pa. (to be served through a single airport);

2. That all interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and issue to Allegheny Airlines, Inc. an amended certificate of public convenience and necessity for Route 97 redesignating the present point, Harrisburg, Pa., as Harrisburg/York, Pa. (to be served through a single airport), on segments 3 and 7 thereof;

3. That any interested persons having objection to the issuance of an order making final the proposed findings, conclusions and certificate amendment set forth herein shall, within fifteen days of service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections;

4. That if timely objections are filed, further consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

5. That all motions to consolidate and requests to expand or change the issues herein shall be filed within the 15-day period allowed for the filing of objections, and no further such motions or requests, or petitions for reconsideration of this order will be entertained;

6. That in the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

7. That copies of this order shall be served upon the following persons who are hereby made parties to this proceeding: Allegheny Airlines, Inc.; the City of Harrisburg, Pennsylvania; the City of York, Pennsylvania; the Pennsylvania Aeronautics Commission; and the Postmaster General; and

8. That this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-6652; Filed, July 6, 1962;
8:50 a.m.]

[Docket No. 13495, etc.; Order No. E-18549]

FORT LAUDERDALE RESTRICTION CASE ET AL.

Order Expanding Scope of Show Cause Proceeding

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of July 1962.

In the matter of the Fort Lauderdale Restriction Case, Docket No. 13495; in the matter of the application of Northeast Airlines, Inc., Docket No. 11230; Mackey Airlines, Inc., Docket No. 11255; National Airlines, Inc., Docket No. 11266; Delta Air Lines, Inc., Docket No. 13651; to carry mail between Fort Lauderdale and Miami.

On March 23, 1962, the Board adopted Order E-18144, directing those trunkline carriers authorized to serve Fort Laur-

dale, Florida, to show cause why the Board should not amend their certificates of public convenience and necessity, eliminating therefrom the restrictions which prevent the carriers from providing single-plane air transportation of persons, property, and mail between Fort Lauderdale and Tampa-St. Petersburg-Clearwater. This proceeding is known as the Fort Lauderdale Restriction Case, Docket 13495. Earlier Delta Air Lines, Inc. (Delta) on December 21, 1961, and Northwest Airlines, Inc. (Northwest) on May 26, 1960, had filed a petition and an application,¹ respectively, requesting that the Board remove all restrictions on their Fort Lauderdale services. Order E-18144, however, ordered only that the carriers show cause as to service between Fort Lauderdale and Tampa-St. Petersburg-Clearwater.

On April 9, 1962, Delta filed a letter requesting the Board to give further consideration to Order E-18144 and to broaden or expand the action contemplated therein so as to embody the complete elimination of restrictions at Fort Lauderdale, including the portion thereof which is now rendered ineffective by virtue of the temporary exemption granted by Order E-15596, July 29, 1960.²

On April 9, 1962, Northwest filed a "Motion to Expand Scope of Show Cause Order" requesting that all of the restrictions which have already been lifted by exemption, discussed hereafter, be permanently disposed of herein. The carrier would preclude consideration of authority to transport passengers and property between Fort Lauderdale and Miami.

By Order E-15596, supra, the Board, by exemption, lifted the "closed-door" restrictions imposed upon the trunkline carriers serving Fort Lauderdale³ to the extent that such restrictions prevented single-plane service between Fort Lauderdale and points other than those served by Mackey Airlines, Inc. (Mackey) on its domestic route 145.⁴ This order also permitted single-plane air transportation of mail between Fort Lauderdale and West Palm Beach and Tampa-St. Petersburg-Clearwater. The exemption authority will continue in effect until 90 days after final decision in Mackey's route 145 Certificate Renewal Case, now pending.⁵ However, there are no issues with respect to service between Fort Lauderdale and those points as to which the services of the trunkline carriers were restricted by Order E-15596, in the Mackey Certificate Renewal Case and it is unnecessary to await decision in that proceeding before taking the action herein contemplated.

¹ Dockets 13302 and 11440, respectively.

² As to Delta, between Fort Lauderdale, on the one hand, and Orlando and Jacksonville, Florida, and Atlanta, Georgia, on the other hand.

³ Order E-14678, Board's decision in the Fort Lauderdale Service Case, Docket 10665.

⁴ The points are Mobile, Alabama; Gainesville, Jacksonville, Melbourne, Ocala, Orlando, Panama City, Pensacola, Tallahassee, Tampa-St. Petersburg-Clearwater and Vero Beach, Florida; Albany, Atlanta, and Columbus, Georgia; and Gulfport, Mississippi.

⁵ Docket 12435, et al.

The Board previously granted exemptions⁶ to carry mail between Fort Lauderdale and Miami to Mackey and the seven trunkline carriers authorized to serve the two points. Applications for amendment of their certificates to authorize the carriage of mail between Fort Lauderdale and Miami have been filed by four carriers: Northeast, Mackey, Delta, and National, Dockets 11230, 11255, 13651, and 11266, respectively. Since this order would grant authority to carry mail in the Fort Lauderdale-Miami market, we are consolidating three of these applications herein. However, since National is now serving that point only through the Miami airport,⁷ the carrier is directed to show cause why its application should not be dismissed.

Inasmuch as those trunkline carriers which are authorized to serve Fort Lauderdale now are able, by virtue of exemption authority, to serve between Fort Lauderdale and certain points⁸ (with the exception of West Palm Beach and Miami where mail carriage only is authorized) and the basis for the original imposition of these restrictions no longer exists,⁹ there is no apparent reason for their retention. Accordingly, we tentatively find and conclude that the public interest would be served by the elimination of certain restrictions imposed by Order E-14678 on the domestic service of the trunkline carriers serving Fort Lauderdale, Florida. As we found in our original order in this proceeding, these newly proposed certificate amendments do not appear to raise any substantial controversial issues bearing upon the competitive relationship between carriers now authorized to serve Fort Lauderdale. We shall, therefore, direct the carriers and other interested persons to show cause why the Board should not issue an order making final the tentative findings and conclusions set forth herein and, accordingly, amend the certificates of public convenience and necessity of the carriers affected in the manner that may be appropriate.

Accordingly, it is ordered:

1. That Delta, Eastern, National, Northeast, Northwest, TWA, and United be and hereby are directed to show cause why the Board should not amend their certificates of public convenience and necessity, eliminating therefrom restrictions, in addition to those placed in issue in Order E-18144, which prevent the carriers from providing single plane transportation of persons, property, and mail over their respective routes, where applicable, between Fort Lauderdale, on

the one hand, and Mobile, Alabama; Gainesville, Jacksonville, Melbourne, Ocala, Orlando, Panama City, Pensacola, Tallahassee, Tampa-St. Petersburg-Clearwater, and Vero Beach, Florida; Albany, Atlanta, and Columbus, Georgia; and Gulfport, Mississippi, on the other, and the single-plane transportation of mail only between Fort Lauderdale, on the one hand, and West Palm Beach and Miami, on the other, where applicable;

2. That Delta, Eastern, National, Northeast, Northwest, TWA, Mackey and United and any other interested persons having objections to the issuance of an order making final the tentative findings and conclusions set forth herein, deleting from the applicable certificates the existing restrictions as set forth in paragraph 1, above, and directing the issuance of amended certificates of public convenience and necessity, shall file objections with the Board within 20 days from the date of service of this order;

3. That the applications in Dockets 11230, 11255, and 13651 be and they hereby are consolidated herein for final decision;

4. That National be and hereby is directed to show cause why its application in Docket 11266 should not be dismissed;

5. That at the expiration of the 20-day period allowed herein for the filing of objections, these matters be included in the Fort Lauderdale Restriction Case, Docket 13495, which shall be heard before an Examiner of the Board, with hearing limited to the consideration of issues raised by the objections filed;

6. That in the absence of objections hereto, the Board will proceed to issue amended certificates in the form proposed herein to the carriers concerned;

7. That copies of this order be served on Delta, Eastern, National, Northeast, Northwest, TWA, United, Mackey, the City of Fort Lauderdale, the Board of Commissioners of Broward County, the Cities and Chambers of Commerce of Tampa, St. Petersburg and Clearwater, and Pinellas County, the Cities of Mobile, Alabama; Gainesville, Jacksonville, Melbourne, Miami, Ocala, Orlando, Panama City, Pensacola, Tallahassee, Vero Beach and West Palm Beach, Florida; Albany, Atlanta and Columbus, Georgia; and Gulfport, Mississippi, who are hereby made parties to this proceeding;

8. That this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-6653; Filed, July 6, 1962;
8:50 a.m.]

[Docket No. 10043; Order No. E-18543]

WEST COAST AIRLINES, INC.

Order to Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 3d day of July 1962.

On December 1, 1958, West Coast Airlines, Inc. (West Coast) filed an application with the Board requesting that its certificate of public convenience and

⁶ Order E-15237, dated May 16, 1960. In this proceeding the Post Office Department urged that all carriers serving between Fort Lauderdale and Miami be authorized to carry mail.

⁷ Order E-18143.

⁸ See footnote 4, supra.

⁹ The restrictions were imposed by Order E-14678, November 25, 1959, for the reason that service between Fort Lauderdale and these points (see note 4) was then at issue in the Southeastern Area Local Service Case, Docket 7038, et al. Decision in that proceeding was issued on December 18, 1959 (Order E-14754), and did not authorize any services which would be affected by the removal of these restrictions.

necessity be amended so as to redesignate Astoria, Oregon as Astoria/Seaside, Oregon. Astoria is an intermediate point on segment 2 of West Coast's route 77.

In support thereof, West Coast alleges that it has been providing scheduled air service to Seaside through the point designated as Astoria since December, 1946; that Seaside is located 12 miles from the airport¹ at Astoria, and that since Seaside is a popular summer resort area, identification of Seaside in West Coast's schedules would be of substantial benefit to the traveling public desiring to go to that area.

No answer to West Coast's application has been filed with the Board.

The Board has decided to institute a proceeding under section 401(g) of the Act with a view toward amending West Coast's certificate of public convenience and necessity for route 77 so as to redesignate the present point, Astoria, as Astoria/Seaside.

In concluding that West Coast's certificate should be amended as sought in the instant application the Board has taken all relevant factors into consideration. Because of the proximity of Seaside to Astoria and the proximity of both cities to the Clatsop County Airport, service to Astoria constitutes service to Seaside and, in fact, a substantial number of Seaside passengers use the Astoria service. Redesignation in the manner requested would, therefore, reflect a service actually being provided and would permit the carrier to show Seaside in its advertising and schedules, resulting in obvious benefits to the traveling public, as well as the carrier. The redesignation would not entail additional subsidy since the carrier proposes to serve the hyphenated point through a single airport and it would be consistent with the area airline service airport concept. Furthermore, none of the allegations relating to the foregoing points has been challenged.

Upon consideration of all of the foregoing, the Board tentatively finds and concludes that the public convenience and necessity require that the certificate held by West Coast Airlines, Inc. for Route 77 should be amended so as to redesignate the present point Astoria, as Astoria/Seaside (to be served through a single airport) on segment 2 thereof.

Accordingly, it is ordered:

1. That a proceeding be, and it hereby is, instituted in Docket 10043, pursuant to section 401(g) of the Act, to determine whether the public convenience and necessity require, and the Board should order, the amendment of the certificate of public convenience and necessity held by West Coast Airlines, Inc., for Route 77 so as to redesignate the present point Astoria, as Astoria/Seaside (to be served through a single airport);

2. That all interested persons are directed to show cause why the Board should not issue an order making final the tentative findings and conclusions stated herein and issue to West Coast Airlines, Inc. an amended certificate of public convenience and necessity for

Route 77 redesignating the present point, Astoria, as Astoria/Seaside (to be served through a single airport) on segment 2 thereof;

3. That any interested persons having objection to the issuance of an order making final the proposed findings, conclusions and certificate amendment set forth herein shall, within 15 days of service of a copy of this order, file with the Board and serve upon all persons made parties to this proceeding a statement of objections;

4. That if timely objections are filed, further consideration will be accorded the matters or issues raised by the objections before further action is taken by the Board;

5. That all motions to consolidate and requests to expand or change the issues herein shall be filed within the 15-day period allowed for the filing of objections, and no further such motions or requests, or petitions for reconsideration of this order will be entertained;

6. That in the event no objections are filed, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

7. That copies of this order shall be served on the following persons who are hereby made parties to this proceeding: West Coast Airlines, Inc., the City of Astoria, Oregon, the City of Seaside, Oregon, and the Postmaster General; and

8. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-6654; Filed, July 6, 1962;
8:50 a.m.]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

In accordance with the requirements of the Delaware River Basin Compact, notice is hereby given of a public hearing to be held by the Delaware River Basin Commission on July 25, 1962. The hearing will take place in the top floor conference room of the Pennsylvania State Office Building, at Broad and Spring Garden Streets in Philadelphia at 10:30 a.m.

The subject of the public hearing will be the proposed amendment and extension of Phase I of the Commission's Comprehensive Plan by the addition thereto of a Section VII comprised of certain existing:

1. Municipal water supply and waste disposal facilities;
2. Federal, state and local non-urban recreation areas;
3. River stage and stream gauging stations, and,
4. Interstate water quality standards.

Documents describing these existing projects and standards may be examined at the Commission's temporary offices,

950 Suburban Station Building, Philadelphia 3, Pennsylvania. A limited number of copies are available for distribution.

All persons and organizations desiring to be heard at the public hearing are requested to register in advance with the Secretary of the Commission.

Immediately following the public hearing the Commission will hold a meeting in the same place for the transaction of regular business.

W. BRINTON WHITALL,
Acting Secretary.

JULY 2, 1962.

[F.R. Doc. 62-6629; Filed, July 6, 1962;
8:47 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 62-CE-13]

PROPOSED TELEVISION ANTENNA STRUCTURE

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace:

The Wichita-Hutchinson Company, Inc., Hutchinson, Kansas, proposes to construct a television antenna structure near Hutchinson, Kansas at latitude 38°-03'39.69" N., longitude 97°45'48.74" W. The overall height of the structure would be 3,049 feet above mean sea level (1,514 feet above ground).

This is the second proposal which has been submitted by the sponsor. The original proposal was for an increase in height from 779 feet to 1,622 feet above ground near the site of the existing antenna structure. The proposal was considered at FAA Informal Airspace Meeting No. 17 on October 23, 1961, in Kansas City, Missouri. As a result of comments and objections to the proposal, the sponsor withdrew same and submitted a proposal for a new site and height described above which places the location of the proposed structure outside of the Hutchinson Municipal Airport control zone. The sponsor advised that it is planned to dismantle the existing structure if the proposed structure is constructed.

Objections were made in response to the circularization of this proposal by the Air Transport Association of America and the Air Line Pilots Association. At the FAA Kansas City Informal Airspace Meeting the ATA reaffirmed its previous objection. No other objections were made. Subsequent to the meeting, the ATA and ALPA withdrew their objections.

The proposed structure would be located approximately 5.3 miles east of the Hutchinson, Kansas, Municipal Airport; 10.3 miles northeast of the Hutchinson, Kansas, VOR; 6.5 miles east of the centerline of VOR Federal airway No. 73; and within Victor 280 and Victor 10/132. The Agency study disclosed that the pro-

¹ Clatsop County Airport. FAA Form FAA-29A, Airport Facilities Record, dated 6-21-61.

posed structures would have the following effects upon aeronautical operations:

1. The proposed structure would require an increase from 2,800 feet to 3,400 feet in the instrument flight rules minimum en route altitude on the 26-nautical-mile segment of Victor 73 between the Hutchinson, Kansas Intersection and the Groveland, Kansas, Intersection. The MEA on Victor 73 either side of this segment beyond Groveland Intersection and beyond the Hutchinson VOR is currently established at 3,400 feet; this airway only extends from Wichita, Kansas, to Salina, Kansas. The Federal Aviation Agency records of en route IFR peak day traffic for FY 1961 disclosed that only nine flights operated IFR that day on the segment of Victor 73 between Hutchinson and Salina, an average use of less than one aircraft per 1,000-foot altitude per day. Therefore, it is concluded that the loss of use of the 3,000-foot cardinal altitude would not adversely affect the safe and efficient flow of IFR traffic on this airway segment.

