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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11062

AMENDMENT OF EXECUTIVE ORDER NO. 10480,[1] RELATING TO THE ADMINISTRATION OF THE DEFENSE MOBILIZATION PROGRAM, SO AS TO DESIGNATE THE DEPARTMENT OF DEFENSE AS A LOAN GUARANTEEING AGENCY

By virtue of the authority vested in me by the Constitution and laws of the United States, including Section 301 of the Defense Production Act of 1950, as amended (50 U.S.C. App. 2091), and as President of the United States, Executive Order No. 10480 of August 14, 1953, as amended, is hereby further amended by deleting "The Department of the Army, the Department of the Navy, the Department of the Air Force" and by inserting in lieu thereof "The Department of Defense".

JOHN F. KENNEDY

THE WHITE HOUSE,
November 19, 1962.

[F.R. Doc. 62-11638; Filed, Nov. 20, 1962; 11:39 a.m.]

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[1] 3 CFR, 1949-1953 Comp., p. 962; 18 F.R. 4939.

Rules and Regulations

Title 7—AGRICULTURE

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

PART 722—COTTON

Subpart—Regulations Pertaining to Acreage Allotments for 1963 Crop of Extra Long Staple Cotton

The provisions of §§ 722.661 to 722.682 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). These provisions govern the establishment of State, county, and farm allotments for the 1963 crop of extra long staple cotton and the determination of the acreage planted to extra long staple cotton on individual farms in 1963. The latest available statistics of the Federal Government are used in making the determinations required to be made in connection with §§ 722.661 to 722.682. Notice of proposed formulation of acreage allotment regulations for the 1963 crop of extra long staple cotton was published in the FEDERAL REGISTER on September 29, 1962 (27 F.R. 9655) in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and the data and recommendations received in response to such notice have been duly considered.

In order that the Agricultural Stabilization and Conservation State and county committees may perform their functions in an orderly manner and establish farm allotments as early as possible prior to the holding of the extra long staple cotton referendum, it is essential that §§ 722.661 to 722.682 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provisions of the Administrative Procedure Act is impracticable and contrary to the public interest and §§ 722.661 to 722.682 shall be effective upon filing this document with the Director, Office of the Federal Register.

GENERAL

AUTHORITY: §§ 722.661 to 722.682 issued under secs. 301, 361, 362, 365–368, 373, 374, 375, 388; 52 Stat. 38, 62–66, as amended, 68; secs. 343–344, 345–346, 347; 63 Stat. 670, as amended, 674, 675, as amended; sec. 377; 70 Stat. 206, as amended; sec. 378, 72 Stat. 995, as amended; 7 U.S.C. 1301, 1343–1347, 1361, 1362, 1365–1368, 1373–5, 1377, 1378, 1388.

GENERAL

§ 722.661 Applicability.

The provisions of §§ 722.661 to 722.682 apply to the 1963 crop of extra long staple cotton.

§ 722.662 Definitions.

As used in §§ 722.661 to 722.682 and in all forms and documents in connection therewith, unless the context or subject matter otherwise requires, the following terms shall have the following meanings and the masculine shall include the feminine and neuter genders and the singular shall include the plural number.

(a) *General terms.* (1) "Act" means the Agricultural Adjustment Act of 1938 and any amendments thereto, heretofore or hereafter made.

(2) The terms "Secretary," "Deputy Administrator," "State committee," "county committee" "community committee," "State executive director," "county office manager," "operator," "person," "cropland," "farm," "farm serial number," and "representative of the State committee" as defined in Part 719 of this chapter, as amended, shall apply to the regulations in §§ 722.661 to 722.682. In Puerto Rico, the Caribbean ASC Area Committee shall, insofar as applicable, perform the functions of the State committee and the county committee.

(3) "Director" means the Director, or Acting Director, Cotton Division, Agricultural Stabilization and Conseration Service, United States Department of Agriculture.

(4) "Review committee" means three farmers appointed by the Secretary as members of a panel to review quotas under section 363 of the act.

