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Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. I; Amdt. 5]

PART 483—WHEAT AND FLOUR

Subpart—Flour Export Program—Cash Payment (GR-346) Terms and Conditions

MISCELLANEOUS AMENDMENTS

The Terms and Conditions of the Flour Export Program—Cash Payment (GR-346) (25 F.R. 5816), as amended (25 F.R. 9939) (25 F.R. 10758), (27 F.R. 1753) and (27 F.R. 4863) are further amended herein as follows:

§ 483.222 [Amendment]

Section 483.222(a) is amended to read as follows:

(a) The following conversion factors shall be applied to the announced rate to determine the rate applicable to a particular exportation of flour:

	Rate factor
Wheat flour (including clears), derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 72 percent extraction operation.....	1.000
Semolina and farina.....	1.000
Wheat flour, derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing an 80 percent extraction operation.....	.921
Bulgur (85 percent extraction operation).....	.872
Wheat flour, derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 90 percent extraction operation.....	.822
Whole wheat flour.....	.726

§ 483.225 [Amendment]

Section 483.225(b) (3) is amended to read as follows:

(3) Contract quantity in net hundred-weight.

§ 483.227 [Amendment]

Section 483.227(b) (8) is amended to read as follows:

(8) Type and extraction of flour, the class of wheat from which the flour was milled and the approximate ash content must be shown. For example: "Hard Spring .48 Ash". For blended flours, the most predominant class of wheat contained in the blend should be shown. For example: "blended (predominantly) Hard Winter .70 Ash".

§ 483.228 [Amendment]

Section 483.228(b) is amended to read as follows:

(b) *Information required.* The Notice of Export shall contain the following information.

- (1) Registration Number.
- (2) Date of Preparation.
- (3) Total quantity in net hundred-weight actually loaded on all shipments made in connection with the applicable Declaration of Sale.
- (4) Country of destination.
- (5) Date of export of final shipments.
- (6) The U.S. coastal area or areas from which the flour was exported. If more than one coastal area is involved, the quantity exported from each coast should be shown on the reverse side of the form.
- (7) Name and address of the exporter.
- (8) Signature and title of the person who prepared the form.
- (9) If more than one class of wheat or extraction rate is involved, quantities milled from each class of wheat shall be shown separately on the reverse side of the form.

§ 483.246 [Amendment]

Section 483.246(a) (4) is amended to read as follows:

(4) A certification by the exporter that the flour for which export payment is claimed is the same flour which is described in the Declaration of Sale and which is covered by the evidence of export referred to in subparagraph (1) or (2) of this paragraph, and a certification of the weight of any enrichments or other additives to the flour in excess of one-half of one percent of the combined net weight of the flour and additives.

Section 483.291 is amended to read as follows:

§ 483.291 Flour.

"Flour" means wheat flour processed in the United States or Puerto Rico from wheat as defined in the Official Grain Standards of the United States and grown in the United States, and shall include whole wheat flour, durum flour, malted wheat flour, self-rising flour, semolina, farina and bulgur, but shall not include wheat products produced during a continuing process of manufacturing processed wheat products other than flour; nor flour mixes unless composed entirely of wheat flour except for additives. The flour shall be such as not to be in conflict with the laws of the country to which it is intended for export. As used herein, the word bulgur means the food product prepared from wheat by scouring, tempering, cooking (steaming under pressure), drying, and removing the bran coat. The quantity of flour exported which is eligible for export payment shall be determined by deducting from the net weight of the

shipment, the weight of any enrichment, or other additive (including Creta Praeperata), in excess of one-half of one percent of the combined net weight of the flour and additive. (See § 483.222 with regard to eligibility of particular exportation of flour for particular rates of payment.)

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 amendment shall become effective on the date of filing with the Office of the Federal Register.

(Secs. 4 and 5, Stat. 1070 and 1072, sec. 2, 63 Stat. 945, as amended, 15 U.S.C. 714 b and c, and 7 U.S.C. 1641)

Issued at Washington, D.C., this 4th day of October 1962.

ROBERT G. LEWIS,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 62-10611; Filed, Oct. 23, 1962; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 28—COTTON CLASSING, TESTING, AND STANDARDS

Subpart E—Cotton Fiber and Processing Tests

AIR FLOW TESTS

The amendment of § 28.956 of the regulations for Cotton Fiber and Processing Tests (7 CFR, Part 28), hereinafter set forth, is hereby promulgated to be effective upon publication in the FEDERAL REGISTER, pursuant to authority contained in section 3c of the Cotton Statistics and Estimates Act (sec. 3c, 50 Stat. 62; 7 U.S.C. 473c).

Statement of consideration leading to amendment. In recent years micronaire readings from air flow instrument tests have become increasingly important in the marketing of cotton. The Department has received many requests from cotton producers, farm leaders, and farm organizations to enter micronaire readings on cotton classification cards for cotton classed for producers under the Smith-Doxey program. This service is not provided for under the Smith-Doxey Amendment to the Cotton Statistics and Estimates Act, but is being provided under the Cotton Service Testing Amendment (7 U.S.C. 473d). It can be expeditiously performed simultaneously with classification which is performed under the Smith-Doxey Act. The

amendment makes available micronaire readings on a fee basis to producers who have their cotton classed under the Smith-Doxey program. These readings will be made under authority of the Cotton Service Testing Act which provides for analyses of fiber properties, spinning tests, and other tests of the quality of cotton samples on a fee basis. The purpose of the amendment is to promote more orderly and efficient marketing of cotton.

The Department finds that it is impracticable, unnecessary, and contrary to the public interest to issue a notice of proposed rule making on this amendment or to postpone the effective date of the amendment until thirty (30) days after publication in the FEDERAL REGISTER, for the reason that: (1) The ginning and classing of cotton has already started in most sections of the Cotton Belt and it is imperative that this new service be made available as soon as possible; and (2) no preparation is required by the industry to comply with the amendment.

Section 28.956 is amended by adding a new Item No. 36 which reads as follows:

36. Air flow instrument tests and reporting micronaire readings on cotton samples submitted for classification pursuant to §§ 28.901-28.917 in this Part 28. These tests will be made available to the extent facilities will permit, upon written application from the gin manager or other officer of the cotton gin that gins the cotton. Such application will provide that the air flow tests will be made on each sample submitted for classification and that the gin will be responsible for payment of the test fee. Application forms for this service will be furnished to cotton gins by the Cotton Division.

Per sample----- 0.08

(Sec. 3c, 50 Stat. 62; 7 U.S.C. 473c)

Effective date. This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

Dated: October 18, 1962.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 62-10610; Filed, Oct. 23, 1962;
8:47 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER C—SPECIAL PROGRAMS

PART 750—SOIL BANK

Subpart—Violations Procedure

TERMINATION OF CONTRACTS

Section 750.294j of the Soil Bank regulations applicable to violations, 22 F.R. 2411, as amended, is hereby further amended to read as follows:

§ 750.294j Termination of contracts for violations.

In addition to the forfeitures and refunds provided for in § 750.293 to § 750.294i, inclusive, in connection with violations of contracts, a contract shall be terminated if violations covered by §§ 750.293, 750.294, 750.294a, 750.294b,

750.294c, 750.294d, 750.294f, or 750.294g have occurred for two consecutive years of the contract period: *Provided*, That where an adjustment in the forfeiture or refund is made under §§ 750.293 (a) or (b), 750.294 (a) or (c), 750.294b(b), 750.294c(c), or 750.294d(b), such a violation shall not be considered a violation for purposes of this section. Upon termination, the entire amount of the cost-share payment and all annual payments paid or payable to the operator and each other producer on the farm shall be forfeited or refunded.

(Sec. 124, 70 Stat. 198; 7 U.S.C. 1812)

Effective date: Date of signature.

Signed at Washington, D.C., on October 18, 1962.

FRANK W. HUSSEY,
Acting Administrator, Agricultural Stabilization Service.

[F.R. Doc. 62-10628; Filed, Oct. 28, 1962;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Reg. Docket No. 1274; Airspace Docket No. 61-WA-63]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

PART 75—ESTABLISHMENT OF JET ROUTES [NEW]

PART 77—NOTICE OF CONSTRUCTION OR ALTERATION AFFECTING NAVIGABLE AIRSPACE [NEW]

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS, AND HIGH ALTITUDE NAVIGATIONAL AIDS

PART 608—SPECIAL USE AIRSPACE

PART 626—NOTICE OF CONSTRUCTION OR ALTERATION; CRITERIA, PROCEDURES AND RULES FOR DETERMINATION OF THE EFFECT OF PROPOSED STRUCTURES UPON THE USE OF NAVIGABLE AIRSPACE

This amendment adds Subchapter E—Airspace [New] to Chapter I of Title 14 of the Code of Federal Regulations.

The amendment is a part of the program of the Federal Aviation Agency to recodify its regulatory material into a new series of regulations called the "Federal Aviation Regulations" to replace the present "Civil Air Regulations" and "Regulations of the Administrator".

During the life of the recodification project, Chapter I of Title 14 may contain more than one part bearing the same number. To differentiate between the two, the recodified parts, such as these, will be labeled "[New]". The label will of course be dropped at the completion of the project as all of the regulations will be new.

Subchapter E [New] was published as a notice of proposed rule making in the FEDERAL REGISTER on July 3, 1962 (27 F.R. 6300). That notice contained a statement that, when finally adopted, the new subchapter might include "applicable rules on which individual notices of proposed rule making have been issued and the comment period has expired, but which have not been theretofore adopted".

As proposed in that notice, Subchapter E would have consisted of Parts 71, 73, 75, 77, and 79. However, as a result of a notice of proposed rule making published in the FEDERAL REGISTER on November 21, 1961 (stating that the Agency proposed to combine current Parts 600 and 601), and in accordance with the quoted language in the preceding paragraph, the proposed new Parts 71 and 73 (based on 600 and 601) have been combined into a new Part 71. The comment period on that notice expired on January 5, 1962. The proposed Parts 75, 77, and 79 have been renumbered as Parts 73, 75, and 77 respectively.

The purpose of the combination in the new Part 71 is to effect the modernization of the Code as it pertains to the designation of Federal airways and associated controlled airspace.

As stated in the notice of November 21, 1961, this modernization was prompted by the adoption by the FAA of Amendment 60-21 to Part 60 of the Civil Air Regulations which redefined the vertical extent of controlled airspace (26 F.R. 570), and the implementation of a three-level route structure within the United States (Airspace Docket No. 60-WA-53, 26 F.R. 1079). The notice further stated that the proposition would result in the following actions:

Provide that the control areas associated with Federal airways coincide with the extent of the airways and be automatically included in the designation of airways.

Provide a basis for the designation of control areas to be associated with jet route segments and intermediate altitude airway segments outside the continental control area.

Clarify the vertical extent of the controlled airspace between the main and alternate VOR Federal airways when the control area floor provisions of Amendment 60-21 are applied.

In addition, the notice proposed various editorial changes with the intent of furthering simplicity and clarification in the designation of Federal airways and controlled airspace.

Comments to the notice were received from the Air Transport Association of

America (ATA) and the Department of the Navy.

The ATA agreed with the consolidation of Parts 600 and 601 and offered some recommendations to facilitate this accomplishment. Advanced were various editorial changes, some of which have been accepted and are incorporated herein.

Among the recommendations was one concerning reporting points. The ATA was of the opinion that all compulsory and noncompulsory reporting points should be listed in the new part. The FAA has reviewed the requirement for compulsory reporting points. In Airspace Docket No. 62-WA-59 (27 F.R. 5759) action was taken to reduce the burden on the pilot by deleting those reporting points no longer required for air traffic control purposes, and by designating certain reporting points as applicable only to specific airways or directions of flight, or both. These reporting points are published on aeronautical charts and indicate to the pilot that a position report to air traffic control is mandatory. However, the FAA is of the opinion that noncompulsory reporting points should not be included in the revised Part 71 since these reporting points are used less frequently for air traffic control purposes, and a position report is not mandatory. These reporting points are published on aeronautical charts for the convenience of pilots and controllers, and a position report is necessary only when requested by air traffic control.

The Department of the Navy concurred with the proposal subject to reservations concerning certain provisions contained in the Docket relating to the designation of control areas beyond the territorial limits of the United States. After a study of the Navy comments, and as a result of further discussions with the Navy, the FAA decided to include references to ICAO Standards and Recommended Practices in the preamble of notices of proposed rule making dealing with such designation.

As a result of comments received, both on the notice of November 21, 1961 (to combine Parts 600 and 601) and that of July 3, 1962 (proposing a new Subchapter E), several minor changes of a technical nature have been made. In addition, several comments suggested changes in style, format, or terminology. These comments have been carefully considered and, where consistent with the style, format, and terminology of the recodification project, were adopted.

The descriptions of airways, reporting points, and controlled airspace, to be contained in Subparts B through J of the new Part 71 are not, because of their complexity and length, set forth at this time. They will be published by November 12, 1962, to become effective with the rest of the Part on December 12, 1962.

The airspace reservation descriptions in Part 73 [New] and the jet route descriptions in Part 75 [New] also are not set forth in this revision. The pertinent sections of current Parts 602 and 608 are redesignated as sections of the new Parts 73 and 75, and are otherwise unaffected by this revision.

The definitions, abbreviations, and rules of construction contained in Part 1 [New] of the Federal Aviation Regulations (27 F.R. 4587) apply to the new Subchapter E.

Interested persons have been afforded an opportunity to participate in the making of this regulation, and due consideration has been given to all relevant matter presented. The Agency appreciates the cooperative spirit in which the public's comments were submitted.

In consideration of the foregoing, effective December 12, 1962, Chapter III of Title 14 of the Code of Federal Regulations is amended by deleting Parts 600, 601, 602, 608, and 626, and Chapter I of Title 14 is amended by adding Subchapter E [New] reading as hereinafter set forth.

This amendment is made under the authority of sections 307, 313, and 1101 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1510), and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on October 19, 1962.

N. E. HALABY,
Administrator.

SUBCHAPTER E—AIRSPACE [NEW]

Part

- 71 Designation of Federal Airways, Controlled Airspace, and Reporting Points [New].
- 73 Special Use Airspace [New].
- 75 Establishment of Jet Routes [New].
- 77 Notice of Construction or Alteration Affecting Navigable Airspace [New].

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

Subpart A—General

- Sec. 71.1 Applicability.
- 71.3 Classification of Federal airways.
- 71.5 Extent of Federal airways.
- 71.7 Control areas.
- 71.9 Continental control area.
- 71.11 Control zones.
- 71.13 Transition areas.
- 71.15 Positive control route segments and positive control areas.
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- 71.101 Designation.
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- 71.121 Designation.
- 71.123 Domestic low altitude VOR Federal airways.
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Subpart D—Intermediate Altitude VOR Federal Airways

- 71.141 Designation.
- 71.143 Intermediate altitude VOR Federal airways.

Subpart E—Continental Control Area

- 71.151 Restricted areas included.

Subpart F—Control Areas and Control Area Extensions

- Sec. 71.161 Designation of control areas associated with jet routes outside the continental control area.
- 71.163 Designation of additional control areas.
- 71.165 Designation of control area extensions.

Subpart G—Control Zones

- 71.171 Designation.

Subpart H—Transition Areas

- 71.181 Designation.

Subpart I—Positive Control Route Segments and Positive Control Areas

- 71.191 Designation of positive control route segments.
- 71.193 Designation of positive control areas.

Subpart J—Reporting Points

- 71.201 Designation.
- 71.203 Domestic low altitude reporting points.
- 71.205 Domestic intermediate altitude reporting points.
- 71.207 Domestic high altitude reporting points.
- 71.209 Other domestic reporting points.
- 71.211 Alaskan low altitude reporting points.
- 71.213 Alaskan high altitude reporting points.
- 71.215 Hawaiian reporting points.

AUTHORITY: §§ 71.1 to 71.215 issued under secs. 307, 313, and 1101 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1510); E.O. 10854, 24 F.R. 9565.

Subpart A—General

§ 71.1 Applicability.

(a) The airspace areas that are described in Subparts B, C, and D of this part, are designated as Federal Airways.

(b) Those airspace areas that are described in Subparts B through J of this part are designated as control areas, the continental control area, control zones, transition areas, positive control route segments, positive control areas, and reporting points, respectively as described in the appropriate subpart.

§ 71.3 Classification of Federal airways.

Federal airways are classified as follows:

- (a) Low altitude colored Federal airways:
 - (1) Green Federal airways.
 - (2) Amber Federal airways.
 - (3) Red Federal airways.
 - (4) Blue Federal airways.
- (b) Low altitude VOR Federal airways.
- (c) Intermediate altitude VOR Federal airways.

§ 71.5 Extent of Federal airways.

(a) Each Federal airway is based on a centerline that extends from one navigation aid or intersection to another navigation aid (or through several navigation aids or intersections) specified for that airway.

(b) Unless otherwise specified in Subpart B, C, or D of this part—

- (1) Each low altitude Federal airway includes the airspace within parallel boundary lines five miles on each side of the centerline;

(2) Each intermediate altitude Federal airway includes the airspace within parallel boundary lines eight miles on each side of the centerline;

(3) Where an airway changes direction, it includes the airspace that is enclosed by extending the boundary lines of the airway segments until they meet, but if the airway changes width and direction at the same point, it includes the airspace that is enclosed by extending either boundary line of its narrow segment to meet the airspace within its wide segment; and

(4) Where an airway terminates, it includes the airspace within a circle centered at the specified navigation aid or intersection and having a diameter equal to the airway width at that point.

(c) Unless otherwise specified in Subpart B, C, or D of this part—

(1) Each low altitude Federal airway includes the airspace that extends upward from 700 feet (until designated from 1200 feet or more) above the surface of the earth, but does not include airspace in the continental control area;

(2) Each intermediate altitude Federal airway includes the airspace that extends from 14,500 feet MSL up to, but not including, flight level 240; and

(3) The airspace of a low altitude Federal airway within the lateral limits of a transition area has a floor coincident with that of the transition area.

(d) At least one alternate VOR Federal airway may be established between specified navigational aids or intersections along each VOR Federal airway described in Subpart C of this part. Unless otherwise specified, the centerline of an alternate VOR Federal airway and the centerline of the main VOR Federal airway are separated by 15 degrees.

(e) A Federal airway does not include the airspace of a prohibited area.

§ 71.7 Control areas.

(a) Control areas consist of the airspace designated in Subparts B, C, D, and F of this part, but do not include the continental control area.

(b) Control areas include—

(1) The airspace designated as low altitude Federal airways and the airspace of intermediate altitude airways that extend beyond the continental control area;

(2) Unless otherwise designated, the airspace between a main and associated alternate VOR Federal airway, with the vertical extent of this area corresponding to the vertical extent of the main airway; and

(3) Unless otherwise designated, the airspace that extends beyond the continental control area within 16 miles of each side of the jet route segments described in Subpart F of this part, and within a 16-mile radius of the navigational aids and intersections specified in describing those jet route segments.

§ 71.9 Continental control area.

The continental control area consists of the airspace of the 48 contiguous states and the District of Columbia at and above 14,500 feet MSL, but does not include—

(a) The airspace less than 1,500 feet above the surface of the earth; or

(b) Prohibited and restricted areas, other than restricted area military climb corridors and the restricted areas listed in Subpart E of this part.

§ 71.11 Control zones.

The control zones listed in Subpart G consist of controlled airspace extending upward from the surface of the earth. A control zone may include one or more airports and is normally a circular area with a radius of five miles and any extensions necessary to include instrument approach and departure paths.

§ 71.13 Transition areas.

The transition areas listed in Subpart H of this part consist of controlled airspace extending upward from 700 feet or more above the surface of the earth when designated in conjunction with an airport for which an approved instrument approach procedure has been prescribed; or from 1,200 feet or more above the surface of the earth when designated in conjunction with airway route structures or segments. Unless otherwise limited, transition areas terminate at the base of the overlying controlled airspace.

§ 71.15 Positive control route segments and positive control areas.

(a) The positive control route segments listed in Subpart I of this part consist of the airspace of the Federal airways from 17,000 feet to 22,000 feet, MSL, inclusive, in which there is positive control of aircraft. Positive control route segments that underlie positive control areas with a base of 24,000 feet extend up to, but do not include, 24,000 feet, MSL.

(b) The positive control areas listed in Subpart I of this part consist of controlled airspace within which there is positive control of air traffic.

§ 71.17 Reporting points.

(a) The reporting points listed in Subpart J of this part consist of geographic locations, in relation to which the position of an aircraft must be reported in accordance with § ____ of this chapter [present § 60.47].

(b) Unless otherwise designated, each reporting point applies to all directions of flight. In any case where a geographical location is designated as a reporting point for one or more airways, or for a particular direction of flight along an airway only, it is so indicated by including the airways or direction of flight in the designation of geographic location.

(c) Unless otherwise specified, place names appearing in the reporting point descriptions indicate VOR or VORTAC facilities identified by those names.

§ 71.19 Bearings; radials; miles.

(a) All bearings and radials in this part are true from point of origin.

(b) Unless otherwise specified, all mileages in this part are stated as statute miles.

Subpart B—Low Altitude Colored Federal Airways and Control Areas

§ 71.101 Designation.

The airspace areas described in this subpart are designated as Low Altitude Colored Federal airways and control areas.

§ 71.103 Low altitude green Federal airways.

[To be published separately]

§ 71.103 Low altitude green Federal airways.

[To be published separately]

§ 71.107 Low altitude red Federal airways.

[To be published separately]

§ 71.109 Low altitude blue Federal airways.

[To be published separately]

Subpart C—Low Altitude VOR Federal Airways and Control Areas

§ 71.121 Designation.

The airspace areas described in this subpart are designated as low altitude VOR Federal airways and control areas. Unless otherwise specified, place names appearing in the descriptions indicate VOR or VORTAC facilities identified by those names.

§ 71.123 Domestic low altitude VOR Federal airways.

[To be published separately]

§ 71.125 Alaskan low altitude VOR Federal airways.

[To be published separately]

§ 71.127 Hawaiian low altitude VOR Federal airways.

[To be published separately]

Subpart D—Intermediate Altitude VOR Federal Airways

§ 71.141 Designation.

The airspace areas described in this subpart are designated as intermediate altitude VOR Federal airways and unless otherwise specified, the airspace areas outside of the continental control area and within eight miles of each side of the centerline of the airways listed below are designated as control areas. Unless otherwise specified, place names appearing in the descriptions indicate VOR or VORTAC facilities identified by those names.

§ 71.143 Intermediate altitude VOR Federal airways.

[To be published separately]

Subpart E—Continental Control Area

§ 71.151 Restricted areas included.

The airspace of the following restricted areas at or above 14,500 feet MSL and 1,500 feet or more above the surface of the earth is continental control area:

[To be published separately]

Subpart F—Control Areas and Control Area Extensions

§ 71.161 Designation of control areas associated with jet routes outside the continental control area.

Unless otherwise specified, the airspace areas outside of the continental control area and within 16 miles of each side of the jet route segments listed below are designated as control areas: [To be published separately]

§ 71.163 Designation of additional control areas.

Unless otherwise specified, each control area designated below extends upward from 700 feet above the surface of the earth except that the airspace of a control area within the lateral limits of a transition area has a floor coincident with that of the transition area: [To be published separately]

§ 71.165 Designation of control area extensions.

Unless otherwise specified, each control area extension designated below extends upward from 700 feet above the surface of the earth, except that the airspace of a control area extension within the lateral limits of a transition area has a floor coincident with that of the transition area: [To be published separately]

Subpart G—Control Zones

§ 71.171 Designation.

The parts of airspace described below are designated as control zones: [To be published separately]

Subpart H—Transition Areas

§ 71.181 Designation.

The parts of airspace described below are designated as transition areas: [To be published separately]

Subpart I—Positive Control Route Segments and Positive Control Areas

§ 71.191 Designation of positive control route segments.

The parts of airspace described below are designated as positive control route segments: [To be published separately]

§ 71.193 Designation of positive control areas.

The parts of airspace described below are designated as positive control areas: [To be published separately]

Subpart J—Reporting Points

§ 71.201 Designation.

The locations described in this subpart are designated as reporting points.

§ 71.203 Domestic low altitude reporting points.

The reporting points listed below are designated up to, but not including, 14,500 feet, MSL: [To be published separately]

§ 71.205 Domestic intermediate altitude reporting points.

The reporting points listed below are designated beginning at 14,500 feet up to, but not including, 24,000 feet, MSL: [To be published separately]

§ 71.207 Domestic high altitude reporting points.

The reporting points listed below are designated at flight level 240 and above: [To be published separately]

§ 71.209 Other domestic reporting points.

The reporting points listed below are designated at all altitudes: [To be published separately]

§ 71.211 Alaskan low altitude reporting points.

The reporting points listed below are designated up to and including 15,200 feet, MSL: [To be published separately]

§ 71.213 Alaskan high altitude reporting points.

The reporting points listed below are designated above 15,200 feet, MSL: [To be published separately]

§ 71.215 Hawaiian reporting points.

The reporting points listed below are designated at all altitudes: [To be published separately]

PART 73—SPECIAL USE AIRSPACE [NEW]

Subpart A—General

- Sec. 73.1 Applicability.
- 73.3 Special use airspace.
- 73.5 Bearings; radials; miles.

Subpart B—Restricted Areas

- 73.11 Applicability.
- 73.13 Restrictions.
- 73.15 Using agency.
- 73.17 Controlling agency.
- 73.19 Reports by using agency.
- 73.21 Alabama.
- 73.22 Alaska.
- 73.23 Arizona.
- 73.24 Arkansas.
- 73.25 California.
- 73.26 Colorado.
- 73.27 Connecticut.
- 73.28 Delaware.
- 73.29 Florida.
- 73.30 Georgia.
- 73.31 Hawaii.
- 73.32 Idaho.
- 73.33 Illinois.
- 73.34 Indiana.
- 73.35 Iowa.
- 73.36 Kansas.
- 73.37 Kentucky.
- 73.38 Louisiana.
- 73.39 Maine.
- 73.40 Maryland.
- 73.41 Massachusetts.
- 73.42 Michigan.
- 73.43 Minnesota.
- 73.44 Mississippi.
- 73.45 Missouri.
- 73.46 Montana.
- 73.47 Nebraska.
- 73.48 Nevada.
- 73.49 New Hampshire.
- 73.50 New Jersey.

- Sec. 73.51 New Mexico.
- 73.52 New York.
- 73.53 North Carolina.
- 73.54 North Dakota.
- 73.55 Ohio.
- 73.56 Oklahoma.
- 73.57 Oregon.
- 73.58 Pennsylvania.
- 73.59 Rhode Island.
- 73.60 South Carolina.
- 73.61 South Dakota.
- 73.62 Tennessee.
- 73.63 Texas.
- 73.64 Utah.
- 73.65 Vermont.
- 73.66 Virginia.
- 73.67 Washington.
- 73.68 West Virginia.
- 73.69 Wisconsin.
- 73.70 Wyoming.
- 73.71 Puerto Rico.
- 73.72 Guam.

AUTHORITY: §§ 73.1 to 73.72 issued under secs. 307, 313, and 1101 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1510); E.O. 10854, 24 F.R. 9565.

Subpart A—General

§ 73.1 Applicability.

The airspace that is described in Subpart B of this part is designated as special use airspace. This Part prescribes the requirements for the use of that airspace.

§ 73.3 Special use airspace.

(a) Special use airspace consists of airspace of defined dimensions identified by an area on the surface of the earth wherein activities must be confined because of their nature, or wherein limitations are imposed upon aircraft operations that are not a part of those activities, or both.

(b) The vertical limits of special use airspace are measured by designated altitude floors and ceilings expressed as flight levels or as feet above mean sea level.

(c) The horizontal limits of special use airspace are measured by boundaries described by geographic coordinates or other appropriate references that clearly define their perimeter.

(d) The period of time during which a designation of special use airspace is in effect is stated in the designation.

§ 73.5 Bearings; radials; miles.

(a) All bearings and radials in this part are true from point of origin.

(b) Unless otherwise specified, all mileages in this part are stated as statute miles.

Subpart B—Restricted Areas

§ 73.11 Applicability.

This subpart designates restricted areas and prescribes limitations on the operation of aircraft within them.

§ 73.13 Restrictions.

No person may operate an aircraft within a restricted area between the designated altitudes and during the time of designation, unless he has the advance permission of

(a) The using agency described in § 73.15; or

(b) The controlling agency described in § 73.17.

§ 73.15 Using agency.

(a) For the purposes of this part, the following are using agencies:

(1) The agency, organization, or military command whose activity within a restricted area necessitated the area being so designated.

(2) In the case of a Restricted Area/Military Climb Corridor that does not have a designated controlling agency, the Military Air Traffic Control facility that may be contacted for permission for transit through the climb corridor.

(b) Upon the request of the FAA, the using agency shall execute a letter establishing procedures for joint use of a restricted area by the using agency and the controlling agency, under which the using agency would notify the controlling agency whenever the controlling agency may grant permission for transit through the restricted area in accordance with the terms of the letter.

(c) The using agency shall—

(1) Schedule activities within the restricted area;

(2) Authorize transit through, or flight within, the restricted area as feasible; and

(3) Contain within the restricted area all activities conducted therein in accordance with the purpose for which it was designated.

§ 73.17 Controlling agency.

For the purposes of this part, the controlling agency is the FAA facility that may authorize transit through or flight within a restricted area in accordance with a joint-use letter issued under § 73.15.

§ 73.19 Reports by using agency.

(a) Each using agency shall report once a year, in duplicate, to the Director, Air Traffic Service, Federal Aviation Agency, Washington 25, D.C., on each restricted area for which it is the using agency. The report must reach the Director not later than January 31 and shall cover the 12-month period ending with the preceding September 30.

(b) In its report under this section the using agency shall—

(1) State the name and number of the restricted area as published in this part;

(2) State the period covered by the report;

(3) List in detail the activities carried on in the area by all organizations using it for the restricted area purposes;

(4) State the time that daily operations are normally scheduled to begin and end;

(5) State the average number of hours the area is actually used each day, and in addition, for a restricted area used for aircraft operations, the total number of aircraft hours of actual use during the reporting period;

(6) State the number of days each week, weeks each month, and months each year (as appropriate) that the area is used for actual operations;

(7) State whether or not radar is used during operations;

(8) State the number and type of aircraft, if any, normally involved in the activities for which the area was restricted;

(9) List the altitudes used in daily operations of aircraft, including for each activity the altitudes used and the number of hours at each of those altitudes;

(10) Include a chart of the area (of optional scale and design) showing—

(i) The approximate location, and the representative pattern (if any), for firing runs (if any), for bombing runs (if any), the place where runs begin, where firing (if any) begins and ends, and the release point and pullup point; and

(ii) The location of impact areas, if any;

(11) State the maximum ordinate of surface firing (expressed in feet, mean sea level altitude) used for required operations;

(12) State the daily number of hours or minutes, or both, that the maximum ordinate altitudes are normally used in surface to surface firing operations;

(13) List the altitudes normally used for daily surface to surface firing operations;

(14) Include a chart of the area (of optional scale and design) showing—

(i) The location of firing points and impact areas, if any; and

(ii) The perimeter of the firing fan for each weapon used, if any; and

(15) Include a brief statement of any other pertinent facts concerning the current use of the restricted area and requirements for future use of the area or part of it.