2. The proposed structure would require an increase from 3,300 feet to 4,000 feet in the MEA on Victor 10/132 between the Hutchinson VOR and the Burrton, Kansas, Intersection. However, the established normal practice in Air Traffic Control assignment of en route instrument flight altitudes for air traffic is to use cardinal altitudes. The minimum cardinal altitude for this segment of airway is 4,000 feet which would remain undisturbed. Therefore, this increase in MEA would have no substantial adverse effect upon IFR aeronautical operations via this airway segment.

3. The proposed structure would require an increase from 3,300 feet to 4,000 feet in the minimum obstruction clearance altitude on Victor 280 between the Hutchinson VOR and the Wilsey, Kansas, Intersection; however, the MEA for this segment of airway, which is the lowest altitude at which IFR en route operations may be conducted, is 4,500 feet. Although tentative Agency planning comprehends a new VORTAC at Wilsey, addition of such a facility to the airway structure could result in no lower minimum en route cardinal altitude for the affected airway segment than 4,000 feet because of existing obstructions. Therefore, this increase in MOCA would have no substantial adverse effect upon IFR aeronautical operations via this segment of Victor 280.

In response to the circularization, the National Pilots Association did not specifically object to the proposed structure, but referred to a prior letter from that association recommending that all airspace approvals of tall towers be conditioned upon agreement of the proponents to provide such lighting of the structure as may ultimately be determined to be advisable. However, in the absence of other substantial adverse effect upon air navigation, the Federal Communications Commission rules on lighting¹ and marking appear to be the highest standard of care which may be required of an antenna tower proponent in improving conspicuity of the structure for mitigating possible hazard to aircraft unless and until improved standards may be developed and adopted.

It is computed from Federal Aviation Agency records of VFR general aviation air traffic patterns for FY 1961 that an average of approximately 12 aircraft per month filed VFR flight plans to or from the Hutchinson Municipal Airport at or lower than 3,000 feet via routes within an angular area of 115° from Hutchinson within which the proposed structure site is approximately centered at about six miles from the angular apex. This averages less than 0.5 flight per day within approximately six miles of the proposed structure. These records also indicate that an average of less than one aircraft per day filed VFR flight plans to or from the Hutchinson Airport at altitudes above 3,000 feet via routes within the above described area. In the light of this record indication of low volume of VFR traffic in the area, together with the proximity of this structure to the site of the existing 779-foot structure which it would replace, it was concluded that the proposed structure would have no substantial adverse effect on VFR flight operations.

No other aeronautical operations, procedures or minimum flight altitudes would be affected.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33), it is concluded that the erection of the proposed structure at the location and mean sea level elevation specified herein would have no substantial adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation, provided that the structure be obstruction marked and lighted in accordance with applicable Federal Communications Commission rules.

This determination is effective as of the date of issuance and will become final 30 days thereafter unless an appeal is filed under § 626.34 (14 CFR 626.34). If the appeal is denied the determination will then become final as of the date of the denial or 30 days after the issuance of the determination whichever is later. Unless otherwise revised or terminated a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (14 CFR 626.35).

Issued in Washington, D.C., on June 29, 1962.

OSCAR W. HOLMES,
Chief,

Obstruction Evaluation Branch.

[F.R. Doc. 62-6622; Filed, July 6, 1962;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14691; FCC 62-682]

GEOFFREY A. LAPPING

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of Geoffrey A. Lapping, Blythe, California, Docket No.

14691, File No. BP-13609, requests 1260 kc, 500 w, Day, for construction permit.

1. The Commission has before it for consideration with respect to the above-captioned matter a "Petition to Deny Application" filed on October 23, 1961, by KYOR, Inc., licensee of standard broadcast Station KYOR, Blythe, California.

2. Petitioner predicates its standing as a party in interest upon the potential economic injury to the existing operation of Station KYOR that would occur if a new standard broadcast station were licensed in Blythe, California. The Commission agrees that petitioner has standing under Section 309 of the Communications Act of 1934, as amended.¹

3. KYOR, Inc.'s "Petition to Deny Application" was filed after the cut-off date specified pursuant to § 1.359(i) of the Commission's rules. However, in view of the fact that the petitioner raises substantial questions involving the public interest, and the fact that the petition was filed with reasonable promptness after the petitioner, on August 16, 1961,² assumed control of Station KYOR, the provision of § 1.359(i) prohibiting acceptance of petitions to deny after a cut-off date is hereby waived by the Commission on its own motion.³

4. In substance, KYOR, Inc., contends (1) that Blythe, California, is too small to support two radio stations and that, as a result, the licensing of a second station there would not be in the public interest since it would result in a net degradation of radio service available in that area;⁴ (2) that the applicant has failed to demonstrate his financial ability to construct the proposed station and to operate it for at least three months without revenue; (3) that the applicant misrepresented to the Commission the availability of the station site proposed in his application; (4) that there is little likelihood that the proposed site of the station would be available to the applicant for that purpose; and (5) that a grant of the instant application would not, therefore, serve the public interest, convenience, and necessity.

5. In support of its first contention, petitioner asserts that Blythe "is a small town located in the southeastern California desert [with] a 1960 Census population of 6,023"; that "the previous licensee of Station KYOR was unable to operate at a profit"; that KYOR is "at most a marginal operation"; that KYOR offers "a very well-balanced program schedule with a good amount of sustaining and public service programs"; and that "if the Commission authorizes a second facility, * * * it is most likely that both facilities would fail, or, at least, [that] all of the public service, non-commercial programming would have to be deleted." In further support of its first contention, petitioner submits a no-

¹ Sanders Brothers v. FCC, 309 U.S. 470, 9 R.R. 2008 (1940).

² The application to assign that station's license to KYOR, Inc., was granted on July 26, 1961 (BAL-4204).

³ Pursuant to Section 1.15 of the Commission's rules.

⁴ Citing Carroll Broadcasting Company v. FCC, 103 U.S. App. D.C. 346, 258 F. 2d 440, 17 R.R. 2066 (1958), for the theory that this would justify denial of a license.

tarized affidavit by the former president of KYOR's preceding licensee substantially agreeing with the above-quoted assertions.

6. Regarding petitioner's second contention, the record shows that the applicant submitted a financial amendment to his application on December 18, 1961, evidencing the availability of bank credit in the amount of \$10,000,⁵ in addition to cash assets amounting to \$5,950 shown in his balance sheet of October 11, 1959, or a total of \$15,950 (assuming, arguendo, that there has been no change in his cash situation since 1959) available to the applicant to meet an estimated construction and three-months' operating cost totaling \$19,175. Therefore, we cannot find the applicant qualified even under the normal financial requirements. In addition, we believe it is necessary to impose here, and in similar situations, an added burden upon the applicant, that of showing that its estimate of operating revenues is realistic when a serious question has been raised concerning the ability of the area to produce adequate revenue from those sources from which standard broadcast stations generally receive their support. We believe this additional requirement is necessary, not only to demonstrate that the applicant is financially qualified, but also to enable us to make the ultimate finding required by law, i.e., whether grant of the application in question would serve the public interest, convenience, and necessity.

7. In support of its third and fourth contentions, petitioner avers that "[t]he owner of [the site for the proposed station] * * *, Mr. M. C. Wells of Bishop, California, was contacted by telephone, and he stated that he knows nothing of Lapping or his proposal to lease this land for a radio station * * * [,] that no one had contacted him concerning the possibility of leasing the land in question, and [that] if such contact were to be made, he would be very hesitant to enter into a lease." Petitioner adds, "The town of Blythe is developing in the direction of Mr. Wells' land and is increasing in value to such an extent that he could sell it for about \$100 per front foot." In response to the FCC letter dated December 7, 1961, regarding the availability of the proposed site, the applicant stated, in a notarized letter received on December 20, 1961, that prior to filing his application he "had lengthy conversations with a local real estate agent and a representative of the local Chamber of Com-

merce * * * and spoke with a man who was working on the [proposed] site or a short distance away"; that subsequent to these conversations he "found that the property was too far from town (0.6 mile) to be used for residential or commercial subdivision in the foreseeable future"; that "did not attempt to purchase the land or obtain a binding option from the owner" because a one year option would serve no useful purpose in view of the time required by the FCC for processing of an application and because "even a two-year option", for which "most landowners" would require "a very substantial cash payment," would "not [be] of much use, since it would probably expire before an application could be granted." According to the applicant's letter of December 20, 1961, he (at that time) based his conclusion that the site was "reasonably available" on his "visits to Blythe and * * * conversations there with persons * * * acquainted with the real estate situation" and on "present use of the proposed site." On May 31, 1962, the applicant filed a notarized statement indicating that, on an undisclosed date, he had a discussion with the person who holds a ground lease on the proposed site concerning the possibility of a sub-lease and that the present lessee would be agreeable to the proposed installation provided the construction were performed at a time when the crops would not be damaged and the normal farm operations would not be disrupted. The applicant states that no final lease was negotiated but he expects to make a suitable arrangement after a construction permit has been granted. It would appear, in the light of the applicant's position last December and the tentative arrangement with the person said to be the present lessee of the proposed site, that the statement filed in May 1962, does not resolve the substantial questions raised as to whether there is reasonable assurance that the proposed site is available and whether the applicant, in his application as originally filed, willfully misrepresented the availability of the proposed site.

8. In view of the foregoing, the Commission is unable to make a statutory finding that a grant of the subject application without hearing would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues specified below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether there are adequate revenues to support more than one standard broadcast station in Blythe, California, without loss or degradation of standard broadcast service to Blythe and surrounding areas.

2. To determine whether the applicant is financially qualified to construct and operate his proposed station and whether his estimate of expected operating revenues is reasonable.

3. To determine whether there is reasonable assurance of the availability of the transmitter and studio site proposed in his application.

4. To determine whether or not the applicant made a willful misrepresentation to the Commission by proposing a site without having made adequate inquiries as to its availability.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues whether a grant of the instant application would serve the public interest, convenience, and necessity.

It is further ordered, That KYOR, Inc., licensee of Radio Station KYOR, Blythe, California, is made a party to the proceeding.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof with respect to Issue 1 is hereby placed upon KYOR, Inc.

It is further ordered, That the petition filed October 23, 1961, by KYOR, Inc., is granted to the extent indicated above, and is denied in all other respects.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.140 of the Commission's rules, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein, shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Adopted: June 27, 1962.

Released: July 3, 1962.

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

[F.R. Doc. 62-6655; Filed, July 6, 1962;
8:50 a.m.]

[Docket No. 14651; FCC 62M-932]

KFNF BROADCASTING CORP.

Order re Place of Hearing

In re applications of KFNF Broadcasting Corporation, Shenandoah, Iowa, Docket No. 14651, File No. BP-14026; for construction permit.

The hearing which had been scheduled for July 30, 1962, in Washington, D.C., has been moved by order of the Chief Hearing Examiner, released June 28, 1962, to Shenandoah and Council Bluffs, Iowa. The hearing date, however, has not been changed, and accordingly,

It is ordered, This 2d day of July 1962, that the hearing will convene Monday,

⁵ Other sources of financing referred to by the applicant are presumed to be unavailable at this time in view of his failure to document their availability. The application refers, for example, to an agreement with the manufacturer pursuant to which the latter would extend credit to the applicant for the purchase of station equipment; a copy of that agreement has not yet been submitted, however, although it was requested of the applicant in an FCC letter dated March 20, 1961. Similarly, the applicant's financial plan at one time included the discounting of a mortgage note in his possession for a consideration of more than \$30,000; this transaction, too, apparently did not materialize.

July 30, 1962, at 10 a.m., in Shenandoah, Iowa, at a place to be announced.

Released: July 2, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-6657; Filed, July 6, 1962;
8:51 a.m.]

[Docket No. 14692; FCC 62-683]

PINELLAS RADIO CO.

Order Designating Application for Hearing on Stated Issues

In re application of William D. Mangold, Francis G. Bonsey, and Edward P. Landt, d/b as Pinellas Radio Company, Pinellas Park, Florida, Docket No. 14692, File No. BP-14387; requests 570 kc, 500 w, DA-D, Class III, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 27th day of June, 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, and otherwise qualified to construct and operate the instant proposal but, for reasons indicated below, it cannot be determined that the applicant is financially qualified; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The instant proposal involves mutual co-channel interference with Station WACL, Waycross, Georgia, resulting in a loss of 18,391 (4.9%) out of 374,517 persons within the WACL service contour, based upon data submitted by the applicant.

2. The applicant has also submitted data indicating that the instant proposal will involve mutual adjacent channel interference with Station WDBO, Orlando, Florida, resulting in a loss to WDBO of 29,539 (4.2%) out of 717,286 persons within the WDBO service contour.

3. Based on information submitted by the applicant, total interference received by the instant proposal from existing stations will result in a population loss of 30,090 (10.6%) out of 286,528 persons within the normally protected service contour of the proposal, in violation of § 3.28(d)(3) of the Commission's rules. However, a study indicates that the interference that will be received by the instant proposal from existing stations will be in excess of that indicated by information submitted by the applicant.

4. On the basis of the information submitted by the applicant it cannot be concluded that the applicant has sufficient cash or liquid assets available to cover construction costs, plus the land lease, and initial operating expense (at least three months) of the proposed operation. Since the balance sheets of the

partners do not appear to show any cash or liquid assets available, it cannot be determined from what source it is proposed to secure the funds needed. With reference to plans of the applicant to convert non-liquid assets to cash, there has been no supporting information submitted to indicate the kind of asset involved, the amount of each, the stock exchange on which the stock is listed or the basis for the ready marketability of such asset.

5. One of the parties to the applicant, William D. Mangold, has a 23.9 percent ownership interest in the licensee of Station WILZ, Holiday Isles Broadcasting Co., St. Petersburg Beach, Florida, and the applicant in the instant proposal has stated that in the event of a grant of the instant application, that Mangold's interest in WILZ will be sold. A condition requiring William D. Mangold to sever all connection with Station WILZ will be included in the construction permit in the event of a grant of the instant application.

6. The proposed antenna system of Pinellas Radio Company, applicant herein, has not yet been explicitly approved by the Federal Aviation Agency but has been examined by the Commission in the light of the criteria contained in FAA Regulations, § 626.12 and it appears to meet such criteria; however, a grant of the application will be conditioned upon compliance by the permittee with any applicable procedures of the FAA.

7. The proposed antenna site is located approximately ½ mile (1.5 wavelength at 570 kc) northwest of the 500-foot tower of WGNB-FM, St. Petersburg, Florida. In the event of a grant of the instant proposal, a condition will be required in the construction permit necessitating installation and adjustment of suitable filter circuits or other equipment, if necessary, to prevent re-radiation between the proposed antenna system and the antenna system of WGNB-FM.

8. It appears that the proposed antenna site is located near the coast of Florida and that, in view of the water areas involved, a question obtains as to whether a satisfactory proof-of-performance can be made and adequate monitoring points established as required by §§ 3.151 and 3.186 of the Commission rules.

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the instant application and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Pinellas Radio Company would cause objectionable interference to Station WACL, Waycross, Georgia and Station WDBO, Orlando, Florida, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether interference received from existing stations would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Pinellas Radio Company, in contravention of § 3.28(d)(3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

4. To determine whether the proposed directional antenna site will permit compliance with §§ 3.151 and 3.186 of the Commission rules.

5. To determine whether Pinellas Radio Company is financially qualified to construct and operate its proposed station.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That Teletronics, Inc., Waycross, Georgia, and Cherry Broadcasting Company, Orlando, Florida, licensees of Stations WACL and WDBO, respectively, are made parties to the proceeding.

It is further ordered, That in the event of a grant of the instant application of Pinellas Radio Company, the construction permit shall contain the following conditions:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

This authorization is subject to compliance by permittee with any applicable procedure of the FAA.

Permittee shall assume responsibility for the installation and adjustment of suitable filter circuits or other equipment, if necessary, to prevent re-radiation between the proposed antenna system and the antenna system of WGNB-FM, St. Petersburg, Florida.