(5) "Extra long staple cotton" (herein referred to as "ELS cotton") means American-Egyptian, Sea Island, and Sealand cotton, and all other varities of the Barbadense species, and any hybrid thereof, and any other cotton in which one or more of these varieties predominates, as provided under section 347(a) of the act.

(6) "Abnormal weather conditions" means weather conditions (including conditions directly resulting therefrom) adversely affecting the planting of ELS cotton, which conditions must have been of sufficient duration and intensity to prevent the seeding of land to ELS cotton and must have continued until the end of the planting season for the area.

(7) "County" means county or parish of a State. The Northern Area (ELS cotton producing areas in the northern part of Puerto Rico) and the Southern Area (ELS cotton producing areas in southern Puerto Rico) are considered as separate counties.

(8) "State and county code" means the applicable number assigned by the Agricultural Stabilization and Conservation Service to each State and county for the purpose of identification.

(9) "Expiration of time limitations" as set forth in Part 720 of this chapter (24 F.R. 4233) shall apply to the regulations in §§ 722.661 to 722.682.

(b) *Terms relating to farms.* (1) "Owner" or "landlord" means a person who owns farmland and rents or leases such land to another person or one who owns and operates such land.

(2) "Cash tenant," "standing-rent tenant," or "fixed-rent tenant" means a person who rents land from another for a fixed amount of cash or a fixed amount of ELS cotton to be paid as rent.

(3) "Share tenant" means a person other than a sharecropper who rents land from another person and pays as rent a share of the ELS cotton or of the proceeds thereof.

(4) "Sharecropper" means a person who works a farm in whole or in part under the general supervision of the operator and is entitled to receive for his labor a share of the ELS cotton or of the proceeds thereof.

(5) "Producer" means a person who, as owner or landlord (other than the landlord of a standing-rent tenant, fixed-rent tenant, or cash tenant), cash tenant, standing-rent tenant, fixed-rent tenant, share tenant, or sharecropper on a farm, is entitled to all or a share of the 1963 crop of ELS cotton produced thereon or of the proceeds thereof.

(6) "Farm allotment" means an ELS cotton acreage allotment established for a farm under §§ 722.661 to 722.682. Farm allotments are initially established on the basis of the data for farms as constituted at the time such allotments are established. Where a farm is subsequently reconstituted for 1963, the farm allotment will be redetermined in accordance with the regulations pertaining to recon-

stitution of farms in Part 719 of this chapter, as amended.

(7) "Old ELS cotton farm" means a farm having an acreage planted to ELS cotton in any one or more of the years 1960, 1961, and 1962, and an ELS cotton allotment other than zero was established for the farm for the year ELS cotton was planted. Released allotments shall not be considered as acreage planted to ELS cotton for purposes of determining eligibility of the farm for allotment as an old ELS cotton farm.

(8) "New ELS cotton farm" means a farm on which ELS cotton is to be planted in 1963 but such farm is not eligible for an allotment as an old ELS cotton farm.

(9) "Small farm" means a farm for which an allotment, exclusive of allocations to the farm from State and county reserves, for 1963 is 15 acres or less.

(10) "Normal yield" means the average yield per harvested acre of ELS lint cotton for the farm adjusted for abnormal weather conditions, during the five calendar years immediately preceding the year in which such normal yield is determined. If for any such year, actual yield data are not available or there was no actual yield, the normal yield for the farm shall be appraised by the county committee taking into consideration abnormal weather conditions, the normal yield for the county, and the yield in years for which data are available. In the case of new ELS cotton farms, the county committee may also take into consideration the normal yields of other farms in the locality which are similar with respect to soil and other physical factors affecting the production of ELS cotton. The determination made by the county committee under this subparagraph shall be subject to the approval of a representative of the State committee.

(11) "Normal production" of any number of acres means the normal yield per acre of ELS lint cotton for the farm multiplied by such number of acres.

(12) "Actual production" of ELS cotton on the farm means the total number of pounds of ELS lint cotton determined to have been produced on the farm in 1963.