(c) This section does not apply to restricted areas established for climb corridors.

§§ 73.21-73.72 [Redesignations]

Sections 73.21 through 73.72. [§§ 608.21 through 608.72 of the regulations of the Administrator are hereby redesignated as §§ 73.21 through 73.72, respectively]

PART 73—DISTRIBUTION TABLE

Former section	Revised section
608.1	(¹)
608.2	73.1
608.3 (2d and 16th clauses)	73.5
608.3 (3d, 6th, and 28th clauses)	73.3
608.3 (5th clause)	73.17
608.3 (13th and 34th clauses)	73.15
608.3 (less 2d, 3d, 5th, 6th, 13th, 16th, 28th, and 34th clauses)	(²)
608.11 (2d sentence)	73.15
608.11 (less 2d sentence)	73.11
608.12	73.13
608.13 (1st 42 words)	73.19
608.13 (less 1st 42 words)	73.15
608.14	73.17
608.15	73.19
608.21-608.72	73.21-73.72

¹ Surplusage.

² Transferred to Part 1.

PART 75—ESTABLISHMENT OF JET ROUTES [NEW]

Subpart A—General

Sec.	
75.1	Applicability.
75.11	Jet routes.
75.13	High altitude navigational aids.
75.15	Jet advisory areas.
75.17	Bearings; radials; miles.

Subpart B—Jet Routes

Sec.	
75.100	Jet routes.

Subpart C—Jet Advisory Areas

Sec.	
75.200	En route jet advisory areas.
75.300	Terminal jet advisory areas.

AUTHORITY: §§ 75.1 to 75.300 issued under secs. 307, 313, and 1101 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1510); E.O. 10854, 24 F.R. 9565.

Subpart A—General

§ 75.1 Applicability.

The routes that are described in Subpart B of this part are designated as jet routes between high altitude navigational aids or intersections of their signals, along which aircraft may be operated at and above flight level 240. The areas described in Subpart C of this part are designated as jet advisory areas along specified jet route segments, VOR/VOR-TAC radials, bearings from L/MF navigational facilities, direct courses between high altitude navigational facilities, centerlines of control area extensions, or in the vicinity of specific geographical locations.

§ 75.11 Jet routes.

(a) Each jet route consists of a direct course for navigating aircraft at and above flight level 240 between the respective navigational aids and intersections specified for that route. They are designated in Subpart B.

(b) Jet routes designated in a west to east direction between their initial and final points are normally assigned even numbers, even though parts of such a route may deviate from that direction between any two or more intermediate points.

(c) Jet routes designated in a south to north direction between their initial and final points are normally assigned odd numbers, even though parts of such a route may deviate from that direction between any two or more intermediate points.

§ 75.13 High altitude navigational aids.

The navigational facilities used in the jet route descriptions in Subpart B of this part, and the following, are high altitude navigational aids:

- (a) Nantucket, Mass.—CONSOLAN.
- (b) Newark, N.J.—RR.
- (c) Wilmington (Carolina Beach), N.C.—RBN.
- (d) Marathon, Fla.—RBN.
- (e) Galveston, Tex.—RBN.
- (f) Grand Isle, La.—RBN.
- (g) Egmont Key, Fla.—RBN.
- (h) Miami, Fla.—RBN.
- (i) Pensacola, Fla.—RBN.
- (j) Millville, N.J.—RR.
- (k) Boston, Mass.—RR.
- (l) Squantum, Mass.—RBN.

§ 75.15 Jet advisory areas.

(a) Unless otherwise designated in Subpart C of this part, each jet advisory area consists of airspace within the continental control area, as designated in that subpart.

(b) En route radar jet advisory areas consist of areas within which jet advisory service is provided by using radar. Unless otherwise designated, each of

them includes the area within 16 miles on each side of the jet route segment from flight level 240 through flight level 390, inclusive.

(c) Terminal radar jet advisory areas consist of areas in which jet advisory service is provided by using radar. Unless otherwise designated, each of them includes the area within 16 miles on each side of the jet route segment, VOR/VORTAC radials, bearings from L/MF navigational facilities, direct courses between navigational facilities, or centerlines of control area extensions from flight level 240 through flight level 390, inclusive.

(d) Unless otherwise designated, non-radar jet advisory areas consist of areas in which jet advisory service is provided on a procedural basis without the use of radar, from flight level 270 through flight level 310, inclusive, and from flight level 370 through flight level 390, inclusive.

(e) Jet advisory areas do not include the airspace within prohibited areas or restricted areas except those restricted areas specified in Subpart E of Part 71 of this chapter.

(f) Jet advisory areas that are based on jet routes are identified by the associated jet route number. Those based on jet route segments VOR/VORTAC radials, bearings from L/MF navigational facilities, direct courses between navigational facilities, or centerlines of control area extensions, and those in the vicinity of geographical locations, are identified by geographical names.

§ 75.17 Bearings; radials; miles.

(a) All bearings and radials in this part are true from point of origin.

(b) Unless otherwise specified, all mileages in this part are stated as statute miles.

Subpart B—Jet Routes

§ 75.100 Jet routes.

[§ 602.100 is hereby redesignated as § 75.100]

Subpart C—Jet Advisory Areas

§ 75.200 En route jet advisory areas.

[§ 602.200 of the regulations of the Administrator is hereby redesignated as § 75.200]

§ 75.300 Terminal jet advisory areas.

[§ 602.300 of the regulations of the Administrator is hereby redesignated as § 75.300]

PART 75—DISTRIBUTION TABLE

Former section	Revised section
602.1	75.1
602.2 (2d and 14th clauses)	75.17
602.2 (9th clause)	75.15
602.2 (10th clause)	75.11
602.2 (less 2d, 9th, 10th, and 14th clauses)	(¹)
602.3	75.11
602.9	75.13
602.10	75.11
602.50	75.15
602.60	75.15
602.100	75.100
602.200	75.200
602.300	75.300

¹ Transferred to Part 1.

PART 77—NOTICE OF CONSTRUCTION OR ALTERATION AFFECTING NAVIGABLE AIRSPACE

Subpart A—General

Sec. 77.1 Applicability.
77.3 Kinds of construction or alteration affected.

Subpart B—Notice of Proposed Construction or Alteration

77.11 Scope.
77.13 Construction or alteration requiring notice.
77.15 Construction or alteration not requiring notice.
77.17 Form and time of notice.
77.19 Acknowledgment of notice.

Subpart C—Standards for Determining Hazards to Air Navigation

77.21 Scope.
77.23 Standards for determining hazards.
77.25 Airport imaginary surfaces, except runways and heliports.
77.27 Airport imaginary surfaces: runways.
77.29 Heliport imaginary surfaces.

Subpart D—Aeronautical Studies of Effect of Proposed Construction on Navigable Airspace

77.31 Scope.
77.33 Initiation of studies.
77.35 Regional office procedures for aeronautical studies.
77.37 Headquarters review and issue of determination.
77.39 Petitions for public hearing.
77.41 Effective period of determination of no hazard.

Subpart E—Rules of Practice for Hearings Under Subpart D

77.51 Scope.
77.53 Nature of hearing.
77.55 Presiding officer.
77.57 Legal officer.
77.59 Notice of hearing.
77.61 Parties to the hearing.
77.63 Prehearing conference.
77.65 Examination of witnesses.
77.67 Evidence.
77.69 Subpoenas of witnesses and exhibits.
77.71 Revision of construction or alteration proposal.
77.73 Record of hearing.
77.75 Recommendations by parties.
77.77 Final decision of the Administrator.
77.79 Limitations on appearance and representation.

Subpart F—Establishment of Antenna Farm Areas

77.81 Scope.
77.83 General provisions.
77.85 Establishment of antenna farm areas.

AUTHORITY: §§ 77.1 to 77.85 issued under secs. 307, 313, and 1101 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, and 1510); E.O. 10854, 24 F.R. 9565.

Subpart A—General

§ 77.1 Applicability.

This part:—
(a) Sets forth the requirements for notice to the Administrator of certain proposed construction or alteration described in Subpart B of this part;

(b) Establishes standards for determining whether that proposed construction or alteration would be a hazard to air navigation;

(c) Provides for aeronautical studies of proposed construction or alteration that would exceed the standards in this part, to determine its effect on the safe

flight of aircraft and the efficient use of airspace;

(d) Provides for public hearings on the hazardous effect of proposed construction or alteration on air navigation; and

(e) Provides for establishing antenna farm areas.

§ 77.3 Kinds of construction or alteration affected.

(a) This part applies to the following kinds of construction or alteration:

(1) Erecting any permanent or temporary construction or apparatus, including implements or materials used therein.

(2) Altering any permanent or temporary existing structure by a change in its height (including appurtenances), or lateral dimensions, including implements or materials used therein.

(b) This part does not apply to any structure that was in existence on July 15, 1961, except with respect to a change in its height (including appurtenances), or lateral dimensions, after that date.

(c) The standards in this part apply only in determining the effect that proposed construction or alteration would have on air navigation from an airspace utilization standpoint. They do not affect the standards in Parts ---- and ---- [present Parts 609 and 610] of this chapter or in Technical Standard Order TSO-N18.

Subpart B—Notice of Proposed Construction or Alteration

§ 77.11 Scope.

(a) This subpart requires each person proposing any kind of construction or alteration described in § 77.13 to give adequate notice to the Administrator. It specifies the locations and dimensions of the construction or alteration for which notice is required and prescribes the form and manner of the notice.

(b) The information in notices received under this subpart provides a basis of charting and other notification to airmen of new or altered construction or apparatus.

§ 77.13 Construction or alteration requiring notice.

Each person who proposes any of the following construction or alteration shall notify the Administrator in the form and manner prescribed in § 77.17:

(a) Any construction or alteration that would be more than 150 feet above the surface level of its site.

(b) Any construction or alteration within 15,000 feet of the boundary of an airport (except a heliport), that would extend above the airport elevation, or above the surface level of its site, whichever is higher, more than one foot vertically for each 100 feet (or fraction thereof) of the horizontal distance from the construction or alteration to the airport boundary.

(c) Any construction or alteration within 5,000 feet of the boundary of any heliport, that would extend above the heliport elevation, or above the surface level of its site, whichever is higher, more than three feet vertically for each 100 feet (or fraction thereof) of the hori-

zontal distance from the construction or alteration to the heliport boundary.

(d) Any construction or alteration that would extend into an airport approach plane consisting of an imaginary surface extending from each end of any airport runway that is at least 2,000 feet long, longitudinally centered on the extended centerlines thereof, for 1,000 feet at the elevation of the approach end of the runway and then sloping upward at a ratio of 1 to 60, but not extending beyond any limit in paragraph (b) of this section or beyond 10,000 feet from the runway end, and having—

(1) In the case of an instrument approach runway or runway at least 5,000 feet long, a width of 1,000 feet at the end adjacent to the runway and expanding uniformly to a width of 4,000 feet at a distance of 10,000 feet from the end of the runway; and

(2) In the case of a noninstrument approach runway having a length of 2,000 feet or more up to, but not including, 5,000 feet, a width of 500 feet at the end adjacent to the runway and expanding uniformly to a width of 3,000 feet at a distance of 10,000 feet from the end of the runway.

(e) Any construction or alteration within 500 feet of the centerline of any runway.

(f) Any construction or alteration 500 feet or more from a runway centerline, if that construction or alteration would project above an inclined plane extending upward from the ground from a base line 500 feet either side of and parallel to each runway centerline, sloping upward and away from the runway at a ratio of one to seven to a height of 150 feet above the airport elevation.

(g) Any construction or alteration that would project above an inclined plane that extends upward and away from the outer edge of an airport approach plane (as described in paragraph (d) of this section) at a ratio of one to seven until it intersects the limits described in paragraph (b) of this section, but not more than a height of 150 feet above the airport elevation.

§ 77.15 Construction or alteration not requiring notice.

(a) No person is required to notify the Administrator as prescribed by § 77.17, for any of the following:

(1) Any construction or alteration that, when completed, would be shielded by—

(i) Existing construction of a permanent and substantial nature;

(ii) Natural terrain; or

(iii) Topographic features of equal or greater height; if as a result of that shielding, the proposed construction or alteration would not cause an increase in potential hazard to aircraft operations.

(2) Any antenna structure that, when completed, would not be more than 20 feet high and would be located on the ground or on an existing structure other than an antenna structure.

(3) Any electronic facility the broadcast signal of which is used for navigational guidance by aircraft, any airport visual approach or landing aid, or any airport ceiling or visibility indicator de-

vice, the location and height of which would be fixed by its functional purpose.

(b) In any case where there is doubt as to whether construction or alteration of the type described in paragraph (a) (1) of this section would increase the potential hazard to aircraft, the sponsor of the construction or alteration shall notify the Administrator as prescribed in § 77.17.

§ 77.17 Form and time of notice.

(a) Each person who is required to notify the Administrator under this subpart shall send three executed copies of Form FAA-117, "Notice of Proposed Construction or Alteration", to the Chief, Air Traffic Division, of the nearest regional office of the FAA, or to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C.

(b) The notice must be submitted at least 30 days before the earlier of the following dates:

(1) The date the proposed construction or alteration is to begin.

(2) The date an application for a construction permit is to be filed.

However, a notice relating to proposed construction or alteration that is subject to the licensing requirements of the Federal Communications Act may be sent to the FAA at the same time the application for construction is filed with the Federal Communications Commission.

(c) In the case of an emergency involving essential public services, public health, or public safety, that requires immediate construction or alteration, the 30-day requirement in paragraph (b) of this section does not apply and the notice may be sent by telephone, telegraph, or other expeditious means, with an executed Form FAA-117 submitted within 5 days thereafter.

§ 77.19 Acknowledgment of notice.

(a) The FAA acknowledges receipt of each notice submitted under § 77.13.

(b) If the construction or alteration proposed in a notice does not violate the standards in Subpart C of this part, the acknowledgment contains a statement to that effect and a request that the acknowledging office be notified when the construction or alteration reaches the minimum height requiring notice under § 77.13.

(c) If the construction or alteration proposed in a notice violates the standards in Subpart C of this part, the acknowledgment advises the sponsor—

(1) That the construction or alteration at the location and to the height specified in the notice, would violate those standards, and a preliminary determination has been made that it would be a hazard to air navigation;

(2) Of any possible modifications of the construction or alteration that would eliminate the violation;

(3) That he may request the FAA, within 30 days after the date of acknowledgment, to make an aeronautical study of the proposal or an amended proposal, and that the preliminary determination of a hazard would expire at the beginning of the study; and

(4) That the preliminary determination of hazard becomes final unless the FAA receives a request for an aeronautical study within 30 days after the date of acknowledgment or an aeronautical study is initiated within 60 days after that date.

Subpart C—Standards for Determining Hazards to Air Navigation

§ 77.21 Scope.

(a) This subpart establishes standards for evaluating the effect on air navigation of any proposed construction or alteration for which a notice has been sent to the Administrator under Subpart B of this part.

(b) The standards in this subpart are applied to establish which proposed construction or alteration requiring notice would result in a hazard to air navigation unless, upon an aeronautical study under this part, it is determined that it would not be a hazard.

§ 77.23 Standards for determining hazards.

(a) Unless, based upon an aeronautical study under this part, it is determined that it would not be a hazard, or unless it is entirely within an antenna farm area established under Subpart E of this part, any proposed construction or alteration for which a notice has been submitted under § 77.17 and that would extend above a height set forth in any of the following subparagraphs, may ultimately be considered to be a hazard to air navigation:

(1) An elevation of 500 feet above ground at the site of the construction or alteration.

(2) An elevation of 200 feet above ground at the site of the construction or alteration and within a control zone or within five miles of either side of the centerline of a low altitude Federal airway or a VFR flyway that is an established air route, depicted on aeronautical charts, along a valley, river, highway, railroad, shoreline, or other visually identifiable path over the ground, used for pilotage under weather conditions suitable for flight under Visual Flight Rules.

(3) An elevation, at the site of the construction or alteration, that is 951 feet below the minimum en route altitude of an approved off-airway route, or 200 feet above ground, whichever is higher, if the construction or alteration is within five miles of either side of that route.

(4) An elevation above mean sea level, at the site of the construction or alteration, that is on a slope ratio of 1 to 50 extending upward from 500 feet below the minimum en route altitude of any Low Altitude Federal airway or approved off-airway route, beginning at a point five miles from and perpendicular to the centerline of that airway or the course of that route, if the construction or alteration would be more than five, but not more than 10, miles from that centerline or course and a perpendicular line from that centerline or course on which the construction or alteration lies intersects the centerline or course not more than 25 miles from the nearest electronic air navigation aid upon which that airway or route is based.

(5) An elevation above mean sea level, at the site of the construction or alteration, that is 500 feet below the minimum en route altitude for any Low Altitude Federal airway or approved off-airway route, if the construction or alteration would be more than five, but not more than 10, miles perpendicular distance from the centerline of that airway or the course of that route and more than 25 miles from the nearest electronic air navigation aid upon which the airway or route is based, measured as prescribed in subparagraph (4) of this paragraph.

(6) Any airport or heliport imaginary surface as established under § 77.25, § 77.27, or § 77.29.

(b) The standards in this section apply to the effect of proposals for construction or alteration upon any electronic facility whose broadcast signal is used for navigational guidance by aircraft, airports, Low Altitude Federal airways, standard instrument approach procedures, approved off-airway routes, or control zones, and changes in any of them, that are not in existence at the time of filing the notice required by Subpart B of this part, but only if plans or proposals for such a facility or change are on file with the FAA on the date the notice is filed. Minimum obstruction clearance altitudes are considered in place of minimum en route altitudes in applying these standards to construction or alteration proposals whenever planning information available at the time of the notice indicates a need to lower the minimum en route altitude of a segment of a Federal airway, and that need may be filled by an additional VOR, distance measuring equipment, or other electronic air navigation aid.

(c) In any case in which more than one of the standards in this section would apply, the most restrictive one is applied.

§ 77.25 Airport imaginary surfaces, except runways and heliports.

The following airport imaginary surfaces are established for airports based on the length of the longest runway:

(a) Inner horizontal surface—a circular plane, 150 feet above the established elevation of the airport having a radius from an airport reference point selected or approved by the FAA as its approximate center—

(1) Two and one-half miles (13,200 feet)—for runways at least 5,000 feet long;

(2) One and one-half miles (7,920 feet)—for runways at least 2,000, but less than 5,000 feet long; or

(3) One mile (5,280 feet)—for runways less than 2,000 feet long.

(b) Conical surface—a surface extending from the periphery of the inner horizontal surface upward and outward at a—

(1) Slope ratio of 1 to 40 for a horizontal distance of 14,000 feet—for runways at least 5,000 feet long;

(2) Slope ratio of 1 to 30 for a horizontal distance of 10,500 feet—for runways at least 2,000, but less than 5,000, feet long; or

(3) Slope ratio of 1 to 20 for a horizontal distance of 7,000 feet—for runways less than 2,000 feet long.

(c) Outer horizontal surface—a circular plane, 500 feet above the established airport elevation extending outward from the periphery of the conical surface—

(1) 25,600—for runways at least 5,000 feet long; or

(2) 7,980 feet—for runways at least 2,000, but less than 5,000 feet long.

§ 77.27 Airport imaginary surfaces: runways.

The following airport imaginary surfaces are established for runways:

(a) Instrument approach area surface—a plane longitudinally centered on the extended runway centerline beginning at the end of the runway and extending 500 feet outward at the elevation of the approach end of the runway and then sloping upward at a ratio of 1 to 50 to an altitude of 500 feet above the established airport elevation, then constant to the outer end of the plane; being 1,000 feet wide at the end adjacent to the runway and expanding uniformly to a width of 16,000 feet at a distance of 50,000 feet from the end of the runway (and, in the case of a runway for which an instrument approach with straight-in landing minimums are prescribed, having an instrument approach area surface at each end).

(b) Noninstrument approach area surface—a plane longitudinally centered on the extended runway centerline, the runway having (in the case of one for which no instrument approach with straight-in landing minimums are prescribed) a noninstrument approach area surface at each end as follows:

(1) For runways at least 5,000 feet long—beginning at the end of the runway and extending 500 feet outward at the elevation of the approach end of the runway and then sloping upward at a ratio of 1 to 50, being 1,000 feet wide at the beginning and expanding uniformly to a width of 4,000 feet at the outer extremity, 10,000 feet from the end of the runway.

(2) For runways at least 2,000, but less than 5,000 feet, long—beginning at the end of the runway and extending 500 feet outward at the elevation of the approach end of the runway and then sloping upward at a ratio of 1 to 40, being 500 feet wide at the beginning and expanding uniformly to a width of 3,000 feet at the outer extremity, 10,000 feet from the end of the runway.

(3) For runways less than 2,000 feet long—beginning at the end of the runway, at the elevation of the approach end of the runway and sloping upward at a ratio of 1 to 20, being 250 feet wide at the beginning and expanding uniformly to a width of 2,000 feet at the outer extremity, 10,000 feet from the end of the runway.

(c) Transitional surface—an inclined plane sloping upward and away from each side of each runway and its associated approach area surfaces, at a ratio of 1 to 7 to a height of 150 feet above the airport elevation, and with—

(1) The edge of the approach area surface as a base line for the transitional surface of the approach area surface;

(2) For the length of the runway, the base of the transitional surface parallel

to and at the elevation of the runway; and

(3) The distance of the runway transitional surface base line from the runway centerline as follows:

(i) 500 feet—for runways at least 5,000 feet long and for instrument approach runways.

(ii) 250 feet—for runways at least 2,000, but less than 5,000, feet long.

(iii) 125 feet—for runways less than 2,000 feet long.

§ 77.29 Heliport imaginary surfaces.

A heliport conical surface is a surface sloping upward and outward to an altitude of 500 feet above the established heliport elevation at a ratio of 1 to 8, beginning at the heliport elevation on the perimeter of a circle or circles of 200-foot radius centered on each heliport.

Subpart D—Aeronautical Studies of Effect of Proposed Construction on Navigable Airspace

§ 77.31 Scope.

(a) This subpart establishes procedures to be applied in initiating and processing informal aeronautical studies of the effect of proposed construction or alteration on the use of navigable airspace by aircraft.

(b) Whenever a study is made under this subpart, its conclusion is normally a determination as to whether the specific proposal being studied would be a hazard to air navigation.

§ 77.33 Initiation of studies.

Aeronautical studies of the effect, on the use of navigable airspace, of proposed construction or alterations to heights that would exceed the standards set forth in Subpart C of this part are initiated by the FAA—

(a) Upon the request of the sponsor of any construction or alteration for which a notice was submitted under Subpart B of this part; or

(b) Whenever it is otherwise considered appropriate.

§ 77.35 Regional office procedures for aeronautical studies.

(a) Whenever an aeronautical study is initiated under this subpart, the Chief of the Air Traffic Division of the Region in which the construction or alteration is proposed informally notifies the sponsor of the construction or alteration and all other known interested persons, by informal circularization, that an informal study is to be made, including enough details of the proposal to provide a basis for the study, such as location by geographical coordinates, height above ground, and height above mean sea level. Aeronautical comments on the proposal are solicited.

(b) If the Chief of the Air Traffic Division concerned finds that there is no substantial aeronautical objection to the proposal in comments he receives, or from the analysis made by that division, he notifies the sponsor, in writing, that the proposal would not result in a hazard to air navigation, and sends a copy of the notice to each other interested person. If the proposed construction or alteration is to be used for or in connection

with communications, he sends a copy of the letter to the Secretary of the Federal Communications Commission.

(c) If the Chief of the Air Traffic Division concerned finds that there is substantial aeronautical objection to the proposal in comments he receives, or from the analysis made by that Division, he sends a written notice to all interested persons, including the sponsor, of an informal meeting, to be held in the Regional Office, at which the aeronautical study will be discussed. In addition to evaluating the effects of the proposed construction or alteration on air navigation, the purposes of such a meeting are to explore aeronautical objections to the proposal, attempt to develop recommendations for adjustment of aviation requirements that would accommodate the proposed construction or alteration, and examine possible changes in the proposal, including revisions that would eliminate the violation of the standards in Subpart C of this part.

(d) Any interested person may attend the meeting in person or be represented by an attorney or other person, and may introduce at the meeting any material, oral presentation, or written statements that are pertinent to the study. A designated FAA representative presides at the meeting.

(e) The Chief of the Air Traffic Division concerned has a summary report made of the informal meeting and recommends conclusions on the effect of the proposed construction or alteration on the use of navigable airspace. He sends the report and copies of all pertinent written material and statements received as a result of the circular and meeting to the Obstruction Evaluation Branch of the Airspace Utilization Division for its review.

§ 77.37 Headquarters review and issue of determination.

(a) Based on its review and analysis of the report made under § 77.35, the Obstruction Evaluation Branch evaluates each construction or alteration proposal as to its effect on the safe and efficient use of airspace by aircraft. The Chief of that Branch issues a determination as to whether it would be a hazard to air navigation, including appropriate findings. He sends copies of the determination to the sponsor of the construction or alteration and each other interested person (including the Secretary of the Federal Communications Commission, if appropriate), and publishes it in the FEDERAL REGISTER.

(b) A determination made under this section is final unless an appeal from it is granted under § 77.39.

§ 77.39 Petitions for public hearing.

(a) The sponsor of any proposed construction or alteration, or any person who stated a substantial aeronautical objection to it in the study made under § 77.35 may petition the Administrator, within 30 days after the date the determination is issued under § 77.39, for a public hearing to obtain a formal decision of the Administrator on the matter.

(b) The petition must be in triplicate and must contain a full statement of the basis for it.

(c) The Administrator determines whether there is adequate grounds for the substance of the petition and grants or denies a hearing on that basis.

§ 77.41 Effective period of determination of no hazard.

(a) Unless it is otherwise revised or terminated, each final determination, made under this subpart or Subpart E of this part, that proposed construction or alteration would not be a hazard to air navigation, expires 18 months after its effective date or upon the date the proposed construction or alteration is abandoned, whichever is earlier.

(b) In any case where the proposed construction or alteration has not been started during the 18-month period any interested person may petition the Administrator to—

(1) Revise the final determination based on new facts that alter the basis upon which the determination was made; or

(2) Extend the effective period of the determination.

(c) The Administrator provides an appropriate review for each petition and the facts upon which it is based, and revises, extends, or reaffirms the determination as indicated by his findings.

Subpart E—Rules of Practice for Hearings Under Subpart D

§ 77.51 Scope.

This subpart applies to hearings held by the FAA under Titles III and X of the Federal Aviation Act of 1958 (49 U.S.C. Subchapters III and X), on proposed construction or alteration that affects the use of navigable airspace.

§ 77.53 Nature of hearing.

Sections 4, 5, 7, and 8 of the Administrative Procedure Act (5 U.S.C. 1003, 1004, 1006, and 1007) do not apply to hearings held on proposed construction or alteration to determine its effect on the safety of aircraft and the efficient use of navigable airspace because those hearings are fact-finding in nature. As a fact-finding procedure, each hearing is nonadversary and there are no formal pleadings or issues and no adverse parties.

§ 77.55 Presiding officer.

(a) If, under § 77.39, the Administrator orders a public hearing to be held on any proposed construction or alteration covered by this part, the Director of the Air Traffic Service designates an employee of the FAA to be the Presiding Officer at that hearing.

(b) The Presiding Officer may—

(1) Give notice of the date and location of the hearing and any pre-hearing conference that may be held;

(2) Administer oaths and affirmations;

(3) Examine witnesses;

(4) Issue subpoenas and take depositions or have them taken;

(5) Obtain, in the form of a public record, all pertinent and relevant facts relating to the subject matter of the hearing;

(6) Rule, with the assistance of the Legal Officer, upon the admissibility of evidence;

(7) Regulate the course and conduct of the hearing; and

(8) Designate parties to the hearing and revoke those designations.

§ 77.57 Legal officer.

The General Counsel designates a member of his staff to serve as Legal Officer at each hearing under this subpart. The Legal Officer may examine witnesses and assist and advise the Presiding Officer on questions of evidence or other legal questions arising during the hearing.

§ 77.59 Notice of hearing.

In designating a time and place for a hearing under this subpart, the Presiding Officer considers the needs of the FAA and the convenience of the parties and witnesses. The time and place of each hearing is published in the "Notices" section of the FEDERAL REGISTER before the date of the hearing, unless the notice is impractical or unnecessary.

§ 77.61 Parties to the hearing.

The Presiding Officer shall designate the following as parties to the hearing:

(a) The proponent of the proposed construction or alteration.

(b) Those persons whose activities would be substantially affected by the proposed construction or alteration.

§ 77.63 Prehearing conference.

(a) The Presiding Officer may, in his discretion, hold a prehearing conference with the parties to the hearing and the Legal Officer at a convenient time and place.

(b) Each party to a prehearing conference shall, at least 24 hours before the conference, submit a brief written statement of the evidence he intends to provide through his witnesses and by questioning other witnesses at the hearing, and shall provide enough copies of the statement so that the Presiding Officer may keep three for the FAA and give one to each other party.

(c) At the prehearing conference, the Presiding Officer reduces and simplifies each issue so far as possible and advises the parties of the probable order of presenting the evidence.

§ 77.65 Examination of witnesses.

(a) Each witness at a hearing under this subpart shall, after being sworn by the Presiding Officer, give his testimony under oath.

(b) The party for whom a witness, other than an employee of the FAA, is testifying shall examine that witness. After that examination, other parties to the hearing may examine the witness, in the order fixed by the Presiding Officer. The Presiding Officer and the Legal Officer may then examine the witness. The Presiding Officer may grant any party an additional opportunity to examine any witness, if that party adequately justifies the additional examination.

(c) The Legal Officer examines each FAA employee who is a witness, before the other parties examine him. After

that examination, the order prescribed in paragraph (b) of this section applies.

§ 77.67 Evidence.

(a) The Presiding Officer receives all testimony and exhibits that are relevant to the issues of the hearing. So far as possible, each party shall submit enough copies of his exhibits that the Presiding Officer may keep three copies for the FAA and give one to each other party.

(b) The Presiding Officer excludes any testimony that is irrelevant or unduly repetitious. A party to the hearing may object to the admission of evidence only on the ground that it is irrelevant.

§ 77.69 Subpoenas of witnesses and exhibits.

(a) The Presiding Officer of a hearing may issue subpoenas for any witness or exhibit that he determines may be material and relevant to the issues of the hearing. So far as possible, each party to the hearing shall provide the witnesses and exhibits that he intends to present at the hearing.

(b) If any party to the hearing is unable to provide his necessary witnesses and exhibits, he shall advise the Presiding Officer far enough in advance that the Presiding Officer can determine whether he should issue subpoenas for the desired witnesses or exhibits.

§ 77.71 Revision of construction or alteration proposal.

(a) The sponsor of any proposed construction or alteration covered by this Part may revise his proposal at any time before or during the hearing. If he revises it, the Presiding Officer decides whether the revision affects the proposal to the extent that he should send it to the Administrator for a redetermination of the need for a hearing.