This authorization is subject to the condition that program tests will not be authorized until the permittee has shown that William D. Mangold has divested all interest in, and severed all connection with Station WILZ, St. Petersburg Beach, Florida.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and

present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(g) of the rules.

Released: July 3, 1962.

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

[F.R. Doc. 62-6658; Filed, July 6, 1962;
8:51 a.m.]

[Docket No. 14611; FCC 62M-931]

PROGRESS BROADCASTING CORP. (WHOM)

Order Continuing Hearing

In re application of Progress Broadcasting Corporation (WHOM), New York, New York, Docket No. 14611, File No. BP-13915; for construction permit.

The Hearing Examiner having under consideration petition filed June 29, 1962, on behalf of the applicant requesting an extension of time for the exchange of exhibits and for the evidentiary hearing herein;

It appearing that the exchange of exhibits is now scheduled to be accomplished on June 29, 1962, and the evidentiary hearing is scheduled for July 5, 1962;

It further appearing that petitioner pleads, inter alia, that it has undertaken certain investigations with the hope of eliminating the air space issue herein which could conceivably eliminate a substantial amount of hearing time;

It further appearing that good cause exists why said petition should be granted, the only other party to the proceeding, Chief, Broadcast Bureau, interposes no objection and consents to a waiver of § 1.43 of the Commission's rules to permit immediate consideration of said petition;

Accordingly, it is ordered, This 29th day of June 1962, that petition is granted and the time for the exchange of exhibits is extended from this date to September 14, 1962, and the hearing herein presently scheduled for July 5, 1962, be and the same is hereby rescheduled for October 9, 1962, 10:00 a.m. in the Commission's Offices, Washington, D.C.

Released: July 2, 1962.

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

[F.R. Doc. 62-6659; Filed, July 6, 1962;
8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI62-467, etc.]

H. L. HUNT ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Consolidating Proceeding With Proceedings Previously Consolidated and Set for Hearing

JUNE 29, 1962.

H. L. Hunt, et al., Docket Nos. RI62-467, etc.; Hunt Oil Company, Docket No. RI62-523.

On June 14, 1962, Hunt Oil Company¹ tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The sale is made at a pressure base of 15.025 psia. The proposed change is designated as follows:

Description: Notice of change, dated June 13, 1962.

Purchaser: Transcontinental Gas Pipe Line Corporation.

Producing area: (Thibodeaux Field, La Fourche Parish, Louisiana.)

Rate schedule designation: Supplement No. 1 to Hunt Oil Company's FPC Gas Rate Schedule No. 50.

Proposed rate: 25.55¢ per Mcf.²

Effective rate: 23.55¢ per Mcf.

Annual increase: \$519.

Effective date: July 15, 1962. (Stated effective date is the first day after expiration of the required statutory notice.)

Hunt Oil Company's proposed increased rate is similar to those that were suspended by our order issued June 14, 1962 in H. L. Hunt, et al., Docket Nos. RI62-467, et al. Moreover, for the same reasons set forth in that order, we are setting the proceeding in Docket No. RI62-523 for immediate hearing and consolidating it with the proceedings previously consolidated by the June 14, 1962 order.

The proposed increased rate of Hunt Oil Company exceeds the applicable area price level as set forth in the Commission's Statement of General Policy No. 61-1 and the amendments thereto.

The increased rate and charge of Hunt Oil Company so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of Hunt Oil Company's proposed change and that Supplement No. 1 to Hunt Oil Company's FPC Gas Rate Schedule No. 50 be suspended and the use thereof deferred as hereinafter ordered, that the proceeding in Docket No. RI62-523 herein be consolidated for the purpose of hearing with the proceedings in Docket Nos. RI62-467, et al., and that appropriate hearing pro-

¹ Address is: 700 Mercantile Bank Building, Dallas 1, Texas.

² Periodic rate increase.

cedures be prescribed for the proceeding in Docket No. RI62-523, in addition to the procedures prescribed in the order of June 14, 1962, with respect to the proceedings in Docket Nos. RI62-467, et al.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 15 and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), the proceeding in Docket No. RI62-523 is hereby consolidated for the purpose of hearing with the proceedings in Docket Nos. RI62-467, et al., and a public consolidated hearing shall be held on July 16, 1962, commencing at 10:00 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Hunt Oil Company's FPC Gas Rate Schedule No. 50, in addition to the matters and issues set forth in our order of June 14, 1962.

(B) Pending such hearing and decision thereon, Supplement No. 1 to Hunt Oil Company's FPC Gas Rate Schedule No. 50 is hereby suspended and the use thereof deferred until December 15, 1962, and thereafter until such further time as it is made effective in the manner prescribed in the Natural Gas Act.

(C) On or before July 16, 1962, Hunt Oil Company shall serve upon all parties to the proceeding in Docket No. RI62-523 its direct evidence in support of its proposed increased rate and charge for the subject sale; witnesses for Hunt Oil Company in the proceeding in Docket No. RI62-523 shall adopt their testimony on or before July 23, 1962, and shall be cross-examined with respect thereto immediately thereafter, or at such later date as the presiding examiner deems appropriate in consonance with the procedures outlined in our order of June 14, 1962. Except to the extent that such procedures have been modified herein, the hearing procedures set forth in our order of June 14, 1962, shall be followed.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until the proceeding in Docket No. RI62-523 has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene in the proceeding in Docket No. RI62-523 may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before July 6, 1962. Answers to petitions to intervene may be filed within ten days after the date of service of the petition, but in no event later than July 12, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6630; Filed, July 6, 1962;
8:47 a.m.]

[Docket No. RP60-14]

KANSAS-NEBRASKA NATURAL GAS CO., INC.**Order Permitting Intervention and Fixing Date of Hearing**

JUNE 29, 1962.

This proceeding involves the proposed increased rates and charges tendered for filing by Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska), on May 16, 1960,¹ for sales of natural gas produced in Camrick Field, Texas County, Oklahoma, to Northern Natural Gas Company (Northern). By order issued June 15, 1960, the Commission provided for hearing and suspended the tendered filing until August 1, 1960, on which date the proposed changes in rates and charges became effective subject to refund in this proceeding. No hearing has been held herein.

Northern Natural Gas Company, the purchaser under the subject rate schedule, on July 21, 1960, filed a petition to intervene herein.

The Commission finds: The participation of Northern Natural Gas Company may be in the public interest.

The Commission orders:

(A) Northern Natural Gas Company is hereby permitted to become an intervenor in this proceeding subject to the rules and regulations of the Commission: *Provided, however*, That the participation of such intervenor shall be limited to the matters affecting asserted rights and interests specifically set forth in its petition for leave to intervene: *And provided, further*, That the admission of such intervenor shall not be construed as recognition by the Commission that such intervenor might be aggrieved by any order or orders of the Commission entered in this proceeding.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly, sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held commencing July 16, 1962, at 10:00 a.m., e.d.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved and the issues presented in this proceeding.

(C) The Respondent, Kansas-Nebraska, shall serve its prepared testimony and exhibits for its case-in-chief upon the Commission staff and all other parties, on or before July 10, 1962.

(D) Notices and petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 9, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6631; Filed, July 6, 1962; 8:47 a.m.]

¹ Kansas-Nebraska filed re-designated tariff sheets on May 26, 1960, replacing those filed on May 16, 1960.

[Docket No. G-233 etc.]

UNITED GAS PIPE LINE CO. ET AL.**Order Dismissing Requests and Fixing Date of Hearing**

JUNE 29, 1962.

United Gas Pipe Line Company, Docket No. G-233; Natural Gas Pipe Line Company of America, Docket No. G-235A; Arkansas Louisiana Gas Company, Docket No. G-253; Montana-Dakota Utilities Company, Docket No. G-584; Northern Natural Gas Company, Docket No. G-643; Colorado-Wyoming Gas Company, Docket No. G-738; North Central Gas Company, Docket No. G-758; Northern Utilities Company, Docket No. G-759; Washington Gas Light Company, Docket No. CP62-205.

All of the above-captioned applicants have filed applications requesting that the Commission make a determination pursuant to section 7(f) of the Natural Gas Act prescribing service areas all as more fully set forth in their applications which are on file with the Commission and open to public inspection.

Applications in the above-captioned dockets were filed on the dates indicated below:

Docket No., Applicant, and Date Filed

G-233; United Gas Pipe Line Co.; February 11, 1942.
G-235A; Natural Gas Pipe Line Co. of America; February 23, 1942.
G-253; Arkansas Louisiana Gas Co.; April 14, 1942.
G-584; Montana-Dakota Utilities Co.; October 7, 1942.
G-643; Northern Natural Gas Co.; June 18, 1945.
G-738; Colorado-Wyoming Gas Co.; June 17, 1946.
G-758; North Central Gas Co.; July 22, 1946.
G-759; Northern Utilities Co.; July 22, 1946.
CP62-205; Washington Gas Light Co.; February 28, 1962.

Washington Gas Light Company (Washington) is the only applicant who has, within a decade, submitted a filing for a determination under section 7(f) of the Act. Washington seeks a determination of a service area by the Commission under section 7(f) of the Act in order to enable it without further authorization of this Commission to enlarge or extend its facilities to meet increased customer requirements within such service area.

The territory which applicant requests the Commission to include in the determination of Applicant's requested service area consists of the following:

The District of Columbia; Montgomery and Prince Georges Counties in Maryland; Arlington, Fairfax, Loudoun, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties exclusive, however, of the following areas:

Exclusion 1. The area in Prince Georges County, Maryland, known as Laurel Election District Number 10, of Prince Georges County, and described more fully in the application.

Exclusion 2. The area in Prince William County, Virginia, known as Dumfries and vicinity, and Quantico Marine Base and terri-

tory adjacent thereto along the southern boundary of Prince William County and described more fully in the application.

Washington makes no sales for resale. All the natural gas received by Washington is received within its service area and is ultimately consumed within such area. Washington's rates, service, and facilities in the District of Columbia are subject to regulation by the Public Utilities Commission of the District of Columbia; those in Maryland by the Public Service Commission of Maryland; and those in Virginia by the State Corporation Commission of Virginia.

The population of the metropolitan area is continuing to expand and Washington anticipates the continued expansion of business in the Requested Service Area, especially in Maryland and Virginia. In order to meet the requirements of an expanding population it will be necessary for Washington to constantly extend new mains from its present distribution system.

Any extension of service by Washington will be pursuant to and in accordance with the regulations and orders of the respective regulatory commissions of the two states and the District of Columbia. A determination by this Commission pursuant to section 7(f) relative to the service area requested by Washington, will enable that company to extend its presently existing facilities without requiring such extensions to be the subject of duplicative regulation.

An analysis of the applications filed by the other above-captioned applicants makes it manifest that they are not similar to Washington which is primarily a local distributor having no rates subject to federal regulation.

It is also apparent from the language of section 7(f) of the Act that even after a formal hearing, it is within the discretion of the Commission as to whether or not it should define a service area.

The provisions of section 7(f) of the Act are as follows:

(f) The Commission, after a hearing had upon its own motion or upon application, may determine the service area to which each authorization under this section is to be limited. Within such service area as determined by the Commission a natural-gas company may enlarge or extend its facilities for the purpose of supplying increased market demands in such service area without further authorization.

It seems manifest that the restricted application of section 7(f) of the Act to those facts underlying the Washington filing enables that section to contribute to the over-all regulatory scheme envisaged by the Natural Gas Act. It is equally apparent that if the Commission in its discretion were to permit other types of applicants, particularly interstate pipelines which perform essentially a transmission service, to invoke the provisions of section 7(f) of the Act that interminable disputes and long drawn-out hearings of dubious benefit would necessarily ensue.

The Commission finds:

(1) That each of the above-captioned applicants is a natural gas company sub-

ject to the provisions of the Natural Gas Act.

(2) That Washington is primarily a distribution company and the extension of its facilities is subject to duplicative regulation by this Commission and by state commissions.

(3) That the public interest may require that in the circumstances applicable to Washington the Commission permit the provisions of section 7(f) to be invoked.

(4) That the operations of Washington appear to differ in essential respects from those of the above-mentioned applicants.

(5) That formal hearings should be held to determine whether or not the Commission should prescribe a service area for Washington, and, if so, what proper geographical limitations should be accorded such a service area.

The Commission orders:

(A) That those applications filed by all of the above-mentioned applicants other than Washington be dismissed.

(B) That pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure a hearing be held on July 16, 1962 at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues noted above.

(C) Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 9, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-6634; Filed, July 6, 1962; 8:47 a.m.]

OFFICE OF EMERGENCY PLANNING

INVESTIGATION OF IMPORTS OF HARD-FIBER CORDAGE AND TWINE PRODUCTS

Notice of Publication of Report

The Director of the Office of Emergency Planning made public on June 21, 1962, his report in the above matter. The report is made in the form of a "Memorandum of Decision" and concludes an investigation on application of the Columbian Rope Company, Plymouth Cordage Company, and other members of the domestic industry on March 25, 1960, under authority of section 8 of the Trade Agreements Extension Act of 1958.

The Director found that hard-fiber cordage and twine products are not being imported into the United States in such quantities or under such circumstances

as to threaten to impair the national security.

Dated: June 29, 1962.

EDWARD A. McDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 62-6649; Filed, July 6, 1962; 8:49 a.m.]

TARIFF COMMISSION

[87-456-1]

TARIFF CLASSIFICATION STUDY

Second Supplemental Report

The Tariff Commission on June 29, 1962, submitted to the President and the Congress the second supplemental report relating to the Tariff Classification Study of November 15, 1960. This report was made pursuant to the Tariff Classification Act of 1962 (Public Law 87-456, approved May 24, 1962).

The second supplemental report sets forth changes made by the Commission in certain provisions of the Tariff Schedules of the United States identified in the Commission's public notice of June 1, 1962 (27 F.R. 5359). The report also contains an explanation of such changes and an appendix which includes written views and oral testimony received by the Commission.

The report was made available for public inspection upon submission to the President and the Congress, as provided in § 201.5 of the Commission's rules of practice and procedure. Copies of the report (not including the appendix thereto) have been reproduced and may be obtained from the Secretary, United States Tariff Commission, Washington 25, D.C., as long as the supply lasts.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 62-6747; Filed, July 6, 1962; 11:55 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3445]

E. L. BRUCE CO.

Order Summarily Suspending Trading

JULY 2, 1962.

The common stock, par value \$1, of E. L. Bruce Co. (Incorporated), being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, de-

ceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 3, 1962 to July 12, 1962, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-6640; Filed, July 6, 1962; 8:48 a.m.]

[File No. 70-4049]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Proposed Issuance of Notes to Banks

JUNE 29, 1962.

Notice is hereby given that Michigan Wisconsin Pipe Line Company ("Michigan Wisconsin"), 500 Griswold Street, Detroit 26, Michigan, a nonutility subsidiary company of American Natural Gas Company, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transaction. All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Michigan Wisconsin proposes to issue to a group of banks, from time to time during the year 1962, up to an aggregate of \$21,000,000 of promissory notes. The notes will be dated as of the date of issuance and will mature on July 31, 1963. They will be issued in varying amounts and at various dates as funds are required by the company. Each note will bear interest at the prime rate (presently 4½ percent per annum) of First National City Bank, New York, New York ("First National"), in effect on the date of each borrowing, and the interest rate will be adjusted to the prime rate in effect at First National at the beginning of each 90-day period subsequent to the date of the first borrowing. There is no commitment fee, and the notes may be prepaid at any time without penalty.

Michigan Wisconsin has obtained a line of credit from a group of banks, the names and respective commitments of which are as follows:

| Name of bank | Amount of commitment |
|---|----------------------|
| First National City Bank, New York, N.Y. | \$8,000,000 |
| National Bank of Detroit, Detroit, Mich. | 6,500,000 |
| Manufacturers Hanover Trust Company, New York, N.Y. | 3,000,000 |
| Mellon National Bank and Trust Company, Pittsburgh, Pa. | 2,000,000 |
| First Wisconsin National Bank of Milwaukee, Milwaukee, Wis. | 1,000,000 |
| Marine National Exchange Bank, Milwaukee, Wis. | 500,000 |
| Total | \$21,000,000 |

Michigan Wisconsin proposes to use the amounts borrowed under the line of credit, together with treasury funds, to retire \$8,000,000 of outstanding notes, incurred to finance the 1961 construction program, and to finance its 1962 construction program the cost of which is estimated at \$13,500,000.