(13) "Acreage planted to ELS cotton in the State and county" for use in establishing State and county allotments means:

(i) *For 1957, 1958, and 1959.* The sum of the farm allotments excluding any allotment released from the farm or reapportioned to the farm plus acreage history for released allotments which are reapportioned and planted to ELS cotton.

(ii) *For 1960 and 1961.* The sum of the farm allotments including any allotment released from such farm allotments, excluding any allotment reapportioned to farms (as adjusted under section 377 of the act): *Provided, however,* That the acreage planted to ELS cotton in a State shall not exceed the State's share of the national allotment as adjusted for transfers of farm allotments between States and counties.

(14) "Acreage planted to ELS cotton on the farm for 1960, 1961, and 1962" for use in determining eligibility of farms for allotments in subsequent years and for establishing acreage planted to ELS cotton in the State and county means the farm allotment for the respective year, including any allotment released from the farm, excluding any allotment reapportioned to the farm: *Provided, however,* That if less than 75 percent of the farm allotment for the respective year and for each of the two years preceding such year, after release and before reapportionment, was seeded to ELS cotton or devoted to the production of ELS cotton but seeded prior to such year or was regarded as planted to ELS cotton under the Soil Bank Act or the Great Plains program under section 16(b) of the Soil Conservation and Domestic Allotment Act, as amended, the farm acreage history for the respective year shall be the sum of the acreage seeded to ELS cotton on the farm in such year and the acreage devoted to the production of ELS cotton on the farm in such year but seeded prior to such year, and acreage regarded as planted under the Soil Bank Act or the Great Plains program, and released allotment for the year, subject to the limitation that no history credit results from overplanting the farm allotment. The foregoing proviso does not apply to the allotment for farms owned by the Federal Government with a restrictive lease prohibiting the planting of ELS cotton or to farms for which allotments have been pooled because of acquisition by an agency having the right of eminent domain.

NOTE. Farm base adjustments under section 344(f)(8) of the act not included in above which is limited to definition of farm acreage history.

(15) "Acreage planted to ELS cotton on the farm in 1963," for purposes of determining compliance with the farm allotment, shall be the acreage seeded to ELS cotton on the farm in 1963, and the acreage devoted to the production of ELS cotton on the farm for 1963 but seeded prior to 1963, excluding any acreage in excess of the farm allotment which is destroyed or disposed of in accordance with the regulations for Determination of Acreage and Performance in Part 718 of this chapter, as amended.

§ 722.663 Issuance of forms and instructions.

Forms and instructions with respect to internal management necessary for carrying out §§ 722.661 to 722.682 shall be prepared under the direction of the director and shall be issued by the deputy administrator. Copies of such forms and instructions shall be furnished free to persons needing them upon request made to the office of the State or county committee or to the director.

§ 722.664 Extent of calculations and rule of fractions.

Farm allotments shall be rounded to tenths of acres. Computations shall be carried to two decimal places beyond the required number of decimal places. In rounding, digits of 50 or less beyond the required number of decimal places shall be dropped; if 51 or more, the last required decimal place shall be increased by "1".

For example:

6.732=6.7	6.751=6.8
6.750=6.7	6.782=6.8

STATE AND COUNTY ALLOTMENTS

§ 722.665 Apportionment of national allotment among States.

(a) *Statutory basis.* The national allotment proclaimed for the 1963 crop of ELS cotton shall be apportioned among the States (including Puerto Rico) on the basis of the average acreage planted to ELS cotton in each such State for the years 1957, 1958, 1959, 1960, and 1961, with adjustments in such acreages for failure to seed ELS cotton because of abnormal weather conditions. Such adjustments for abnormal weather conditions shall be made in the acreages planted to ELS cotton in the States on the basis of recommendations of the State committees and official statistics and studies of the Department of Agriculture. Any such adjustment in the acreage planted to ELS cotton in a State shall be the amount established by reference to available information and data as the net reduction of planted acreage in the State attributed solely to abnormal weather conditions.