(b) If the Presiding Officer decides that it does not need to be re-submitted to the Administrator, he advises the parties of the revised proposal and takes the action necessary to allow all parties to effectively participate in the hearing on the revised proposal. Without limiting his discretion, the Presiding Officer may recess and reconvene the hearing, or hold another prehearing conference.

§ 77.73 Record of hearing.

(a) Each hearing is recorded verbatim by an official reporter under an FAA contract. The transcript, and all exhibits, become a part of the record of the hearing.

(b) Any person may buy a copy of the transcript of the hearing from the reporter at the price fixed for it.

(c) The Presiding Officer may allow any party to withdraw an original document if he submits authenticated copies of it.

(d) Any person may buy, from the FAA, photostatic copies of any exhibit by paying the copying costs.

(e) A change in the official transcript of a hearing may be made only if it involves an error of substance. Any recommendation to correct the transcript must be filed with the Presiding Officer within five days after the hearing closes. The Presiding Officer reviews each request for a correction to the extent he

considers appropriate and shall make any revisions that he finds appropriate as a result of that review.

§ 77.75 Recommendations by parties.

Within 20 days after a hearing closes, each party to it, or any other interested person, may submit five copies of his recommendations for a final decision to be made by the Administrator.

§ 77.77 Final decision of the Administrator.

After reviewing the evidence relevant to the issues of a hearing, including the official transcript and the exhibits the Administrator resolves all questions of fact, based on the weight of evidence, and makes his determination, stating the basis and reasons for it. He then issues an appropriate order to be published in the FEDERAL REGISTER and served on each of the parties.

§ 77.79 Limitations on appearance and representation.

(a) A former officer or employee of the FAA may not appear on behalf of, or represent, any party before the FAA in connection with any matter to which this part applies, if he considered or passed on that matter while he was an officer or employee of the FAA.

(b) A person appearing before the FAA on any matter to which this part applies may not, in connection with that appearance, knowingly accept assistance from, or share fees with, any person who is prohibited, by paragraph (a) of this section, from appearing himself on that matter.

(c) A former officer or employee of the FAA may not, within six months after he ceases to be such an officer or employee, appear before the FAA on behalf of, or represent, any party in connection with any proceeding that was pending under this part while he was an officer or employee of the FAA, unless he obtains written consent from an appropriate officer of the FAA, based on a verified showing that he did not personally consider the matter concerned or gain particular knowledge of it while he was an officer or employee of the FAA.

Subpart F—Establishment of Antenna Farm Areas

§ 77.81 Scope.

(a) This subpart establishes antenna farm areas in which antenna structures may be grouped to localize their effect on the use of navigable airspace.

(b) It is the policy of the FAA to encourage the use of antenna farms and the single structure-multiple antenna concept for radio and television towers whenever possible. In considering proposals for establishing antenna farm areas, it considers as far as possible the revision of aeronautical procedures and operations to accommodate antenna structures that will fulfill broadcasting requirements.

§ 77.83 General provisions.

(a) An antenna farm area consists of a specified geographic location with established dimensions of area and height, where antenna towers with a

common impact on aviation may be grouped.

(b) Each proposal for an antenna farm area is evaluated on the basis of its effect on the use of navigable airspace. The views of the Federal Communications Commission are requested on the effect that each establishment of an antenna farm area would have on its statutory responsibilities. Any views submitted by it are fully considered before the antenna farm concerned is established. If the Commission advises that the establishment of any proposed antenna farm area would interfere with its statutory responsibility, the proposed area is not established.

(c) The establishment of an antenna farm area is considered whenever it is proposed by—

- (1) The FAA;
- (2) The Federal Communications Commission;
- (3) The sponsor of a proposed antenna tower; or
- (4) Any person having a substantial interest in a proposed antenna tower.

§ 77.85 Establishment of antenna farm areas.

The airspace areas described in the following sections of this subpart are established as antenna farm areas.

§§ 77.87-77.1100 [Reserved]

[§§ 77.87-77.1100 reserved for descriptions of antenna farm areas]

PART 77—DISTRIBUTION TABLE

Former section	Revised section
626.1	77.1
626.2 (f), (h), (m), and (x)	77.3
626.2 (less (f), (h), (m), and (x))	(¹)
626.3	77.3
626.8 (less last 18 words of (a) and less last sentence of (b))	77.11
626.8 (last 18 words of (a) and last sentence of (b))	77.21
626.9(a)	77.13
626.9 (less (a))	77.15
626.10	77.17
626.11	77.19
626.12	77.23
626.13(a)	77.25
626.13(b)	77.27
626.13 (less (a) and (b))	77.29
626.30	77.31
626.31	77.33
626.32	77.35
626.33	77.37
626.34	77.39
626.35	77.41
626.50	77.51
626.51	77.53
626.52	77.55
626.53	77.57
626.54	77.59
626.55	77.61
626.56	77.63
626.57	77.65
626.58	77.67
626.59	77.69
626.60	77.71
626.61	77.73
626.62	77.75
626.63	77.77
626.64	77.79
626.75(a) (last sentence)	77.23
626.75 (less last sentence of (a))	77.81
626.76	77.83
626.77	77.85

¹ Transferred to Part 1.

[Airspace Docket No. 62-WA-89]

PART 600—DESIGNATION OF FEDERAL AIRWAYS**PART 602—DESIGNATION OF JET ROUTES, JET ADVISORY AREAS AND HIGH ALTITUDE NAVIGATIONAL AIDS****Alteration and Designation of Federal Airways; Alteration of Jet Route and Jet Advisory Area**

On August 21, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 8321) stating that the Federal Aviation Agency (FAA) proposed to alter the low altitude, intermediate altitude and jet route structure in the vicinity of Vance Air Force Base, Enid, Okla., and to depict on all aeronautical charts the following described "Intensive Student Jet Training Areas". These actions would meet the Department of the Air Force airspace requirements for undergraduate pilot training activities at Vance AFB and would have the least impact on other segments of aviation.

I

Name. Vance One Intensive Student Jet Training Area.

Boundary. Beginning at latitude 36°21'00" N., longitude 99°40'20" W.; to latitude 37°03'40" N., longitude 98°50'30" W.; to latitude 37°04'30" N., longitude 98°25'30" W.; to latitude 36°58'20" N., longitude 98°02'00" W.; to latitude 36°47'30" N., longitude 97°34'00" W.; to latitude 36°37'30" N., longitude 97°19'00" W.; to latitude 35°49'30" N., longitude 97°41'20" W.; to latitude 35°39'00" N., longitude 98°17'00" W.; to latitude 35°45'00" N., longitude 98°52'10" W.; to the point of beginning.

Time of use. Sunrise to Sunset, Monday through Friday.

Altitudes. 10,000 feet MSL to 23,000 feet MSL.

II

Name. Vance Two Intensive Student Jet Training Area.

Boundary. Beginning at latitude 36°35'10" N., longitude 97°08'03" W.; to latitude 36°08'00" N., longitude 97°21'30" W.; to latitude 36°10'00" N., longitude 97°07'55" W.; to latitude 36°09'00" N., longitude 97°07'25" W.; to latitude 36°10'00" N., longitude 96°56'30" W.; to latitude 36°11'15" N., longitude 96°49'00" W.; to latitude 36°09'55" N., longitude 96°48'45" W.; to latitude 36°12'30" N., longitude 96°23'30" W.; to latitude 36°25'00" N., longitude 96°20'00" W.; to latitude 36°31'00" N., longitude 96°15'05" W.; to latitude 36°38'00" N., longitude 96°22'55" W.; to latitude 36°39'40" N., longitude 96°56'00" W.; thence clockwise along a 10-mile radius circle centered at latitude 36°43'40" N., longitude 97°06'10" W. (Ponca City Airport) to point of beginning.

Time of use. Sunrise to Sunset, Monday through Friday.

Altitudes. 10,000 feet MSL to 19,000 feet MSL.

The Air Transport Association of America in commenting on the proposed amendments endorsed the objectives of the "Intensive Student Jet Training Area" concept, but did not agree to the proposed disposition of VOR Federal airway Nos. 17, 1531, 1541, 1644, and 1775 and recommended that the following changes be made in the proposals as published in the notice:

1. Retain Victor 17 and Victor 1531 as designated and relocate the southwestern boundary of Vance No. 1 northeastward to the northeastern edge of Victor 1531.

2. Realign Victor 12 north alternate and Victor 1775 from Gage, Okla., via the intersection of the Liberal, Kans., VOR direct radial to the Anthony, Kans., VOR and the Gage VOR direct radial to the Hutchinson, Kans., VOR; to the Wichita, Kans., VORTAC.

3. Designate a low and intermediate altitude airway from Oklahoma City, Okla., direct to Wichita, and use these airways as the eastern boundary of Vance No. 1 and the western boundary of Vance No. 2.

4. Designate a low and intermediate altitude airway that would permit a more direct routing between Tulsa, Okla., and Wichita.

The above changes recommended by the Air Transport Association would reduce the size of the training area (Vance 1) and in part would necessitate additional rule making action, which would delay implementation of the FAA program for the intensive student jet training activity in the Vance area. Therefore, these changes cannot be made at this time. However, the recommendations will be studied and if considered advantageous and desirable, will be made the subject of separate action.

No other adverse comments were received.

It was stated in the notice that the prohibition of acrobatics on the airways would not be considered applicable within the altitude and geographical limits of the "Intensive Student Jet Training Areas" when the areas were in use for student jet training by the Air Training Command. This statement requires clarification in that it was intended that only participating jet training flights be exempt from the prohibition against acrobatics. Therefore, by separate action, an exemption to the provisions of § 60.16(b) of Part 60 of the Civil Air Regulations, applicable to the Air Training Command is being granted to the Department of the Air Force.

It was also stated in the notice that during the time these areas were in use, IFR flights of nonparticipating aircraft would not be cleared to transit the areas, but that VFR flights would not be denied access to the areas. However, VFR flights would be advised of the training activities and given traffic advisory service. A question was raised as to why access to the areas would be denied to IFR flights, but not denied to VFR flights.

The new concept of "Intensive Student Jet Training Areas" is an effort on the part of the Agency to provide additional service, and more efficient utilization of the airspace, through cooperation and advisories as opposed to regulation and restriction. The distinction made between IFR traffic and VFR traffic is necessary for the following reasons:

1. IFR traffic normally proceeds at higher altitudes than VFR traffic. Since IFR traffic would represent the majority of flights that would transit the training area and since the areas have been kept to minimum size, it is necessary that all IFR traffic circumnavigate the areas in

order to preclude disruption of training. Therefore, IFR traffic will not be authorized by Air Traffic Control to transit the areas during periods of training.

2. VFR traffic en route is not subject to Air Traffic Control; consequently, this traffic cannot be excluded from the areas unless large amounts of airspace are designated as restricted airspace. The depiction of these areas on charts, the advisories issued and lower altitudes available to VFR traffic will serve to minimize the disruption of the training activities.

In describing the airways which would traverse one of the training areas, the notice referred to a south alternate airway between Ponca City, Okla., and Tulsa, Okla., as low altitude VOR Federal airway No. 14 south alternate. This should have been low altitude VOR Federal airway No. 74 south alternate. Since it is not proposed to alter this airway segment, no further action will be required herein. In addition, it was stated in the notice that the FAA proposed to redesignate Jet Route No. 20, jet advisory area "nonradar" from 150 nautical miles southeast of Denver, Colo., to 85 nautical miles northwest of Gage, Okla. Subsequent to publication of the notice, it has been determined that radar coverage is available to only 120 nautical miles southeast of Denver. Accordingly, Jet Route No. 20, jet advisory area "nonradar" is designated herein from 120 nautical miles southeast of Denver in lieu of 150 nautical miles.

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

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

§ 600.6516 [Amendment]

1. In the text of § 600.6516 (14 CFR 600.6516) "INT of the Liberal VOR 090° True and the Ponca City, Okla., VORTAC 280° True radials; Ponca City VORTAC;" is deleted and "Anthony, Kans., VOR; Ponca City, Okla., VORTAC;" is substituted therefor.

§ 600.1530 [Amendment]

2. In the text of § 600.1530 (14 CFR 600.1530, 27 F.R. 170) "INT of the Liberal VOR 090° and the Ponca City, Okla., VOR 280° radials; INT of the Ponca City VOR 280° and the Anthony, Kans., VOR 162° radials; thence 10-mile-wide airway to the Ponca City VOR;" is deleted and "INT of the Liberal VOR 086° and the Hutchinson, Kans., VOR 224° radials; thence 10-mile-wide airway via the Anthony, Kans., VOR; Ponca City Okla., VOR;" is substituted therefor.

§ 600.1531 [Amendment]

3. In § 600.1531 (14 CFR 600.1531) "thence 12-mile-wide airway to the Gage, Okla., VOR;" is deleted and "thence 12-mile-wide airway via the INT of the Oklahoma City, Okla., VOR 282° and the Gage, Okla., VOR 133°

radials; Gage VOR;" is substituted therefor.

§ 600.1644 [Amendment]

4. In § 600.1644 (14 CFR 600.1644) "thence 10-mile-wide airway via the Tulsa, Okla., VOR;" is deleted and "thence 10-mile-wide airway via the INT of the Ponca City VOR 094° and the Tulsa, Okla., VOR 319° radials; Tulsa VOR;" is substituted therefor.

5. In Part 600 (14 CFR Part 600) the following are added:

§ 600.1773 VOR Federal airway No. 1773 (Gage, Okla., to Hutchinson, Kans.).

From the Gage, Okla., VOR to the Hutchinson, Kans., VOR.

§ 600.1775 VOR Federal airway No. 1775 (Gage, Okla., to Wichita, Kans.).

From the Gage, Okla., VOR via the INT of the Gage VOR 043° and the Wichita, Kans., VOR 250° radials; to the Wichita VOR.

§ 602.100 [Amendment]

6. Section 602.100 (27 F.R. 7304) *Jet routes*, is amended as follows:

In the text of Jet Route No. 20 "Garden City, Kans.;" is deleted and "Gage, Okla.;" is substituted therefor.

§ 602.200 [Amendment]

7. Section 602.200 *En route jet advisory areas*, (27 F.R. 7312) is amended as follows:

a. In Jet Route No. 20 Radar "to 150 nmi SE of Denver; from Garden City, Kans., to Oklahoma City, Okla.;" is deleted and "to 120 nmi SE of Denver; from 85 nmi NW of Gage, Okla., to Oklahoma City, Okla.;" is substituted therefor.

b. In Jet Route No. 20 nonradar "from 150 nmi SE of Denver to Garden City, Kans." is deleted and "from 120 nmi SE of Denver to 85 nmi NW of Gage, Okla." is substituted therefor.

These amendments shall become effective 0001 e.s.t., December 13, 1962.

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

Issued in Washington, D.C., on October 18, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-10599; Filed, Oct. 23, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WE-61]

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Area

On August 23, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 8453) stating that the Federal Aviation Agency proposed to alter the Boardman, Oregon, Restricted Area R-5701 in order that the Department of the Navy might accomplish its assigned mission in this area.

No adverse comments were received regarding the proposed amendment.

The description of R-5701, as proposed in the notice, excluded the airspace within 5 statute miles of Jet Route 16 and the centerline of VOR Federal airway No. 1710. Since there is a difference of 2° between the VOR radials upon which these routes are based, the de-

scription of the exclusion could cause confusion as to the amount of airspace being excluded. Therefore, in the interest of simplification, the description of that portion of R-5701, based on the 093° bearing from the bombing target, is changed to exclude the airspace within 5 statute miles of the 256° True radial of the Pendleton, Oreg., VOR. Further, the Navy has conducted an engineering survey of this area and has determined that the coordinates appearing in the notice (latitude 45°43'20" N., longitude 119°41'00" W.) upon which the restricted area is to be centered are incorrect. The correct coordinates should read latitude 45°43'36" N., longitude 119°41'03" W. This change in coordinates will move the boundaries of the restricted area less than one-quarter mile to the north and will not affect current aeronautical operations. Action is being taken herein to reflect these changes.

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 herein and in the notice, the following action is taken:

In § 608.57 *Oregon*, R-5701 Boardman, Oreg., (27 F.R. 7356) is amended to read: R-5701 Boardman, Oreg.

Boundaries and designated altitudes. A 5-nautical-mile radius circle centered at latitude 45°43'36" N., longitude 119°41'03" W., surface to flight level 450; within 3 nautical miles either side of the 093° and 263° bearings from the center of the circle extending to 11 nautical miles from the center, excluding the airspace within 5 statute miles of the 256° radial of the Pendleton, Oreg., VOR, 20,000 feet MSL to flight level 450; within 2 nautical miles N and 3 nautical miles S of the 082° bearing from the center of the circle extending to a line one nautical mile W of and parallel to Butter Creek, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the E extremity; within 3 nautical miles either side of the 234° bearing from the center of the circle extending to 10 nautical miles from the center, excluding the airspace within VOR Federal airway No. 112, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the SW extremity; within 3 nautical miles either side of the 270° bearing from the center of the circle extending to 15 nautical miles from the center, surface to 10,000 feet MSL to a distance of 7 nautical miles from the center of the circle, thence surface to 6,000 feet MSL to the W extremity.

Time of designation. Continuous.
Controlling agency. Federal Aviation Agency, Seattle ARTC Center.

Using agency. Commanding Officer, NAS Whidbey Island, Wash.

This amendment shall become effective 0001 e.s.t. December 13, 1962.

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

Issued in Washington, D.C., on October 18, 1962.

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

[F.R. Doc. 62-10598; Filed, Oct. 23, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WA-120]

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

Revocation of Control Zone

The purpose of this amendment to § 601.2520 of the regulations of the Administrator is to revoke the Oxford, Miss., control zone.

The Federal Aviation Agency has determined that the Oxford control zone is no longer required for air traffic control purposes. Therefore, action is taken herein to revoke this control zone.

Since the change effected by this amendment is less restrictive in nature than present requirements, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective on less than 30 days' notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following action is taken:

Section 601.2520 (27 F.R. 10153) Oxford, Miss., control zone is revoked.

This amendment shall become effective 1800 c.s.t., October 24, 1962.

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

Issued in Washington, D.C., on October 23, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-10718; Filed, Oct. 23, 1962; 10:53 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8232 o.]

PART 13—PROHIBITED TRADE PRACTICES

Dannon Milk Products, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service*; § 13.170-10 *Antiseptic, germicidal*; § 13.170-52 *Medicinal, therapeutic, healthful, etc.*; § 13.170-64 *Nutritive*; § 13.170-74 *Reducing, nonfattening, low-calorie, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Dannon Milk Products, Inc., et al., Long Island City, N.Y., Docket 8232, Sept. 28, 1962]

In the Matter of Dannon Milk Products, Inc., a Corporation, and Juan E. Metzger, Don L. Grantham, and John F. Hazelton, Individually and as Officers of Said Corporation

Order requiring Long Island City, N.Y., sellers of "Dannon Yogurt" to cease advertising falsely in magazines, circulars, etc., and by radio broadcasts, that their said product was "nature's perfect food", would correct poor eating habits, had reducing or antibiotic properties, or con-

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tained fewer calories than milk, except in the plain form.

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

It is ordered, That respondents, Dannon Milk Products, a corporation, and its officers, and Juan E. Metzger, Don L. Grantham, and John F. Hazelton, individually and as officers of said corporation, their representatives, agents and employees, directly or through any corporate or other device, in connection with the sale of their product "Dannon Yogurt", including the plain, flavored and prune whip forms, or any other product containing substantially the same ingredients, or possessing substantially the same properties, whether sold under the same or any other name, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents, directly or by implication, that said product:

(a) Is nature's perfect food;
(b) Will correct poor eating habits;
(c) Except in the plain form contains less calories than the same quantity of milk;

(d) Has intrinsic reducing properties;
(e) Has therapeutic or prophylactic value or is an adequate or effective treatment or cure for gastrointestinal disorders, including but not limited to diarrhea, autointoxication, flatulence, sub-optimal nutrition, amebic dysentery, shigellosis, ulcerative colitis, salmonellosis, or chronic constipation, except that nothing herein shall apply to representations:

(1) As to the relief of post antibiotic diarrhea, or

(2) As to the temporary relief of chronic constipation provided by Dannon Yogurt in the prune whip form;

(f) Has any antibiotic properties and qualities.

2. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement misrepresents in any manner, directly or by implication, the quality, properties, or merits of such product.

3. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said product, any advertisement which contains any of the representations or misrepresentations prohibited in Paragraphs 1 and 2 of this order.

It is further ordered, That respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and

form in which they have complied with the order to cease and desist as set forth herein.

Issued: September 28, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10620; Filed, Oct. 23, 1962;
8:48 a.m.]

[Docket C-244]

PART 13—PROHIBITED TRADE PRACTICES

Fairbanks Ward Industries, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.155 *Prices*: § 13.155-98 *Two-for-one sales*; § 13.155-100 *Usual as reduced, special, etc.*; § 13.175 *Quality of product or service*; § 13.235 *Source or origin*: § 13.235-60 *Place*: § 13.235-60(c) *Foreign, in general*; § 13.240 *Special or limited offers*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Fairbanks Ward Industries, Inc., et al., Chicago, Ill., Docket C-244, Sept. 28, 1962]

In the Matter of Fairbanks Ward Industries, Inc., a Corporation, and Michael Wolfson and Harry Zaidler, Individually and as Officers of Said Corporation

Consent order requiring Chicago distributors to cease supplying retail dealers selling their merchandise with advertising mats to be published over the retailers' names which misrepresented the usual prices, availability, source, quality, etc., of their merchandise as in the order below indicated.

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

It is ordered, That respondents, Fairbanks Ward Industries, Inc., a corporation, and its officers, and Michael Wolfson and Harry Zaidler, individually and as officers of said corporate respondent, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the promotion or offering for sale, sale or distribution of any merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or indirectly, that:

1. Any amount is the usual and customary retail price of respondents' merchandise when such amount is in excess of the price at which respondents' merchandise is usually and customarily sold at retail.

2. Any amount is the usual and customary retail price of merchandise when it is in excess of the generally prevailing price or prices at which the merchandise is sold at retail in the trade area or areas where the representation is made.

3. Any price is a "sale" or special price, unless such price constitutes a reduction from the generally prevailing price or prices at which the merchandise is sold at retail in the trade area or areas where the representation is made.

4. Two sets of any merchandise are being offered for the usual price of one set, unless the sales price for the two sets is respondents' usual and customary retail price for the single set in the recent, regular course of their business.

5. The supply of merchandise offered for sale by respondents is limited, when adequate quantities are available.

6. Offers of merchandise must be accepted at once or within a limited time.

7. Merchandise or service is free or is given as a gift or gratuity without cost to the recipient (a) when all the conditions, obligations, or other prerequisites to the receipt and retention of the free merchandise or service are not clearly and conspicuously disclosed at the outset so as to leave no reasonable probability that the terms of the advertisement or offer might be misunderstood; or (b) when the respondents' price for the article required to be purchased in order to obtain the merchandise or service represented to be free exceeds the usual price of said article by an amount which includes a charge for the merchandise or service represented to be free.

8. The country of origin of merchandise is any other than that in which the merchandise was produced.

9. Any tool or wrench made of carbon steel is made of chrome alloy steel or other alloy steel.

10. Any merchandise offered for sale is guaranteed, unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

B. Misrepresenting, directly or indirectly, the composition, quality, usual price, or availability of their merchandise.

C. Misrepresenting in any manner the savings available to purchasers of respondents' merchandise or the amount by which the price of merchandise has been reduced from the price at which it is customarily sold by respondents or their competitors in the usual course of business in the trade area or areas where the representations are made.

D. Furnishing or otherwise placing in the hands of retailers, or others, the means and instrumentalities by and through which they may mislead or deceive the public in the manner or as to the things hereinabove prohibited.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner

and form in which they have complied with this order.

Issued: September 28, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10621; Filed, Oct. 23, 1962;
8:48 a.m.]

[Docket 8333]

PART 13—PROHIBITED TRADE PRACTICES

Moe Osher and Reliable Handkerchief Co.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*: § 13.1053-80 *Textile Fiber Products Identification Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-70 *Textile Fiber Products Identification Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Moe Osher trading as Reliable Handkerchief Co., New York, N.Y., Docket 8333, Oct. 3, 1962]

In the Matter of Moe Osher, an Individual Trading as Reliable Handkerchief Co.

Order requiring a New York City distributor to cease violating the Textile Fiber Products Identification Act by selling handkerchiefs which did not have affixed thereto labels showing the required information, and by furnishing false guaranties that such products were not misbranded.

The order to cease and desist is as follows:

It is ordered, That respondent Moe Osher, an individual, trading as Reliable Handkerchief Co., and his representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising and offering for sale, in commerce, and in the transportation or causing to be transported in commerce, and the importation into the United States of textile fiber products; and in connection with selling, offering for sale, advertising, delivering, transporting, or causing to be transported, textile fiber products, which have been advertised or offered for sale in commerce; and in connection with selling, offering for sale, advertising, delivering, transporting, and causing to be transported, after shipment in commerce, textile fiber products, either in their original state or which have been made of other textile fiber products shipped in commerce; as the term "commerce" is defined in the Textile Fiber Products Identification Act, of handkerchiefs or other "textile fiber products", as such products are defined in and subject to the Textile Fiber Prod-

ucts Identification Act, do forthwith cease and desist from:

1. Misbranding textile fiber products by failing to affix labels to such products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

2. Furnishing false guaranties that textile fiber products are not misbranded under the provisions of the Textile Fiber Products Identification Act.

By "Final Order" report of compliance was required as follows:

It is further ordered, That respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist as set forth herein.

Issued: October 3, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10622; Filed, Oct. 23, 1962;
8:48 a.m.]

[Docket C-238]

PART 13—PROHIBITED TRADE PRACTICES

Blum's Vogue, Inc., and Irving Eisen

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-40 *Exaggerated as regular and customary*.

Subpart—Misbranding or mislabeling: § 13.1280 *Price*. Subpart—Misrepresenting oneself and goods—Prices: § 13.1805 *Exaggerated as regular and customary*.

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*: § 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-35 *Fur Products Labeling Act*; § 13.1865 *Manufacture or preparation*: § 13.1865-40 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Blum's Vogue, Inc., et al., Chicago, Ill., Docket C-238, Sept. 20, 1962]

In the Matter of Blum's Vogue, Inc., a Corporation and Irving Eisen, Individually and as an Officer of Said Corporation

Consent order requiring a Chicago furrier to cease violating the Fur Products Labeling Act by attaching to fur products labels containing fictitious prices represented thereby as regular retail prices; by advertising in newspapers which failed to show the true animal name of furs, to disclose when fur products contained artificially colored fur, and to describe as natural, furs which were not artificially colored; and by failing to maintain adequate records as a basis for price and value claims.

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

It is ordered, That respondents Blum's Vogue, Inc., a corporation and its officers, and Irving Eisen, individually and as an officer of said corporation and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, manufacture for introduction, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce of fur products; or in connection with the sale, manufacture for sale, advertising, offering for sale, transportation, or distribution of fur products which have been made in whole or in part of fur which had been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

1. Misbranding fur products by:

A. Falsely or deceptively labeling or otherwise identifying such products as to the regular prices or values thereof by any representation that the regular or usual prices of such products are any amount in excess of the prices at which respondents have usually and customarily sold such products in the recent regular course of business.

2. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

A. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

B. Fails to describe fur products as natural, when such is the fact.

C. Represents directly or by implication that the regular or usual price of any fur product is any amount which is in excess of the price at which respondents have usually and customarily sold such products in the recent regular course of business.

D. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

3. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 20, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10600; Filed, Oct. 23, 1962;
8:45 a.m.]

[Docket C-243]

PART 13—PROHIBITED TRADE PRACTICES**Crestmark Manufacturing Co., Inc., et al.**

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; § 13.175 *Quality of product or service*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Crestmark Manufacturing Company, Inc., et al., Paterson, N.J., Docket C-243, Sept. 21, 1962]

In the Matter of Crestmark Manufacturing Company, Inc., a Corporation, Stanley H. Lieberman and Naomi Lieberman, Individually and as Officers of Said Corporation

Consent order requiring Paterson, N.J., manufacturers of jewelry and jewelry findings, including bell caps, to cease representing falsely in advertising that such products were "finished in the heaviest of 18 Karat gold plate or rhodium plate", when in fact they had only a thin coating of gold or gold alloy applied by electrolysis and none were plated with any rhodium.

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

It is ordered, That the respondent Crestmark Manufacturing Company, Inc., a corporation, its officers, and the respondents Stanley H. Lieberman and Naomi Lieberman, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of jewelry and jewelry findings, including bell caps, or any other products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, directly or indirectly:

1. Using the term "gold plate", or "gold plated" or any other word or words of similar import or meaning to designate, describe or refer to any article which does not have a surface plating of gold or gold alloy applied by a mechanical process; provided, however, that any product or part thereof, on which a substantial coating of gold or gold alloy has been affixed by an electrolytic process may be marked or described as "gold electroplate" or "gold electroplated".

2. Using the term "rhodium plate", "rhodium plated" or any other word or words of similar import or meaning, to designate, describe or refer to any article which does not have a surface plating of rhodium or rhodium alloy applied by a mechanical process; *Provided, however*, That any product or part thereof, on which a substantial coating of rhodium or rhodium alloy has been affixed by an electrolytic process may be marked or described as "rhodium electroplate" or "rhodium electroplated".

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report

in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 21, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10601; Filed, Oct. 23, 1962; 8:46 a.m.]

[Docket C-245]

PART 13—PROHIBITED TRADE PRACTICES**Great Eastern Foods Corp. et al.**

Subpart—Misrepresenting oneself and goods—Goods: § 13.1720 *Quantity*; § 13.1775 *Value*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Great Eastern Foods Corporation trading as Home Food Buyers Service, etc., et al., Baltimore, Md., Docket C-245, Sept. 28, 1962]

In the Matter of Great Eastern Foods Corporation, a Corporation Trading and Doing Business as Home Food Buyers Service, Home Frozen Foods Service, and Better Food Service, and Leroy S. Girson and William S. Ledbetter, Individually and as Officers of Said Corporation

Consent order requiring Baltimore sellers of freezers and foods by means of a so-called freezer food plan, to cease representing falsely, through salesmen or otherwise, that purchasers of their said plan would receive the same amount of food and a freezer for what they had been paying for food alone, or less.

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

It is ordered, That respondents Great Eastern Foods Corporation, a corporation, trading and doing business as Home Food Buyers Service, Home Frozen Foods Service or Better Food Service, or any other name, and its officers and Leroy S. Girson and William S. Ledbetter, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of freezers, food or a freezer food plan in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication that purchasers of respondents' freezer food plan will receive the same or any amount of food and a freezer for the same or less money than they have been paying for food alone.

2. Misrepresenting in any manner the savings realized by the purchasers of a freezer food plan, freezer, or food.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the

manner and form in which they have complied with this order.

Issued: September 28, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10602; Filed, Oct. 23, 1962; 8:46 a.m.]