The application states that the company's expenses incident to the proposed issuance of notes is estimated at \$1,000 and that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than July 24, 1962, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-6641; Filed, July 6, 1962;
8:48 a.m.]

[File No. 1-4583]

PRECISION MICROWAVE CORP.

Order Summarily Suspending Trading JULY 2, 1962.

The Common Stock, Par Value \$1.00, of Precision Microwave Corp., being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the sum-

mary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 3, 1962, to July 12, 1962, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-6642; Filed, July 6, 1962;
8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001) the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below.

The following certificates were issued pursuant to § 519.6 (c) and (g) providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1.00 an hour in the base period. Pursuant to § 519.6(b) of the regulation, the mini-

mum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

Region I

S. S. Kresge Co. (#651), New London Shopping Center, 318 U.S. Route No. 1, New London, Conn.; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. S. Kresge Co., 10 Colony Street, Meriden, Conn.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co., 118 State Street, New London, Conn.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co., 2300 Dixwell Street, Hamden, Conn.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#66), 1025 Main Street, Bridgeport, Conn.; effective 6-10-62 to 6-9-63 (variety store; 68 employees).

S. S. Kresge Co. (#693), Enfield Shopping Center, 610 Enfield Street, Thompsonville, Conn.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. S. Kresge Co. (#598), 1128 New Britain Avenue, West Hartford, Conn.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co., 25 South Main Street, Waterbury, Conn.; effective 6-10-62 to 6-9-63 (variety store; 68 employees).

S. S. Kresge Co., 842 Chapel Street, New Haven 10, Conn.; effective 6-10-62 to 6-9-63 (variety store; 82 employees).

S. S. Kresge Co., 518 Congress Street, Portland, Maine; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. S. Kresge Co. (#60), 60 Lisbon Street, Lewiston, Maine; effective 6-10-62 to 6-9-63 (variety store; 57 employees).

S. S. Kresge Co., Northshore Shopping Center, Peabody, Mass.; effective 6-10-62 to 6-9-63 (variety store; 70 employees).

S. S. Kresge Co., 121 Main Street, Brockton, Mass.; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

S. S. Kresge Co. (#192), 71 South Main Street, Fall River, Mass.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge Co. (#532), 24 Corinth Street, Boston 31 (Roslindale) Mass.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#653), Porter Square Shopping Center, 35 White Street, Cambridge 40, Mass.; effective 6-10-62 to 6-9-63 (variety store; 54 employees).

S. S. Kresge Co., 824 Purchase Street, New Bedford, Mass.; effective 6-10-62 to 6-9-63 (variety store; 54 employees).

S. S. Kresge Co., 780 Dudley Street, Dorchester, Mass.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co., 35 Merrimack Street, Lowell, Mass.; effective 6-10-62 to 6-9-63 (variety store; 74 employees).

S. S. Kresge Co. (#26), 1534 Main Street, Springfield 3, Mass.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge Co., 3 Pleasant Street, Newburyport, Mass.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. S. Kresge Co. (#165), 477 Washington Street, Boston 11, Mass.; effective 6-10-62 to 6-9-63 (variety store; 183 employees).

S. S. Kresge Co., 614-616 Massachusetts Avenue, Cambridge 39, Mass.; effective 6-10-62 to 6-9-63 (variety store; 50 employees).

S. S. Kresge Co. (#294), 329 Union Street, Lynn, Mass.; effective 6-10-63 to 6-9-63 (variety store; 51 employees).

S. S. Kresge Co., 1445 Hancock Street, Quincy, Mass.; effective 6-10-62 to 6-9-63 (variety store; 70 employees).

S. S. Kresge Co., 343 Essex Street, Lawrence, Mass.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. S. Kresge Co., 76 North Main Street, Concord, N.H.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. S. Kresge Co., 191 Westminster Street, Providence 3, R.I.; effective 6-10-62 to 6-9-63 (variety store; 50 employees).

S. S. Kresge Co. (#397), 47 Church Street, Burlington, Vt.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

S. S. Kresge Co. (#339), 68 Merchants Row, Rutland, Vt.; effective 6-10-62 to 6-9-63 (variety store; 8 employees).

J. J. Newberry Co. (#373), 788 Chapel Street, New Haven, Conn.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

J. J. Newberry Co. (#351), Norway, Maine; effective 6-10-62 to 6-9-63 (variety store; 17 employees).

J. J. Newberry Co. (#238), 362 Main Street, Rockland, Maine; effective 6-10-62 to 6-9-63 (variety store; 11 employees).

J. J. Newberry Co. (#87), 15-29 Main Street, Bangor, Maine; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

J. J. Newberry Co., 45-57 Main Street, Farmington, Maine; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

Region II

Fisher-Bear Co., Inc., 2844-50 Hudson Boulevard, Jersey City, N.Y.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

H. L. Green Co. (#1025), 130 Broad Street, Elizabeth, N.J.; effective 6-10-62 to 6-9-63 (variety store; 63 employees).

H. L. Green Co., Inc. (#1034), Circle Plaza, Manasquan, N.J.; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

S. S. Kresge Co., 475 Broadway, Bayonne, N.J.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

S. S. Kresge Co. (#562), 575 Bloomfield Avenue, Bloomfield, N.J.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#243), Mid-State Mall, Route 18 and West Prospect Street, East Brunswick, N.J.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#498), Monmouth Shopping Center, Eatontown, N.J.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge Co. (#573), Ellisburg Circle Shopping Center, 1600 Kings Highway East, Haddonfield, N.J.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. S. Kresge Co. (#263), 345 Central Avenue, Jersey City, N.J.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. S. Kresge Co. (#608), 17 Park Place, Morristown, N.J.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#392), 514 Bloomfield Avenue, Montclair, N.J.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. S. Kresge Co. (#260), 696 Main Avenue, Passaic, N.J.; effective 6-10-62 to 6-9-63 (variety store; 59 employees).

S. S. Kresge Co. (#30), 228 Main Street, Paterson, N.J.; effective 6-10-62 to 6-9-63 (variety store; 71 employees).

S. S. Kresge Co. (#367), 124 Smith Street, Perth Amboy, N.J.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#75), Blue Star Shopping Center, U.S. Highway 22 and Bonnie Burn Road, Plainfield, N.J.; effective 6-10-62 to 6-9-63 (variety store; 85 employees).

S. S. Kresge Co. (#23), North Harrison Street, Princeton Shopping Center, Princeton, N.J.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#65), 115 East State Street, Trenton, N.J.; effective 6-10-62 to 6-9-63 (variety store; 98 employees).

S. S. Kresge Co. (#587), 66 South Broad Street, Woodbury, N.J.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

M. H. Lamston, Inc., 123 Halsey Street, Newark, N.J.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

McCrorry-McLellan-Green Store (#272), 767 Bergen Avenue, Jersey City, N.J.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

McCrorry McLellan Green Corp., 648 Main Avenue, Passaic, N.J.; effective 6-10-62 to 6-9-63 (variety store; 139 employees).

McCrorry (#1006), 239 East Front Street, Plainfield, N.J.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

J. J. Newberry Co. (#216), Bridgeton, N.J.; effective 6-10-62 to 6-9-63 (variety store; 12 employees).

J. J. Newberry Co. (#107), 7 West Main Street, Freehold, N.J.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

Newberry Monmouth, Inc. (#17), 366 George Street, New Brunswick, N.J.; effective 6-10-62 to 6-9-63 (variety store; 76 employees).

Newberry Monmouth, Inc. (#157), 17 West Front Street, Keyport, N.J.; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

J. J. Newberry Co. (#57), 30 North High Street, Millville, N.J.; effective 6-10-62 to 6-9-63 (variety store; 10 employees).

J. J. Newberry Co., Morris and Mountain Avenues, Springfield, N.J.; effective 6-10-62 to 6-9-63 (variety store; 75 employees).

Newberry Vineland Corp. (#187), 631-33 Landis Avenue, Vineland, N.J.; effective 6-10-62 to 6-9-63 (variety store; 98 employees).

Neisner Brothers, Inc. (#142), 2461 Brunswick Pike, Trenton, N.J.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

McCrorry Store, 104-6 Smith Street, Perth Amboy, N.J.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

Region III

S. S. Kresge Co. (#698), 460 Harundale Shopping Center, Glen Burnie, Md.; effective 6-10-62 to 6-9-63 (variety store; 57 employees).

S. S. Kresge Co. (#327), 3614 Germantown Avenue, Philadelphia 40, Pa.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

S. S. Kresge Co., 16 South Centre Street, Pottsville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

S. S. Kresge Co., 1539 Potomac Avenue, Hagerstown, Md.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#543), Miracle Mile Shopping Center, Monroeville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 61 employees).

S. S. Kresge Co. (#341), 3842 Donnell Drive, Washington 28, D.C.; effective 6-10-62 to 6-9-63 (variety store; 54 employees).

S. S. Kresge Co. (#492), Springfield Shopping Center, 799 Sproul Road, Springfield, Pa.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#153), 666 Pennsylvania Avenue SE., Washington 3, D.C.; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. S. Kresge Co., East Hills Center, Penn Hills Branch, Pittsburg 35, Pa.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

S. S. Kresge Co. (#302), Great Southern Shoppers Mart, Washington Pike, Bridgeville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#143), 108 West Broad Street, Hazleton, Pa.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#476), Levittown, Pa.; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

S. S. Kresge Co., Unit B-5, Camp Hill Shopping Center, Camp Hill, Pa.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

S. S. Kresge Co. (#284), Unit #68, Pleasant Valley Shopping Center, 3415 Pleasant Valley Boulevard, Altoona, Pa.; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

S. S. Kresge Co. (#378), 45 Seneca Street, Oil City, Pa.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#478), 204 Liberty Street, Warren, Pa.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

S. S. Kresge Co. (#639), 1634 West State Street, Baden, Pa.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

S. S. Kresge Co., 801 Market Street, Wilmington 1, Del.; effective 6-10-62 to 6-9-63 (variety store; 52 employees).

S. S. Kresge Co. (#576), 5501 Harford Road, Baltimore 14, Md.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. S. Kresge Co. (#475), 575 Morgantown Street, Uniontown, Pa.; effective 6-10-62 to 6-9-63 (variety store; 52 employees).

McCrorry McLellan Green, 744 Cumberland Street, Lebanon, Pa.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co., 130 Kline Village Annex, Harrisburg, Pa.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

S. S. Kresge Co. (#691), Congressional Plaza, 1631 East Montgomery Avenue, Rockville, Md.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

S. S. Kresge Co., 5614 North Fifth Street, Philadelphia 20, Pa.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

McCrorry Stores Corp. (#46), 13-15 North Market Street, Frederick, Md.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

McCrorry's Store (#104), 200-202 North Front Street, Philipsburg, Pa.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

McCrorry Stores Corp. (#316), Gateway Shopping Center, South Wyoming Avenue, Edwardsville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

J. J. Newberry Co. (#117), 30-45 West Broad Street, Tamaqua, Pa.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

W. T. Grant Co. (#28), 508 Penn Street, Reading, Pa.; effective 6-10-62 to 6-9-63 (variety store; 72 employees).

Newberry Coatesville Corp., 221-227 East Lincoln Highway, Coatesville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

McCrorry-McLellan-Green Store (#1037), 9 North Centre Street, Pottsville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

J. J. Newberry Co., 61-75 West Washington Street, Hagerstown, Md.; effective 6-10-62 to 6-9-63 (variety store; 105 employees).

J. J. Newberry Co., 2028 Main Street, Northampton, Pa.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

J. J. Newberry Co. (#34), 58 West Main Street, Waynesboro, Pa.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

Newberry Susquehanna, Inc., 416-422 Market Street, Sunbury, Pa.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

J. J. Newberry Co. (#181), 258-266 Mill Street, Danville, Pa.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

McCrorry-McLellan-Green Stores (#39), 33-37 Frederick Street, Hanover, Pa.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co. (#92), 415 Lackawanna Avenue, Scranton 3, Pa.; effective 6-10-62 to 6-9-63 (variety store; 96 employees).

McCrorry-McLellan-Green Stores (#1029), 231 Fifth Avenue, McKeesport, Pa.; effective 6-10-62 to 6-9-63 (variety store; 114 employees).

McCrorry-McLellan-Green Stores (#325), Bucks County, Fairless Hills, Pa.; effective 6-10-62 to 6-9-63 (variety store; 17 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#269), Cottman-Caster Shopping Center, 2051 Cottman Avenue, Philadelphia 49, Pa.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

Region IV

R. Aland Stores, Inc., 1801 Second Avenue North, Birmingham 3, Ala.; effective 6-10-62 to 6-9-63 (specialty store; 97 employees).

Eagle Stores Co., Inc., 5613 Rivers Avenue, Palmetto Shopping Center, Charleston Heights, S.C.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

H. L. Green Co., Inc., 1908 North Second Avenue, Birmingham, Ala.; effective 6-10-62 to 6-9-63 (variety store; 50 employees).

S. S. Kresge Co., 32 Midfield Park Place, Birmingham 8, Ala.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co., 4425-14th Street West, Bradenton, Fla.; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

S. S. Kresge Co., 18328 NW. Seventh Avenue, Miami, Fla.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co., 4390 Sixth Street South, St. Petersburg, Fla.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

S. S. Kresge Co., 6864 Gulfport Boulevard, St. Petersburg 7, Fla.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co., 2581 Piedmont Road, NE., Atlanta, Ga.; effective 6-10-62 to 6-9-63 (variety store; 52 employees).

S. S. Kresge Co., 1400 Moreland Avenue SE., Atlanta, Ga.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. S. Kresge Co., Lenox Square, Lenox and Peachtree Roads NE., Atlanta 5, Ga.; effective 6-10-62 to 6-9-63 (variety store; 61 employees).

McCrorry, 409-19th Street, Ensley, Ala.; effective 6-10-62 to 6-9-63 (variety store; 77 employees).

McCrorry's Store, 103 North Boulevard, DeLand, Fla.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

McCrorry's, 108-110 Broadway, Kissimmee, Fla.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

McCrorry Store, 1124 Broadway, Columbus, Ga.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

McCrorry's, 512 North Limestone Street, Gaffney, S.C.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

McCrorry-McLellan-Green Stores, Parkway City, Huntsville, Ala.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

McCrorry-McLellan-Green Stores, 509-513 Cleveland Street, Clearwater, Fla.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

McCrorry-McLellan-Green, 275 East Clayton, Athens, Ga.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

McCrorry-McLellan-Green Stores Division, 870 Broad Street, Augusta, Ga.; effective 6-10-62 to 6-9-63 (variety store; 96 employees).

McCrorry-McLellan-Green, 1141 Broadway, Columbus, Ga.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

McCrorry-McLellan-Green, 2-6 South Main Street, Moultrie, Ga.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

McCrorry-McLellan-Green Stores, 229-231 Main Street, McComb, Miss.; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

McCrorry-McLellan-Green Stores, 135 East Main Street, Rock Hill, S.C.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

McLellan Stores Co., 56 South Park Square, Marietta, Ga.; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

Neisner Brothers, Inc., 18260 Collins Avenue, Miami Beach, Fla.; effective 6-10-62 to 6-9-63 (variety store; 14 employees).

Neisner Brothers, Inc., 8825 Florida Avenue, Tampa, Fla.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

J. J. Newberry Co., 7 Dexter Avenue, Montgomery, Ala.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

J. J. Newberry Co., 37 Whitehall Street SW., Atlanta, Ga.; effective 6-10-62 to 6-9-63 (variety store; 159 employees).

J. J. Newberry Co., 1147 Broadway, Columbus, Ga.; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

J. J. Newberry Co., 2212 Fifth Street, Meridian, Miss.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

J. J. Newberry Co., 1002 Broad Street, Camden, S.C.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

Raylass Department Store, 835-841 Broad Street, Augusta, Ga.; effective 6-10-62 to 6-9-63 (department store; 18 employees).