(b) *State allotment.* The acreage allotted to a State pursuant to this section is referred to herein as the "State allotment." The State allotment for each State for the 1963 crop of ELS cotton is as follows:

State:	*State allotments*
Arizona	63,739
California	1,005
Florida	950
Georgia	217
New Mexico	29,725
Puerto Rico	2,644
Texas	51,600
United States	149,880

§ 722.666 Apportionment of State allotment among counties.

(a) *State reserve.* The State committee shall determine what portion of the State allotment is to be reserved for each of the following categories:

(1) Adjusting computed county allotments for trends in acreage.

(2) Adjusting computed county allotments for abnormal conditions affecting plantings.

(3) Establishing allotments for new ELS cotton farms.

(4) Adjusting farm allotments to correct inequities and to prevent hardships.

(5) Adjusting allotments determined for small farms. The State committee may, in its discretion, determine that no acreage shall be established for any one or more of the categories of the State reserve set forth in this paragraph. The total State reserve established for the several categories under this paragraph shall not exceed 10 percent of the State allotment.

(b) *Computed county allotments.* The State allotment for the 1963 crop of ELS cotton, less the State reserve established pursuant to paragraph (a) of this section, shall be apportioned among the following counties designated pur-

suant to section 347(a) of the Act: Cochise, Gila, Graham, Greenlee, Maricopa, Mohave, Pima, Pinal, Santa Cruz, and Yuma Counties, Arizona; Imperial and Riverside Counties, California; Alachua, Bradford, Columbia, Hamilton, Jefferson, Lake, Levy, Madison, Marion, Orange, Putnam, Seminole, Sumter, Suwannee, Union, and Volusia Counties, Florida; Berrien, Cook, and Lanier Counties, Georgia; Chaves, Dona Ana, Eddy, Grant, Hidalgo, Luna, Otero, and Sierra Counties, New Mexico; Northern Area (ELS cotton producing areas in northern part of Puerto Rico) and Southern Area (ELS cotton producing areas in southern part of Puerto Rico), Puerto Rico (Northern Area and Southern Area shall be considered as counties); and Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, and Ward Counties, Texas. Such apportionment is made on the basis of the average acreage planted to ELS cotton in each such county in 1957, 1958, 1959, 1960, and 1961 (herein referred to as the "base years"), with adjustments in such acreage for failure to seed cotton because of abnormal weather conditions. Such adjustments for abnormal weather conditions shall be made in the acreages planted to ELS cotton in the county on the basis of recommendations of the State committees and official statistics and studies of the Department of Agriculture. Any such adjustment in the acreage planted to ELS cotton in a county shall be the amount established by reference to available information and data as the net reduction of planted acreage in the county attributed solely to abnormal weather conditions. The acreage allotted to a county pursuant to the provisions of this paragraph is herein referred to as the "computed county allotment."

(c) *Use of State reserve.* The State reserve, if any, established for each designated purpose under paragraph (a) of this section shall be used by the State committee for such purpose as provided in subparagraphs (1) to (5) of this paragraph.

(1) *To adjust computed county allotments for trends in the acreage of ELS cotton.* Any acreage allocated pursuant to paragraph (a)(1) of this section shall be used by the State committee to adjust the computed county allotments for trends in acreage in the counties during recent years (the period of years may include the year 1962 but shall not include any year prior to 1957). The State committee may determine such adjustments by use of a formula which shall be applied uniformly to each county in the State.

(2) *To adjust computed county allotments for counties adversely affected by abnormal conditions affecting plantings of ELS cotton.* Any acreage allocated pursuant to paragraph (a)(2) of this section shall be used by the State committee to adjust the computed county allotments for abnormal conditions adversely affecting plantings in the counties during the base years. The State committee shall examine the acreage planted to ELS cotton in the county in each of the base years to determine whether the acreage planted may have been adversely affected by abnormal conditions. In determining whether an adjustment should be made for abnormal conditions adversely affecting plantings in a county, the State committee shall take into consideration abnormal weather conditions such as floods and droughts during the planting season which caused plantings during such season to be abnormally low in comparison with normal and any other abnormal conditions which adversely affected plantings in the county to a greater extent than in other counties. In determining any adjustment for abnormal weather conditions, the State committee shall take into consideration any adjustment made for abnormal weather conditions pursuant to paragraph (b) of this section.