[Docket C-241]

PART 13—PROHIBITED TRADE PRACTICES**Green's Furs, Inc., et al.**

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-45 *Fictitious marking*; § 13.155-70 *Percentage savings*. Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements*: § 13.1212-30 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively to make material disclosure: § 13.1845 *Composition*: § 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*: § 13.1852-35 *Fur Products Labeling Act*; § 13.1880 *Old, used, or reclaimed as unused or new*: § 13.1880-40 *Fur Products Labeling Act*; § 13.1900 *Source or origin*: § 13.1900-40 *Fur Products Labeling Act*; § 13.1900-40 (a) *Maker or seller*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Green's Furs, Inc., et al., Gary, Ind., Docket C-241, Sept. 21, 1962]

In the Matter of Green's Furs, Inc., a Corporation, and Herman Zweiban, Ethel Zweiban, and Robert Fox, Individually and as Officers of the Said Corporation

Consent order requiring Gary, Ind., furriers to cease violating the Fur Products Labeling Act by, among other things, failing to show the name of the manufacturer, etc., on labels on fur products; failing, in newspaper advertising, to disclose the names of animals producing furs, and to set forth the disclosure "second-hand" where required; and representing falsely that fur products were being closed out "at less than half price", and that uncalled for lay away furs could be bought for the balance due when the prices listed as original were fictitious; and failing to maintain adequate records as a basis for price and value claims.

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

It is ordered, That respondents Green's Furs, Inc., a corporation, and its officers, and Herman Zweiban, Ethel Zweiban, and Robert Fox, individually and as officers of the said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce or the transportation or distribution in commerce of any fur product, or in connection with the sale,

[Docket C-239]

PART 13—PROHIBITED TRADE PRACTICES

Harold A. Moore, et al.

advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:
 - A. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.
 - B. Failing to set forth separately on labels attached to fur products composed of two or more sections containing different animal furs the information required to be disclosed under section 4(2) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder with respect to the fur comprising each section.
 - C. Failing to set forth on labels the item number or mark assigned to a fur product.

2. Falsely or deceptively advertising fur products, through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

- A. Fails to show in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.
- B. Fails to disclose that fur products are secondhand when such is the fact.
- C. Represents, directly or by implication, through percentage savings claims that prices of fur products are reduced, in direct proportion to the percentage of savings stated, when such is not the fact.
- D. Represents, directly or by implication, that fur products offered for sale were previously sold by respondents at prices higher than respondents sold such fur products.

E. Misrepresents in any manner the savings available to purchasers of respondents fur products.

3. Making claims and representations of the types covered by subsections (a), (b), (c), and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 21, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10603; Filed, Oct. 23, 1962; 8:46 a.m.]

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1520 *Personnel or staff*; § 13.1550 *Retailer as wholesaler, jobber, or factory distributor*; [Misrepresenting oneself and goods]—Goods: § 13.1625 *Free goods or services*; [Misrepresenting oneself and goods]—Prices: § 13.1817 *Reductions for prospect referrals*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Harold A. Moore also known as Hal Moore et al. trading as Mayfair Appliance, etc., Spokane, Wash., Docket C-239, Sept. 20, 1962]

In the Matter of Harold A. Moore, also known as Hal Moore, and Larry Moore, as Individuals and as Copartners Trading as Mayfair Appliance and as Morse Advertising Associates

Consent order requiring franchised dealers for Morse sewing machines in Spokane, Wash., to cease unfair practices they utilized under their "Morse Owner/Advertiser Program", including representations by their salesmen that they were employed by manufacturers of the sewing machines, were not salesmen but were merely seeking to induce favorable word-of-mouth advertising by witnesses of their demonstrations, that participants in their program would acquire a machine free or for only a down payment, could easily earn enough to offset installment payments by referring leads to purchasers, etc.

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

It is ordered, That respondents Harold A. Moore, also known as Hal Moore, and Larry Moore, as individuals and as copartners trading as Mayfair Appliance, Morse Advertising Associates, or under any other trade name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of sewing machines or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. They are representatives of, or are employed by, the manufacturer of such products; or misrepresenting in any other manner the identity, nature or status of their business.

2. They are engaged in an advertising program; are seeking favorable word-of-mouth advertising; or that they are not engaged in direct selling; or misrepresenting in any other manner their status as salesmen.

3. Any such product will be acquired free, or without cost other than a down payment; or misrepresenting in any other manner how, or the conditions under which, any such products may be acquired.

4. They have in the past, or may in the future, sell such products to 10 out of 24, 53 percent, or any other amount or proportion, however expressed, which is not in accord with the facts, of the leads referred to them; or misrepresenting in any other manner the frequency of sales to leads, or the probability of selling such products to persons whose names are to be referred or submitted by their customers.

5. Installment payments will be offset by referring one lead per month to respondents; or that such payments will easily or customarily be offset or exceeded by lead-referral earnings; or misrepresenting in any other manner the effort which will be necessary to achieve earnings by submitting names to respondents.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: September 20, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10604; Filed Oct. 23, 1962; 8:46 a.m.]

[Docket C-248]

PART 13—PROHIBITED TRADE PRACTICES

Spada Fruit Sales Agency, Inc.

Subpart—Discriminating in price under sec. 2, Clayton Act—Payment or acceptance of commission, brokerage or other compensation under 2(c): § 13.820 *Direct buyers*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Spada Fruit Sales Agency, Inc., Tampa, Fla., Docket C-248, Oct. 3, 1962]

Consent order requiring Tampa, Fla., packers of citrus fruit to cease such illegal practices as paying brokerage or discounts to brokers or direct buyers on a large number of purchases for their own accounts for resale.

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

It is ordered, That the respondent Spada Fruit Sales Agency, Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the sale of citrus fruit or fruit products, in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from:

Paying, granting, or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu

RULES AND REGULATIONS

thereof, upon or in connection with any sale of citrus fruit or fruit products to such buyer for his own account.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: October 3, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10605; Filed, Oct. 23, 1962;
8:46 a.m.]

[Docket 8194]

PART 13—PROHIBITED TRADE PRACTICES

Western Fruit Growers Sales Co.

Subpart—Discriminating in price under sec. 2, Clayton Act—Payment or acceptance of commission, brokerage or other compensation under 2(c): § 13.820 *Direct buyers.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Western Fruit Growers Sales Co., Fullerton, Calif., Docket 8194, Sept. 18, 1962]

Order requiring Fullerton, Calif., packers of citrus fruit and avocados to cease violating sec. 2(c) of the Clayton Act by granting allowances or discounts on a large number of sales to brokers and direct buyers purchasing for their own accounts for resale.

The order to cease and desist is as follows:

It is ordered, That respondent Western Fruit Growers Sales Co., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the sale of citrus fruit or any other food products in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from:

Paying, granting, or allowing, directly or indirectly, to any buyer, or to anyone acting for or in behalf of or who is subject to the direct or indirect control of such buyer, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, upon or in connection with any sale of citrus fruit or any other food products, to such buyer for his own account.

By "Decision and Order", report of compliance was required as follows:

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist

Issued: September 18, 1962.

By the Commission, Commissioner Elman not concurring.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-10606; Filed, Oct. 23, 1962;
8:47 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Hood Canal, Wash.

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), § 203.784 is hereby prescribed to govern the operation of the bridge across Hood Canal, near Port Gamble, Washington, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.784 Hood Canal, Wash.; Washington State Department of Highways bridge near Port Gamble.

(a) The owner of or agency controlling the bridge will not be required to keep a draw tender in constant attendance, except as otherwise provided in paragraph (b) (3) of this section.

(b) Whenever a vessel is unable to safely pass under either of the two fixed approach spans and desires to pass through the draw of the bridge, at least one hour advance notice of the time of required opening shall be given to the authorized representative of the owner of or agency controlling the bridge by any of the methods indicated below.

(1) Telephone requests for bridge opening will be directed as collect calls to the Toll Office at the bridge site. The call may also be made by direct telephone communication, through the Seattle Marine Operator, Station KOW, or through other marine wire or radio telephone service.

(2) Audio requests for watercraft without facilities as set forth in subparagraph (1) of this paragraph will be made by sounding one long blast of a horn or whistle followed quickly by two short blasts in the immediate vicinity of the drawspan. The bridge attendant will acknowledge by repeating the signal.

(3) During unusual or emergency periods, the authorized representative of the owner of or agency controlling the bridge will be required to operate the draw of the bridge on a demand basis for specified periods of time, which will normally not exceed 48 hours, when requested by the Department of the Navy. While on a demand basis the draw tender will be in attendance on the bridge with radio communications equipment in operation.

(c) After receipt of proper advance notice of a required opening of the drawspan the authorized representative of the

owner of or agency controlling the bridge shall arrange for opening the span at the specified time. When opening of the bridge is imminent, all signals, radio or audio, will be promptly acknowledged by both the bridge and vessels desiring to pass through the draw.

(d) Communication when opening is imminent:

(1) Radio: The draw tender will monitor radio telephone frequency 2738 kilocycles and will communicate with vessels on the frequency regarding the intended opening. In the event that radio contact cannot be made on frequency 2738 kilocycles, an attempt will then be made on 2182 kilocycles.

(2) Audio: The draw tender will communicate with vessels not equipped with radio telephone or in instances where radio communication is not satisfactory by use of audio signals as follows:

(i) Vessels wishing to have the draw opened will sound one long blast of a horn or whistle followed quickly by two short blasts.

(ii) If the drawspan cannot be opened immediately, or if open and must close immediately, the draw tender will sound four or more short blasts of a horn or whistle, to be repeated at regular intervals until acknowledged.

(e) The owner of or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in such a manner that it can easily be read at any time, a copy of the regulations in this section.

[Regs., October 9, 1962, 285/111 (Hood Canal, Wash.)—ENGOW—ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 62-10596; Filed, Oct. 23, 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

Lake Mead National Recreation Area, Arizona and Nevada; Alcoholic Beverages

On page 9149 of the FEDERAL REGISTER of September 14, 1962, there was published a notice and text of a proposed amendment to § 7.48 of Title 36, Code of Federal Regulations. The purpose of the amendment is to establish reasonable regulations which will provide adequate control over the possession of alcoholic beverages by persons under 21 years of age.

Interested persons were given 30 days within which to submit written com-

ments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received. The proposed amendment is hereby adopted without change and is set forth below. This amendment shall become effective at the beginning of the 20th Calendar day following the date of this publication in the FEDERAL REGISTER.

A new paragraph (d) divided into subparagraphs, is added to § 7.48 to read as follows:

§ 7.48 Lake Mead National Recreation Area.

(d) *Alcoholic beverages.* (1) Sales or gifts of alcoholic beverages to persons under 21 years of age are prohibited.

(2) Possession of alcoholic beverages by persons under 21 years of age is prohibited.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 15 U.S.C. 3)

CHARLES A. RICHEY,
Superintendent, Lake Mead
National Recreation Area.

[F.R. Doc. 62-10626; Filed, Oct. 23, 1962;
8:48 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department
PART 168—DIRECTORY OF INTERNATIONAL MAIL

Individual Country Amendments

The regulations of the Post Office Department in § 168.5 *Individual country regulations*, are amended as follows:

I. In country "Argentina", as amended by 27 F.R. 404, under Parcel Post, the fourth paragraph of the item *Observations* is amended for the purpose of clarification and to revise the legalization fee to read "\$3.22". As so amended, the item reads as follows:

Observations. * * *

Used clothing addressed to individuals is limited to 22 pounds per parcel. Each parcel containing used clothing must have enclosed a notarized and legalized statement from a dry-cleaning or disinfecting establishment that the clothing has been thoroughly cleaned or disinfected. After the statement has been notarized the notarization must be certified by the county clerk or other competent official. The statement must then be sent to an Argentine consulate accompanied by a fee of \$3.22 for legalization. After the consulate returns the legalized statement, it must be enclosed in the parcel with the clothing. The wrapper of the parcel must be marked "Legalized disinfection certificate enclosed."

II. In country "Canada", as amended by 27 F.R. 404, under Parcel Post, the sixth paragraph of the item *Prohibitions* is amended by inserting "being sold or intended for sale by a person or firm" immediately after "Prison made goods". As so amended, the sixth paragraph reads as follows:

Prohibitions. * * *

Commercial tags of metal. Prison made goods being sold or intended for sale by a person or firm.

III. In country "Chile", under Parcel Post delete the item *Import restrictions*; and amend the items *Observations* and *Prohibitions* to read as follows:

Observations. In view of the extensive variety of articles prohibited to Chile (see the item "Prohibitions"), persons desiring to mail parcels should be advised to consult the addressees in advance of mailing to ascertain whether their articles will be admitted, or to consult the American Republics Division, Bureau of International Programs, Department of Commerce, Washington 25, D.C., stating specifically what articles they desire to send. Parcels will be accepted only with the understanding that the mailer has satisfied himself that the contents will be admitted.

Parcels for Chile must be accompanied by commercial invoices which must bear a declaration of origin in English or Spanish, signed by the mailer, in the following terms:

"Under oath, we declare that we are the owners (or shippers) of the above mentioned merchandise; that the prices and other details are exact; that the said merchandise is a product of the soil or industry of (country of origin) and that we accept the legal consequences which might arise through any inexactitude contained in this account."

Parcels may be addressed to banks or other organizations for ultimate delivery to second addressees. The latter however may not take delivery without written authority from the first addressee, unless the sender arranges for change of address as provided in Part 137 of this chapter.

Prohibitions. An extensive variety of articles is prohibited to Chile as a result of stringent import regulations. No list of the prohibited items has been furnished. Parcels are accepted only under the conditions set forth in "Observations."

III. In country "Great Britain and Northern Ireland", under Parcel Post, the seventh paragraph of the item *Prohibitions* is amended to show that cigars are admitted in gift parcels therein. As so amended, the seventh paragraph reads as follows:

Prohibitions. * * *

Cut and pressed tobacco, and tobacco mixed with other substances. However, cigars, cigarettes and pipe tobacco are admitted in gift parcels.

IV. In country "Indonesia", as amended by 27 F.R. 5659, under Parcel Post make the following changes:

A. In the tabular information immediately following the item *Air parcel rates*, strike out "Weight limit: 11 pounds" and insert in lieu thereof "Weight limit: 22 pounds".

B. In the item *Observations* delete the last paragraph. Parcel post service from Indonesia to the United States has been reestablished.

V. Delete the country "Ruanda-Urundi" as a result of the former Belgian trust Territory becoming two independ-

ent countries. Accordingly, insert "Burundi (Kingdom of)" and "Rwanda (Republic of)" and the following accompanying data in the proper alphabetical order of countries therein.

BURUNDI (KINGDOM OF)

Postal Union Mail

Surface rates, classifications, weight limits and dimensions. See § 168.1 of this chapter.

Air rates. (See § 168.1 of this chapter for classifications, weight limits and dimensions.)

Letters, 25 cents per half ounce.
Single post cards, 11 cents each.
Aerogrammes, 11 cents each.
Other articles, 50 cents first 2 ounces; 30 cents each additional 2 ounces.

Small packets. Accepted.
Letter packages containing dutiable merchandise. Accepted. See § 112.1(e) of this chapter. Perishable Biological materials accepted. See § 111.3(b) (5) of this chapter.

Registration. Fee, 60 cents. Maximum indemnity, \$8.17.

Special delivery. Yes. See § 168.3 for fees and other conditions.

Money orders. No service.

Parcel Post

Surface parcel rates. Two pounds or less, 90 cents; each additional pound or fraction, 35 cents.

Air parcel rates. Four ounces or less, \$1.75; each additional 4 ounces or fraction, 67 cents.

Weight limit: 22 pounds.

Sealing: Compulsory.

Group shipments: No.

Registration: No.

Insurance: No.

Postal forms required:

- 1 Form 2922 (Parcel Post Sticker).
- 3 Forms 2966 (Customs declaration).
- 1 Form 2972 (Dispatch Note).

Dimensions. Length, 3½ feet; length and girth combined, 6 feet.

Special handling. Available. See § 168.4 of this chapter.

Indemnity. No provision.

RWANDA (REPUBLIC OF)

Postal Union Mail

Surface rates, classifications, weight limits and dimensions. See § 168.1 of this chapter.

Air rates. (See § 168.1 of this chapter for classifications, weight limits and dimensions.)

Letters, 25 cents per half ounce.
Single post cards, 11 cents each.
Aerogrammes, 11 cents each.
Other articles, 50 cents first 2 ounces; 30 cents each additional 2 ounces.

Small packets. Accepted.
Letter packages containing dutiable merchandise. Accepted. See § 112.1(e) of this chapter. Perishable biological materials accepted. See § 111.3(b) (5) of this chapter.

Registration. Fee, 60 cents. Maximum indemnity, \$8.17.

Special delivery. Yes. See § 168.3 for fees and other conditions.

Money orders. No service.

RULES AND REGULATIONS

Parcel Post

Surface parcel rates. Two pounds or less, 90 cents; each additional pound or fraction, 35 cents.

Air parcel rates. Four ounces or less, \$1.75; each additional 4 ounces or fraction, 67 cents.

Weight limit: 22 pounds.

Sealing: Compulsory.

Group shipments: No.

Registration: No.

Insurance: No.

Postal forms required:

- 1 Form 2922 (Parcel Post Sticker).
- 3 Forms 2966 (Customs declaration).
- 1 Form 2972 (Dispatch Note).

Dimensions. Length, 3½ feet; length and girth combined, 6 feet.

Special handling. Available. See § 168.4 of this chapter.

Indemnity. No provision.

VI. In country "Syria", as added by 27 F.R. 404, and amended by 27 F.R. 5660, under Parcel Post, amend the second paragraph of the item *Import restrictions* to read as follows:

Import restrictions. * * *

Addressees are required to obtain import licenses for gift parcels exceeding 200 Syrian pounds (\$90.50) in value, and for all commercial parcels.

VII. In "Places Not Included in Alphabetical List of Countries", as amended by 27 F.R. 405, insert "Ruanda-Urundi (Burundi or Rwanda)" in alphabetical order therein.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62-10614; Filed, Oct. 23, 1962;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 912]

[Docket No. AO-333-A1]

HANDLING OF GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Notice of Recommended Decision and Opportunity to File Written Ex- ceptions With Respect to Proposed Amendment of Marketing Agree- ment and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to the proposed amendment of the marketing agreement and Order No. 912 (7 CFR Part 912), hereinafter referred to collectively as the "order", regulating the handling of grapefruit grown in the Indian River District in Florida, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), hereinafter referred to as the "act". Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D.C., not later than the close of business of the tenth day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order is formulated, was initiated by the Agricultural Marketing Service as a result of proposals submitted by the Indian River Grapefruit Committee established under the order. A notice that such public hearing would be held on July 2, 1962, in the Community Building, 21st Street and 14th Avenue, Vero Beach, Florida, was published in the FEDERAL REGISTER (27 F.R. 5564) on June 12, 1962.

Material issues. The material issues presented on the record of the hearing were concerned with amending the order to:

(1) Extend the principal regulatory period to cover all of the weeks from the first week in January through the last week beginning in April;

(2) Revise the method of computing the prorate base of handlers; and

(3) Permit allotment loans to be repaid at any time during the fiscal year.

Findings and conclusions. The following findings and conclusions on the material issues are based upon the evi-

dence adduced at the hearing and the record thereof:

(1) The current provisions of the order establish a period, generally covering fifteen weeks, beginning the second full week in January and ending the third full week in April, during which the weekly volume of shipments of grapefruit may not be restricted for more than ten weeks. Thus approximately one week of each three weeks during this period is required to be free of volume restrictions on the handling of grapefruit.

Experience in the administration of the order during its initial season of operation indicates more flexibility is needed in selecting the weeks during which no regulation of grapefruit shipments would be recommended or made effective. Continuous volume restrictions on grapefruit shipments are likely to be most needed during the said January-April period and, during the past season, were so used for the entire ten weeks permitted. It was testified, without opposition, that changing the said period so as to start one week earlier and extend through all of the weeks beginning in April would always provide two additional weeks, and in some seasons three additional weeks, in which to "spot" the weeks without regulation; and this would contribute to the more effective regulation of grapefruit shipments since the added weeks would be weeks when regulation was less likely to be needed.

It is concluded, therefore, that the order should be so amended and, as hereinafter set forth, corresponding changes made in the quorum and voting procedures of the committee so that such provisions will continue to apply to actions of the committee during the revised January-April period the same as theretofore specified.

(2) The method for apportioning among handlers the quantity of grapefruit that may be shipped each week regulations are effective under the order should be revised. The current provisions of the order relating thereto were predicated upon the fact that the bulk of Indian River grapefruit crop is marketed during the period beginning the second week in January and ending with the third week in April, and that only occasional regulation of grapefruit shipments would be required at anytime other than during such period. However, freezing temperatures in Texas the past season reduced the production of Texas grapefruit. Consequently, heavier shipments of Indian River grapefruit undoubtedly will be made early in the season, particularly prior to Thanksgiving; and it is likely that regulation of shipments of Indian River grapefruit early in the season, to prevent shipments in excess of the requirements of the market demand, will occur more frequently than otherwise would have been the case. With the indicated change in the pat-

tern of shipments of Indian River grapefruit and the likelihood of more frequent regulation of grapefruit shipments prior to the January-April period, such period will no longer be the most representative one for computing the prorate base upon which to allocate to handlers their equitable shares of the limited quantity of grapefruit that may be handled during a particular regulation period. Moreover, continuation of the current provision for the computation of the prorate bases of handlers—the average shipments of grapefruit during the January-April period—could result in handlers deferring shipments until such prorate base period merely for the purpose of assuring that their respective percentages of the total shipments of grapefruit would not be reduced and, thus, their relative positions in the subsequent season maintained or increased whenever the volume of grapefruit shipments is regulated. This would not contribute to the more orderly marketing of the grapefruit crop.

The use of the average shipments by handlers during the entire fiscal period as the basis of establishing the prorate base of handlers will permit handlers to choose freely the period during which they individually will market their grapefruit and the order should be amended to so provide.

(3) The order currently provides that each allotment loan transaction between handlers shall be liquidated the following week. If a handler lending a portion of his allotment to another did not want the loan repaid for several weeks, and the borrower agreed, it was necessary for the borrower to repay the loan each week and the lender immediately to re-lend the allotment to the borrower. In other words, it is possible under the provisions of the order for a loan transaction to finally be repaid after several weeks but the record-keeping by the lender, the borrower, and the committee is excessive and cumbersome. Such record-keeping could be simplified and reduced by providing that each allotment loan agreement specify the date during the current fiscal period when the loan is to be repaid. The order should be amended, therefore, as hereinafter set forth.

(4) During the course of the hearing, it was disclosed that the botanical name of grapefruit, as currently specified in the order, includes both grapefruit and the shaddock; the latter being a type of citrus fruit not handled commercially in the Indian River District. The more precise botanical name for "grapefruit", and one which does not include other types of citrus fruit, is "citrus paradisi, MacFadyen". Such botanical name should be specified in the order for purposes of clarity, although this change will have no actual effect insofar as the coverage of the order is concerned since, as stated, there is no commercial handling of shaddocks.

Rulings on proposed findings and conclusions. July 27, 1962, was fixed as the latest date for the filing of briefs with respect to the facts presented in evidence at the hearing and the findings and conclusions which should be drawn therefrom. No brief was filed.

General findings. (1) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, regulate the handling of grapefruit grown in the Indian River District in Florida, and in the same manner as, and are applicable only to persons in the respective classes of industrial or commercial activity specified in, a proposed marketing agreement upon which hearings have been held;

(3) The marketing agreement, as hereby proposed to be amended, and the order, as hereby proposed to be amended, are limited in their application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of grapefruit grown in the Indian River District in Florida which make necessary different terms and provisions applicable to different parts of the production area;

(5) All handling of grapefruit grown in the Indian River District, as defined in the marketing agreement and order, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order is recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. The first sentence of paragraph (b) of § 912.32 *Procedure of committee* is revised to read as follows:

(b) For any decision or recommendation with respect to regulations to be effective during any calendar week except a week during the period beginning with and including the first full calendar week in January and ending with but not including the first full calendar week in May, twelve members shall constitute a quorum and twelve concurring votes shall be required.

2. Paragraph (a) of § 912.46 *Recommendation for volume regulations* is revised to read as follows:

(a) The committee may, during any week, recommend to the Secretary the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week: *Provided*, That such regulations shall not be recommended during the period beginning with and including the first full calendar week in January and ending with but not in-

cluding the first full calendar week in May after regulations during such period have limited the volume of grapefruit handled during 12 weeks.

3. The proviso in § 912.47 *Issuance of volume regulation* is revised to read as follows:

Provided, That such regulations shall not, in the aggregate, limit the volume of grapefruit shipments during more than 12 weeks of the period beginning with and including the first full calendar week in January and ending with but not including the first full calendar week in May.

4. Paragraph (d) of § 912.48 *Prorate bases* is deleted and the following substituted therefor:

(d) Each week during the marketing season when volume regulation is likely to be recommended, the committee shall compute a prorate base for each person who has made application in accordance with the provisions of this section. Such prorate base for each handler shall, except as provided in paragraph (e) of this section, be the seasonal average quantity of grapefruit shipped by him during the immediately preceding three marketing seasons.

5. The last sentence in paragraph (a) of § 912.52 *Allotment loans* is revised to read as follows:

Each such agreement shall specify the date, during the then current fiscal period, for the repayment of the loan.

6. The provisions of § 912.4 *Fruit or grapefruit* are revised to read as follows:

"Fruit" or "grapefruit" means any or all varieties of citrus paradisi, MacFadyen grown in the Indian River District.

Dated: October 19, 1962.

JOHN P. DUNCAN, JR.,
Assistant Secretary.

[F.R. Doc. 62-10627; Filed, Oct. 23, 1962;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 62-WA-107]

POSITIVE CONTROL AREAS

Proposed Alteration

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to § 601.9011 of the regulations of the Administrator, the substance of which is stated below.

At the present time, the positive control area is comprised of airspace from flight level 240 to and including flight level 600 under the jurisdiction of Indianapolis, Chicago, Detroit, and Cleveland air route traffic control centers in the Central United States and effective October 18, 1962, the Oakland (27 F.R. 9213) air route traffic control center in the Western United States.

The FAA now has under consideration the inclusion of the airspace from flight

level 240 to and including flight level 600 under the jurisdiction of the Atlanta, Jacksonville, and Memphis air route traffic control centers in the positive control area. This expansion would about the Chicago, Ill.-Indianapolis, Ind., positive control area (§ 601.9011), thus in fact enlarging the existing area. It is therefore also proposed to change the caption in § 601.9011 from "Chicago, Ill.-Indianapolis, Ind." to "Central and Southern U.S."

If this action is taken the area described below would be added to the Chicago-Indianapolis positive control area: Beginning at

Latitude 37°11'30" N., longitude 81°09'00" W.; thence to latitude 37°21'45" N., longitude 80°31'30" W.; thence to latitude 36°29'30" N., longitude 79°26'30" W.; thence to latitude 36°19'00" N., longitude 79°16'00" W.; thence to latitude 35°47'20" N., longitude 79°31'00" W.; thence to latitude 35°01'45" N., longitude 80°02'00" W.; thence to latitude 34°52'00" N., longitude 80°10'20" W.; thence to latitude 34°51'00" N., longitude 79°55'00" W.; thence to latitude 34°29'00" N., longitude 79°15'00" W.; thence to latitude 34°29'00" N., longitude 78°45'00" W.; thence to latitude 34°00'00" N., longitude 78°07'00" W.; thence to latitude 33°58'30" N., longitude 77°50'00" W.; thence south via a line 3 nautical miles from the mainland to latitude 29°00'00" N., longitude 80°48'00" W.; thence to latitude 29°00'00" N., longitude 81°34'20" W.; thence to latitude 28°57'45" N., longitude 81°37'15" W.; thence to latitude 29°02'20" N., longitude 81°41'30" W.; thence clockwise along a 5-nautical-mile radius arc centered at

Latitude 29°06'52" N., longitude 81°42'55" W.; thence to latitude 29°08'25" N., longitude 81°48'20" W.; thence to latitude 29°22'00" N., longitude 82°02'20" W.; thence to latitude 29°22'00" N., longitude 82°25'30" W.; thence to latitude 29°29'00" N., longitude 82°39'00" W.; thence to latitude 29°14'30" N., longitude 83°07'30" W.; thence north and west via a line 3 nautical miles from the mainland to

Latitude 30°14'50" N., longitude 86°04'40" W.; thence to latitude 30°54'00" N., longitude 86°04'40" W.; thence to latitude 31°00'35" N., longitude 86°11'00" W.; thence to latitude 30°58'00" N., longitude 86°25'00" W.; thence to latitude 31°11'50" N., longitude 86°24'30" W.; thence to latitude 31°38'00" N., longitude 86°18'00" W.; thence to latitude 31°34'30" N., longitude 86°34'30" W.; thence to latitude 31°45'00" N., longitude 86°45'00" W.; thence to latitude 31°45'00" N., longitude 87°30'00" W.; thence to latitude 31°58'30" N., longitude 88°19'09" W.; thence to latitude 31°45'00" N., longitude 90°13'00" W.; thence to latitude 31°57'00" N., longitude 91°30'00" W.; thence to latitude 32°25'00" N., longitude 91°30'00" W.; thence to latitude 33°43'00" N., longitude 93°00'00" W.; thence to latitude 36°30'00" N., longitude 93°00'00" W.; thence to latitude 37°46'40" N., longitude 88°34'30" W.; thence to latitude 37°43'30" N., longitude 88°19'00" W.; thence to latitude 38°30'00" N., longitude 88°00'00" W.; thence to latitude 37°40'00" N., longitude 87°30'00" W.; thence to latitude 37°00'00" N., longitude 83°40'00" W.; thence to latitude 38°00'00" N., longitude 81°00'00" W.; thence to point of beginning.

Because of complications in the installation of radar necessary for complete coverage of the Memphis air route traffic control center area, implementation of positive control therein would take place approximately 30 days after Atlanta and Jacksonville. This area is a part of the

area described above and consists of the following: Beginning at

Latitude 31°57'00" N., longitude 91°30'00" W.; thence to latitude 32°25'00" N., longitude 91°30'00" W.; thence to latitude 33°43'00" N., longitude 93°00'00" W.; thence to latitude 36°30'00" N., longitude 93°00'00" W.; thence to latitude 37°46'40" N., longitude 88°34'30" W.; thence to latitude 37°43'30" N., longitude 88°19'00" W.; thence to latitude 37°16'30" N., longitude 87°23'50" W.; thence to latitude 37°18'00" N., longitude 86°09'00" W.; thence to latitude 36°54'10" N., longitude 85°30'00" W.; thence to latitude 36°12'20" N., longitude 85°14'30" W.; thence to latitude 35°43'45" N., longitude 85°04'00" W.; thence to latitude 35°21'30" N., longitude 85°49'00" W.; thence to latitude 34°33'20" N., longitude 85°51'30" W.; thence to latitude 33°56'30" N., longitude 87°39'00" W.; thence to latitude 33°17'30" N., longitude 87°39'00" W.; thence to latitude 33°06'00" N., longitude 88°02'00" W.; thence to latitude 32°56'00" N., longitude 87°54'00" W.; thence to latitude 32°27'00" N., longitude 88°17'00" W.; thence to latitude 31°58'30" N., longitude 88°19'09" W.; thence to latitude 31°45'00" N., longitude 90°13'00" W.; thence to point of beginning.