Raylass Department Store, 146 South Main Street, Rock Hill, S.C.; effective 6-10-62 to 6-9-63 (department store; 13 employees).

Rose's 5-10-25¢ Store, Milledgeville, Ga.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

Rose's 5-10-25¢ Stores, Inc., 1815 Watson Boulevard, Warner Robins, Ga.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

Rose's 5-10-25¢ Store, 1246-1250 Carolina Avenue, Hartsville, S.C.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

Region V

Grubers Food Market, Petersburg, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Grubers Food Markets; 211 North Telegraph, Monroe, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Grubers Food Market, Inc., 515 West Main, Milan, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Grubers Food Market, Ida, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Grubers Food Markets, Inc., 545 East Monroe, Dundee, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Grubers Food Markets, Inc., 950 South Monroe, Monroe, Mich.; effective 6-10-62 to 6-9-63 (food store; 163 employees).

Jupiter, 525 Main Street, Zanesville, Ohio; effective 6-10-62 to 6-9-63 (variety store; 10 employees).

Jupiter, 216 South Washington, Lansing, Mich.; effective 6-10-62 to 6-9-63 (variety store; 7 employees).

Jupiter, 346 East Main, Alliance, Ohio; effective 6-10-62 to 6-9-63 (variety store; 7 employees).

S. S. Kresge Co. (#529), 1 East Front, Monroe, Mich.; effective 6-10-62 to 6-9-63 (variety store; 61 employees).

S. S. Kresge Co. (#536), 12 East Eighth Street, Holland, Mich.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#449), 8409 Carnegie, Cleveland, Ohio; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#685), 1750 Dix Highway, Lincoln Park, Mich.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge Co. (#659), 25465 Grand River, Detroit 40, Mich.; effective 6-10-62 to 6-9-63 (variety store; 68 employees).

S. S. Kresge Co. (#640), Northern Lights Shopping Center, 3477 Cleveland, Columbus, Ohio; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#638), Kenwood Plaza, 7867 Montgomery, Cincinnati 36, Ohio; effective 6-10-62 to 6-9-63 (variety store; 47 employees).

S. S. Kresge Co. (#586), 711 Wheeling, Cambridge, Ohio; effective 6-10-62 to 6-9-63 (variety store; 47 employees).

S. S. Kresge Co. (#531), 6869 Southland Drive, Middleburg Heights 30, Ohio; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

S. S. Kresge Co. (#527), 17646 Joy, Detroit 28, Mich.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#443), Reading Road and Seymour Avenue, Cincinnati 37, Ohio; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#365), 18933 Woodward Avenue, Highland Park 3, Mich.; effective 6-10-62 to 6-9-63 (variety store, 34 employees).

S. S. Kresge Co. (#307), 103 South Third, Ironton, Ohio; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#298), 5700 Broadway, Cleveland, Ohio; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#267), 402 Euclid, Cleveland 14, Ohio; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. S. Kresge Co. (#223), 224 High Street, Hamilton, Ohio; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co. (#190), 7717 East Seven Mile, Detroit 34, Mich.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#171), 108 West Main, Lancaster, Ohio; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. S. Kresge Co. (#160), 317 South State, Ann Arbor, Mich.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#118), 2180 Brookpark, Cleveland 34, Ohio; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

S. S. Kresge Co. (#51), 201 North Main, Lima, Ohio; effective 6-10-62 to 6-9-63 (variety store; 86 employees).

S. S. Kresge Co. (#28), 216 Euclid Avenue, Cleveland 14, Ohio; effective 6-10-62 to 6-9-63 (variety store; 179 employees).

S. S. Kresge Co. (#27), Wonderland Shopping Center, 29589 Plymouth Road, Livonia, Mich.; effective 6-10-62 to 6-9-63 (variety store; 103 employees).

S. S. Kresge Co. (#9), 123 South Main, Dayton 2, Ohio; effective 6-10-62 to 6-9-63 (variety store; 80 employees).

S. S. Kresge Co. (#699), 5010 Dixie Highway, Dayton Plains, Mich.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#677), North Hill Shopping Center, 1471 Rochester Road, Rochester, Mich.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#670), 31039 Harper, St. Clair Shores, Mich.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

S. S. Kresge Co. (#631), 4207 North Main, Dayton 5, Ohio; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

S. S. Kresge Co. (#623), 360 Main, Plymouth, Mich.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#606), 4503 Mayfield Road, Cleveland, Ohio; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#518), 200 Michigan, Ypsilanti, Mich.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. S. Kresge Co. (#447), 65 Midway Plaza, Tallmadge, Ohio; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#381), 40-44 North Paint, Chillicothe, Ohio; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

S. S. Kresge Co. (#352), 14300 Jefferson, Detroit 15, Mich.; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

S. S. Kresge Co. (#257), 33111 Plymouth, Livonia, Mich.; effective 6-10-62 to 6-9-63 (variety store; 698 employees).

S. S. Kresge Co. (#47), 5267 Delhi Pike, Cincinnati 38, Ohio; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. S. Kresge Co. (#29), 657 Harrisburg Pike, Columbus 23, Ohio; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#21), 35 West Michigan, Battle Creek, Mich.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#5), 85 North High, Columbus 15, Ohio; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co. (#687), 13751 Eureka, Wyandotte, Mich.; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

S. S. Kresge Co. (#684), 2301 South Telegraph, Pontiac, Mich.; effective 6-10-62 to 6-9-63 (variety store; 69 employees).

S. S. Kresge Co. (#682), 3861 South High, Columbus 7, Ohio; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#676), 1301 Pleasant Valley Road, Parma 34, Ohio; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

S. S. Kresge Co. (#674), 2505 Parkman Road, Trumbull Plaza, Warren, Ohio; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co. (#658), 39 Norton Village Shopping Center, 3140 Greenwich Road, Barberton, Ohio; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. S. Kresge Co. (#652), 14060 Telegraph, Detroit 39, Mich.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#649), 4271 West Third, Dayton 17, Ohio; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#646), 3301 West Central, Toledo 6, Ohio; effective 6-10-62 to 6-9-63 (variety store; 68 employees).

S. S. Kresge Co. (#643), 137 Graceland Boulevard, Columbus 14, Ohio; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

S. S. Kresge Co. (#642), G-3367 Fenton, Flint, Mich.; effective 6-10-62 to 6-9-63 (variety store; 69 employees).

S. S. Kresge Co. (#636), 3890 East Broad, Columbus, Ohio; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

S. S. Kresge Co. (#628), 316 Stroop, Kettering 39, Ohio; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

S. S. Kresge Co. (#614), 4087 Lee, Cleveland 20, Ohio; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#605), 6530 Allen, Allen Park, Mich.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#604), 3750 East Broad, Columbus 13, Ohio; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#603), 15818 Broadway, Maple Heights 37, Ohio; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co. (#588), 365 Boardman Canfield Road, Youngstown, Ohio; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

S. S. Kresge Co. (#580), 13546 Michigan, Dearborn, Mich.; effective 6-10-62 to 6-9-63 (variety store; 56 employees).

S. S. Kresge Co. (#577), 10563 West Jefferson, River Rouge 13, Mich.; effective 6-10-62 to 6-9-63 (variety store; 57 employees).

S. S. Kresge Co. (#550), 10786 Grand River, Detroit 4, Mich.; effective 6-10-62 to 6-9-63 (variety store; 85 employees).

S. S. Kresge Co. (#577), 1411 S O M Center Road, Cleveland 24, Ohio; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#549), 510 Frandor, Lansing, Mich.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#533), 14301 Gratiot, Detroit, Mich.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

S. S. Kresge Co. (#507), 1104 Ludington, Escanaba, Mich.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. S. Kresge Co. (#499), 211 East Front, Traverse City, Mich.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. S. Kresge Co. (#495), 1400 South Arlington, Akron 6, Ohio; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#490), 22022 Michigan, Dearborn, Mich.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#488), 326 North Main, Piqua, Ohio; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. S. Kresge Co. (#458), 438 Market, Steubenville, Ohio; effective 6-10-62 to 6-9-63 (variety store; 51 employees).

S. S. Kresge Co. (#456), Eastland Center, Detroit 36, Mich.; effective 6-10-62 to 6-9-63 (variety store; 171 employees).

S. S. Kresge Co. (#453), 1155 West 14 Mile Road, Clawson, Mich.; effective 6-10-62 to 6-9-63 (variety store; 54 employees).

S. S. Kresge Co. (#428), 310 Genessee, Saginaw, Mich.; effective 6-10-62 to 6-9-63 (variety store; 78 employees).

S. S. Kresge Co. (#415), 26280 Eastgate Boulevard, Roseville, Mich.; effective 6-10-62 to 6-9-63 (variety store; 107 employees).

S. S. Kresge Co. (#411), 11008 Lorain, Cleveland 11, Ohio; effective 6-10-62 to 6-9-63 (variety store; 75 employees).

S. S. Kresge Co. (#406), O'Neil Sheffield Shopping Center, 1321 North Ridge Road, Lorain, Ohio; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#404), 15 South Telegraph, Pontiac, Mich.; effective 6-10-62 to 6-9-63 (variety store; 47 employees).

S. S. Kresge Co. (#403), 405 Stephenson, Iron Mountain, Mich.; effective 6-10-62 to 6-9-63 (variety store; 54 employees).

S. S. Kresge Co. (#377), 501 M Street, Zanesville, Ohio; effective 6-10-62 to 6-9-63 (variety store; 79 employees).

S. S. Kresge Co. (#376), 3191 Westgate, Cleveland 26, Ohio; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

S. S. Kresge Co. (#369), 11960 East Warren, Detroit 14, Mich.; effective 6-10-62 to 6-9-63 (variety stores; 61 employees).

S. S. Kresge Co. (#362), 143 West Center, Marion, Ohio; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

S. S. Kresge Co. (#354), 1106 South Main, Akron 1, Ohio; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#350), 6090 Shaefer Highway, Dearborn 2, Mich.; effective 6-10-62 to 6-9-63 (variety store; 47 employees).

S. S. Kresge Co. (#299), 125 West Market, Warren, Ohio; effective 6-10-62 to 6-9-63 (variety store; 65 employees).

S. S. Kresge Co. (#296), 3116 12 Mile Road, Berkley, Mich.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#290), 18610 Fenkell, Detroit 23, Mich.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

S. S. Kresge Co. (#289), 19215 Mack, Detroit 36, Mich.; effective 6-10-62 to 6-9-63 (variety store; 51 employees).

S. S. Kresge Co. (#228), 29650 Lakeshore Boulevard, Willowick, Ohio; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#248), 16 South Detroit, Xenia, Ohio; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

S. S. Kresge Co. (#214), G-3441, Clio, Flint, Mich.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

S. S. Kresge Co. (#211), 14551 Woodward, Highland Park, Mich.; effective 6-10-62 to 6-9-63 (variety store; 98 employees).

S. S. Kresge Co. (#208), 15221 Houston, Detroit 5, Mich.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#203), 989 Lila, Milford, Ohio; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#185), 200 West Nine Mile Road, Ferndale, Mich.; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

S. S. Kresge Co. (#150), 400 Chillicothe, Portsmouth, Ohio; effective 6-10-62 to 6-9-63 (variety store; 98 employees).

S. S. Kresge Co. (#123), F-20 Northland Center, Southfield, Mich.; effective 6-10-62 to 6-9-63 (variety store; 151 employees).

S. S. Kresge Co. (#120), 301 North Market, Canton 2, Ohio; effective 6-10-62 to 6-9-63 (variety store; 85 employees).

S. S. Kresge Co. (#103), 133 West Michigan, Jackson, Mich.; effective 6-10-62 to 6-9-63 (variety store; 106 employees).

S. S. Kresge Co. (#102), 23 North Main, Mansfield, Ohio; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#70), 114 South Washington, Lansing 1, Mich.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

S. S. Kresge Co. (#2), 240 Huron, Port Huron, Mich.; effective 6-10-62 to 6-9-63 (variety store; 98 employees).

S. S. Kresge Co. (#1), 1201 Woodward, Detroit, Mich.; effective 6-10-62 to 6-9-63 (variety store; 291 employees).

McCrorry-McLellan's (#506), 17 North Washington, Ypsilanti, Mich.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

McCrorry-McLellan-Green (#1059), 412 Chillicothe, Portsmouth, Ohio; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

Neisner Brothers, Inc. (#13), 9644 Jos. Campau, Hamtramck 12, Mich.; effective 6-10-62 to 6-9-63 (variety store; 64 employees).

Neisner Brothers, Inc. (#2), 14325 Gratiot, Detroit 5, Mich.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

Neisner Brothers, Inc. (#17), 42 North Saginaw, Pontiac, Mich.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

Neisner Brothers, Inc. (#132), 1321 North Ridge, Lorain, Ohio; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

Neisner Brothers, Inc. (#128), 3310 Warren Road Shopping Center, Cleveland 11, Ohio; effective 6-10-62 to 6-9-63 (variety store; 64 employees).

Neisner Brothers, Inc. (#36), 36 Lincoln Way West, Massillon, Ohio; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

Neisner Brothers, Inc. (#113), 700 East 185th, Cleveland 19, Ohio; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

Neisner Brothers, Inc., 1736 Fort, Lincoln Park, Mich.; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

J. J. Newberry Co., 109 South Main, Ishpeming, Mich.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

J. J. Newberry Co., 374 River, Manistee, Mich.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

J. J. Newberry Co., 230 Huron, Huron, Mich.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

J. J. Newberry Co., 108-144 South Sandusky, Bucyrus, Ohio; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

J. J. Newberry Co., 113 North Market, East Palatine, Ohio; effective 6-10-62 to 6-9-63 (variety stores; 16 employees).

J. J. Newberry Co., Alma, Mich.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

J. J. Newberry Co., 133 South Main, Bryan, Ohio; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

J. J. Newberry Co. (#205), 109 South James, Ludington, Mich.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

J. J. Newberry Co., 308-312 Shelden, Houghton, Mich.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

Newberry Mentor Corp., 850 Mentor, Great Lakes Mall, Mentor, Ohio; effective 6-10-62 to 6-9-63 (variety store; 131 employees).

Newberry Painesville Corp., 135 Main Street, Painesville, Ohio; effective 6-10-62 to 6-9-63 (department store; 76 employees).

Wright's Markets, Inc., 1001 Spencerville, Lima, Ohio; effective 6-10-62 to 6-9-63 (food store; 22 employees).

Region VI

S. S. Kresge Co. (#81), 930 North Lake Street, Aurora, Ill.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#164), 82 North Main Street, Canton, Ill.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co., 1637 West Chicago Avenue, Chicago, Ill.; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

S. S. Kresge Co. (#505), 4737 South Ashland Avenue, Chicago 9, Ill.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#445), 4016 West Madison Avenue, Chicago 24, Ill.; effective 6-10-62 to 6-9-63 (variety store; 100 employees).

S. S. Kresge Co. (#627), 9530 South Western, Chicago 42, Ill.; effective 6-10-62 to 6-9-63 (variety store; 143 employees).

S. S. Kresge Co. (#253), 11221 South Michigan Avenue, Chicago 28, Ill.; effective 6-10-62 to 6-9-63 (variety store; 115 employees).

S. S. Kresge Co., 3141 North Lincoln, Chicago 13, Ill.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co., 1956 West Lawrence Avenue, Chicago 40, Ill.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. S. Kresge Co., 7240-50 Foster Avenue, Chicago 31, Ill.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co. (#641), Fairview Plaza Shopping Center, 1465 West King Street, Decatur, Ill.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. S. Kresge Co., 343 North Water Street, Decatur, Ill.; effective 6-10-62 to 6-9-63 (variety store; 60 employees).

S. S. Kresge Co. (#177), 32 South Grove Avenue, Elgin, Ill.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#417), 162 East Court Street, Kankakee, Ill.; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

S. S. Kresge Co. (#218), 26 South LaGrange Road, LaGrange, Ill.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. S. Kresge Co. (#497), 1603 Broadway Mattoon, Ill.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co. (#161), 9525 South Cicero, Oaklawn, Ill.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#463), Hometown Shopping Center, 4120 Southwest Highway, Oaklawn 9, Ill.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co., 3227-43 Legion Boulevard, Quincy, Ill.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. S. Kresge Co. (#318), 636 Hollister Avenue, Rockford, Ill.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co., 419 East Adams, Springfield, Ill.; effective 6-10-62 to 6-9-63 (variety store; 149 employees).