(3) *To make adjustments in allotments determined for small farms.* Any acreage allocated pursuant to paragraph (a)(5) of this section shall be allocated by the State committee to counties to supplement that part of the county reserve established as provided in subparagraphs (1) and (2) of § 722.667(d) for adjusting indicated farm allotments for old ELS cotton farms established at 15 acres or less under paragraph (e) of § 722.667. Such acreage shall be used by the county committee only for adjustments in small farm allotments.

(4) *To establish 1963 allotments for new ELS cotton farms.* Any acreage allocated pursuant to paragraph (a)(3) of this section shall be allocated by the State committee to counties to establish allotments for new ELS cotton farms. Where the State committee determines that the needs for acreage to establish allotments for new ELS cotton farms are generally uniform in counties throughout the State, the State committee shall determine whether all the acreage required to establish allotments for new ELS cotton farms shall be provided from the State reserve or the county reserve, or from both such reserves. In determining the source of acreage, if any, for new ELS cotton farms, the State committee shall take into consideration the acreage requirements determined for such farms from the county surveys, if available, as provided for in § 722.667(d)(3). Where it is determined by the State committee that the entire county reserve for any county is needed for making adjustments pursuant to subparagraphs (1) and (2) of § 722.667(d), the State committee may consider allocating acreage from the State reserve as provided in paragraph (a) of this section to supplement the acreage, if any, set aside by the county committee from the county reserve for establishing allotments for new ELS cotton farms. In determining the estimated acreage to be set aside for establishing allotments for new ELS cotton farms on the basis of the factors set forth in § 722.667(d)(3), the State committee shall take into consideration the experience of State and county committees in establishing allotments for new ELS cotton farms under previous acreage allotment programs and any other available information. The acreage made available to any county under this subparagraph shall be used by the county committee only for new ELS cotton farms.

(5) *To correct inequities in farm allotments and to prevent hardship.* Any acreage allocated pursuant to paragraph (a)(4) of this section shall be allocated by the State committee to counties to correct inequities in farm allotments and to prevent hardships. Such reserve may also be used for establishing and adjusting farm allotments as provided in § 722.667(g).

(d) *Availability of data for inspection.* The following shall be on file and shall be available in the office of the State committee for examination by any interested ELS cotton producer: (1) The amount of the State reserve; (2) the formula, if any, and data developed and used under paragraph (c)(1) and (2) of this section; and (3) the total acreage set aside from the State reserve for the purposes set forth in paragraph (c) (3), (4), and (5) of this section.

(e) *County allotment.* The county allotment shall be the sum of (1) the computed county allotment determined under paragraph (b) of this section, and (2) the acreages from the State reserve which are added to the computed county allotment under paragraph (c) (1) and (2) of this section.

(f) *Apportionment of excess released acreage to counties.* The acreage surrendered to the State committee pursuant to § 722.668 shall be apportioned by the State committee to counties on the basis of trends in acreage, abnormal conditions adversely affecting plantings, or for small or new farms or to correct inequities in farm allotments and to prevent hardship.

(g) *County allotment; allocations to counties from State reserve; remainder of the State reserve; and county reserve*—(1) *County allotment showing components thereof; allocations to counties from State reserve for small farms and to correct inequities and prevent hardship; and remainder of the State reserve.* This subparagraph will be amended at a later date to establish county allotments showing components thereof (computed county allotment, adjustments from State reserve for trends and abnormal conditions); allocations to counties from State reserve for small farms and to correct inequities and prevent hardship; and the remainder of the State reserve which is available for allocation to counties for new farms, late and reconstituted farms and correction of errors.

(2) *County reserve.* This subparagraph will be amended at a later date to establish county reserves.

ESTABLISHMENT OF FARM ALLOTMENTS

§ 722.667 Apportionment of county allotment among farms.