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

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C.

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

No. 207—4

Issued in Washington, D.C., on October 18, 1962.

W. THOMAS DEASON,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 62-10597; Filed, Oct. 23, 1962; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC-37 (Sub-No. 6)]

COMMERCIAL ZONES

Houston, Tex.; Proposed Definition

OCTOBER 19, 1962.

Petitioners: Chamber of Commerce, Bayton, Tex.; Chamber of Commerce, La Porte-Bayshore, Tex.; Chamber of Commerce, Houston, Tex.; and Houston Port Bureau, Inc.

Petitioners' representative: G. B. Perry, General Manager, Houston Port Bureau, Inc., 334 World Trade Building, Houston 2, Tex.

By petition filed September 10, 1962, petitioners request the Commission to institute a proceeding for the purpose of specifically defining the limits of the Houston, Tex., commercial zone, which are now prescribed by the general formula promulgated in *Commercial Zones and Terminal Areas*, 46 M.C.C. 665 (49 CFR 170.16). Such formula provides that a city having a population of 100,000 or more, and which has not been accorded individual consideration, shall have a commercial zone which consists of, and includes, the following: (a) The municipality itself; (b) all municipalities within the United States which are contiguous to the base municipality (c) all unincorporated areas within 5 miles of its corporate limits and all of any other municipality any part of which is within 5 miles of the corporate limits of the base municipality; and (d) all municipalities wholly surrounded, or so surrounded except for a water boundary, by the base municipality. The instant petition requests a specific definition of the Houston commercial zone to include all the area which was included by application

of the above formula prior to June 20, 1962, on which date the City of Houston divested itself by ordinance of extensive territory formerly within its eastern corporate boundary. Application of the formula to the now contracted city limits thus produces a Houston commercial zone which excludes such points as Baytown, La Porte, and Lomax. Petitioners allege that these points lie within the zone as an economic fact, and they request that the zone now be specifically defined to include all points as follows: "(a) All points within the corporate limits of Houston, Tex., (b) all contiguous municipalities, (c) all unincorporated areas within 5 miles of the Houston corporate limits, (d) all points within corporate limits of adjacent municipalities, any part of which is within 5 miles of the Houston corporate limits, and (e) points and places beyond (c) and (d) above, commencing at the junction of Battleground Road and the Houston Ship Channel (Deer Park, Tex., corporate boundary), thence easterly along the southside of the Houston Ship Channel to Baytown, including Baytown, thence south to Texas Highway 146 to La Porte, including La Porte, thence westerly along Spencer Highway to junction Spencer Highway and Underwood Road, thence northerly along Underwood Road to junction Underwood Road and Battleground Road, thence northerly along Battleground Road to the Houston Ship Channel (Deer Park, Tex., corporate boundary), including points and places on the mentioned highways and roads, and consisting in the main of the incorporated communities of Baytown, Lomax, and La Porte, Tex." This proceeding is assigned for oral hearing on November 12, 1962, at the Federal Office Building, Franklin and Fannin Streets, Houston, Texas, before Examiner Henry A. Cockrum. Notice to the general public of the matter herein under consideration will be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Office of the Federal Register.

By the Commission, division 1.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-10619; Filed, Oct. 23, 1962; 8:48 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority No. 19]

DEPUTY ADMINISTRATOR FOR ADMINISTRATION ET AL.

Delegation of Authority

OCTOBER 3, 1962.

Pursuant to the authority delegated to me by Delegation of Authority No. 104 from the Secretary of State dated November 3, 1961, and in accordance with the authority contained in sec. 632(b) of the Foreign Assistance Act of 1961, I hereby delegate to the Deputy Administrator for Administration, and for the countries or areas within their responsibility to the Assistant Administrator for the Near East-South Asia, the Assistant Administrator for Latin America, the Assistant Administrator for Africa and Europe, and the Assistant Administrator for the Far East, authority to enter into, and to implement agreements with any agency of the United States Government to undertake specific projects or programs financed in whole or in part by A.I.D., subject to the terms of basic agreements between A.I.D. and such agencies. This Delegation does not include authority to make such basic agreements.

This Delegation of Authority may be redelegated to such officers and employees as may be designated. This Delegation of Authority is effective immediately.

FOWLER HAMILTON,
Administrator.

[F.R. Doc. 62-10623; Filed, Oct. 23, 1962; 8:48 a.m.]

POST OFFICE DEPARTMENT

DIRECTORS, ENGINEERING AND FACILITIES DIVISION, ET AL.

Delegation of Authority

The following is the text of Order No. 229, dated October 15, 1962, of the Assistant Postmaster General, Bureau of Facilities:

1. Effective November 1, 1962, the Director, Engineering and Facilities Division, of each Post Office Department Regional Office is authorized to approve requests to the General Services Administration regional offices for minor alterations and improvements of postal space in Federal Buildings, in accordance with applicable instructions contained in Subchapter 230 of the Regional Manual, and Facilities Handbook S-6, Acquiring Postal Quarters.

2. Under this delegation, estimated costs for a single project may not exceed \$25,000 plus 10 percent override, or a

maximum of \$27,500, without prior approval of the Director, Realty Division. Projects may not be split to circumvent this delegation. No combination of projects may exceed regional fund allotments.

3. In accordance with authority contained in Part 812.32 of the Postal Manual (27 F.R. 8982), this authority may also be exercised by the Regional Director and the Deputy Regional Director.

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

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62-10613; Filed, Oct. 23, 1962; 8:48 a.m.]

Peanuts, shelled and unshelled, farmers, Domestic for crushing or export; Competitive bid under CCC Peanut Announcement 1 (revised, Jan. 4, 1962), as amended.

AUTHORITY: Issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427.

Signed at Washington, D.C., on October 18, 1962.

FRANK W. HUSSEY,
*Acting Executive Vice President,
Commodity Credit Corporation.*

[F.R. Doc. 62-10629; Filed, Oct. 23, 1962; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

OCTOBER 18, 1962.

Notice of an application, Serial No. A-033091, for withdrawal and reservation of lands was published as F.R. Doc. No. 57-6053 on page 5902 of the issue for July 25, 1957. The Bureau of Land Management has cancelled its application, insofar as it involves the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be, at 10:00 a.m., on November 30, 1962, relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

ANCHOR RIVER AREA

T. 5 S., R. 14 W., S.M.
Sec. 20: SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 5 S., R. 15 W., S.M.
Sec. 10: W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 25 acres.

ROBERT J. COFFMAN,
*Chief, Division of Lands
and Minerals Management.*

[F.R. Doc. 62-10607; Filed, Oct. 23, 1962; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 1]

SALES OF CERTAIN COMMODITIES

October 1962 Monthly Sales List

Pursuant to the policy of the Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the CCC Monthly Sales List for October 1962 is amended as set forth below:

The entire section relating to *Peanuts, unshelled (farmers' stock)* is deleted and replaced with the following:

Peanuts, shelled and unshelled, farmers, Domestic for crushing or export; Competitive bid under CCC Peanut Announcement 1 (revised, Jan. 4, 1962), as amended.

National Park Service

[Order No. 3, Amdt. No. 9]

ASSISTANT REGIONAL DIRECTORS, REGIONAL CHIEF DIVISION OF PROPERTY MANAGEMENT AND GENERAL SERVICES, PROCUREMENT AGENT

Delegation of Authority Regarding Execution and Approval of Contracts for Construction, Supplies, Equipment and/or Services

Sections 4, 5, and 6 of Order No. 3, issued February 17, 1956 (21 F.R. 1494), are amended to read as follows:

SEC. 4. *Assistant Regional Directors.* The Assistant Regional Directors may execute and approve contracts not in excess of \$200,000 for construction, supplies, equipment and/or services. This authority may be exercised by the Assistant Regional Directors in behalf of any office or area for which the Western Regional Office serves as the field finance office.

SEC. 5. *Regional Chief, Division of Property Management and General Services.* The Regional Chief, Division of Property Management and General Services may execute, administer and approve contracts not in excess of \$100,000 for construction, supplies, equipment and/or services. This authority may be exercised by the Regional Chief, Division of Property Management and General Services in behalf of any area under the Western Regional Office.

SEC. 6. *Procurement Agent (Western Regional Office).* The Procurement Agent (Western Regional Office) may execute and approve contracts not in excess of \$5,000 for construction, supplies, equipment and/or services. This authority may be exercised by the Procurement Agent (Western Regional Office) in behalf of any office or area for which the Western Regional Office serves as the field finance office.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2)

Dated: September 27, 1962.

LAWRENCE C. MERRIMAN,
Regional Director, Western
Regional Office, San Fran-
cisco, California.

[F.R. Doc. 62-10625; Filed, Oct. 23, 1962;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14748, 14749; FCC 62R-81]

CHARLES COUNTY BROADCASTING CO., INC., AND DORLEN BROAD- CASTERS, INC.

Memorandum Opinion and Order Amending Issues

In re applications of Charles County Broadcasting Co., Inc., La Plata, Maryland, Docket No. 14748, File No. BP-14748; Dorlen Broadcasters, Inc., Waldorf, Maryland, Docket No. 14749, File No. BP-15287; for construction permits.

1. Charles County Broadcasting Co., Inc., seeks modification and clarification of hearing issues in the above-entitled proceeding.¹ The hearing issues pertinent to the pleadings filed herein are:

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and the interference that each of the instant proposals would receive from all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

3. To determine whether the instant proposal of Charles County Broadcasting Co., Inc. would cause objectionable interference to Station WQXR, New York, New York, 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.

The petitioner requests that the issues be modified as follows:

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and the interference, if any, that each of the instant proposals would receive from existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

¹ The Review Board has before it for consideration (1) a petition to modify issues filed August 24, 1962, by Charles County Broadcasting Co., Inc., and (2) a reply of Commission's Broadcast Bureau filed September 6, 1962.

Note: Subsequent to the filing of these pleadings, the application of Radio Vienna, Docket No. 14750, was dismissed by order of the Chief Hearing Examiner.

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to existing standard broadcast stations, including Station WPGC, Morningside, Maryland, and Station WQXR, New York, New York, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

2. Charles County contends that the last words in Issue 2 relate to interference to existing stations "from any of the instant proposals", and Issue 3 is intended to elicit evidence concerning interference which will be caused to existing standard broadcast stations, and that "modification and clarification of Issue 2 is desirable to prevent possible difficulty in the future." As to Issue 3, Charles County contends that the issue refers only to interference Charles County's proposal may cause to Station WQXR, New York, New York; but that, although the designation Order states that each of the proposals would cause interference to Station WPGC, Morningside, Maryland, making the licensee of that station a party to the proceeding, there is no issue as to the interference to Station WPGC.

3. The Broadcast Bureau does not object to the modification of Issue 3. As to the proposed modification of Issue 2, the Bureau states: "This issue as presently stated is of long existence. Evidence which might be submitted under the requested modification would have no decisional significance and no bearing on the final outcome of this case. It is well settled that there is no necessity for showing service to populations and areas lost by interference from existing stations."

4. We are of the opinion that Issue 2 requires some clarification as requested by the petitioner. This issue is of long standing as indicated by the Broadcast Bureau and is designed to develop evidence to resolve three interrelated questions. The first part, i.e., "to determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other," is for the purpose of determining the degree of mutual interference between the proposals, so that, together with other evidence a finding can be made as to the feasibility of simultaneous operation of the proposals. The second part, i.e., "the interference that each of the instant proposals would receive from all other existing standard broadcast stations," would elicit evidence as to whether the interference from existing stations to each of the proposals would result in a violation of § 3.28(d) of the Commission's rules, and whether this interference when combined with the interference determination made under the first part would involve, additionally, a question of compliance with § 3.28(d).

5. Lastly, the final part of the issue, i.e., "the availability of other primary service to the areas and population affected by interference from any of the instant proposals," is designed to adduce evidence in a proceeding involving a section 307(b) conflict where it may be pos-

sible to assign stations to two or more communities. In making this determination, it is necessary to know the areas and populations which would receive the proposed service if there were no competing proposals, the areas and populations which would not receive the proposed service if any, or all, of the competing proposals were granted simultaneously, and the availability of other services. The general purpose of this part is to answer the question as to whether underserved areas would not gain service if simultaneous operation of any of the proposals were permitted, a factor to be considered under the 307(b) issue. The request to modify Issue 2 will therefore be denied.

6. As to Issue 3, the issue as to interference affecting the service of Station WPGC, Morningside, Maryland, should be included. Thus, Issue 3 would be modified as indicated below.

Accordingly, it is ordered, This 17th day of October, 1962, That the petition to modify filed August 24, 1962, by Charles County Broadcasting Co., Inc., is granted to the extent indicated below and is denied in all other respects; and

It is further ordered, That Issue 3 in the designation Order, released August 6, 1962 (FCC 62-890) is modified to read as follows:

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to existing standard broadcast stations, including Station WPGC, Morningside, Maryland, and Station WQXR, New York, New York, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

Released: October 19, 1962

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

[F.R. Doc. 62-10630; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14341-14344; FCC 62M 1390]

COLLIER ELECTRIC CO.

Order Scheduling Prehearing Conference

In re applications of Collier Electric Company, Docket No. 14341, File No. 848-C1-R-61; for renewal of the license for Station KAQ79, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Fort Morgan, Colorado; Docket No. 14342, File No. 849-C1-R-61; for renewal of the license for Station KAQ80, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Sterling, Colorado; Docket No. 14343, File No. 2670-C1-R-61; for renewal of the license for Station KAQ81, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Sidney, Nebraska; Docket No. 14344, File No. 2710-C1-R-61; for renewal of the license for Station KAS41, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Bridgeport, Nebraska.

The Hearing Examiner having under consideration:

(a) His order herein, released July 3, 1962 (FCC 62M-934), wherein on his own motion the hearing was postponed until further order of the Examiner;

(b) His Memorandum Opinion and Order, released July 11, 1962 (FCC 62M-980), wherein he granted the petition of the applicant for leave to amend and denied the request of the Commission's Common Carrier Bureau that the Examiner immediately reschedule the hearing for a date certain without prejudice to renewal after the Commission had acted on the motion or petition which the applicant indicated it intended to file with respect to the economic impact issue; and

(c) Memorandum Opinion and Order, released by the Review Board on September 17, 1962 (FCC 62R-38), wherein the petition by the applicant for deletion of the economic impact issue was denied.

It appearing that the Examiner has been advised informally on behalf of all of the parties that it would be useful to have a further prehearing conference wherein further procedures in this matter might be discussed and firm dates might be fixed:

It is ordered, This 18th day of October 1962, that a further prehearing conference herein shall be held at the offices of the Commission in Washington, D.C., beginning at 9:00 a.m., on October 26, 1962:

It is further ordered, That at such prehearing conference each of the parties shall make specific suggestions regarding the dates to be fixed for the exchange of exhibits, notification of witnesses and commencement of the hearing; and

It is further ordered, That, if there is any disagreement between the parties regarding the requests made of each other with respect to the furnishing of information, the parties shall be prepared to make appropriate motions before the Examiner or submit other formal requests for the action that they deem necessary to protect the interests of their respective clients so that such disagreements may not be the cause for further delay in the commencement of the hearing.

Released: October 19, 1962.

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

[F.R. Doc. 62-10631; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14714, 14715; FCC 62M-1386]

**DESERT BROADCASTING CO., INC.,
AND MANUEL MARTINEZ**

Order Scheduling Hearing

In re applications of Desert Broadcasting Company, Inc., Docket No. 14714, File No. BMPH-6746; for additional time to construct radio station KANT-FM, Lancaster, California; Desert Broadcasting Company, Inc. (assignor) and Manuel Martinez (assignee), Docket No. 14715, File No. BAPH-271; for assignment of construction permit for radio

station KANT-FM, Lancaster, California.

Pursuant to ruling made by the Hearing Examiner on the record at the October 18, 1962, further prehearing conference: *It is ordered*, This 18th day of October 1962, that the hearing in this proceeding shall commence at 10:00 a.m. on October 31, 1962.

Released: October 18, 1962.

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

[F.R. Doc. 62-10632; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14739, 14740; FCC 62M-1391]

EDINA CORP. AND TEDESCO, INC.

**Order Scheduling Prehearing
Conference**

In re applications of Edina Corp., Edina, Minnesota, Docket No. 14739, File No. BP-14018; Tedesco, Inc., Bloomington, Minnesota, Docket No. 14740, File No. BP-15272; for construction permits.

The Hearing Examiner having under consideration a Memorandum Opinion and Order of the Review Board (FCC 62R-77, Mimeo. No. 26437), released herein on October 16, 1962:

It is ordered, This 18th day of October 1962, that a further prehearing conference for the purpose of discussing the nature and timing of the evidence to be offered under the issue added by the said Memorandum Opinion and Order of the Review Board will be held on October 23, 1962, commencing at 9:00 a.m. in the offices of the Commission in Washington, D.C.

Released: October 19, 1962.

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

[F.R. Doc. 62-10633; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket No. 14810]

ESSLINGER FLYING SERVICE, INC.

Order To Show Cause

In the matter of Esslinger Flying Service, Inc., P.O. Box 110, Eureka, Kansas, Docket No. 14810; order to show cause why there should not be revoked the license for special industrial radio station KAM-853.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of alleged violation of § 11.158 of the Commission's rules and the terms of the station license by the above-named licensee;

It appearing, that, pursuant to § 1.76 of the Commission's rules, licensee was advised by letter from the Commission dated April 20, 1962, that lighting of the antenna towers of the subject radio station apparently was not being maintained in accordance with the requirements of § 11.158 of the Commission's rules and the station license; and

It further appearing that follow-up letters were sent to the licensee concerning this matter on May 9 and 23, and August 10, 1962; and

It further appearing that no reply has been received to any of the foregoing letters; and

It further appearing that, in view of the foregoing, the licensee has repeatedly violated § 1.76 of the Commission's rules:

It is ordered, This 19th day of October 1962, pursuant to section 312(a) (4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b) (8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return receipt requested—to the said licensee.

Released: October 19, 1962.

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

[F.R. Doc. 62-10634; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14736, 14737; FCC 62M-1389]

**FIVE CITIES BROADCASTING CO.,
INC., AND DOUGLAS COUNTY
BROADCASTING CO.**

**Order Scheduling Prehearing
Conference**

In re applications of Five Cities Broadcasting Co., Inc., Austell, Georgia, Docket No. 14736, File No. BP-14410; Bolling Branham tr/as Douglas County Broadcasting Company, Douglasville, Georgia, Docket No. 14737, File No. BP-14731; for construction permits.

The Hearing Examiner has under consideration (1) a petition filed October 11, 1962, by Five Cities Broadcasting Co., Inc., requesting that the Hearing Examiner enlarge the issues in the above-entitled proceeding; and (2) a motion filed October 16, 1962, by Douglas County Broadcasting Company requesting that the time to file a pleading in opposition thereto be extended from October 17, 1962, to October 22, 1962.

The Hearing Examiner, on his own motion, is calling a further prehearing conference for the purpose of discussing the merits of the presently pending petition to enlarge issues as well as the necessity of establishing a new or revised hearing schedule. It appears that the date of Tuesday, October 23, 1962, will be satisfactory to all parties for such hearing conference.

It is ordered, This the 17th day of October 1962, that the motion for extension of time is granted and the time for filing an opposition to the petition to enlarge issues is extended from October 17, 1962, to October 22, 1962:

It is further ordered, That a further prehearing conference will be held on Tuesday, October 23, 1962, beginning at 2:00 p.m. in the offices of the Commission, Washington, D.C.

Released: October 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-10635; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket No. 14824]

LLOYD D. PHILLIPS, JR.

Order To Show Cause

In the matter of Lloyd D. Phillips, Jr., Houston, Texas, Docket No. 14824; order to show cause why there should not be revoked the license for radio station KED-0622 in the Citizens Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules by the subject licensee;

It appearing that, on August 14, 1962, and August 17, 1962, the subject Citizens radio station was used for the exchange of communications between two or more such stations in excess of five consecutive minutes and without being followed by a silent period of at least two minutes, in violation of § 19.61(f) of the Commission's rules; and

It further appearing that, in view of the foregoing, the licensee has repeatedly violated § 19.61(f) of the Commission's rules:

It is ordered, This 18th day of October 1962, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b) (8) of the Commission's Statement of Delegations of Authority, that the said licensee show cause why the license for Citizens Radio Station KED-0622 should not be revoked and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Acting Secretary send a copy of this order to the licensee, Lloyd D. Phillips, Jr., 1447 Loper, Houston 17, Texas, by Certified Mail—Return Receipt Requested.

Released: October 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-10636; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14773, 14774; FCC 62M-1392]

**SEMO BROADCASTING CORP. AND
BROWNSVILLE BROADCASTING
CO.**

Order Continuing Hearing

In re applications of SEMO Broadcasting Corporation, Sikeston, Missouri, Docket No. 14773, File No. BP-14129; Roy Davis tr/as Brownsville Broadcast-

ing Co., Brownsville, Tennessee, Docket No. 14774, File No. BP-14145; for construction permits.

As a result of agreements reached upon the record of a prehearing conference held this date in the above-entitled matter: It is ordered, This 18th day of October 1962, that:

1. All informal engineering and final lay exhibits shall be exchanged on or before November 19, 1962,

2. All final engineering exhibits shall be exchanged on or before December 10, 1962,

3. Notification of witnesses shall be made on or before December 17, 1962, and

4. The hearing now scheduled for November 15, 1962 is rescheduled to commence at 10:00 a.m., January 7, 1963, in the Commission's offices in Washington, D.C.

Released: October 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-10637; Filed, Oct. 23, 1962;
8:49 a.m.]

[Docket Nos. 14806-14808; FCC 62M-1380]

**VALPARAISO BROADCASTING CO.
ET AL.**

Order Scheduling Hearing

In re applications of William H. Wardle, Robert A. Jones and F. Patrick Nugent d/b as Valparaiso Broadcasting Company, Valparaiso, Indiana, Docket No. 14806, File No. BP-14888; Leonard J. Ellis and Bernice A. Ellis d/b as Porter County Broadcasting Company, Valparaiso, Indiana, Docket No. 14807, File No. BP-14980; Porter County Broadcasting Corporation, Valparaiso, Indiana, Docket No. 14808, File No. BP-14982; for construction permits.

It is ordered, This 17th day of October 1962, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on December 19, 1962, in Washington, D.C.

It is further ordered, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, November 16, 1962.

Released: October 17, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-10638; Filed, Oct. 23, 1962;
8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 401]

**CALIFORNIA, OREGON,
WASHINGTON**

Declaration of Disaster Area

Whereas, it has been reported that during the month of October 1962, be-

cause of the effects of certain disasters, damage resulted to residences and business property located in the States of California, Oregon, and Washington;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act.

Now, Therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b) (1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid States suffered damage or destruction resulting from high winds, gales, rain, flood, high tides and landslides and accompanying conditions occurring on or about October 11, 12, and 13, 1962.

OFFICES

Small Business Administration Regional Office,
525 Market Street,
San Francisco 5, Calif.

Small Business Administration Regional Office,
312 West 5th Street,
Los Angeles 13, Calif.

Small Business Administration Regional Office,
Smith Tower, Room 1206,
506 Second Avenue,
Seattle 4, Wash.

Small Business Administration Branch Office,
Room 309 Pittock Block,
921 Southwest Washington,
Portland, Oreg.

2. Temporary field offices will be established, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to April 30, 1963.

Dated: October 15, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-10609; Filed, Oct. 23, 1962;
8:47 a.m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 24FW-1267]

SOUTHWEST FACTORIES, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

OCTOBER 18, 1962.

I. Southwest Factories, Inc. (issuer), 1432 West Main St., Oklahoma City, Oklahoma, an Oklahoma corporation, filed with the Commission on October 10, 1961, a notification on Form 1-A and an offering circular relating to an offering of 100,000 shares of its \$.40 par value

common stock at \$3.00 per share for an aggregate offering of \$300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder. The offering was commenced and completed on December 27, 1961, with the sale of the entire 100,000 shares for \$300,000.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with, in that the report required by Rule 260 was not filed in proper form, as it was not signed by an authorized officer of the issuer and did not give the information called for by Item 7 pertaining to use of the net proceeds of the offering.

B. The offering circular contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, in that:

1. It stated that the net proceeds of the offering were to be applied for purposes other than those to which the proceeds were intended to be applied and were actually applied.

2. It failed to disclose the issuer's intent to invest the proceeds of the offering and the company's resources in the acquisition of another company or other companies.

C. The offering would operate as a fraud and deceit upon purchasers in violation of section 17(a) of the Securities Act of 1933.

III. *It is ordered*, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will be promptly given by the Commission.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-10608; Filed, Oct. 23, 1962;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Drouth Order No. 60; Amdt. No. 8]

ALABAMA AND WEST VIRGINIA

Transportation of Livestock Feed and Hay at Reduced Rates

In the matter of relief under section 22 of the Interstate Commerce Act.

It appearing that due to the drouth conditions existing in the States of Pennsylvania, New Jersey, and New York, the Commission issued its Drouth Order No. 60 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport livestock feed and hay to the drouth area at reduced rates;

And it further appearing that the United States Department of Agriculture has requested the Commission to enter an order authorizing the same authority to five additional counties located in the States of Alabama and West Virginia:

It is ordered, That Drouth Order No. 60 as amended, be, and it is hereby further amended by adding thereto the following counties:

ALABAMA

1 county, viz.:

Tallapoosa

WEST VIRGINIA

4 counties, viz.:

Doddridge.	Ritchie.
Harrison.	Tyler.

It is further ordered, That in all other respects Drouth Order No. 60, as amended, shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Ga., the Chairman of the Executive Committee, Western Traffic Association, Chicago, Ill., the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 19th day of October A.D. 1962.

By the Commission, Chairman Murphy.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-10624; Filed, Oct. 23, 1962;
8:48 a.m.]

[Notice 708]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 19, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-

merce 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 65278. By order of October 16, 1962, the Transfer Board approved the transfer to Walter F. Kuhnen, doing business as Reliance Moving Hackensack, N.J., of Certificate No. MC 74565, issued September 17, 1940, to John Smith, Hackensack, N.J., authorizing the transportation of: Household goods, between Hackensack, N.J., and points in New Jersey within 60 miles of Hackensack, on the one hand, and, on the other, points in Pennsylvania, Connecticut, New York, Maine, Massachusetts, and Rhode Island. James J. Farrell, 201 Montague Place, South Orange, N.J., representative for applicants.

No. MC-FC 65287. By order of October 16, 1962, the Transfer Board approved the transfer to Truck Transport, Inc., St. Louis, Mo., of Certificate No. MC 119775, issued September 29, 1961, to Bloomsdale Transport, Inc., Bloomsdale, Mo., authorizing the transportation of: Lime and lime products, in bulk, and in bags, from Mosher and St. Genevieve, Mo., to Chicago, Ill., and points in Arkansas, Indiana, Tennessee, Iowa, and Kentucky. La Tourette & Rebman, 314 North Broadway, St. Louis 2, Mo., attorneys at law.

No. MC-FC 65288. By order of October 16, 1962, the Transfer Board approved the transfer to Truck Transport, Inc., St. Louis, Mo., of Certificate No. MC 116639 and MC 116639 Sub-3, issued June 1, 1961, and September 29, 1961, respectively, to King Kong Truck Line, Inc., Benld, Ill., authorizing the transportation over irregular routes of: Malt beverages, from Milwaukee, Wis., to a specified portion of Illinois, and from Peoria Heights, Ill., to points in Missouri, except St. Louis and Kansas City, Mo., and empty malt-beverage containers on return and household goods, between St. Louis, Mo., and points in St. Louis County, Mo., on the one hand, and, on the other, points in St. Clair County, Ill., general commodities, excluding household goods, commodities in bulk, and other specified commodities, over regular routes, between Scott Air Force Base, Ill., and St. Louis, Mo., serving all intermediate points; and off-route points in St. Louis County, Mo., within the St. Louis-Mo.-East St. Louis, Ill., Commercial Zone, as defined by the Commission. La Tourette & Rebman, 314 North Broadway, St. Louis 2, Mo., attorneys at law.

No. MC-FC 65355. By order of October 16, 1962, the Transfer Board approved the transfer to 3-B Trucking Company, Inc., Paterson, N.J., of Permits Nos. MC 117183 Sub-1 and MC 117183

Sub-2, issued January 28, 1959 and January 27, 1960, respectively, to Westboro Forwarding Corp., a corporation, Lodi, N.J., authorizing the transportation of: (a) Syrups, in containers, from Lodi, N.J., to Yonkers and New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., and empty containers, and skids, on return; (b) Non-alcoholic beverages, in containers, from New York, N.Y., to Lodi, N.J., and from Lodi, N.J., to New York, and Yonkers, N.Y., and points in Nassau and Suffolk Counties, N.Y. The above-described operations are performed under continuing contracts with National Phoenix Industries, Inc., Lodi, N.J. A. David Millner, 1060 Broad Street, Newark 2, N.J., attorney at law.

No. MC-FC 65359. By order of October 16, 1962, the Transfer Board approved the transfer to J. F. Macri, Inc., Yonkers, N.Y., of Permit No. MC 59356, issued February 7, 1962, to James F. Macri, doing business as J. F. Macri Trucking, Yonkers, N.Y., authorizing the transportation of: Laundry and dry cleaning machinery and equipment, between New York, N.Y., on the one hand, and, on the other, Washington, D.C., and points in New York, New Jersey, Connecticut, Pennsylvania, Delaware, Maryland, and Rhode Island. Arthur J. Piken, 160 Jamaica Avenue, Jamaica 32, N.Y., attorney at law.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-10617; Filed, Oct. 23, 1962;
8:48 a.m.]

[Notice 231]

**MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES**

OCTOBER 19, 1962.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

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

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

MOTOR CARRIERS OF PROPERTY

No. MC-26771 (Deviation No. 1) NESTOR BROS., INC., P.O. Box 539, Endicott, N.Y., filed August 13, 1962. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route as follows: From Weeds-

port, N.Y., over the New York Thruway, with designated access routes, to Syracuse, N.Y., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent authorized service routes as follows: From Syracuse over U.S. Highway 11 to Cortland, N.Y., thence over New York Highway 13 to Elmira, N.Y.; and from Cayuta, N.Y., over New York Highway 224 to Montour Falls, N.Y., thence over New York Highway 14 to Watkins Glen, N.Y., thence over New York Highway 414 to junction New York Highway 96 (formerly a portion of New York Highway 414) and thence over New York Highway 96 to Romulus, N.Y., and return over the same routes.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-10615; Filed, Oct. 23, 1962;
8:48 a.m.]