S. S. Kresge Co., 401 Main Street, Evansville 8, Ind.; effective 6-10-62 to 6-9-63 (variety store; 86 employees).

S. S. Kresge Co. (#568), Northcrest Shopping Center, Unit #737, Fort Wayne, Ind.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co., 626 Twin Aire Drive, Indianapolis, Ind.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

S. S. Kresge Co. (#258), 2744 Lafayette Road, Indianapolis, Ind.; effective 6-10-62 to 6-9-63 (variety store; 56 employees).

S. S. Kresge Co. (#85), 214 South Walnut Street, Muncie, Ind.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#101), 201 South Michigan Street, South Bend 1, Ind.; effective 6-10-62 to 6-9-63 (variety store; 139 employees).

S. S. Kresge Co. (#694), 2106 East Lake Center, Hi-Lake Center, Minneapolis 7, Minn.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#176), Crystal Shopping Center, Broadway and Bass Lake Road, Minneapolis 27, Minn.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

S. S. Kresge Co. (#426), 206 South Broadway, Rochester, Minn.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#683), Sun Ray Shopping Center, 2167 Hudson Road, St. Paul 6, Minn.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#193), 336 East Grand Avenue, Beloit, Wis.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

S. S. Kresge Co. (#324), 222 North Washington Street, Green Bay, Wis.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. S. Kresge Co. (#609), 5722 Sixth Avenue, Kenosha, Wis.; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

S. S. Kresge Co. (#175), 418 Main Street, LaCrosse, Wis.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. S. Kresge Co. (#420), 836 South Eighth Street, Manitowac, Wis.; effective 6-10-62 to 6-9-63 (variety store; 81 employees).

S. S. Kresge Co., 3333 D South 27th Street, Milwaukee, Wis.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

S. S. Kresge Co. (#86), 3699 Durand Avenue, Racine, Wis.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

Region VII

Aspen Variety, Inc., d/b/a T. G. & Y. Stores Company (#129), 5222 Chouteau Drive, Kansas City, Mo.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

Consumers Warehouse Market, 1015 West Kearney Street, Springfield, Mo.; effective 6-10-62 to 6-9-63 (food store; 34 employees).

Consumers Warehouse Market, 1427 South Glenstone, Springfield, Mo.; effective 6-10-62 to 6-9-63 (food store; 29 employees).

Consumers Warehouse Market, Inc., 1737 South Campbell Street, Springfield, Mo.; effective 6-10-62 to 6-9-63 (food store; 32 employees).

Consumers Warehouse Market, Inc., 1854 North Glenstone, Springfield, Mo.; effective 6-10-62 to 6-9-63 (food store; 33 employees).

Consumers Warehouse Market, Inc., 2525 West College Street, Springfield, Mo.; effective 6-10-62 to 6-9-63 (food store; 32 employees).

40 & 7 United Super 30, Blue Springs, Mo.; effective 6-10-62 to 6-9-63 (food store; 26 employees).

Hested Stores Company, 2700 South Colorado Boulevard, Denver, Colo.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

Hested Stores Company (#787), 4259 West Florida Avenue, Denver, Colo.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

Hested Stores Co. (#701), 510 East Street, Fairbury, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

Hested Store (#742), Glenwood Springs, Colo.; effective 6-10-62 to 6-9-63 (variety store nine employees).

Hested Store (#781), 425 Main, Grand Junction, Colo.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

Hested Stores Company, 311 Norfolk Avenue, Norfolk, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

Hested Stores Company (#718), York, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

Jahan Super Mart, 417 Spruce, Leavenworth, Kans.; effective 6-10-62 to 6-9-63 (food store; 50 employees).

Justrite Super Markets, Inc., 51st and Gibbs Road, Kansas City, Kans.; effective 6-10-62 to 6-9-63 (food store; 27 employees).

Justrite Super Market, Inc., 3136 Raytown Road, Kansas City, Kans.; effective 6-10-62 to 6-9-63 (food store; 43 employees).

Justrite Super Markets, Inc., 7246 Troost, Kansas City, Mo.; effective 6-10-62 to 6-9-63 (food store; 24 employees).

Justrite Super Markets, Inc., 9021 East 50 Hiway, Raytown, Mo.; effective 6-10-62 to 6-9-63 (food store; 76 employees).

Kaufmann's Inc. (#785), 308 West Third, Grand Island, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. S. Kresge Co. (#244), 809 Commercial Street, Atchison, Kans.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

S. S. Kresge Co. (#95), 320 Jefferson Street, Burlington, Iowa; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. S. Kresge Co. (#108), 225 First Avenue, SE., Cedar Rapids, Iowa; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#154), 516 West Broadway, Council Bluffs, Iowa; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

S. S. Kresge Co. (#140), 202 West Second Street, Davenport, Iowa; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. S. Kresge Co. (#270), Village Shopping Center, 902 West Kimberly Road, Davenport, Iowa; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

S. S. Kresge Co., 613 Walnut Street, Des Moines 9, Iowa; effective 6-10-62 to 6-9-63 (variety store; 117 employees).

S. S. Kresge Co. (#100 C), 790 Main Street, Dubuque, Iowa; effective 6-10-62 to 6-9-63 (variety store; 69 employees).

S. S. Kresge Co. (#231 C), 60 Broadway, Fargo, N. Dak.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. S. Kresge Co. (#145), 819 Central Avenue, Fort Dodge, Iowa; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co. (#306), 103 East Sixth Street, Fremont, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

S. S. Kresge Co. (#89), 101-109 North Main Street, Hannibal, Mo.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

S. S. Kresge Co. (#625), 111 North Main Street, Independence, Mo.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#559), 121 Washington Street, Box 366, Iowa City, Iowa; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#256), 600 Minnesota, Kansas City, Kans.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. S. Kresge Co. (#555), Northland Shopping Center, Jennings, Mo.; effective 6-10-62 to 6-9-63 (variety store; 120 employees).

S. S. Kresge Co. (#249C), East Moreland Plaza, Seventh and High Streets, Joplin, Mo.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#82), 1125 Main Street, Kansas City 5, Mo.; effective 6-10-62 to 6-9-63 (variety store; 198 employees).

S. S. Kresge Co. (#127), 413 Delaware, Leavenworth, Kans.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co. (#109), 1137 "O" Street, Lincoln 1, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 61 employees).

S. S. Kresge Co. (#680), 9 Federal Avenue, Mason City, Iowa; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. S. Kresge Co. (#692 C), 1700-1702 South Federal Avenue, Mason City, Iowa; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. S. Kresge Co. (#326 M), 402 South 16th Street, Omaha, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 132 employees).

S. S. Kresge Co. (#401), 4828 South 24th Street, Omaha 7, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co. (#93), 132 East Main Street, Ottumwa, Iowa; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

S. S. Kresge Co. (#671), 707 Mountain View Road, Baken Park Shopping Center, Rapid City, S. Dak.; effective 6-10-62 to 6-9-63 (variety store; 59 employees).

S. S. Kresge Co. (#58 MW-4), 601 Felix Street, St. Joseph 9, Mo.; effective 6-10-62 to 6-9-63 (variety store; 99 employees).

S. S. Kresge Co. (#601 C), 24 Hampton Village Plaza, St. Louis 9, Mo.; effective 6-10-62 to 6-9-63 (variety store; 74 employees).

S. S. Kresge Co. (#24), 522 Washington Avenue, St. Louis, Mo.; effective 6-10-62 to 6-9-63 (variety store; 223 employees).

S. S. Kresge Co. (#461), 2705 Cherokee Street, St. Louis, Mo.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. S. Kresge Co. (#344 C), 6108 Easton Avenue, St. Louis 33, Mo.; effective 6-10-62 to 6-9-63 (variety store; 57 employees).

S. S. Kresge Co. (#197 M), Sears Center, 546 South Santa Fe, Salina, Kans.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

S. S. Kresge Co. (#163 C), 423 Fourth Street, Sioux City, Iowa; effective 6-10-62 to 6-9-63 (variety store; 102 employees).

S. S. Kresge Co. (#96), 124 S. S. Square, Springfield, Mo.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

S. S. Kresge Co. (#451), 1514 South Glenstone, Springfield, Mo.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#152), 211-219 East Fourth Street, Waterloo, Iowa; effective 6-10-62 to 6-9-63 (variety store; 52 employees).

S. S. Kresge Co. (#11), Yorkshire Village Shopping Center, 8039 Watson Road, Webster Groves 19, Mo.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. S. Kresge Co. (#697), Parkland Shopping Center, 1012 South Oliver, Wichita 18, Kans.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

S. H. Kress and Co., 540 Main Street, Grand Junction, Colo.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. H. Kress and Co., 111 North Main Street, Hutchinson, Kans.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. H. Kress and Co., 215 East High Street, Jefferson City, Mo.; effective 6-10-62 to 6-9-63 (variety store; 17 employees).

S. H. Kress and Co., 103 North Main Street, Nevada, Mo.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. H. Kress and Co., 617 North Broadway, Pittsburg, Kans.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

S. H. Kress and Co., 301 North Main Street, Pueblo, Colo.; effective 6-10-62 to 6-9-63 (variety store; 63 employees).

S. H. Kress and Co., 224 East Douglas Avenue, Wichita 2, Kans.; effective 6-10-62 to 6-9-63 (variety store; 73 employees).

Lebanon Consumers, Inc., Jefferson and Highway #5, Lebanon, Mo.; effective 6-10-62 to 6-9-63 (Food store; 24 employees).

Lee Sidney Corp. (#732), Sidney, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

McCrary-McLellan-Green Stores (#460), 230 Second Street SE, Cedar Rapids, Iowa; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

McLellan Stores Co. (#569), 801 Central Avenue, Fort Dodge, Iowa; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

McLellans, 827 Kansas Avenue, Topeka, Kans.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

Neisner Brothers, Inc. (#87), 308 Jefferson Street, Burlington, Iowa; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

Neisner Brothers, Inc. (#70), 308 South 16th Street, Omaha 2, Nebr.; effective 6-10-62 to 6-9-63 (variety store; 56 employees).

Neisner Brothers, Inc. (#83), 407 Fourth Street, Sioux City, Iowa; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

J. J. Newberry Co., 473, 122-124 South Main Street, Aberdeen, S. Dak.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

Newberry Cheyenne Corp., 214 West 17th Street, Cheyenne, Wyo.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

J. J. Newberry Co., 808 Broadway, Columbia, Mo.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

J. J. Newberry Co., (#217), Parsons, Kans.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

J. J. Newberry Co., 502 Main Street, Joplin, Mo.; effective 6-10-62 to 6-9-63 (variety store; 17 employees).

J. J. Newberry Co. (#411), Westroads Shopping Center, Richmond Heights 17, Mo.; effective 6-10-62 to 6-9-63 (variety stores; 94 employees).

J. J. Newberry Co., 131-135 South Phillips, Sioux Falls, S. Dak.; effective 6-10-62 to 6-9-63 (variety stores; 54 employees).

Olson Mercantile Co., 1406 West Main Street, Chanute, Kans.; effective 6-10-62 to 6-9-63 (food store; 21 employees).

Prairie Village Variety, Inc., d/b/a T.G. & Y. Stores Co. (#141), #22 On-The-Mall, Prairie Village, Kans.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

Twenty-Second and Frederick Variety, Inc., d/b/a T.G. & Y. Stores Co. (#301), 801 North 22d Street, St. Joseph, Mo.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

Region VIII

H. L. Green Co., 1623 Main Street, Dallas 1, Tex.; effective 6-10-62 to 6-9-63 (variety store; 276 employees).

H. L. Green Co., 224 West Main, Oklahoma City 2, Okla.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge Co. (#714), 3037 North South Freeway, Fort Worth 10, Tex.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. S. Kresge Co., 740 Wynnewood Village, Dallas 24, Tex.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. S. Kresge Co. (#739), 300 Plymouth Park Shopping Center, Irving, Tex.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. S. Kresge Co. (#707), 3301 Veterans Highway, Metairie, La.; effective 6-10-62 to 6-9-63 (variety store; 44 employees).

S. S. Kresge Co. (#744), 1969 Penn Square, Oklahoma City, Okla.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. H. Kress and Co., 210 West Main Street, Blytheville, Ark.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

S. H. Kress and Co., 810 Garrison Avenue, Fort Smith, Ark.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. H. Kress and Co., 620 Central Avenue, Hot Springs, Ark.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

S. H. Kress and Co., 326 Main Street, Pine Bluff, Ark.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. H. Kress and Co., 1102 Third Street, Alexandria, La.; effective 6-10-62 to 6-9-63 (variety store; 51 employees).

S. H. Kress and Co., 439 Third Street, Baton Rouge, La.; effective 6-10-62 to 6-9-63 (variety store; 60 employees).

S. H. Kress and Co., 217 DeSiard Street, Monroe, La.; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

S. H. Kress and Co., 923 Canal Street, New Orleans, La.; effective 6-10-62 to 6-9-63 (variety store; 169 employees).

S. H. Kress and Co., 316 Texas Street, Shreveport 24, La.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. H. Kress and Co., 414 Central Avenue, SW, Albuquerque, N. Mex.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. H. Kress and Co., 206 North Main Street, Roswell, N. Mex.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. H. Kress and Co., 119 West Main Street, Ardmore, Okla.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

S. H. Kress and Co., 129 West Main Street, Enid, Okla.; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

S. H. Kress and Co., 109 North Second Street, Muskogee, Okla.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. H. Kress and Co., 218 West Main Street, Oklahoma City 2, Okla.; effective 6-10-62 to 6-9-63 (variety store; 60 employees).

S. H. Kress and Co., 109 East Main Street, Shawnee, Okla.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

S. H. Kress and Co., 218 South Main Street, Tulsa 3, Okla.; effective 6-10-62 to 6-9-63 (variety store; 116 employees).

S. H. Kress and Co., 700 Polk Street, Amarillo, Tex.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. H. Kress and Co., 808 Congress Avenue, Austin 1, Tex.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. H. Kress and Co., 306 West Texas Avenue, Baytown, Tex.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. H. Kress and Co., 591 Pearl Street, Beaumont, Tex.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

S. H. Kress and Co., 1031 Elizabeth Street, Brownsville, Tex.; effective 6-10-62 to 6-9-63 (variety store; 107 employees).

S. H. Kress and Co., 619 North Chapparral Street, Corpus Christi, Tex.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

S. H. Kress and Co., 1404 Elm Street, Dallas 2, Tex.; effective 6-10-62 to 6-9-63 (variety store; 83 employees).

S. H. Kress and Co., 206 West Jefferson Street, Dallas 8, Tex.; effective 6-10-62 to 6-9-63 (variety store; 75 employees).

S. H. Kress and Co., 720 South Main Street, Del Rio, Tex.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. H. Kress and Co., 410 West Main Street, Denison, Tex.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. H. Kress and Co., 230 Main Street, Eagle Pass, Tex.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

S. H. Kress and Co., 211 North Mesa, El Paso, Tex.; effective 6-10-62 to 6-9-63 (variety store; 229 employees).

S. H. Kress and Co., 201 West California Street, Gainesville, Tex.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

S. H. Kress and Co., 124 East Jackson Street, Harlingen, Tex.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. H. Kress and Co., 701 Main Street, Houston 2, Tex.; effective 6-10-62 to 6-9-63 (variety store; 233 employees).

S. H. Kress and Co., 1202 Hidalgo Street, Laredo, Tex.; effective 6-10-62 to 6-9-63 (variety store; 121 employees).

S. H. Kress and Co., 625 Proctor Street, Port Arthur, Tex.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. H. Kress and Co., 109 South Chadbourne Street, San Angelo, Tex.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. H. Kress and Co., 315 East Houston Street, San Antonio 5, Tex.; effective 6-10-62 to 6-9-63 (variety store; 146 employees).

S. H. Kress and Co., 101 North Flores Street, San Antonio 5, Tex.; effective 6-10-62 to 6-9-63 (variety store; 58 employees).

S. H. Kress and Co., 110 North Travis Street, Sherman, Tex.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. H. Kress and Co., 116 West Broad Street, Texarkana, Tex.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

S. H. Kress and Co., 114 West Erwin Street, Tyler, Tex.; effective 6-10-62 to 6-9-63 (variety store; 42 employees).

S. H. Kress and Co., 101 South College Street, Waxahachie, Tex.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

S. H. Kress and Co., 808 Indiana Avenue, Wichita Falls, Tex.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

Levine's, 3506 Sunnyvale, Dallas, Tex.; effective 6-10-62 to 6-9-62 (department store; 27 employees).

McCrary-McLellan-Green Store (#315), 412 North Third Street, Baton Rouge, La.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

McCrary-McLellan-Green Store, 724 Garrison Avenue, Fort Smith, Ark.; effective 6-10-62 to 6-9-63 (variety store; 53 employees).

McCrary-McLellan-Green, Dal Paso and Bender, Hobbs, N. Mex.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

McCrorry-McLellan (#509), 604 Main, Little Rock, Ark.; effective 6-10-62 to 6-9-63 (variety store; 43 employees).

McCrorry-McLellan-Green Store (#533), 102 South Main Street, McAllen, Tex.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

McCrorry-McLellan-Green Store, 300 East Graham, Pryor, Okla.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

McCrorry-McLellan-Green Store (#198), 240 East Houston Street, San Antonio, Tex.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

McCrorry Store (#321), 6305 Camp Bowie Boulevard, Ft. Worth, Tex.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

McCrorry Stores Corp., 385-95 West Jefferson Boulevard, Dallas, Tex.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

McCrorry Stores Corp. (#241), 2123-7 Avenue East, Galveston, Tex.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

McCrorry Stores Corp. (#298), 538-40 Jefferson Street, Lafayette, La.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

McCrorry Stores Corp., 812 Indiana Avenue, Wichita Falls, Tex.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

McLellan Otasco, 717 Main Street, Stillwater, Okla.; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

McLellan Variety Store, 327 D Avenue, Lawton, Okla.; effective 6-10-62 to 6-9-63 (variety store; 27 employees).

McLellans, 11 South Main, Temple, Tex.; effective 6-10-62 to 6-9-63 (variety store; 14 employees).

Neisner Bros., Inc., 1200 East Elizabeth Street, Brownsville, Tex.; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

Neisner Bros., Inc. (#45), 502 Convent, Laredo, Tex.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

Neisner Bros., Inc. (#172), 3617 Twin City Highway, Port Arthur, Tex.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

Neisner Bros., Inc. (#120), 101 Broadway, San Antonio, Tex.; effective 6-10-62 to 6-9-63 (variety store; 93 employees).

Neisner Bros., Inc. (#141), 149 Plaza De Las Palmas, San Antonio, 7, Tex.; effective 6-10-62 to 6-9-63 (variety store; 65 employees).

Neisner Bros., Inc. (#195), 3723 Blanco Road, San Antonio, Tex.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

Neisner Bros., Inc. (#160), 141 Terrell Plaza, San Antonio, Tex.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

Neisner Bros., Inc. (#134), 2907 Garnett Avenue, Wichita Falls, Tex.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

J. J. Newberry Co., 320 East Overland Street, El Paso, Tex.; effective 6-10-62 to 6-9-63 (variety store; 62 employees).

J. J. Newberry Co., 819 Ryan Street, Lake Charles La.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

J. J. Newberry Co. (#244), 111 South Grand, Okmulgee, Okla.; effective 6-10-62 to 6-9-63 (variety store; 19 employees).

J. J. Newberry Co. (#295), 110-14 West Broad Street, Texarkana, Tex.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

Linden Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#120), 2624 West 22d, Amarillo, Tex.; effective 6-10-62 to 6-9-63 (variety store; 13 employees).

Hibiscus Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#221), 2934 South Ryan Street, Lake Charles, La.; effective 6-10-62 to 6-9-63 (variety stores; 23 employees).

Pecan Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#37), 133 West Atkinson Plaza, Midwest City, Okla.; effective 6-10-62 to 6-9-63 (variety store; 28 employees).

44th & Western Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#69), 4219 Southwestern, Oklahoma City, Okla.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

Blackjack Variety, Inc., d/b/a, T.G. & Y. Stores (#30), 7513 Southeast 15th Street, Oklahoma City, Okla.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

Port Arthur Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#227), 2445 Ninth Avenue, Port Arthur, Tex.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

Huckleberry Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#218), 3723 Jewella Road, Shreveport, La.; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

Admiral & Sheridan Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#68), 6318 East Admiral Place, Tulsa, Okla.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

Locust Variety, Inc., d/b/a, T.G. & Y. Stores Co. (#1), 1850 Utica Square, Tulsa, Okla.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

Toudouze Mart, 4007 South Flores, San Antonio, Tex.; effective 6-10-62 to 6-9-63 (department store; 40 employees).

F. W. Woolworth (#2346), 5501 Alameda, El Paso, Tex.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

F. W. Woolworth Co., 301 North Grant, Odessa, Tex.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

Region IX

J. J. Newberry Co., North Main, Pocatello, Idaho; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

J. J. Newberry Co. (#480), 1173 Commercial, Astoria, Oreg.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

M. H. King Co., 1258 Overland Avenue, Burley, Idaho; effective 6-10-62 to 6-9-63 (variety store; 14 employees).

M. H. King Co., Caldwell, Idaho; effective 6-10-62 to 6-9-63 (variety store; 14 employees).

Region X

Cooper & Ratcliff (#2), Collinsville, Va.; effective 6-10-62 to 6-9-63 (food store; 41 employees).

Eagle Stores Co., Inc., 1524 Winchester Avenue, Ashland, Ky.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

Eagle Stores Co., Inc., (#36), Maryville, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 15 employees).

Eagle Stores Co. (#43), 106 West Main Street, Orange, Va.; effective 6-10-62 to 6-9-63 (variety store; 17 employees).

W. T. Grant Co., 134 North Loudoun Street, Winchester, Va.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

H. L. Green Co., 3821 Mount Vernon Avenue, Alexandria, Va.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

S. S. Kresge Co. (#1021), 223 Capitol Street, Charleston, W. Va.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

S. S. Kresge Co., 209 Capitol Street, Charleston, W. Va.; effective 6-10-62 to 6-9-63 (variety store; 49 employees).

S. S. Kresge Co., 2910 East 49th Street, Chattanooga, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co., 624 Madison Avenue, Covington, Ky.; effective 6-10-62 to 6-9-63 (variety store; 50 employees).

S. S. Kresge Co., 423 Main Street, Danville, Va.; effective 6-10-62 to 6-9-63 (variety store; 72 employees).

S. S. Kresge Co., 6471 Arlington Boulevard, Falls Church, Va.; effective 6-10-62 to 6-9-63 (variety store; 12 employees).

S. S. Kresge Co., 1000 Fourth Avenue, Huntington, W. Va.; effective 6-10-62 to 6-9-63 (variety store; 45 employees).

S. S. Kresge Co., 250 West Main Street, Lexington, Ky.; effective 6-10-62 to 6-9-63 (variety store; 74 employees).

S. S. Kresge Co., 412 South Fourth Street, Louisville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 93 employees).

S. S. Kresge Co., 5320 South Third Street, Louisville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 46 employees).

S. S. Kresge (#457), 414 West Market Street, Louisville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 66 employees).

S. S. Kresge (#385), 4436 Shively Center, Louisville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

S. S. Kresge Co., 902 Main Street, Lynchburg, Va.; effective 6-10-62 to 6-9-63 (variety store; 48 employees).

S. S. Kresge Co., 812 Monmouth Street, Newport, Ky.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#1039), 822 Monmouth, Newport, Ky.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

S. S. Kresge Co. (#439), 240 Granby Street, Norfolk, Va.; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

S. S. Kresge (#660), 130 Janaf Shopping Center, Norfolk, Va.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

S. S. Kresge (#112), 318 Broadway, Paducah, Ky.; effective 6-10-62 to 6-9-63 (variety store; 97 employees).

S. S. Kresge Co. (#22), 112 North Sycamore Street, Petersburg, Va.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

S. S. Kresge Co. (#648), Dixie Manor Shopping Center, Pleasure Ridge Park, Ky.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. H. Kress & Co., 628 State Street, Bristol, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

S. H. Kress & Co., 822 Market Street, Chattanooga, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 121 employees).

S. H. Kress & Co. 423 Elk Avenue, Elizabethton, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

S. H. Kress & Co., 220 Broad Street, Kingsport, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 108 employees).

S. H. Kress & Co., 417 South Gay Street, Knoxville, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 111 employees).

S. H. Kress & Co., 243 East Main Street, Johnson City, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 51 employees).

S. H. Kress & Co., 9 North Main Street, Memphis, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 65 employees).

S. H. Kress & Co., 29 West Campbell Avenue, Roanoke, Va.; effective 6-10-62 to 6-9-63 (variety store; 74 employees).

McCrorry-McLellan-Green Stores, 528 State Street, Bristol, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

McCrorry Stores Corp., 209 East Main Street, Charlottesville, Va.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

McCrorry-McLellan-Green Stores, 711 Market Street, Chattanooga, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

McCrorry-McLellan-Green Stores, 114-116 West Seventh Street, Columbia, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 18 employees).

McCrorry-Store, 905-907 Third Avenue, Huntington, W. Va.; effective 6-10-62 to 6-9-63 (variety store; 40 employees).

McCrorry Stores Corp. (#297), 318-338 Broad Street, Kingsport, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 55 employees).

McCrorry-McLellan-Green Stores, 101 Lafayette Street, Jackson, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 36 employees).

McCrorry-McLellan-Green, 225 East Main Street, Johnson City, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 31 employees).

McCrorry-McLellan-Green Stores, 110 East Main Street, Lexington, Ky.; effective 6-10-62 to 6-9-63 (variety store; 97 employees).

McCrorry-McLellan-Green (#1120), 47 South Main, Memphis, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 41 employees).

McCrory-McLellan-Green Corp., 22 North Side Public Square, Murfreesboro, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

McCrory-McLellan-Green Stores (#507), 229-233 Fifth Avenue, North, Nashville, Tenn.; effective 6-10-62 to 6-9-63 (variety store; 67 employees).

McCrory-Corp., 35-37-43 Main Street, Pulaski, Va.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

J. J. Newberry Co., 227 West Main Street, Danville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 13 employees).

J. J. Newberry Co., 129 North Main Street, Farmville, Va.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

J. J. Newberry Co. (#195), 316-318-20-22 St. Clair Street, Frankfort, Ky.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

J. J. Newberry Co., 910-916 Caroline Street, Fredericksburg, Va.; effective 6-10-62 to 6-9-63 (variety store; 34 employees).

J. J. Newberry Co., 125-127 East Main Street, Front Royal, Va.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

J. J. Newberry Co., 121 Main Street, Glasgow, Ky.; effective 6-10-62 to 6-9-63 (variety store; 39 employees).

J. J. Newberry Co., 110 South Main Street, Harlan, Ky.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

J. J. Newberry Co., 142 North Queen Street, Martinsburg, W. Va.; effective 6-10-62 to 6-9-63 (variety store; 11 employees).

J. J. Newberry Co. 100-06 South Sixth Street, Mayfield, Ky.; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

J. J. Newberry Co., Main and Maysville Streets, Mount Sterling, Ky.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

J. J. Newberry Co., 101-5 East Second Street, Owensboro, Ky.; effective 6-10-62 to 6-9-63 (variety store; 30 employees).

J. J. Newberry Co., 627 Main Street, Paris, Ky.; effective 6-10-62 to 6-9-63 (variety store; 21 employees).

Newberry Pineville Corp., 123 Pine Street, Pineville, Ky.; effective 6-10-62 to 6-9-63 (variety store; 29 employees).

J. J. Newberry Co. (#229), 106-110 East Main Street, Salem, Va.; effective 6-10-62 to 6-9-63 (variety store; 76 employees).

J. J. Newberry Co. (#197), 203-7 East Mount Vernon Street, Somerset, Ky.; effective 6-10-62 to 6-9-63 (variety store; 38 employees).

J. J. Newberry Co., 145 North Loudoun Street, Winchester, Va.; effective 6-10-62 to 6-9-63 (variety store; 35 employees).

J. J. Newberry Co., 8-10 North Main Street, Winchester, Ky.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

Rayless Department Store, 619-621 State Street, Bristol, Va.; effective 6-10-62 to 6-9-63 (department store; 17 employees).

Rayless Department Store, 335 Main Street, Danville, Va.; effective 6-10-62 to 6-9-63 (department store; 13 employees).

Rayless Department Store, 312-320 East Broad Street, Richmond, Va.; effective 6-10-62 to 6-9-63 (department store; 28 employees).

Rose's 5-10-25¢ Store (#31), Farmville, Va.; effective 6-10-62 to 6-9-63 (variety store; 20 employees).

Rose's Stores, Inc., Marlon, Va.; effective 6-10-62 to 6-9-63 (variety store; 23 employees).

Rose's 5-10-25¢ Store, 729 West 21st Street, Norfolk, Va.; effective 6-10-62 to 6-9-63 (variety store; 32 employees).

Rose's 5-10-25¢ Stores (#123), 130-32 East Little Creek Road, Norfolk, Va.; effective 6-10-62 to 6-9-63 (variety store; 26 employees).

Rose's 5-10-25¢ Store (#142), 2314 East Little Creek Road, Norfolk, Va.; effective 6-10-62 to 6-9-63 (variety store; 22 employees).

Rose's 5-10-25¢ Stores, Inc. (#20), 3916-18 George Washington Highway, Portsmouth,

Va.; effective 6-10-62 to 6-9-63 (variety store; 37 employees).

Rose's 5-10-25¢ Store, Somerset, Ky.; effective 6-10-62 to 6-9-63 (variety store; 25 employees).

Rose's, Inc. (#137), 309 31st Street, Virginia Beach, Va.; effective 6-10-62 to 6-9-63 (variety store; 33 employees).

Rose's 5-10-25¢ Store, Inc., 1904 Atlantic Avenue, Virginia Beach, Va.; effective 6-10-62 to 6-9-63 (variety store; 10 employees).

Rose's 5-10-25¢ Store (#65), Duke of Gloucester Street, Williamsburg, Va.; effective 6-10-62 to 6-9-63 (variety store; 24 employees).

Wytheville Crest 5-10-25¢ Stores, Wytheville, Va.; effective 6-10-62 to 6-9-63 (variety store; 16 employees).

NORTH CAROLINA

Colonial Stores, Inc. (#4231), South Fayette Street, Asheboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 22 employees).

Colonial Stores, Inc. (#4220), 1233 South Church Street, Burlington, N.C.; effective 6-10-62 to 5-31-63 (food store; 26 employees).

Colonial Stores, Inc. (#4053), University Drive and Chapel Hill Road, Durham, N.C.; effective 6-10-62 to 5-31-63 (food store; 13 employees).

Colonial Stores, Inc. (#4201), 426-28 West Main Street, Durham, N.C.; effective 6-10-62 to 5-31-63 (food store; 16 employees).

Colonial Stores, Inc. (#4218), Wellons Shopping Center, Durham, N.C.; effective 6-10-62 to 5-31-63 (food store; 23 employees).

Colonial Stores, Inc. (#4221), 212 North John Street, Goldsboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 12 employees).

Colonial Stores, Inc. (#4408), West Hardin Street, Graham, N.C.; effective 6-10-62 to 5-31-63 (food store; 11 employees).

Colonial Stores, Inc. (#4248), 600 Friendly Center Road, Greensboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 29 employees).

Colonial Stores, Inc. (#4200), 116-20 West Washington Street, Greensboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 13 employees).

Colonial Stores, Inc. (#4051), High Point Road and Hayden Street, Greensboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 20 employees).

Colonial Stores, Inc. (#4052), Ashboro and Douglas Streets, Greensboro, N.C.; effective 6-10-62 to 5-31-63 (food store; 17 employees).