[Notice 488]

**MOTOR CARRIER APPLICATIONS AND
CERTAIN OTHER PROCEEDINGS**

OCTOBER 19, 1962.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

**APPLICATIONS ASSIGNED FOR ORAL HEARING
OR PREHEARING CONFERENCE**

MOTOR CARRIERS OF PROPERTY

No. MC 2309 (Sub-No. 49), filed October 11, 1962. Applicant: GILLETTE MOTOR TRANSPORT, INC., 2311 Butler Street, Dallas, Tex. Applicant's attorney: Hugh T. Matthews, 2130 Fidelity Union Tower, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, articles of unusual value, household goods as defined by the Commission, bulk commodities, commodities requiring special equipment and dangerous explosives (other than explosive, incendiary, gas, smoke, or tear producing ammunition), serving the National Aeronautics and Space Administration Manned Spacecraft Center located near Clear Lake, Tex., as an off-route point in connection with applicant's authorized regular route operations to and from Houston, Tex.

NOTE: Common control may be involved.

HEARING: November 15, 1962, at the Federal Office Building, Franklin and Fannin Streets., Houston, Tex., before Joint Board No. 77, or if the Joint Board

waives its right to participate before Examiner Henry A. Cockrum.

No. MC 18808 (Sub-No. 1), filed August 27, 1962. Applicant: JOSEPH M. TRINGALI, doing business as RETAILERS DELIVERY SERVICE, 138-23 249th Street, Rosedale, N.Y. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between points in Hudson, Bergen, Essex, and Passaic Counties, N.J., and New York, N.Y., on the one hand, and, on the other, New York City and points in Nassau and Suffolk Counties, N.Y.

NOTE: Applicant states that the proposed operations are for the account of S & S Wholesale Grocery Co., Inc.

HEARING: December 4, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 21242 (Sub-No. 1), filed September 20, 1962. Applicant: GENSER TRUCKING CO., INC., 1150 Longwood Avenue, Bronx 59, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise, such as is dealt in by wholesale, retail and chain grocery and food business houses, between Carlstadt, N.J., on the one hand, and, on the other, points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y.*

HEARING: December 6, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 25798 (Sub-No. 73), filed June 11, 1962. Applicant: CLAY HYDER TRUCKING LINES, INC., P.O. Box 1075, Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, 912 Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Minnesota, Wisconsin, Illinois, and Indiana to points in West Virginia, Virginia, Tennessee, and Georgia.

HEARING: November 29, 1962, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 30209 (Sub-No. 9), filed September 11, 1962. Applicant: JOHN O'SHEA, INC., Foot Birch Street, Ridgefield Park, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, between the warehouse of Seaman Bros., Inc., Carlstadt, N.J., on the one hand, and, on the other, points in Sullivan, Ulster, Dutchess, and Putnam Counties, N.Y.*

NOTE: Applicant states the proposed operation will be under contract with Seaman Bros., Inc., and its subsidiaries and affiliates.

HEARING: December 5, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 30605 (Sub-No. 130), filed August 27, 1962. Applicant: THE SANTA FE TRAIL TRANSPORTATION COMPANY, a corporation, 433 East Waterman, Wichita, Kans. Applicant's attorney: F. J. Steinbrecher, 1211 Railway Exchange, Chicago 4, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) serving the Cheney Reservoir Dam Site, located approximately twenty-one (21) miles west of Wichita, Kans., as an off-route point in connection with presently authorized regular route operations, (2) serving Elk City Reservoir Dam Site, located approximately five (5) miles northwest of Independence, Kans., as an off-route point in connection with presently authorized regular route operations, and (3) between Salina, Kans., and Great Bend, Kans.; from Salina, Kans., over U.S. Highway 40 to the junction of U.S. Highway 40 and Kansas Highway 45, thence over Kansas Highway 45 to Great Bend, Kans., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only.

HEARING: December 7, 1962, at the Hotel Pick-Kansan, Topeka, Kans., before Joint Board No. 52.

No. MC 30844 (Sub-No. 82), filed September 17, 1962. Applicant: KROBLIN REFRIGERATED XPRESS, INC., P.O. Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen manufactured and prepared foods*, from Webster City, Iowa, to points in Louisiana and Mississippi and Memphis, Tenn.

HEARING: November 26, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Armin G. Clement.

No. MC 42329 (Sub-No. 157), filed August 27, 1962. Applicant: HAYES FREIGHT LINES, INC., P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McNerny, 1000 16th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives*, between the site of the Iowa Ordnance Plant, Burlington, Iowa, on the one hand, and, on the other, Peoria, Ill.

NOTE: Common control may be involved.

HEARING: November 28, 1962, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 54.

No. MC 43654 (Sub-No. 54) (CORRECTION), filed July 5, 1962, published in FEDERAL REGISTER issue of October 10, 1962, republished as corrected this issue. Applicant: DIXIE OHIO EXPRESS,

INC., P.O. Box 750, 237 Fountain Street, Akron 9, Ohio. Applicant's attorney: Harry McChesney, Jr., 711 McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tires, tubes, rubber articles, and textile factory products*.

NOTE: This republication is to correctly state the commodity "textile factory products" and the destination point of *Wildwood, Ga.*, both of which were incorrectly shown in original publication.

HEARING: Remains as assigned December 10, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 157, or, if the Joint Board waives its right to participate, before Examiner Parks M. Low.

No. MC 52574 (Sub-No. 5), filed August 22, 1962. Applicant: ELIZABETH FREIGHT FORWARDING CORP., 120 South 20th Street, Irvington, N.J. Applicant's attorney: August W. Heckman, 297 Academy Street, Jersey City 6, N.J. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Bakery products and containers therefor*, from Baltimore, Md., to Philadelphia, Pa., and Atlantic City, N.J., and *empty containers or other such incidental facilities* (not specified), used in transporting the above-specified commodities, on return.

NOTE: Applicant states the proposed service will be under contract with Ward Baking Company.

HEARING: November 28, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC-52574 (Sub-No. 6), filed August 28, 1962. Applicant: ELIZABETH FREIGHT FORWARDING CORP., 120 South 20th Street, Irvington, N.J. Applicant's attorney: August W. Heckman, 297 Academy Street, Jersey City, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products and containers*, from Newark, N.J., to Albany and Garden City, N.Y., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Applicant states that the proposed operation will be under contract with Ward Baking Company.

HEARING: November 28, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC 59531 (Sub-No. 87), filed September 17, 1962. Applicant: AUTO CONVOY CO., a corporation, 3020 Haskell Avenue, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors*, restricted to secondary movements, in truckaway service, ex-rail, (1) from Houston, San Antonio, and Dallas, Tex., and Tulsa, Okla., to points in Texas, Oklahoma, Louisiana, New Mexico, Mississippi, Alabama, Kentucky, Tennessee, Arkansas, and points in Dunklin and Pemiscot

Counties, Mo., (2) from El Paso, Tex., to points in Cochise, Graham, Greenlee, Pima, and Santa Cruz Counties, Ariz., and Catron, Chaves, De Baca, Dona Ana, Eddy, Grant, Hidalgo, Lea, Lincoln, Luna, Otero, Roosevelt, Sierra, and Socorro Counties, N. Mex., (3) from Shreveport, La., to points in Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Delta, Franklin, Gregg, Hardin, Harrison, Henderson, Hopkins, Houston, Jasper, Lamar, Marion, Morris, Nacogdoches, Newton, Orange, Panola, Polk, Rains, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, and Wood Counties, Tex.

HEARING: November 27, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Henry A. Cockrum.

No. MC 60014 (Sub-No. 9), filed July 18, 1962. Applicant: AERO TRUCKING, INC., Box 278, R.D. 1, Oakdale, Pa. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles*, as described in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, between Lorain, Cleveland, and Youngstown, Ohio, and points within ten (10) miles of each, Pittsburgh, Pa., and points within 20 miles thereof, Allenport, Pa., and points within ten (10) miles thereof, Wheeling, W. Va., and points within 25 miles thereof, in the States of Ohio and West Virginia and Weirton, W. Va., on the one hand, and, on the other, points in Virginia, Kentucky, North Carolina, South Carolina, Tennessee, Alabama, Georgia, Florida, and Mississippi.

HEARING: November 29, 1962, at the New Federal Building, Pittsburgh, Pa., before Examiner Frank R. Saltzman.

No. MC 61403 (Sub-No. 83), filed August 9, 1962. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, in tank vehicles, from Jeffersonville, Ind., to points in Florida, Georgia, Mississippi, North Carolina, and South Carolina, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: November 27, 1962, at the Dinker-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 71516 (Sub-No. 66), filed October 10, 1962. Applicant: ALABAMA HIGHWAY EXPRESS, INC., 3300 Fifth Avenue South, Birmingham, Ala. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Sharon, Pa., and points in the Sharon, Pa. Commercial Zone, to points in Alabama, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Virginia, West Virginia, and Tennessee,

and empty containers or other such incidental facilities (not specified) used in transporting the above-specified commodities, on return.

NOTE: Common control may be involved.

HEARING: October 29, 1962, at the New Federal Building, Pittsburgh, Pa., before Examiner James A. McKiel.

No. MC 76177 (Sub-No. 289), filed September 13, 1962. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham 5, Ala. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Yarn, staple fiber, thread, tire cord yarn, synthetic plastic, nylon flake and synthetic fiber yarns*, on beams, bobbins, cones, cores, tubes, in hank and tow, in bales, bags, boxes, cases, crates, cradles and on wrapped beams loose, and (2) *empty warp beams, empty bobbins and empty containers therefor*, between Pensacola and Gonzales, Fla., on the one hand, and, on the other, points in Georgia, Tennessee, and Alabama.

NOTE: Common control may be involved.

HEARING: November 30, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 88905 (Sub-No. 17), filed September 18, 1962. Applicant: CARL R. VAN DYKE, doing business as C. R. VAN DYKE, 87 Clinton Street, Montgomery, N.Y. Applicant's representative: A. E. Enoch, Brodhead Block, 556 Main Street, Bethlehem, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anthracite coal*, (1) from Greenwood Breaker and Colliery at Tamaqua, Pa., to Lakeland, Conn., and (2) from Scranton and Hazelton, Pa., and points within 25 miles of each, to Lakeland, Conn.

NOTE: Applicant is also authorized to conduct operations in Permit No. MC 109864, so therefore dual operations may be involved.

HEARING: December 5, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 89723 (Sub-No. 27), filed July 2, 1962. Applicant: MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis 3, Mo. Applicant's attorney: Robert S. Davis, 1218 Olive Street, St. Louis 3, Mo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, including express, baggage, newspapers and mail*, (1) between Hoisington and Great Bend, Kans., from Hoisington over U.S. Highway 281 to Great Bend, a distance of approximately 10 miles; (2) between Lomax and Topeka, Kans., from Lomax approximately six (6) miles east of Pomona, over unnumbered county road via Michigan Valley, Overbrook, Richland, and Berryton, Kans. to junction approximately two (2) miles west of Berryton, over unnumbered county road and U.S. Highway 75, thence over U.S. Highway 75 to Topeka (also from Berryton over unnumbered county road to

Topeka); (3) between Wichita and Lindsborg, Kans., serving the points of Newton, Zimmerdale, Hesston, Moundridge, Elyria, and McPherson, Kans., from Wichita over U.S. Highway 81 to Newton, Kans., thence continuing over U.S. Highway 81 to Lindsborg; (4) between Wichita and Arkansas City, Kans., serving Winfield, Kans., from Wichita over Kansas Highway 15 to junction with U.S. Highway 77, thence over U.S. Highway 77 to Arkansas City; and (5) as an alternate route only, between Kansas City, Mo.-Kans. and Wichita, Kans., over Kansas Turnpike and U.S. Highway 35.

NOTE: Applicant states that the operations will be in auxiliary or supplemental service of the Missouri Pacific Railroad, and restricted in accordance with key-point conditions in MC-89723 Subs. 15, 16, and 17, to the extent that no shipments are to be transported over the highway from Kansas City, Mo.-Kansas City, Kans. to Wichita, Kans., vice versa, but serving the intermediate points of Admire and Eldorado, which points are presently served and are stations on the Missouri Pacific Railroad. Applicant further states that it is wholly owned by the Missouri Pacific Railroad.

HEARING: December 3, 1962, at the Hotel Pick-Kansan, Topeka, Kans., before Joint Board No. 36.

No. MC 89723 (Sub-No. 28), filed July 11, 1962. Applicant: MISSOURI PACIFIC TRUCK LINES, INC., 210 North 13th Street, St. Louis 3, Mo. Applicant's attorney: Robert S. Davis, 1218 Olive Street, St. Louis 3, Mo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities, including express, baggage, newspapers and mail*, between Union and Lincoln, Nebr.; from Union over U.S. Highway 34 to Lincoln, and return over the same route, serving the offroute points of Nehawka, Eagle, and Walton over unnumbered county road, and the offroute points of Weeping Water, Wabash, and Elmwood over Nebraska Highways 50 and 1.

NOTE: Applicant states the proposed service will be limited to service which is auxiliary to, or supplemental of, the rail service of the Missouri Pacific Railroad. Applicant further states it is a wholly owned subsidiary of the Missouri Pacific Railroad, St. Louis, Mo.

HEARING: November 29, 1962, at Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 93.

No. MC 93235 (Sub-No. 4), filed June 20, 1962. Applicant: INDIANA TRUCKING, INC., 425 West Chicago Avenue, East Chicago, Ind. Applicant's attorney: Eugene L. Cohn, 1 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Building materials, and gypsum and gypsum products*, from the plant site of United States Gypsum Company located at East Chicago, Ind., to points in Allegan, Barry, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Hillsdale, Ingham, Ionia, Jackson, Kalamazoo, Kent, Lake, Mason, Mecosta, Montcalm, Muskegon, Newaygo, Oceana, Ottawa, St. Joseph, and Van Buren Counties, Mich., and

points in Adams, Brown, Columbia, Calumet, Crawford, Dane, Dodge, Fond du Lac, Grant, Green, Green Lake, Iowa, Juneau, Jefferson, Kenosha, Kewaunee, La Crosse, Lafayette, Manitowac, Marquette, Milwaukee, Monroe, Outagamie, Ozaukee, Portage, Racine, Richland, Rock, Sauk, Sheboygan, Vernon, Walworth, Washington, Waukesha, Waupaca, Waushara, Winnebago, and Wood Counties, Wis., and points in Illinois.

NOTE: Applicant states the proposed operations will be limited to a transportation service to be performed under a continuing contract or contracts with the United States Gypsum Company.

HEARING: November 28, 1962, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 94201 (Sub-No. 51) (AMENDMENT), filed August 8, 1962, published FEDERAL REGISTER issue September 6, 1962, amended September 21, 1962, and republished as amended this issue. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, East Gadsden, Ala. Applicant's attorney: Donald L. Morris, 325-29 Frank Nelson Building, Birmingham 3, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Yarn, staple fiber, thread, tire cord yarn, synthetic plastic, nylon flake, and synthetic fiber yarns*, on beams, bobbins, cones, cores, tubes, in hank and tow, in bales, bags, boxes, cases, crates, cradles, or on wrapped beams loose, and (2) *empty warp beams, empty bobbins, and empty containers therefor*, between Pensacola and Gonzales, Fla., on the one hand, and, on the other, points in Georgia, and Chattanooga, Tenn., and Scottsville, Va.

NOTE: The purpose of this republication is to add Chattanooga, Tenn., and Scottsville, Va., to the destination territory.

HEARING: November 29, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 98749 (Sub-No. 16) (CORRECTION), filed September 10, 1962, published FEDERAL REGISTER issue of October 10, 1962, and republished as corrected this issue. Applicant: DURWARD L. BELL, doing business as BELL TRANSPORT COMPANY, Ryder at Eastman Road, Longview, Tex. Applicant's attorney: Austin L. Hatchell, Suite 1009, Perry Brooks Building, Austin 1, Tex. The purpose of this republication is to correctly state the hearing date as shown below in lieu of November 20, 1962, as previously published in error.

HEARING: November 29, 1962, at the Baker Hotel, Dallas, Tex., before Examiner Alton R. Smith.

No. MC 103051 (Sub-No. 136), filed September 5, 1962. Applicant: WALKER HAULING CO., INC., 340 Armour Drive NE., Atlanta 24, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424-35, C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from points in Jefferson County, Ala., Dade and Polk Counties, Fla., and Mecklen-

berg County, N.C., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: Common control may be involved.

HEARING: November 27, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 103494 (Sub-No. 9), filed September 10, 1962. Applicant: EASLEY HAULING SERVICE, INC., North First Avenue and Quince, Yakima, Wash. Applicant's attorney: Earle V. White, 2130 Southwest Fifth Avenue, Portland 1, Oreg. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Freezing and cannery equipment and supplies*, between points in Multnomah County, Oreg., on the one hand, and, on the other, points in Yakima, Walla Walla, and King Counties, Wash.

NOTE: Applicant states the proposed will be confined to service under a contract or contracts with Libby, McNeill & Libby.

HEARING: December 12, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Joseph A. Reilly.

No. MC 105813 (Sub-No. 75) (AMENDMENT), filed August 13, 1962, published in FEDERAL REGISTER issue of September 19, 1962, amended October 9, 1962, and republished as amended this issue. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami 42, Fla. Applicant's attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Council Bluffs, Iowa, to points in Florida, Alabama, Georgia, North Carolina, South Carolina, and Tennessee (except Memphis).

NOTE: Common control may be involved. The purpose of this republication is to include the additional states of Alabama, Georgia, North Carolina, South Carolina, and Tennessee (except Memphis) as destination points.

HEARING: Reassigned November 5, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner C. Evans Brooks.

No. MC 106233 (Sub-No. 10), filed September 28, 1962. Applicant: GORDON HART, doing business as GORDON HART TRUCK LINE, Dexter, Mo. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230, Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment and commodities which are injurious or contaminating to other lading), between Junction U.S. Highways 61 and 67 near Crystal City, Mo., and Poplar Bluff, Mo.; from the junction of U.S. Highways 61 and 67 near Crystal City, over U.S. Highway 67 to Poplar Bluff, and return over the same routes, serving

the junction of U.S. Highways 61 and 67 for joinder purposes only, as an alternate route for operating convenience only.

HEARING: December 11, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 179.

No. MC 107107 (Sub-No. 239), filed October 4, 1962. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, coconuts and pineapples*, from points in Louisiana, and Mobile, Ala., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Wyoming, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, the District of Columbia, and Colorado.

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 107403 (Sub-No. 431), filed September 19, 1962. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, from the plant site of Dragon Cement Company Division of Martin Marietta Corporation located at Elizabeth, N.J., to points in Connecticut, New Jersey, and points in New York on and south of New York Highways 23 and 10, including those points on Long Island, N.Y.

NOTE: Common control may be involved.

HEARING: November 30, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Wm. N. Culbertson.

No. MC 107403 (Sub-No. 434), filed October 11, 1962. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in tank vehicles, from Garrettsville and Geauga Lake, Ohio, to points in Pennsylvania and New York.

HEARING: October 31, 1962, at the New Federal Building, Pittsburgh, Pa., before Examiner James A. McKiel.

No. MC 107496 (Sub-No. 252), filed June 6, 1962. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, P.O. Box 855, Des Moines 4, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank vehicles, from the site of the Meramec Power Plant located at or near Arnold, Mo., to points in Illinois and Kentucky.

NOTE: Applicant states it is wholly owned by John Ruan. Applicant controls and

owns all of the outstanding capital stock of Illinois-Ruan Transport Corporation. Applicant holds contract authority in MC 119136 and Subs thereunder; therefore, dual operations may be involved.

HEARING: December 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 298.

No. MC 107500 (Sub-No. 65), filed July 30, 1962. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: Thomas J. Houser, 547 West Jackson Boulevard, Chicago 6, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Newspapers, cream, milk, express and mail and empty cans and containers*, between St. Louis, Mo., and West Quincy, Mo.; from St. Louis over Interstate Highway 70 to its junction with Missouri Highway 79; thence over Missouri Highway 79 to Louisiana, Mo.; thence over U.S. Highway 54 to its junction with U.S. Highway 61 at Bowling Green; thence over U.S. Highway 61 to Hannibal; thence over U.S. Highway 61 to its junction with U.S. Highway 24; thence over U.S. Highway 24 to West Quincy, Mo., and return over the same routes, serving the intermediate points of Old Monroe, Winfield, Foley, Elsberry, Clarksville, Louisiana, and Hannibal, Mo.

NOTE: Applicant states service to be performed under the authority sought herein shall be limited to that which is supplemental and auxiliary to Chicago, Burlington & Quincy Railroad Company train service and the Railway Express Agency. Applicant is a wholly owned subsidiary of the Chicago, Burlington and Quincy Railroad Company.

HEARING: December 12, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 135.

No. MC 107500 (Sub-No. 66), filed August 27, 1962. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: Thomas J. Houser, 547 West Jackson Boulevard, Chicago 6, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between St. Joseph, Mo., and Bedford, Iowa; from St. Joseph over U.S. Highway 71 to Maryville, Mo., thence over U.S. Highway 71 to its junction with Missouri Highway 27, thence over Missouri Highway 27 to the Missouri-Iowa State Line, thence over Iowa Highway 148 to Bedford, serving Maryville, Mo., as a point of interchange only, and return over the same route, serving the intermediate and off-route points of Hopkins, Pickering, Rosendale, Bolckow, and Bernard, Mo.

NOTE: Applicant states that it is a wholly owned subsidiary of the Chicago, Burlington and Quincy Railroad Company.

HEARING: November 27, 1962, in Room 401, Old Federal Office Building, Fifth and Court Avenue, Des Moines, Iowa, before Joint Board No. 55.

No. MC 107500 (Sub-No. 67), filed September 24, 1962. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: Thomas J. Houser, 547 West Jackson Boulevard, Chicago 6, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Newspapers, magazines, and periodicals; cream, milk and empty containers; express and United States mail*; between Sterling, Colo., and junction of Nebraska Highways 19 and 26N near Angora, Nebr.; from Sterling over U.S. Highway 138 to its junction with Colorado Highway 113; thence over Colorado Highway 113 to the Colorado-Nebraska state line; thence over Nebraska Highway 19 to its junction with U.S. Highway 385; thence over U.S. Highway 385 to its junction with Nebraska Highway 26N, about three (3) miles south of Angora, Nebr., and return over the same route serving the intermediate and off-route points of Peetz and Padroni, Colo., and Sidney, Gurley, Dalton, and Bridgeport, Nebr.

NOTE: The service to be provided under authority sought herein shall be limited to that which is supplemental and auxiliary to the service of the Chicago, Burlington and Quincy Railroad Co., and the Railway Express Agency. Applicant states it is a wholly owned subsidiary of the Chicago, Burlington and Quincy Railroad Company.

HEARING: November 30, 1962, at Nebraska State Railroad Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 31.

No. MC 107913 (Sub-No. 7) (CLARIFYING AMENDMENT), filed April 13, 1962, published FEDERAL REGISTER issue September 26, 1962, amended October 9, 1962, republished as amended this issue. Applicant: F & W EXPRESS, INC., 575 South Front Street, Memphis, Tenn. Applicant's attorney: Edward G. Grogan, Commerce Title Building, Memphis 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, livestock, household goods as defined in *Practices of Motor Common Carriers of Household Goods* 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between junction U.S. Highway 61 and Mississippi Highway 6, and West Helena, Ark., from junction of U.S. Highway 61 and Mississippi Highway 6 over Mississippi Highway 6, to Mississippi-Arkansas state line, thence over Arkansas Highway 6, to West Helena, Ark., and return over the same route, serving all the intermediate points.

NOTE: The purpose of this republication is for the sole purpose of clarifying the route involved and designating the proper highway number as designated by the State of Arkansas, and does not broaden the scope of the application.

HEARING: Remains as assigned October 29, 1962, at the Arkansas Commerce Commission Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 109, or, if the Joint Board waives its right to participate, before Examiner Henry A. Cockrum.

No. MC 108053 (Sub-No. 44), filed October 12, 1962. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., P.O. Box 709, Fremont, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Ohio, to points in Washington, Oregon, California, Wyoming, Nebraska, Montana, Idaho, Nevada, North Dakota, Kansas, Utah, Arizona, Colorado, and South Dakota.

HEARING: November 8, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 108248 (Sub-No. 8), filed August 8, 1962. Applicant: SHAW TRUCKING, INC., P.O. Box 84, Brockway, Pa. Applicant's attorney: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, between Du Boise, Pa., on the one hand, and, on the other, Hagerstown, Md., Camden and Jersey City, N.J., Buffalo, N.Y., and Charleston and Clarksburg, W. Va.

HEARING: November 27, 1962, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Edith H. Cockrill.

No. MC 109397 (Sub-No. 63), filed October 8, 1962. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B and C explosives*, as defined by the Commission, between Iowa Ordnance Plant, Burlington, Iowa, and Seneca, Ill.

HEARING: November 8, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 54.

No. MC 109637 (Sub-No. 213), filed September 19, 1962. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Applicant's representative: H. N. Nunnally (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Daviess County, Ky., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, Texas, West Virginia, and Wisconsin.

HEARING: November 30, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 109637 (Sub-No. 216), filed October 1, 1962. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and mortar*, in bulk, and in packages, from Paducah, Ky., and points within fifteen (15) miles thereof, to points in Indiana, Illinois, Kentucky, Missouri, and Tennessee.

HEARING: October 29, 1962, in Hearing Room No. 255, U.S. Court House, Louisville, Ky., before Examiner James I. Carr.

No. MC 109654 (Sub-No. 6), filed September 17, 1962. Applicant: GREEN MOTOR LINES, INCORPORATED, 1420 East Ninth Street Road, Richmond, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South Tenth Street, Richmond 19, Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Excelsior*, from points in Hanover and Caroline Counties, Va. to Baltimore, Md., Wilmington, Del., Philadelphia, Sellersville, Lancaster, Reading, and Boyertown, Pa., Rahway, Newark, Atlantic City, East Orange, Kearney, Trenton, New Brunswick, Perth Amboy, and Camden, N.J., Washington, D.C., Suffern and New York, N.Y., and points in the New York, N.Y., commercial zone as defined by the Commission, and *damaged, refused, rejected and unclaimed shipments*, on return.

NOTE: Applicant states duplicating authority is to be eliminated.

HEARING: November 29, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 110698 (Sub-No. 228), filed September 7, 1962. Applicant: RYDER TANK LINE, INC., Winston Salem Road, P.O. Box 457, Greensboro, N.C. Applicant's attorney: Dale Woodall, P.O. Box 2408, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals and petroleum products*, in bulk, in tank vehicles, between Alvin, Tex., and points within 25 miles thereof, and all points in the continental United States.

HEARING: November 8, 1962, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Garland E. Taylor.

No. MC 110878 (Sub-No. 15), filed August 13, 1962. Applicant: ARGO TRUCKING COMPANY, INC., Lower Heard Street, Elberton, Ga. Applicant's attorney: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Abrasives and iron castings*, when shipped in mixed loads with presently authorized shipments of granite or marble, from Elberton, Ga., to points in Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kansas, Oklahoma, Texas, New Mexico, Colorado, Utah, Arizona, Nevada, California, North Carolina, South Carolina, Florida, and Tennessee.

HEARING: November 27, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 111748 (Sub-No. 5) (AMENDMENT), filed August 1, 1962, published FEDERAL REGISTER issue of October 3, 1962, amended October 16, 1962, and republished, as amended, this issue. Applicant: HARVEY L. WILLIAMS, JR., doing business as WILLIAMS MOVING & STORAGE CO., Tarkio, Mo. Applicant's

attorney: Carl V. Kretsinger, 510 Professional Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed blender mills*, from points in Jasper County, Mo., to points in Iowa, and *damaged and rejected shipments*, on return.

NOTE: The purpose of this republication is to substitute "points in Jasper County, Mo." in lieu of "Joplin, Mo." as the point of origin.

HEARING: Remains as assigned November 9, 1962, at the Park East Hotel, Kansas City, Mo., before Joint Board No. 137.

No. MC 111812 (Sub-No. 168), (CORRECTION), filed May 1, 1962, published in the FEDERAL REGISTER issue of October 10, 1962, republished as corrected this issue. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods and foodstuffs, frozen, canned or packaged*.

NOTE: The purpose of this republication is to correct the spelling of destination point Berkeley Springs, W. Va., appearing in part (2) of the original publication.

HEARING: December 5, 1962, at the Midland Hotel, Chicago, Ill., before Examiner Warren C. White.

No. MC 112020 (Sub-No. 168) (AMENDMENT), filed July 23, 1962, published in FEDERAL REGISTER issue of October 3, 1962, amended October 3, 1962, amended October 9, 1962, and republished as amended this issue. Applicant: COMMERCIAL OIL TRANSPORT, INC., 1030 Stayton Street, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from Fort Worth, Tex., to points in Arkansas, Louisiana, New Mexico, Oklahoma, Colorado, Kansas, and Texas.

NOTE: Common control may be involved. The purpose of this republication is to change the commodity description from perchlorethylene, in bulk, in tank vehicles, to chemicals, in bulk.

HEARING: Remains as assigned November 7, 1962, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Garland E. Taylor.

No. MC 112020 (Sub-No. 182), filed October 10, 1962. Applicant: COMMERCIAL OIL TRANSPORT, INC., 1030 Stayton Street, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, between points in Brazoria County, Tex., on the one hand, and, on the other, points in the United States (excluding Alaska and Hawaii).

HEARING: November 8, 1962, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Garland E. Taylor.

No. MC 112188 (Sub-No. 4), filed August 22, 1962. Applicant: DORRIS M. HOPPER AND DOROTHY J. ADAMS, a partnership, doing business as

GEORGE McBREEN COMPANY, 1841 Northwest 22d Avenue, Portland, Ore. Applicant's attorney: John M. Hickson, Failing Building, Portland, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bread, pies, and pastries*, from Portland, Ore., to Walla Walla, Wash., and points within 10 miles thereof, and *rejected shipments*, on return.

HEARING: December 14, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Ore., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Joseph A. Reilly.

No. MC 112520 (Sub-No. 79), filed September 26, 1962. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry crude sulphate of soda (salt cake)*, in bulk, in hopper and tank vehicles, between points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: Common control may be involved.

HEARING: November 9, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 112617 (Sub-No. 128), filed September 19, 1962. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Daviess County, Ky., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, Texas, West Virginia, and Wisconsin, and *rejected shipments* of the above-specified commodities, on return.

HEARING: November 30, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 114045 (Sub-No. 97), filed October 3, 1962. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packing houses*, from Arkansas City, Kans., to points in Louisiana, Alabama, Georgia, Florida, North Carolina, and South Carolina.

HEARING: November 1, 1962, at the Hotel Lassen, Wichita, Kans., before Examiner John B. Mealy.

No. MC 114045 (Sub-No. 98), filed October 5, 1962. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*,

coconuts and pineapples, from points in Louisiana and Mobile, Ala., to points in the United States (except Alaska and Hawaii).

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 114194 (Sub-No. 41), filed July 16, 1962. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar and blends thereof and molasses and blends thereof*, in bulk, from the St. Louis, Mo.-East St. Louis, Ill., commercial zone to points in Illinois, Indiana, Kansas, and Missouri, and *rejected shipments*, on return.

HEARING: November 30, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Examiner A. Lane Cricher.