Colonial Stores, Inc. (#4340), 118-22 East Clay Street, Mebane, N.C.; effective 6-10-62 to 5-31-63 (food store; 23 employees).

Colonial Stores, Inc. (#4225), 409 New Street, New Bern, N.C.; effective 6-10-62 to 5-31-63 (food store; 19 employees).

Colonial Stores, Inc. (#4233), Lockwood Shopping Center, Raleigh, N.C.; effective 6-10-62 to 5-31-63 (food store; 17 employees).

Colonial Stores, Inc. (#4100), 510 Woodburn Road, Raleigh, N.C.; effective 6-10-62 to 5-31-63 (food store; 80 employees).

Colonial Stores, Inc. (#4323), 1900 Bernard Street, (Box 6186), Raleigh, N.C.; effective 6-10-62 to 5-31-63 (food store; 21 employees).

Colonial Stores, Inc. (#4226), 10th and Jackson Streets, Roanoke Rapids, N.C.; effective 6-10-62 to 5-31-63 (food store; 53 employees).

Colonial Stores, Inc. (#4217), 409 North George Street, Rocky Mount, N.C.; effective 6-10-62 to 5-31-63 (food store; 13 employees).

Colonial Stores, Inc. (#4403), 202 East Raleigh Street, Siler City, N.C.; effective 6-10-62 to 5-31-63 (food store; 13 employees).

Colonial Stores, Inc. (#4249), 125 East Water Street, Statesville, N.C.; effective 6-10-62 to 5-31-63 (Food store; 20 employees).

Colonial Stores, Inc. (#4215), 307 North Market Street, Washington, N.C.; effective 6-10-62 to 5-31-63 (food store; 27 employees).

Colonial Stores, Inc. (#4224), 406 South Madison Street, Whiteville, N.C.; effective 6-10-62 to 5-31-63 (food store; 9 employees).

Colonial Stores, Inc. (#4219), 309 West Nash Street, Wilson, N.C.; effective 6-10-62 to 5-31-63 (food store; 24 employees).

Eagle Store Co., Inc., 181 West Main Street, Gastonia, N.C.; effective 6-10-62 to 5-31-63 (variety store; 35 employees).

H. L. Green Co., 432 North Liberty Street, Winston-Salem, N.C.; effective 6-10-62 to 5-31-63 (variety store; 95 employees).

McLellan Stores Co., 27-31 North Front Street, Wilmington, N.C.; effective 6-10-62 to 5-31-63 (variety store; 16 employees).

McLellan Stores Co., 118 East Nash Street, Wilson, N.C.; effective 6-10-62 to 5-31-63 (variety store; 24 employees).

McCrory-McLellan Stores Co., 117 North Tryon Street, Charlotte, N.C.; effective 6-10-62 to 5-31-63 (variety store; 39 employees).

McCrory-McLellan Stores Co., Division of McCrory Corp., Concord, N.C.; effective 6-10-62 to 5-31-63 (variety store; 22 employees).

McCrory-McLellan Stores Co., 117 North Queen Street, Kinston, N.C.; effective 6-10-62 to 5-31-63 (variety store; 17 employees).

McCrory-McLellan-Green Stores Corp. (#699), 249 Middle Street, New Bern, N.C.; effective 6-10-62 to 5-31-63 (variety store; 44 employees).

McCrory-McLellan-Green Store (#426), 244 South Main Street, Rocky Mount, N.C.; effective 6-10-62 to 5-31-63 (variety store; 22 employees).

Rayless Department Store, Corner Main and Davis Streets, Burlington, N.C.; effective 6-10-62 to 5-31-63 (department store; 14 employees).

Rayless Department Store, 202 Hay Street, Fayetteville, N.C.; effective 6-10-62 to 5-31-63 (department store; 19 employees).

Rayless Department Store, 315 West Main Street, Durham, N.C.; effective 6-10-62 to 5-31-63 (department store; 26 employees).

Rayless Department Store, Corner Main and Marietta Streets, Gastonia, N.C.; effective 6-10-62 to 5-31-63 (department store; 26 employees).

Rayless Department Store, 342 North Main Street, Hendersonville, N.C.; effective 6-10-62 to 5-31-63 (department store; 12 employees).

Rayless Department Store, Corner Main Street and Second Avenue, Lexington, N.C.; effective 6-10-62 to 5-31-63 (department store; 17 employees).

Rayless Department Store, Corner Elm and South Court Streets, Lumberton, N.C.; effective 6-10-62 to 5-31-63 (department store; 18 employees).

Rayless Department Store, 214-22 Main Street, Salisbury, N.C.; effective 6-10-62 to 5-31-63 (department store; 16 employees).

Rayless Department Store, 9 and 11 West Fourth Street, Winston-Salem, N.C.; effective 6-10-62 to 5-31-63 (department store; 21 employees).

Rose's 5-10-25¢ Store (#121), Charlotte-town Mall, Charlotte, N.C.; effective 6-10-62 to 5-31-63 (variety store; 42 employees).

Rose's 5-10-25¢ Store, 123-125 West Avenue, Lenoir, N.C.; effective 6-10-62 to 5-31-63 (variety store; 24 employees).

Rose's 5-10-25¢ Store, 436 Daniels Street, Raleigh, N.C.; effective 6-10-62 to 5-31-63 (variety store; 37 employees).

Rose's 5-10-25¢ Store, 227 Market Street, Smithfield, N.C.; effective 6-10-62 to 5-31-63 (variety store; 31 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees.

The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 27th day of June 1962.

ROBERT G. GRONEWALD,
Authorized Representative,
of the Administrator.

[F.R. Doc. 62-6639; Filed, July 6, 1962;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 3, 1962.

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. 37819: *Lumber and lumber articles from and to points in southwestern territory.* Filed by Southern Pacific Company (Texas and Louisiana Lines) (No. 19-A), for itself and interested rail carriers. Rates on wooden fallout shelter sections, also lumber and related articles made of ramon or emri woods, in carloads, from El Paso, Tex., to points in Arkansas, Illinois, Indiana, Louisiana, Missouri, Oklahoma, and Tennessee, also from points in Texas and Louisiana to points in Texas and Louisiana.

Grounds for relief: Carrier competition.

Tariffs: Supplements 4 and 1 to Southern Pacific Company tariffs I.C.C. 904 and 5, respectively.

FSA No. 37820: *Grain and grain products between points in Louisiana.* Filed by Southwestern Freight Bureau, Agent (No. B-8235), for interested rail carriers. Rates on grain and grain products, as described in the application, in carloads between points on the IC and L&A railroads in Louisiana, east of the Mississippi River, on the one hand, and stations in Louisiana, west of the Mississippi River, also Texla, La.-Tex., on the other.

Grounds for relief: Market competition.

Tariff: Supplement 14 to Southwestern Freight Bureau tariff I.C.C. 4413.

FSA No. 37821: *Grain and grain products from Kansas to Nebraska and South Dakota.* Filed by Western Trunk Line Committee, Agent (No. A-2257), for interested rail carriers. Rates on grain, grain products, seeds and related articles, as described in the application, in carloads, from points in Kansas, to

points in Nebraska and South Dakota.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Western Trunk Line Committee tariff I.C.C. A-4445.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6643; Filed, July 6, 1962;
8:48 a.m.]

[Notice 659]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 3, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 64924. By order of June 28, 1962, the Transfer Board approved the transfer to Edward M. Howey, doing business as Howey's Express, Woodbury, N.J., of the operating rights in Certificate No. MC 59209, issued December 9, 1940, to John M. Hall, doing business as Hall's Express, Salem, N.J., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Salem, N.J., and Philadelphia, Pa. Walter S. Hunter, 15A Cooper Street, Woodbury, N.J., applicants' attorney. Charles H. Trayford, 220 East 42d Street, New York 17, N.Y., applicants' representative.

No. MC-FC 65050. By order of June 27, 1962, the Transfer Board approved the transfer to Kinnaman Storage, doing business as Kinnaman's Storage, a corporation, Washington, N.J., of Certificate No. MC 17134, issued December 11, 1961, to Anna B. Beddige, doing business as a Glock Bros., Hackensack, N.J., authorizing the transportation of: Household goods, between points in New Jersey, on the one hand, and, on the other, points in New Jersey, New York, Pennsylvania, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maryland, Delaware, Virginia, and the District of Columbia, and Flowers, plants, shrubbery, and greenhouse supplies, between points in Bergen and Hudson Counties, N.J., on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., and Boston, Mass. Charles J. Williams, 1060 Broad Street, Newark 2, N.J., attorney for applicants.

No. MC-FC 65063. By order of June 26, 1962, the Transfer Board approved the transfer to Hamner Transportation Co., Inc., Houston, Tex., of Certificate

No. MC 119019, issued April 21, 1961, to Hamner Truck Lines, Inc., Houston, Tex., authorizing the transportation of: fertilizer in bags, from Texas City, Tex., and points in Harris County, Tex., to points in Louisiana except Shreveport. Jo E. Shaw, 641 Bettes Building, Houston 2, Tex., attorney for applicants.

No. MC-FC 65068. By order of June 27, 1962, the Transfer Board approved the transfer to Graham Transfer and Storage Company, a corporation, 2108 A Street, Meridian, Miss., of Permit No. MC 9126, issued January 30, 1962, to M. R. Graham, doing business as Graham Transfer and Storage Company, 2108 A Street, Meridian, Miss., authorizing the transportation of: Soap, powders, lard substitutes, and packinghouse products, from Meridian, Miss., to points in Mississippi within 75 miles of Meridian.

No. MC-FC 65074. By order of June 27, 1962, the Transfer Board approved the transfer to Las Vegas Tank Lines, Inc., doing business as Las Vegas Truck Line, Las Vegas, Nev., of Certificates Nos. MC 116427, MC 116427 Sub 1 and MC 116427 Sub 2, issued May 29, 1957, December 22, 1958, and January 8, 1962, respectively to Joe West, doing business as Las Vegas Truck Line, Las Vegas, Nev., authorizing the transportation of: Ore and ore concentrates, machinery, supplies and equipment used or useful in mining, including particularly petroleum products in containers, coal, and lumber, between Searchlight, Nev., and Nipton, Calif., serving the intermediate and off-route points in Nevada within 25 miles of Searchlight, Nev., between Searchlight, Nev., and Oatman, Ariz., serving the intermediate and off-route points in Nevada within 25 miles of Searchlight, Nev., between Searchlight, Nev., and Boulder City, Nev., serving the intermediate and off-route points in Nevada within 25 miles of Searchlight, Nev., mine ores, from Searchlight, Nev., to Chloride, Ariz., serving the intermediate point of Nelson, Nev., and the off-route points within 5 miles of the described route, for pick-up only; and general commodities over irregular routes between points in California and Nevada within 50 miles of Nipton, Calif., including Nipton, Calif., Petroleum products, in bulk, in tank vehicles, from Las Vegas, Nev., and points within 10 miles thereof, to points in Arizona and Utah; and contaminated or rejected shipments of the commodities specified above from points in Arizona and Utah to Las Vegas, Nev., and points within 10 miles thereof; between Las Vegas, Nev., and the Nevada Test Site near Mercury, Nev. Rulon A. Earl, 223 Fremont Street, Las Vegas, Nev., attorney for applicants.

No. MC-FC 65075. By order of June 27, 1962, the Transfer Board approved the transfer to Edward Joseph Marsan, doing business as Eddie's Amoco, 79 Chickering Road, North Andover, Mass., of Certificate No. MC 107897, issued April 29, 1948, to Louis S. Riopelle, doing business as Riopelle's Garage, 10 Elm Street, Methuen, Mass., authorizing the transportation of: Wrecked or disabled motor vehicles, over irregular routes, from points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, and

New York, to Lawrence and Methuen, Mass.

No. MC-FC 65078. By order of June 27, 1962, the Transfer Board approved the transfer to Marjorie W. Griffin, doing business as George L. Duguid Co., Fitchburg, Mass., of Certificate No. MC 6551, issued March 15, 1941, to Jane A. Duguid, doing business as George L. Duguid Co., Fitchburg, Mass., authorizing the transportation of: Household goods, between Fitchburg, Mass., and points within 5 miles of Fitchburg, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, and New Jersey; and lumber and telephone poles, between Fitchburg and Townsend, Mass., on the one hand, and, on the other, Nashua, N.H., and points in New Hampshire within 10 miles of Nashua. Bernard D. Ward, 470 Main Street, Fitchburg, Mass., attorney for applicants.

No. MC-FC 65080. By order of June 27, 1962, the Transfer Board approved the transfer to Mary Edith Newton, doing business as M. Newton Moving & Storage, Cincinnati, Ohio, of Certificates Nos. MC 84287 and MC 84287 Sub 1, both issued May 21, 1951, to Vincent Newton and Mary Edith Newton, a partnership, doing business as M. Newton Moving & Storage, Cincinnati, Ohio, authorizing the transportation of: New pianos, from Cincinnati, Ohio, to Chicago, and Peoria, Ill., St. Louis and Kansas City, Mo., New York, N.Y., Philadelphia and Pittsburgh, Pa., Louisville, Ky., and Indianapolis, Ind., and damaged, rejected, or imperfect pianos, on return, and, organs and organ benches, between Cincinnati,

Ohio, on the one hand, and, on the other, New York, N.Y., Pittsburgh, Pa., St. Louis, Mo., Kansas City, Mo., Louisville, Ky., and Chicago, Ill., over irregular routes. John P. Bok, 914 Main Street, Cincinnati 2, Ohio, attorney for applicants.

No. MC-FC 65083. By order of June 27, 1962, the Transfer Board approved the transfer to Greenfield Mountain Service, Inc., Brooklyn, N.Y., of Certificate No. MC 94278, issued October 22, 1959, to Samuel Gendelman and Jack Rabinowitz, doing business as Greenfield Mountain Service, Brooklyn, N.Y., authorizing the transportation of: Passengers and their baggage, in special operations, during the season extending from the 15th of May to the 30th of September, between New York, N.Y., on the one hand, and, on the other, points in Thompson, Fallsburgh, Neversink, and Liberty Townships, Sullivan County, N.Y. Harry Blum, 189 Montague Street, Brooklyn 1, N.Y., attorney for applicants.

No. MC-FC 65124. By order of June 26, 1962, the Transfer Board approved the transfer to Jacob Steinman and Charles Melemed, a partnership, New York, N.Y., of Certificate No. MC 39161 issued April 29, 1955, to Robert Cohen, doing business as Jersey Motor Lines, New York, N.Y., authorizing the transportation of such general merchandise as is usually dealt in by wholesale and retail chain variety stores, over irregular routes, between New York, N.Y., on the one hand, and, on the other, Perth Amboy, N.J., and points in Essex, Hudson, and Union Counties, N.J. Bert Collins, 140 Cedar Street, New York, N.Y., attorney for transferee. George Olsen,

69 Tonnelle Avenue, Jersey City, N.J., attorney for transferee.

No. MC-FC 65125. By order of June 26, 1962, the Transfer Board approved the transfer to Advance Storage Company, Inc., 101½ York Road, Towson, Md., of Certificate No. MC 20544, issued May 2, 1946, to W. LeRoy Conklin, doing business as Advance Storage Company, Towson, Md., authorizing the transportation of: Household goods, between points in Maryland within 25 miles of Baltimore, Md., including Baltimore, on the one hand, and, on the other, the District of Columbia, and between Baltimore, Md., on the one hand, and, on the other, points in Delaware, New York, New Jersey and Pennsylvania.

No. MC-FC 65153. By order of June 26, 1962, the Transfer Board approved the transfer to Thor Transportation, Inc., South Attleboro, Mass., of Certificate No. MC 123925, issued May 3, 1962, to Albert H. Dumas, doing business as Dumas Express, Cumberland, R.I., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over regular routes, between Attleboro, Mass., and Boston, Mass., serving no intermediate points; and malt beverages, over irregular routes, from Providence, R.I., to Attleboro, Mass., and metal castings, from North Attleboro, Mass., to Pawtucket and Providence, R.I. Joseph A. Kline, 185 Devonshire Street, Boston 10, Mass., attorney at law.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-6644; Filed, July 6, 1962; 8:49 a.m.]

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