No. MC 114290 (Sub-No. 8), filed August 20, 1962. Applicant: EXLEY EXPRESS, INC., 2204 Southeast Eighth Avenue, Portland 14, Ore. Applicant's attorney: James T. Johnson, 609-11 Norton Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Ventura, Corona, Modesto, and Ontario, Calif., to Seattle, Wash., and Portland, Ore., and *exempt commodities*, on return.

HEARING: December 13, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Ore., before Joint Board No. 5, or, if the Joint Board waives its right to participate, before Examiner Joseph A. Reilly.

No. MC 114558 (Sub-No. 3), filed August 28, 1962. Applicant: W. A. CUMMINS, 512 Florida Avenue, Mt. Pleasant, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rock wool insulation*, from Mt. Pleasant, Tenn., to points in Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, and Jackson Counties, Fla.

HEARING: November 29, 1962, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 114848 (Sub-No. 9), filed September 4, 1962. Applicant: WHARTON TRANSPORT CORPORATION, P.O. Box 2591, DeSoto Station, Memphis, Tenn. Applicant's attorney: Clarence Evans, Third National Bank Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, airfloated or otherwise, crude, dried, crushed or compacted, in tank or hopper type vehicles, in bulk, from points in Henry and Weakley Counties, Tenn., and points in Graves and Calloway Counties, Ky., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, Indiana, Illinois, Texas, West Virginia, South Carolina, North Carolina, and Tennessee, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.*

HEARING: November 29, 1962, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 115931 (Sub-No. 3), filed September 17, 1962. Applicant: BABCOCK & LEE TRANSPORTATION, INC., 1002 Third Avenue North, Billings, Mont. Applicant's attorney: Clinton J. Hansen, 608-616 Hennessy Building, Butte, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and other timber products*, from points in Montana, to points in Iowa, Illinois, Minnesota, and South Dakota, and (2) *prefabricated steel buildings and components or parts for such buildings*, from Monticello, Iowa, and points within 10 miles thereof, and from Galesburg, Ill., and points within 10 miles thereof, to points in Montana and Wyoming.

NOTE: Common control may be involved.

HEARING: November 29, 1962, at the Yellowstone County Court House, Billings, Mont., before Examiner Joseph A. Reilly.

No. MC 116077 (Sub-No. 135) (AMENDMENT), filed July 24, 1962, published FEDERAL REGISTER issue October 10, 1962, amended October 15, 1962, and republished as amended this issue. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 401 Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, between points in Lowndes and Monroe Counties, Miss., and points in Calcasieu Parish, La., on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

NOTE: The purpose of this republication is to add the destination State of Missouri to the authority previously sought.

HEARING: Remains as assigned December 3, 1962, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner James O'D. Moran.

No. MC 116204 (Sub-No. 7), filed October 1, 1962. Applicant: VAN E. HAMLETT, 3049 Dickerson Road, Nashville, Tenn. Applicant's attorney: A. O. Buck, Suite 434, Stahlman Building, Nashville 3, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from points in Davidson County, Tenn., to points in Estill, Lee, Rockcastle, Jackson, Owsley, Breathitt, Laurel, Knox, Clay, Bell, Leslie, Perry, Knott, Harlan, and Letcher Counties, Ky., and *returned and damaged shipments*, on return.

NOTE: Applicant states the proposed operation will be under a continuing contract with Armour Agricultural Chemical Company. Applicant is also authorized to conduct operations as a *common carrier* in Certificate MC 118883; therefore dual operations may be involved.

HEARING: November 30, 1962, at the Dinkler-Andrew Jackson Hotel, Nash-

ville, Tenn., before Joint Board No. 25, or, if the Joint Board waives its right to participate, before Examiner William R. Tyers.

No. MC 116254 (Sub-No. 10), filed August 3, 1962. Applicant: CHEM-HAULERS, INC., P.O. Box 245, Sheffield, Ala. Applicant's attorney: Walter Harwood, Nashville Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients*, in bulk, from Tuscola, Ill., and points within 10 miles thereof, to points in Alabama, Florida, Kentucky, Louisiana, Mississippi, and Tennessee.

HEARING: November 27, 1962, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 116763 (Sub-No. 23) (CORRECTION), filed August 14, 1962, published FEDERAL REGISTER issue of September 12, 1962, and republished as corrected this issue. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Applicant's attorneys: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio, and Benjamin J. Brooks, 4700 Connecticut Avenue, Washington 8, D.C. The purpose of this republication is to correct applicant's attorney's address to *Columbus, Ohio*, as shown above in lieu of *Cleveland, Ohio*, as previously published in error.

HEARING: Remains as assigned October 29, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank R. Saltzman.

No. MC 116763 (Sub-No. 25), filed October 5, 1962. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio. Applicant's attorneys: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio, and Benjamin J. Brooks, 4700 Connecticut Avenue, Washington 8, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal and charcoal briquettes*, from Brookville, Pa., to points in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: October 31, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 117757 (Sub-No. 7), filed September 25, 1962. Applicant: W. D. FRISBEE, doing business as FRISBEE MOTOR EXPRESS, Austell, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to Atlanta, Ga., and Central City, Ky., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: December 4, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 117836 (Sub-No. 4), filed October 16, 1962. Applicant: H. J.

NOLL, 6706 Avenue E, Houston 11, Tex. Applicant's attorney: Joe G. Fender, 2033 Norfolk Street, Houston 6, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Mobile, Ala., to points in the United States, excluding Alaska and Hawaii.

HEARING: October 31, 1962, in Room 503, E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 117998 (Sub-No. 7), filed July 2, 1962. Applicant: RAY WILSON, INC., 1404 East Linwood Drive, Mobile, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and coconuts*, from Mobile, Ala., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming.

NOTE: Applicant states he proposes to transport exempt commodities, on return.

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 118039 (Sub-No. 4), filed August 27, 1962. Applicant: A. V. Edmondson, P.O. Box 195, Forest Park, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, (1) from Gulfport, Miss., to Atlanta, Ga., (2) from Tampa, Fla., to Birmingham, Ala., and (3) from Atlanta, Ga., to points in Alabama, South Carolina, and Tennessee.

HEARING: December 3, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 118201 (Sub-No. 4), filed July 5, 1962. Applicant: JOHN SEPHTON, doing business as JOHN SEPHTON PRODUCT COMPANY, 403 Marine Street, Mobile, Ala. Applicant's representative: Robert E. Tate, Traffic Building, 2031 Ninth Avenue South, Birmingham 5, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and coconuts*, from Mobile, Ala., to points in Illinois, Iowa, and Minnesota.

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 118222 (Sub-No. 3), filed August 17, 1962. Applicant: SOUTHERN SHIPPERS, INC., Highway 11, North, Hattiesburg, Miss. Applicant's attorney: Albert A. Andrin, 105 West Adams Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and coconuts* from Mobile, Ala., to points in Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Ohio, Tennessee, Texas, Vir-

ginia, West Virginia, Wisconsin, and Wyoming.

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 118746 (Sub-No. 5), filed June 29, 1962. Applicant: NOEL E. TIDWELL, doing business as CULLMAN BANANA SUPPLY, 104 East First Avenue, Cullman, Ala. Applicant's representative: Robert E. Tate, Motor Carrier Consultants, Inc., 2031 Ninth Avenue, South, Birmingham 5, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas and coconuts*, from Mobile, Ala., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, West Virginia, Wisconsin, and Wyoming and (2) *commodities that can be transported in vehicles exempt under section 203(b)6 of the Act*, from the above-specified destination points to Mobile, Ala.

HEARING: October 31, 1962, in Room 503-E-F-G, Federal Office Building, 600 South Street, New Orleans, La., before Examiner Garland E. Taylor.

No. MC 118912 (Sub-No. 8), filed September 26, 1962. Applicant: BURNHAM TRUCKING CO., INC., 52 Fletcher Street, Ayer, Mass. Applicant's attorney: Raymond E. Bernard, Brattle Arms, Harvard Square, Cambridge 38, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pin setter machines, bowling alley, automatic, loose, unassembled and uncrated, and empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between Littleton, Maynard, Clinton, Ayer, Westford, Hudson, Acton, Harvard, Shirley, and Everett, Mass., and points in Virginia, North Carolina, Alabama, Mississippi, Tennessee, Arkansas, Louisiana, Montana, Wyoming, Idaho, Utah, Colorado, Nevada, California, Oregon, Washington, and Alaska.

NOTE: Applicant states the proposed operations are for the account of Bowl-Mor Co., Inc., and its divisions and subsidiaries.

HEARING: December 11, 1962, at the Hotel Essex, Boston, Mass., before Examiner C. Evans Brooks.

No. MC 118912 (Sub-No. 9), filed September 26, 1962. Applicant: BURNHAM TRUCKING CO., INC., 52 Fletcher Street, Ayer, Mass. Applicant's attorney: Raymond E. Bernard, Brattle Arms, Harvard Square, Cambridge 28, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pin setter machines, bowling alley, automatic, loose, unassembled and uncrated, and empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified above, between Littleton, Maynard, Clinton, Ayer, Westford, Hudson, Acton, Harvard, Shirley, and Everett,

Mass., and points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, Pennsylvania, Maryland and Washington, D.C.

NOTE: Applicant states the proposed service will be for the account of Bowl-Mor Co., Inc., and its divisions and subsidiaries.

HEARING: December 11, 1962, at the Hotel Essex, Boston, Mass., before Examiner C. Evans Brooks.

No. MC 118959 (Sub-No. 8), filed June 25, 1962. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Casing, pipe, tubing, couplings, connections, and steel* (except those requiring the use of special equipment because of size or weight), from Irvington and Sparta, Ill., to points in Alabama, Arizona, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, South Carolina, and Tennessee; and (2) *steel* (except those requiring the use of special equipment because of size or weight), from Carlinville and Flora, Ill., to points in Alabama, Arizona, Florida, Georgia, Louisiana, Mississippi, New Mexico, North Carolina, South Carolina, and Tennessee.

HEARING: November 27, 1962, at the Conrad Hilton, Chicago, Ill., before Examiner W. Elliott Nefflen.

No. MC 119422 (Sub-No. 11), filed June 12, 1962. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Joseph H. Goldenhersh, 406 Missouri Avenue, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in bags, from the plant site of the Meramec Power Plant of Union Electric Co., located at or near Arnold, Mo., to points in Illinois and Kentucky, and *damaged and defective shipments*, on return.

HEARING: December 13, 1962, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Joint Board No. 298.

No. MC 119623 (Sub-No. 3), filed August 6, 1962. Applicant: LAWRENCE SUNDERMEYER, Box 376, Panama, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Creosoted and penta treated posts, poles and lumber*, from Panama, Okla., and points within 5 miles thereof, to points in Kansas, and *exempt agricultural commodities*, on return.

HEARING: December 6, 1962, at the Hotel Pick-Kansas, Topeka, Kans., before Joint Board No. 39.

No. MC 121244 (Sub No. 1), filed July 27, 1962. Applicant: RAY P. CARPENTER, doing business as R. & M. PICKUP AND DELIVERY, R.R. No. 1, Newton, Iowa. Applicant's attorney: Stephen Robinson, 412 Equitable Building, Des Moines 9, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *general commodities* between Newton, Iowa, and points within 5 miles thereof on the one hand, and, on the

other, the municipal airport near Des Moines, Iowa.

NOTE: Applicant states the commodities transported will have either a prior or subsequent movement in interstate commerce by airplane.

HEARING: November 28, 1962, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 92.

No. MC 123393 (Sub-No. 16) (AMENDMENT), filed August 31, 1962, published in FEDERAL REGISTER issue of October 10, 1962, amended October 8, 1962, and republished as amended this issue. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 1914 East Blaine Street, Springfield, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packing-house products, byproducts and items distributed by packinghouses*, from points in Missouri (except St. Louis, Kansas City, and St. Joseph), to points in Massachusetts, Maine, Connecticut, Vermont, New Hampshire, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, West Virginia, Virginia, South Carolina, North Carolina, Alabama, District of Columbia, and Georgia, and *empty containers or other such incidental facilities* (not specified), used in transporting the above described commodities, and *exempt commodities*, on return.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit 115991; therefore, dual operations may be involved. It is further noted that common control may be involved. The purpose of this republication is to include the District of Columbia as a destination point.

HEARING: Remains as assigned December 5, 1962, at the Missouri Hotel, Jefferson City, Mo., before Examiner A. Lane Cricher.

No. MC 123783 (Sub-No. 4), filed August 16, 1962. Applicant: WALT JONES WRECKER SERVICE, INC., 432 Whitehall Street SW., Atlanta, Ga. Applicant's attorney: Bates Block, Sixth Floor, First National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled trucks, tractors and semitrailers* (excluding mobile homes) and *serviceable replacements*, in wrecker tow-away service, between points in Georgia, on the one hand, and, on the other, points in North Carolina, South Carolina, Florida, Alabama, Tennessee, Kentucky, Mississippi, Louisiana, Virginia, and West Virginia.

HEARING: November 28, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 124078 (Sub-No. 7) (AMENDMENT), filed March 12, 1962, published FEDERAL REGISTER issue March 21, 1962, amended August 7, 1962, and republished as amended this issue. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate

as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, (1) from Atlanta, Ga., to points in Georgia, Alabama, and South Carolina, (2) from Savannah, Ga., to points in Georgia and South Carolina, and (3) from Bainbridge, Ga., to points in Georgia, points in Barbour, Coffee, Dale, Geneva, Henry, Houston, and Russell Counties, Ala., and points north of the following Florida Counties: Manatee, Hardee, Highland, Okeechobee, and Saint Lucie Counties, Fla.

NOTE: Applicant states that it has contract carrier authority involving the transportation of petroleum products under Docket MC 113832, it also has common carrier cement and concrete and concrete conduit applications pending under Docket MC 124078, therefore, dual operations may be involved. The purpose of this republication is to broaden the scope of the territory previously sought.

HEARING: November 26, 1962, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Allen W. Hagerty.

No. MC 124078 (Sub-No. 37), filed July 27, 1962. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, in tank vehicles, from the plant site of the Kansas City Power and Light Co., located near La Due, Mo., to points in Missouri and Kansas (except the site of the John Redmond Dam six (6) miles northwest of Burlington, Kans.).

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 113832; therefore dual operations may be involved.

HEARING: December 10, 1962, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 36.

No. MC 124117 (Sub-No. 1), filed September 7, 1962. Applicant: EARL FREEMAN, doing business as MID-TENN EXPRESS, Route No. 1, Unionville, Tenn. Applicant's attorney: Walter Harwood, 515 Nashville Trust Building, Nashville, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials, and empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between Milwaukee, Wis., and Evansville, Ind., on the one hand, and, on the other, points in Tennessee on and west of U.S. Highway 27 and east of the western traversal of the Tennessee River (but excluding Nashville and Chattanooga and their commercial zones).

HEARING: November 30, 1962, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 124589 (Sub-No. 1), filed September 10, 1962. Applicant: GEORGE B. SCHOFIELD, doing business as GEORGE SCHOFIELD TRUCKING CO., Main Street, Bound Brook, N.J. Applicant's attorney: LeRoy Danziger, 334 King Road, New Brunswick, N.J. Au-

thority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Gasoline*, in bulk, in tank vehicles, from Philadelphia, Pa., and Delaware City, Del., to Somerville, North Plainfield, Plainfield, Oxford, Toms River, Greenbrook Township, Bound Brook, and New Brunswick, N.J.

HEARING: November 26, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC 124615, filed July 12, 1962. Applicant: J. W. O'ROURKE, INC., 538 Kramer Street, Sewickley, Pa. Applicant's attorney: Roy F. Walters, Jr., Grant Building, Pittsburgh 19, Pa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Ambridge, and Pittsburgh, Pa., to points in Illinois, Kentucky, Michigan, Ohio, New York, Indiana, Virginia, West Virginia, Connecticut, Massachusetts, Maryland, Delaware, New Jersey, and the District of Columbia, and empty containers or other such incidental facilities (not specified), used in transporting the above-specified commodities, and damaged, rejected and refused shipments, on return.

NOTE: The proposed operation will be for Armco Steel Corp.

HEARING: November 28, 1962, at the New Federal Building, Pittsburgh, Pa., before Examiner Frank R. Saltzman.

No. MC 124670, filed August 2, 1962. Applicant: HOY TRANSFER, INC., Route 322 North (P.O. Box 662), State College, Pa. Applicant's attorney: Richard H. Rea, Commerce Building, Harrisburg, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods* as defined in Rule 1(a), *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, and *electronic computers and equipment which require the specialized handling and equipment usually employed in moving household goods*, between points in Centre County, Pa., and points in Ohio, West Virginia, Maryland, Delaware, New Jersey, New York, the District of Columbia, Virginia, Connecticut, Rhode Island, and Massachusetts.

HEARING: November 26, 1962, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Edith H. Cockrill.

No. MC 124671, filed August 2, 1962. Applicant: JOHN KLEFFNER, Brinktown, Mo. Applicant's attorney: Joseph R. Nancy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Fertilizers and animal and poultry feeds*, between points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone and Freeburg, Mo.; from East St. Louis over U.S. Highway 66 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Missouri Highway 28, thence over Missouri Highway 28 to junction U.S. Highway 63, thence over U.S. Highway 63 to Freeburg, and return over the same routes, serving the intermediate point of Vienna, Mo.

NOTE: Applicant states that it also proposes to transport exempt commodities.

HEARING: December 10, 1962, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

No. MC 124683, filed August 6, 1962. Applicant: J. A. YOUNG AND D. C. YOUNG, doing business as YOUNG'S FROZEN FOODS, 142 North Main Street, Goodlettsville, Tenn. Applicant's attorney: William R. Willis, Jr., 214 Union Street, Nashville, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, such as frozen pizzas, juices, meats, etc. by refrigerated vehicle, between Nashville, Tenn., on the one hand, and, on the other, points in Tennessee, Alabama, Georgia, and Florida.

HEARING: November 28, 1962, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner William R. Tyers.

No. MC 124692, filed August 9, 1962. Applicant: MYRON SAMMONS, P.O. Box 59, Midland, S. Dak. Applicant's attorney: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis 2, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Asphalt building paper and roofing materials*, from the Minneapolis-St. Paul, Minn., Commercial Zone as defined by the Commission to points in Montana, and damaged and rejected shipments, on return.

HEARING: November 28, 1962, at Yellowstone County Court House, Billings, Mont., before Examiner Joseph A. Reilly.

No. MC 124692 (Sub-No. 1), filed August 20, 1962. Applicant: MYRON SAMMONS, P.O. Box 52, Midland, S. Dak. Applicant's attorney: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis 2, Minn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Lumber of all kinds*, including but not limited to plywood, and damaged and rejected shipments, between points in Oregon, Washington, Idaho, Montana, and Wyoming, on the one hand, and, on the other, points in Oregon, Washington, Idaho, Montana, Wyoming, Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, and Illinois.

HEARING: December 3, 1962, at the Davenport Hotel, Spokane, Wash., before Examiner Joseph A. Reilly.

No. MC 124694 (Sub-No. 1), filed August 15, 1962. Applicant: JOHN J. HE-GARTY, 251 West 18th Street, New York 11, N.Y. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Cocoa beans* from points in New York, N.Y., Commercial Zone and Philadelphia, Pa., to Hillside, N.J., under a continuing contract with Robert A. Johnston Co., of Hillside, N.J., and returned and rejected commodities on return.

HEARING: November 27, 1962, in Room 212, State Office Building, 1100

Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC 124696, filed August 13, 1962. Applicant: REFRIGERATED TRUCKS, INC., 1309 First Avenue, North, Billings, Mont. Applicant's attorney: Hugh Sweeney, Billings State Bank Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts*, from Billings and Great Falls, Mont., to points in California and to Reno, Austin, and Round Mountain, Nev., and *exempt commodities*, on return.

HEARING: November 30, 1962, at the Yellowstone County Court House, Billings, Mont., before Examiner Joseph A. Reilly.

No. MC 124696 (Sub-No. 1), filed August 13, 1962. Applicant: REFRIGERATED TRUCKS, INC., 1309 First Avenue, North, Billings, Mont. Applicant's attorney: Hugh Sweeney, Billings State Bank Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in California, to points in Montana, and *exempt commodities*, on return.

HEARING: November 30, 1962, at Yellowstone County Court House, Billings, Mont., before Examiner Joseph A. Reilly.

No. MC 124702, filed August 13, 1962. Applicant: DAVID H. WILLEMS, doing business as WILLEMS TRUCK LINE, 6151 Fairfield Street, Wichita 4, Kans. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corrugated and wood boxes and all materials and equipment used in the construction thereof, including corrugated sheets, wood, glue, tape and wire*, between Love Box Company, Inc., and Love Manufacturing, Inc., at 700 East 37th North, Wichita, Kans., and points in Oklahoma, Kansas, and Missouri.

HEARING: December 5, 1962, at the Hotel Pick-Kansas, Topeka, Kans., before Joint Board No. 180.

No. MC 124722, filed August 21, 1962. Applicant: EXPORT WAREHOUSE & TRANSFER CO., a corporation, 70 South Park Street, Elizabeth, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (except bakery products and supplies), in mechanically refrigerated units at (0 degrees, between the warehouse of Food Fair Stores, Inc., and its subsidiaries, Linden, N.J., on the one hand, and, on the other, New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., and points in Fairfield, New Haven, and Hartford Counties, Conn.

NOTE: Applicant states the proposed operations are to be under contract or continuing contracts with Food Fair Stores, Inc., and its subsidiaries. It is further noted that common control may be involved.

HEARING: December 3, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 124728, filed August 21, 1962. Applicant: DIXIE APPAREL CARRIERS, INC., 511 West 36th Street, New York 18, N.Y. Applicant's attorney: Herman B. J. Weckstein, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, on hangers, and materials and supplies, used in the manufacture of wearing apparel*, between the New York, N.Y., Commercial Zone, and points in Essex and Hudson Counties, N.J., on the one hand, and, on the other, Walnut Ridge, Ark., Bardstown, Ga. and Harrodsburg, Ky., Barnesville, Ohio, Bond Park, Spartanburg, and St. Matthews, S.C., Fayetteville, and Greenville, Tenn.

NOTE: Common control may be involved. It is also noted that the proposed service will be under a continuing contract with Jonathan Logan, Inc., of North Bergen, N.J.

HEARING: November 30, 1962, at 346 Broadway, New York, N.Y., before Examiner C. Evans Brooks.

No. MC 124744 (Sub-No. 1), filed September 7, 1962. Applicant: VILLAGE CARTING COMPANY, INC., 516 Hudson Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent earth*, in bulk, in dumpster equipment, from Port Ivory, Staten Island, N.Y., to Boonton, N.J., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: November 27, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC 124759, filed September 7, 1962. Applicant: GERARD SAVOIE, doing business as SAVOIE'S TRANSPORT, Chatham Head, New Brunswick, Canada. Applicant's attorney: James McCaffrey, 31 Milk Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and manufactured wood products, building materials and plywood, canned and frozen blueberries, canned and frozen lobster, fish, and peat moss*, between Ports of Entry on the International Boundary line between the United States and Canada at or near Holden and Calais, Maine, and points in Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York.

HEARING: December 10, 1962, at the Hotel Essex, Boston, Mass., before Examiner C. Evans Brooks.

No. MC 124770, filed September 11, 1962. Applicant: FRANK G. TELLERI, doing business as TELLERI TRUCKING CO., 831 Van Buren Avenue, Elizabeth, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over

irregular routes, transporting: *Meats and meat products*, in vehicles equipped with mechanical refrigeration and with meat rails with double switches, (1) between Linden, N.J., on the one hand, and, on the other, New York, N.Y., and points in Nassau and Suffolk Counties, N.Y., and Kingston, Albany, and Troy, N.Y., Philadelphia, Pa., Stamford, Danbury, New Haven, and Hartford, Conn., and Boston, Mass., and (2) between New York, N.Y., on the one hand, and, on the other, Newark, East Orange, and Kearny, N.J., and Philadelphia, Pa.

NOTE: Applicant states the proposed operation will be under contract with Food Fair Stores, Inc., and its subsidiaries. Common control may be involved.

HEARING: November 29, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Examiner C. Evans Brooks.

No. MC 124771, filed September 11, 1962. Applicant: RONALD HACKENBERGER, R.D. 1, Thompsettown, Pa. Applicant's attorney: Arthur H. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean meal*, from Delphos and Bellevue, Ohio, to points in Pennsylvania, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: November 27, 1962, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Edith H. Cockrill.

No. MC 124811, filed September 26, 1962. Applicant: G. A. M. TRANSPORTATION, INC., 423 Washington Building, Washington 5, D.C. Applicant's attorney: Alfred S. Fried (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stereophonic components and cabinets*, in containers, from points in Washington County, Tenn., to points in Virginia, the District of Columbia, Maryland, Pennsylvania, New Jersey, New York, Ohio and Michigan, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: The carrier named herein intends to limit and restrict his services to the Space-Tone Electronics, Inc., for the purpose of this application.

HEARING: November 28, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

MOTOR CARRIERS OF PASSENGERS

No. MC 118848 (Sub-No. 1) (AMENDMENT), filed January 5, 1962, published FEDERAL REGISTER issue March 21, 1962, amended October 5, 1962, republished as amended this issue. Applicant: DOMENICO BUS SERVICE, INC., 764 Boulevard, Bayonne, N.J. Applicant's attorney: Joseph P. Lordi, 11 Hill Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Passengers and their baggage, in special or charter operations, beginning and ending at Bayonne, N.J., and extending to Miami Beach, Fla.

NOTE: The purpose of this republication is to show that applicant seeks to conduct operations as a "common carrier" in lieu of "contract carrier" as previously published.

HEARING: November 26, 1962, at 9:30 o'clock a.m., United States standard time, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark 2, N.J., before Examiner Lacy W. Hinely.

No. MC 124651, filed July 27, 1962. Applicant: GEORGE LANICH, PAUL LANICH, AND MARY LANICH, a partnership, doing business as LANICH BUS LINES, Box 57, Kent, Indiana County, Pa. Applicant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh 22, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter service and special operations, beginning and ending at points in Indiana County, Pa., and extending to points in the United States, including points in Alaska and Hawaii, and including ports of entry on the International Boundary lines between the United States and Canada and the United States and Mexico.

HEARING: November 27, 1962, at the New Federal Building, Pittsburgh, Pa., before Examiner Frank R. Saltzman.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

No. MC 18535 (Sub-No. 33), filed October 12, 1962. Applicant: O. ALEX HICKLIN, doing business as HICKLIN MOTOR LINE, Railroad Avenue, St. Matthews, S.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Crushed stone and hot mix asphalt*, in dump trucks, from Martinez, Ga., and points within five (5) miles thereof, to points in Abbeville, Aiken, Edgefield, McCormick, Saluda, Barnwell, Allendale, Hampton, Beaufort, and Jasper Counties, S.C.

No. MC 37918 (Sub-No. 8), filed October 5, 1962. Applicant: DIRECT WINNERS TRANSPORT LIMITED, 207 Queen's Quay W, Toronto, Ontario, Canada. Applicant's representative: Floyd B. Piper, Crosby Building, Buffalo 2, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) between Niagara Falls, N.Y., and the port of entry on the International Boundary line between the United States and Canada on the Niagara River, (1) from Niagara Falls over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, and return over the same route, serving all intermediate points, including service on access roads thereto, (2) from Niagara Falls over New York Highway 18 to Upper Mountain Road, thence over

Upper Mountain Road to junction Interstate Highway 190, thence over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, returning over such bridge, and access road thereto to New York Highway 18, thence over New York Highway 18 to Niagara Falls, serving all intermediate points.

No. MC 79135 (Sub-No. 28), filed October 5, 1962. Applicant: COSSITT MOTOR EXPRESS, INC., 63 West Kendrick Avenue, Hamilton, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, between Cooperstown, N.Y., and Oneonta, N.Y., from Cooperstown over New York Highway 28 to Oneonta and return over the same route, serving no intermediate points.

No. MC 87689 (Sub-No. 6), filed October 10, 1962. Applicant: INTERCITY TRUCK LINES LIMITED, P.O. Box 900, Station U, Toronto 18, Ontario, Canada. Applicant's representative: Floyd B. Piper, Crosby Building, Franklin Street at Mohawk, Buffalo 2, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Niagara Falls, N.Y., and the port of entry on the International Boundary line between the United States and Canada on the Niagara River, (1) from Niagara Falls over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, and return over the same route, serving all intermediate points, including service on access roads thereto, (2) from junction New York Highway 18 and Upper Mountain Road in Niagara County, N.Y., over Upper Mountain Road to junction Interstate Highway 190, thence over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, serving all intermediate points, and (3) from the port of entry on the International Boundary line between the United States and Canada on the Niagara River, over relocated Lewiston-Queenston Bridge and access road to junction New York Highway 18 in Niagara County, N.Y., serving all intermediate points.

NOTE: Common control may be involved.

No. MC 101075 (Sub-No. 78) (AMENDMENT), filed October 1, 1962, published FEDERAL REGISTER issue October 17, 1962, and republished as amended this issue. Applicant: TRANSPORT, INC., P.O. Box 396, 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Ronald B. Pitsenbarger (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from Wrenshall, Minn., to points in Minnesota on and east of U.S. Highway 53, restricted to the handling of traffic destined to points in Minnesota.

NOTE: The purpose of this republication is to show that service will be performed in that portion of Minnesota as shown above in lieu of entire State as originally published.

No. MC 103435 (Sub-No. 126), filed October 12, 1962. Applicant: UNITED BUCKINGHAM FREIGHT LINES, 915 South Springfield Avenue, Spokane, Wash. Applicant's attorney: Marion F. Jones, Suite 526, Denham Building, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities including Classes A and B explosives*, but (excluding those of unusual value, and except household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Spencer, Wyo., as an offroute point in connection with applicant's authorized regular route operations to and from Newcastle, Wyo.

No. MC 107403 (Sub-No. 436), filed October 12, 1962. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry cement*, from the plant site of Alpha Portland Cement Company, Lime Kiln, Md., to points in Pennsylvania (except in Adams, Bedford, Blair, Cambria, Cumberland, Dauphin, Franklin, Fulton, Huntingdon, Juniata, Lancaster, Lebanon, Mifflin, Perry, and York Counties, Pa.).

NOTE: Common control may be involved.

No. MC 109616 (Sub-No. 13), filed October 5, 1962. Applicant: CONSOLIDATED TRUCK LINES LIMITED, 775 The Queensway, Toronto 18, Ontario, Canada. Applicant's attorney: Floyd B. Piper, Crosby Building, Franklin Street at Mohawk, Buffalo 2, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Niagara Falls, N.Y., and the International Boundary Line between the United States and Canada, located on the Niagara River, (1) from Niagara Falls over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, and return over the same route, serving all intermediate points, including service on access roads thereto, and (2) from Niagara Falls over New York Highway 18 to Upper Mountain Road, thence over Upper Mountain Road to junction Interstate Highway 190, thence over Interstate Highway 190 and relocated Lewiston-Queenston Bridge to the International Boundary, returning over the Lewiston-Queenston Bridge, and access road thereto, to New York Highway 18, thence over New York Highway 18 to Niagara Falls.

No. MC 109637 (Sub-No. 217), filed October 3, 1962. Applicant: SOUTHERN

TANK LINES INC., 4107 Bells Lane, Louisville 11, Ky. Applicant's representative: H. N. Nunnally (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vermouth*, in bulk, in tank vehicles, from Brooklyn, N.Y., to Owensboro, Ky.

No. MC 111002 (Sub-No. 17), filed September 4, 1962. Applicant: CLARA MILES SCHREYER, FRANCES H. MILES, AND THOMAS M. MILES, a partnership, doing business as T. M. MILES OIL COMPANY, 306 Railroad Avenue, Milton, Pa. Applicant's attorney: Preston L. Davis, 37 Arch Street, Milton, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potassium silicate*, in bulk in a semitrailer or trailers, from Towanda, Pa., to Huguenot, N.Y., and *empty containers* or *other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

NOTE: Applicant states the semitrailer or trailers proposed to be used are specially built and owned by Sylvania Electric Products, Inc. Applicant holds common carrier authority in MC 105351 and Subs thereunder; therefore dual operations may be involved.

No. MC 113594 (Sub-No. 2), filed October 12, 1962. Applicant: ASPHALT PRODUCTS TRANSPORT CO., INC., 558 West Simpson Street (P.O. Box 5924), Tucson, Ariz. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquid asphalt, road oil and fuel oil*, in bulk, in tank vehicles, (1) from the site of the Standard Oil Company of Texas refinery located at El Paso, Tex., to points in Arizona, and (2) from the site of the American Bitumuls & Asphalt Co., plant located at Tucson, Ariz., to the site of the Standard Oil Company of Texas refinery located at El Paso, Tex., and *refused and contaminated shipments*, on return.

NOTE: Applicant states the proposed operation is to be under a continuing contract with the American Bitumuls & Asphalt Co.

No. MC 115830 (Sub-No. 16), filed September 17, 1962. Applicant: BABCOCK & LEE PETROLEUM TRANSPORTERS, INC., 1002 Third Avenue North, Billings, Mont. Applicant's attorney: Clinton J. Hansen, 608-616 Hennessy Building, Butte, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water reducing compounds*, in bulk, in tank vehicles, from Chicago, Ill., to the site of the Yellowtail Dam project in Big Horn County, Mont.

NOTE: Common control may be involved.

No. MC 119863 (Sub-No. 5), filed October 12, 1962. Applicant: MYRON RICHARD GRAHAM, doing business as LAMONI REFRIGERATED EXPRESS, Davis City, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats*, frozen, from Chicago, Ill., to Burlington, Clinton, Dubuque, and Ottumwa, Iowa.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 103435 (Sub-No. 123) (AMENDMENT), filed September 18, 1962, published in FEDERAL REGISTER, issue October 3, 1962, amended October 12, 1962, and republished as amended this issue. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, 900 East Omaha, Rapid City, S. Dak. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) between Lansing, Mich., and Charlotte, Mich.; from Lansing over Michigan Highway 78 to Charlotte, and return over the same route, serving no intermediate or offroute points. (2) Between Coldwater, Mich., and the junction of U.S. Highway 127 and U.S. Highway 12 (formerly U.S. Highway 112) near Somerset Center, Mich.; from Coldwater over U.S. Highway 12 to the junction of U.S. Highway 127 and U.S. Highway 12 (formerly U.S. Highway 112) near Somerset Center and return over the same route, serving no intermediate or offroute points.

NOTE: This application is related to MC-F 8167, and is necessitated due to the fact that authority of Expressways, Inc., is sought to be transferred partly to DeRosa Transportation, Inc., in MC-F 8163, and partly to this applicant. The segment between Lansing and Charlotte is required to be used by both vendees in order to accomplish service between the points being transferred respectively to each vendee. The segment between Coldwater and Somerset Center is likewise required to be used by both vendees, DeRosa Transportation, Inc., to use it as a service route, and applicant to use it as an alternate route, with no service to intermediate points, and serving Coldwater and the junction point abovementioned for joinder purposes only, in order to continue use of an alternate route over U.S. Highway 12 between Ypsilanti and New Buffalo, Mich. The purpose of this republication is to add route (2).

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8258. Authority sought for merger into O'BOYLE TANK LINES, INCORPORATED, Arlington Towers, Arlington, Va., of the operating rights and property of M. I. O'BOYLE & SON, INC., doing business as O'BOYLE TANK LINES, 1825 Jefferson Place NW., Washington 6, D.C., and for

acquisition by FRANK L. GRIMM, CLARE L. GRIMM, both of Washington, D.C., and SARAH F. CARL, Gaithersburg, Md., of control of such rights and property through the transaction. Common control and management of O'BOYLE TANK LINES, INCORPORATED and M. I. O'BOYLE & SON, INC., was authorized October 21, 1953, in 59 M.C.C. 553. Applicants' attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Operating rights sought to be merged: *Gasoline, kerosene, and fuel oil*, in bulk; and *motor oil, grease, and alcohol*, in cans and drums, as a *common carrier* over regular routes between Washington, D.C., and Baltimore, Md.; *liquid petroleum products*, from Baltimore, Md., to Washington, D.C.; *petroleum products*, in bulk, in tank vehicles, over irregular routes, from Norfolk, Va., and points in Norfolk and Princess Anne Counties, Va., to Washington, D.C., and points in St. Marys, Calvert, and Prince Georges Counties, Md., from points in Delaware and Philadelphia Counties, Pa., and those in Bergen, Essex, Gloucester, Camden, Hudson, Union, and Middlesex Counties, N.J., to the site of Bolling Field, in Washington, D.C., and the site of Andrews Field in Prince Georges County, Md., from Baltimore, Md., and points in the Washington, D.C., Commercial Zone, as defined by the Commission in 3 M.C.C. 243 and 48 M.C.C., 460, to Clarksburg and Fairmont, W. Va., and to points in West Virginia on and east of U.S. Highway 119 extending from the Pennsylvania-West Virginia State line to Philippi, W. Va., and thence on, east and north of U.S. Highway 250, extending from Philippi to the Virginia-West Virginia State line, from points in St. Marys County, Md., to points in Virginia and the District of Columbia, from Pittsburgh, Pa., to the District of Columbia, from the site of the Tidewater Oil Company Refinery, at or near Delaware City, Del., to points in Maryland, Virginia, and the District of Columbia. RESTRICTION: The authority granted herein is subject to the condition that carrier shall not tack or join directly or indirectly, the authority granted herein with any of its other authority for the purpose of performing through transportation to points in North Carolina; *petroleum products*, in bulk, in tank trucks, from Rosslyn, Va., to Philadelphia, Pa., from Baltimore, Md., to Martinsburg and Shepherdstown, W. Va., and points in that part of Virginia on and north of U.S. Highway 60 except those in Accomac and Northampton Counties, and from points in the Washington, D.C., Commercial Zone, as defined by the Commission, to Martinsburg and Shepherdstown, W. Va., points in Maryland, and those in that part of Virginia on and north of U.S. Highway 60 except those in Accomac and Northampton Counties; *petroleum products*, in tank vehicles, from points in St. Marys County, Md., to points in North Carolina; *petroleum and petroleum products*, in bulk, in tank vehicles, from points in York County, Va., to points in Delaware, Maryland, North Carolina, West Virginia, and the District of Columbia; *petroleum products* (except liquid petro-

leum wax), in bulk, in tank vehicles, from Emlenton and Farmers Valley, Pa., to Washington, D.C.; *liquid petroleum wax*, in bulk, in tank vehicles, from Emlenton and Farmers Valley, Pa., to points in North Carolina; *liquid petroleum products*, from Baltimore, Md., to points in the Washington, D.C., Commercial Zone, as defined by the Commission, other than Washington, D.C.; *sugar and petroleum products*, in bulk, in tank vehicles, from Baltimore, Md., to points in Virginia; *benzol*, in bulk, in tank vehicles, from Johnstown, Pa., to Washington, D.C., and from Sparrows Point, Md., to Natrium, W. Va.; *liquid sugar*, in bulk, in tank vehicles, from Philadelphia, Pa., and Baltimore, Md., to points in the Washington, D.C., Commercial Zone, as defined by the Commission, and from Philadelphia, Pa., to the site of the plant of the Maryland-Virginia Milk Producers, near Laurel, Md.; *liquid and invert sugar*, in bulk, in tank vehicles, from Baltimore, Md., to points in New Jersey, Delaware, Pennsylvania, Ohio, West Virginia, North Carolina, and points in Virginia except those in the Washington, D.C., Commercial Zone, from Philadelphia, Pa., to points in West Virginia, North Carolina, and Virginia except those in the Washington, D.C., Commercial Zone; *liquid and invert sugar and blends of liquid sugar and corn syrup*, in bulk, in tank vehicles, from Richmond, Va., to points in Maryland, North Carolina, Pennsylvania, South Carolina, Tennessee, West Virginia, and the District of Columbia; *alcohol*, in bulk, in tank vehicles, from Baltimore, Md., and points in Maryland within 5 miles of Baltimore, to Yonkers, N.Y.; *lubricating oils*, in bulk, in tank vehicles, from Oil City, Pa., to Washington, D.C., and from St. Marys, W. Va., to points in North Carolina, South Carolina, Tennessee, that part of Kentucky west of U.S. Highway 31W, Virginia, except points west and south of a line beginning at the West Virginia-Virginia State line and extending along Virginia Highway 311 to Roanoke, Va., and thence along U.S. Highway 220 to the Virginia-North Carolina State line, and the District of Columbia; *syrups*, in bulk, in tank vehicles, from Baltimore, Md., to Washington, D.C., and points in Delaware, Pennsylvania, Virginia, West Virginia, Ohio and North Carolina and from Philadelphia, Pa., to Washington, D.C., and points in Virginia, West Virginia, and North Carolina; *syrups*, not medicated, in bulk, in tank vehicles, from Atlas Point, Del., to Norfolk, Va.; *edible oils*, in tank vehicles, from Baltimore, Md., to Hanover, Pa.; *edible oils*, in bulk, in tank vehicles, from Baltimore, Md., to Columbia, Pa., and from points in Georgia, North Carolina, and South Carolina, to Bayonne, N.J.; *vinegar*, in tank vehicles, from Peach Glen, Pa., to Washington, D.C.; *vinegar*, in bulk, in tank vehicles, from Baltimore, Md., to points in Delaware, New Jersey, North Carolina, Pennsylvania, Virginia, and the District of Columbia, from Biglerville and Peach Glen, Pa., to Baltimore, Md., from Winchester, Va., to Pittsburgh, Pa., from Pittsburgh, Pa., to Salem, N.J., from Chambersburg, Pa., to Winchester, Va., from Winchester, Va., to Brooklyn, N.Y.,

and Terre Haute, Ind., from Winchester, Va., to Medina, N.Y., from Medina, N.Y., to Pittsburgh, Pa., from Salem, N.J., to Chambersburg, Pa., from Pittsburgh, Pa., to Winchester, Va., from Winchester, Va., to Salem, N.J., and Chambersburg, Pa., from Baltimore, Md., to points in Ohio; *liquid cocoa butter*, in bulk, in tank vehicles, from Norfolk, Va., to Philadelphia, Pa.; *lauryl alcohol sulfates*, in bulk, in tank vehicles, from Baltimore, Md., to points in Illinois, Indiana, Michigan, Minnesota, Missouri, Ohio, and Wisconsin; *vegetable oils*, in bulk, in tank vehicles, from Baltimore, Md., to Washington, D.C.; *fish oil and natural bodied fish-oil products*, in bulk, in tank vehicles, from Baltimore, Md., to points in Delaware, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, and from Baltimore, Md., to points in Ohio; *wine*, in bulk, in tank vehicles, from Petersburg, Va., to Baltimore, Md., Philadelphia, Pa., Washington, D.C., and Canandaigua, N.Y.; *aviation fuel*, in bulk, in tank vehicles, from Naval Fuel Supply Depot, Craney Island (Churchland), Va., to Naval Air Station, Pomona, N.J.; *corn syrup*, in bulk, in tank vehicles, from Richmond, Va., to points in Maryland, North Carolina, Tennessee, and the District of Columbia, from Philadelphia, Pa., to Baltimore, Md. RESTRICTION: The authority granted herein is limited to shipments moving to the site of the American Sugar Company Refinery for blending, and destined for further immediate movement beyond Baltimore, Md., in the same transporting vehicle, from Baltimore, Md., to points in New Jersey, except those within 25 miles of Philadelphia, Pa.; *cottonseed oil*, in bulk, in tank vehicles, from Baltimore, Md., to York and Wilkes-Barre, Pa.; *flavoring and coating syrups*, in bulk, in tank vehicles, from Jersey City and Hillside, N.J., to points in Alabama, Florida, Georgia, Indiana, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia; *helium*, in bulk, in tank trailers owned by the United States Government, from Lakehurst, N.J., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Massachusetts, Maine, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia; *liquid chemicals*, as defined in *The Maxwell Co., Extension—Addyston*, 63 M.C.C. 677, in bulk, in tank vehicles, from Hopewell, Va., and points within five miles thereof, to points in Delaware, Maryland, New Jersey, New York, Pennsylvania, and the District of Columbia; *liquid caustic soda*, in bulk, in tank vehicles, from Baltimore, Md., to Alexandria, Va., and points within 20 miles thereof; *sulphur dioxide gas*, in bulk, in shipper-owned tank trailers, from West Norfolk, Va., to points in New York, New Jersey, Rhode Island, Pennsylvania, Ohio, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, and Louisiana; *sul-*

phur dioxide gas, in shipper-owned tank trailers, from West Norfolk, Va., to points in Massachusetts, Delaware, Kentucky, Michigan, Illinois, Indiana, Tennessee, West Virginia, Texas, Oklahoma, Missouri, Arkansas, Connecticut, Maine, and Maryland; *tomato paste*, in bulk, in tank vehicles, from Bowling Green, Ohio, to Salem, N.J., and Chambersburg and Pittsburgh, Pa.; *liquid animal feed mixtures*, in bulk, in tank vehicles, from York, Pa., to points in Delaware, Maryland, Virginia, and the District of Columbia; *palm kernel oil*, in bulk, in tank vehicles, from Bayonne, N.J., to Augusta, Ga.; *liquid wax*, in bulk, in tank vehicles, from Emlenton and Farmers Valley, Pa., to Norfolk, Va.; *whiting talc*, dry, in bulk, in tank or hopper vehicles, from York, Pa., to Baltimore, Md.; *dry fluorspar*, in bulk, in tank or hopper-type vehicles, from Wilmington, Del., to the site of the Pemco Corporation plant at Baltimore, Md.; *dry feldspar*, in bulk, in tank or hopper-type vehicles, from Bedford, Va., to the site of the Pemco Corporation plant at Baltimore, Md.; *silica flour* (ground or pulverized sand), in bulk, in tank or covered hopper vehicles equipped for unloading by pneumatic devices, from Millville, N.J., and the plant site of the Pennsylvania Glass Sand Corporation, near Newport, N.J., to Baltimore and Havre de Grace, Md.; *ground limestone*, in bulk, in tank vehicles, from York, Pa., and points within 10 miles thereof, to Baltimore, Md.; *zinc oxide*, dry, in bulk, in tank and hopper vehicles, from Josephstown and Palmerton, Pa., to Baltimore, Md.; *chemicals*, in bulk, from Baltimore, Md., to Coatesville, Marcus Hook, and Philadelphia, Pa., Linden, N.J., and Washington, D.C., and from Linden and Jersey City, N.J., and Marcus Hook and Chester, Pa., to Baltimore, Md.; *sulphuric acid*, in bulk, in tank vehicles, between Baltimore, Md., on the one hand, and, on the other, New York, N.Y., points on Long Island, N.Y., and points in New Jersey; *alum*, in bulk and burlap bags, between Baltimore, Md., on the one hand, and, on the other, York, Pa., points in Delaware, New Jersey (except Warners, N.J.), and points in that part of Virginia on and east of U.S. Highway 1; *alum*, in bulk from Baltimore, Md., to Batavia, Brockport, Fairport, Leroy, and Westfield, N.Y., and points in Ohio; *hydrofluosilicic acid*, in bulk, in tank vehicles, from Carneys Point, N.J., to Baltimore, Md.; *silica gel catalyst*, in bulk, in covered-hopper vehicles, from Baltimore, Md., to Delaware City, Del., Westville, N.J., Yorktown, Va., and Warren, Pa.; *dry cement*, from the plant site of Standard Lime and Cement Company at Martinsburg, W. Va., to points in Delaware, Maryland, North Carolina, Pennsylvania, Virginia, West Virginia, and the District of Columbia; *dry sand*, ground and pulverized, in bulk, in tank or covered hopper vehicles equipped for unloading by pneumatic unloading devices, from the plant site of the Pennsylvania Glass Sand Corporation at Edmund, S.C. (in Lexington County, approximately 10 miles south of Columbia, S.C.), to points in Georgia, and North Carolina; *limestone*, crushed, ground or pulverized, in bulk, from the

plant site of Thomasville Stone and Lime Company, Thomasville, Pa., to New York, N.Y., and points in Delaware, Maryland (except Baltimore, Md.), and points in Frederick, Carroll, Baltimore, Cecil, and Harford Counties, Md.), and New Jersey; *limestone*, crushed, ground or pulverized, in bulk, in tank vehicles, from the plant site of White Pigment Corporation, West Manchester Township, York County, Pa., to New York, N.Y., and points in Delaware, Maryland (except Baltimore, Md.), and New Jersey; *limestone*, crushed, ground or pulverized, bagged and in bulk, in tank vehicles, from the plant site of the National Gypsum Company, West Manchester Township, York County, Pa., to New York, N.Y., and points in Delaware, Maryland (except bulk shipments to Baltimore, Md.), and New Jersey; *gasoline*, in bulk, in tank vehicles, between Aberdeen Proving Grounds, Md. and Fort Belvoir, Va.; *dry sugar*, in bulk, in tank vehicles, from Philadelphia, Pa., to Washington, D.C., points in Virginia (except Norfolk, Va., and points within 30 miles thereof), that part of West Virginia on and north of a line beginning at Parkersburg, W. Va., and extending east along U.S. Highway 50 to junction U.S. Highway 19, thence south along U.S. Highway 19 to junction U.S. Highway 33, and thence east and south along U.S. Highway 33 to the Virginia-West Virginia State line, and points in Maryland; *dry potassium silicofluoride*, in bulk, in tank vehicles, from Greensboro, N.C., to Baltimore, Md. O'BOYLE TANK LINES, INCORPORATED is authorized to operate as a *common carrier* in North Carolina, Virginia, West Virginia, Delaware, and Maryland. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8259. Authority sought for merger into T.I.M.E. FREIGHT, INC., 2604 Texas Avenue, P.O. Box 1120, Lubbock, Tex., of the operating rights and property of CONSTRUCTORS TRANSPORT CO., 1205 Date Street, Montebello, Calif. Applicant's attorney: W. D. Benson, Jr., P.O. Box 1120, Lubbock, Tex. Operating rights sought to be merged: *General commodities* (moving on Government bills of lading), except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, as a *common carrier* over irregular routes, between points in the Oakland, Calif., Commercial Zone, as defined by the Commission, on the one hand, and, on the other, Port Hueneme, Calif., between San Diego, Calif., on the one hand, and, on the other, Oakland, Calif., from points in the Los Angeles, Calif., Commercial Zone, as defined by the Commission, and those in the Los Angeles Harbor, Calif., Commercial Zone, as defined by the Commission, to points in the Oakland, Calif., Commercial Zone, as defined by the Commission, and from points in the Los Angeles, Calif., Commercial Zone, as defined by the Commission, to Port Hueneme, Calif.; *canned vegetables*, from Mira Loma, Calif., to Oakland, Calif. RESTRICTION: The service authorized herein is restricted to traffic moving to the Territories or possessions of the

United States; operations under the Second Proviso of section 206(a) (1) of the Interstate Commerce Act, in the State of California, as more specifically described in Docket Nos. MC-113759 Sub-2 and MC-113759 Sub-4. T.I.M.E. FREIGHT, INC., is authorized to operate as a *common carrier* in California, Arizona, New Mexico, Texas, Oklahoma, Arkansas, Missouri, Tennessee, Georgia, Indiana, Ohio, Kentucky, Illinois, and Kansas. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-35320 Sub-77 is a matter directly related.

NOTE: Application for authority under section 214 was filed in conjunction with the application under section 5, in Finance Docket No. 22301.

No. MC-F-8260. Authority sought for purchase by JAMES E. O'BRIEN, doing business as O'BRIEN TRANSFER, 309 West Promenade Street, Mexico, Mo., of a portion of the operating rights of HANNIBAL-QUINCY TRUCK LINES, INC., Hannibal, Mo. Applicants' attorney: Tom B. Kretsinger, 510 Professional Building, Kansas City 6, Mo. Operating rights sought to be transferred: *Household goods*, as a *common carrier* over regular routes, between Lancaster, Mo., and Burlington, Iowa, serving certain intermediate and off-route points; from Bowling Green, Mo., to junction U.S. Highway 54 and Missouri Highway 19, from Macon, Mo., to Monroe City, Mo., serving all intermediate points; between Hannibal, Mo., and Pittsfield, Ill., between Louisiana, Mo., and junction Missouri Highway 79 and U.S. Highway 40, serving all intermediate points; between Burlington, Iowa, and Ottumwa, Iowa, between Elsberry, Mo., and Hawk Point, Mo., serving the intermediate point of Silex, Mo.; between Kansas City, Kans., and Macon, Mo., serving certain intermediate and off-route points; between Mt. Pleasant, Iowa, and junction U.S. Highway 218 and U.S. Highway 61; *household goods*, over irregular routes, between Memphis, Mo., on the one hand, and points in Iowa and Illinois, on the other; between Hannibal, Mo., on the one hand, and, on the other, points in Illinois and Iowa. Vendee is authorized to operate as a *common carrier* in Missouri, Illinois, Iowa, Kansas and New Mexico. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8261. Authority sought for purchase by K & H FREIGHT LINES, INC., 1002 North Owasso, Tulsa, Okla., of the operating rights and property of J. H. JENKINS, doing business as B & B LINES, 1002 North Owasso, Tulsa, Okla., and for acquisition by J. H. JENKINS, 1002 North Owasso, Tulsa, Okla., of control of such rights and property through the purchase. Applicants' attorney: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 2, Okla. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Coffeyville, Kans., and Henryetta, Okla., serv-

ing all intermediate and certain off-route points; between Tulsa, Okla., and Bixby, Okla., serving all intermediate points and the off-route point of Jenks, Okla.; between junction U.S. Highway 64 and Oklahoma Highway 51 and Coweta, Okla., serving all intermediate points; between Tulsa, Okla., and Nowata, Okla., serving all intermediate points; and between Nowata, Okla., and Tulsa, Okla., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Oklahoma. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8262. Authority sought for merger into NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo., of the operating rights and property of BROOKS TRUCK LINES, INC., Marshall, Mo., and for acquisition by LAURENCE COHEN, 1205 South Platte River Drive, Denver 23, Colo., of control of such rights and property through the transaction. Applicants' attorney: O. Russell Jones, P.O. Box 1437, Santa Fe, N. Mex. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Kansas City, Mo., and Holton, Kans., between Kansas City, Mo., and St. Louis, Mo., between Carrollton, Mo., and Kansas City, Mo., between Carrollton, Mo., and St. Louis, Mo., between Miami, Mo., and Kansas City and St. Louis, Mo., and between Windsor and Kansas City, Carrollton, Miami, and St. Louis, Mo., serving certain intermediate and off-route points. NAVAJO FREIGHT LINES, INC., is authorized to operate as a *common carrier* in New Mexico, California, Arizona, Texas, Colorado, Illinois, Missouri, Nebraska, Nevada, Kansas, Oklahoma, Indiana, and Iowa. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8263. Authority sought for continuance in control by ABLER TRANSFER, INC., 1006 South Eighth Street, Norfolk, Nebr., FRED L. CLARK and WALTER F. CLARK, doing business as CLARK BROTHERS TRANSFER, 802 North First Street, Norfolk, Nebr., HENRY G. FREAR, doing business as SUPERIOR TRANSFER, Superior, Nebr., JOHN JACK ROMANS, doing business as ROMANS MOTOR FREIGHT, 142 North 15th Street, Ord, Nebr., MCKAY FREIGHT LINE, INC., 216 Fourth Street, Fairbury, Nebr., ROYAL F. LYON, doing business as LYON TRANSFER, Box 257, Columbus, Nebr., WALDO W. WINTER and HERBERT B. WINTER, doing business as WINTER BROS., 335 South Eighth Street, Lincoln, Nebr., HERBERT PETERS, doing business as FREMONT EXPRESS, 137 East Washington, Fremont, Nebr., and JOHN DERICKSON, doing business as DERICKSON TRANSFER, 906 North Taylor, Lexington, Nebr., of NEBRASKA SHORT LINE CARRIERS, INC., 605 South 14th, Lincoln, Nebr., and for acquisition by LEONARD E. ABLER, 607 North 12th, Norfolk, Nebr., MARK W. ABLER, 700 North 11th, Norfolk, Nebr., LEON J. ABLER, Pierce, Nebr., and ROBERT J. ABLER,

0128 South Fifth Street, Norfolk, Nebr., of control of NEBRASKA SHORT LINE CARRIERS, INC., through the acquisition by ABLER TRANSFER, INC. Applicants' attorneys: J. Max Harding and Donald E. Leonard, NSEA Building, Third Floor, 14th and J Streets, P.O. Box 2028, Lincoln, Nebr. Operating rights sought to be controlled upon issuance of a certificate in No. MC-116067: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, (1) between Omaha, Nebr., and Chicago, Ill., (a) from Omaha over Alternate U.S. Highway 30 to junction U.S. Highway 30 at or near Missouri Valley, Iowa, thence over U.S. Highway 30 to junction Illinois Highway 65 at or near Aurora, Ill., thence over Illinois Highway 65 to junction U.S. Highway 34, thence over U.S. Highway 34 to Chicago, and (b) from Omaha over U.S. Highway 6 to junction U.S. Highway 66 near Joliet, Ill., thence over U.S. Highway 66 to Chicago, and (2) between Omaha and St. Louis, Mo., from Omaha over U.S. Highway 275 to junction U.S. Highway 34 at or near Glenwood, Iowa, thence over U.S. Highway 34 to Kansas City, Mo., thence over U.S. Highway 40 to St. Louis, serving no intermediate points on routes (1) (a) and (1) (b), and serving the intermediate point of Kansas City on route (2), restricted, in each instance, to traffic restricted, in each instance, to traffic Nebraska. (1) ABLER TRANSFER, INC.; (2) FRED L. CLARK and WALTER F. CLARK, doing business as CLARK BROTHERS TRANSFER, (3) HENRY G. FREAR, doing business as SUPERIOR TRANSFER, (4) JOHN JACK ROMANS, doing business as ROMANS MOTOR FREIGHT, (5) MCKAY FREIGHT LINE, INC., (6) ROYAL F. LYON, doing business as LYON TRANSFER, (7) WALDO W. WINTER and HUBERT B. WINTER, doing business as WINTER BROS., (8) HERBERT PETERS, doing business as FREMONT EXPRESS, and (9) JOHN DERICKSON, doing business as DERICKSON TRANSFER are authorized to operate as *common carriers* in (1) Nebraska, Iowa, Missouri, and South Dakota, (2) Nebraska and Iowa, (3) Nebraska, (4) Nebraska, Iowa, Kansas, and South Dakota, (5) Nebraska, Kansas, and Iowa, (6) Nebraska, (7) Nebraska, (8) Nebraska, and (9) Nebraska, respectively. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8265. Authority sought for purchase by INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids 2, Mich., of the operating rights of EATON TRUCK LINE,

INC., 511 South Orchard, Clinton, Mo. Applicants' attorney: Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. Operating rights sought to be transferred: *General commodities*, excepting, among others, commodities in bulk but not excepting household goods, as a *common carrier*, over regular routes, between Windsor, Mo., and Kansas City, Kans., serving certain intermediate and off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, between Windsor, Mo., and Sedalia, Mo., serving no intermediate points, between Clinton, Mo., and Kansas City, Kans., serving certain intermediate and off-route points, from Garden City, Mo., to St. Louis, Mo., serving certain intermediate and off-route points; *livestock*, and *household goods* as defined by the Commission, over irregular routes, between Creighton, Mo., and points within 8 miles thereof (except Urich, Mo.), on the one hand, and, on the other, points in Kansas; *general commodities*, excepting, among others, commodities in bulk but not excepting household goods, from National Stock Yards and East St. Louis, Ill., to points in that part of Henry County, Mo., north of Missouri Highway 7 (formerly Missouri Highway 35) and east of Missouri Highway 13; *livestock*, from points in that part of Henry County, Mo., north of Missouri Highway 7 (formerly Missouri Highway 35) and east of Missouri Highway 13, to East St. Louis and National Stock Yards, Ill., and from Clinton, Mo., and points within 30 miles thereof, to National Stock Yards, Ill.; *road building machinery*, from points in Missouri to points in Iowa, Kansas, and Illinois; *household goods* as defined by the Commission, from Clinton, Mo., and points within 15 miles thereof, to points in Illinois and Iowa; *mining machinery and parts thereof*, between Pittsburg, Kansas, and points within 5 miles thereof, on the one hand, and, on the other, Windsor, Mo., and points within 5 miles thereof. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Pennsylvania, Illinois, Minnesota, Wisconsin, Iowa, Missouri, Michigan, Kentucky, West Virginia, Maryland, New York, Massachusetts, New Jersey, Colorado, Nebraska, Wyoming, Kansas, Delaware, Connecticut, Rhode Island, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

By the Commission.
[SEAL] HAROLD D. MCCOY,
Secretary.
[F.R. Doc. 62-10616; Filed, Oct. 23, 1962; 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 19, 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. 37999: *Fresh vegetables from South Carolina to Milan, Tenn.* Filed by O. W. South, Jr., Agent (No. A4250), for interested rail carriers. Rates on vegetables, fresh or green (not cold-packed nor frozen), in carloads, from points in South Carolina, to Milan, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 21 to Southern Freight Association tariff I.C.C. S-178.

FSA 38000: *Fresh vegetables from Elizabeth City, N.C., and Euclid, Va.* Filed by O. W. South, Jr., Agent (No. A4251), for interested rail carriers. Rates on vegetables, fresh or green (not cold-packed nor frozen), in carloads, from Elizabeth City, N.C., and Euclid, Va., to points in Alabama, Kentucky, Mississippi, Tennessee, and Virginia.

Grounds for relief: Market competition.

Tariff: Supplement 21 to Southern Freight Association tariff I.C.C. S-178.

By the Commission.
[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-10618; Filed, Oct. 23, 1962; 8:48 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under *Title 2, The Congress*. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 87th Congress, Second Session.

Approved October 22, 1962

H.R. 7283----- Public Law 87-846
To amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses.

CUMULATIVE CODIFICATION GUIDE—OCTOBER

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