(a) *Determination of method to be used in apportioning county allotment among farms.* Section 344(f)(8) of the act provides that if allotments were in effect in 1962, the method of apportioning county allotment among farms under section 344(f)(8) of the act shall be used

for 1963. Since allotments were in effect in 1962, the method under section 344 (f)(8) of the act shall be used in all counties, and not the cropland method under section 344(f)(2) of the act or the historical method under section 344(f)(6) of the act.

(b) *Determination of county reserve.* The county committee shall establish a county reserve of not in excess of 15 percent or the sum of (1) the computed county allotment, and (2) the allotment allocated to the county pursuant to paragraph (c)(1) and (2) of § 722.666, which may be used to adjust indicated farm allotments for old ELS cotton farms determined under paragraphs (c) of this section and to establish allotments for new ELS cotton farms under paragraph (d)(3) of this section. Such reserves shall be published in an amendment of § 722.666(g)(2).

(c) *Indicated allotments for old ELS cotton farms in all counties designated in § 722.666(b).* The county allotment, less the acreage reserved pursuant to paragraph (b) of this section, shall be apportioned among old ELS cotton farms in accordance with this paragraph. For purposes of this paragraph, 1962 farm allotment means the allotment established for the farm for 1962 prior to release of allotment from the farm or reapportionment of released allotment to the farm. It is hereby determined that for purposes of establishing 1963 farm allotment bases, it will not be necessary under section 344(f)(8) of the act to adjust 1962 farm allotments for any change in the acreage of cropland available for the production of ELS cotton. A 1963 allotment base shall be established for each old ELS cotton farm as follows:

(1) If the total of the acreage planted to ELS cotton for 1962 plus the acreage regarded as planted to ELS cotton for 1962 (acreage diverted for 1962 from ELS cotton production under the conservation reserve of the Soil Bank or Great Plains program and acreage released for 1962 only) is 75 percent or more of the 1962 farm allotment, such 1962 farm allotment shall be the 1963 allotment base for the farm.

(2) The 1962 farm allotment shall be the 1963 allotment base for each farm on federally owned land with a restrictive lease prohibiting the planting of ELS cotton and for each farm for which the allotment has been pooled because of acquisition by an agency having the right of eminent domain.

(3) Except as provided in subparagraphs (2) and (4) of this paragraph, if the total of the acreage planted or regarded as planted to ELS cotton is less than 75 percent of the 1962 farm allotment, the 1963 allotment base for the farm shall be the average of the 1962 farm allotment and the 1962 acreage planted to ELS cotton (including acreage regarded as planted to ELS cotton).

(4) Adjustments provided in subparagraph (3) of this paragraph shall not be made and the 1962 farm allotment shall be the allotment base for the farm if the county committee determines that failure to plant at least 75 percent of the 1962 farm allotment was due to excessive rain, flood, hail, drought, lack of water on irrigated farms resulting from the effect of drought on the water supply, or illness of the farm operator or any other producers on the farm, which are hereby determined to be conditions beyond the control of producers on the farm. The farm operator was required under § 722.569(a)(2) of the 1962 acreage allotment regulations for ELS cotton (26 F.R. 9975) to file an application in writing with the county committee not later than September 15, 1962, showing that failure to plant at least 75 percent of the farm allotment in 1962 was due to one or more of such conditions, if such was the case, except in certain specified cases of general underplanting in an area of a county.

(5) Indicated allotments for old ELS cotton farms shall be determined by multiplying the 1963 allotment base for the farm by a county allotment factor determined by dividing the total of the 1963 allotment bases for all such farms into the county allotment less the acreage reserved pursuant to paragraph (b) of this section.

(6) The indicated ELS allotment shall not exceed the cropland on the farm available for the production of ELS cotton as determined by the county committee. The ELS allotment regained by application of this limitation shall be added to the county reserve and used by the county committee in adjusting farm allotments; however, the total acreage used from the county reserve shall not exceed 15 percent of the county allotment. Where this limitation is effective for a farm with allotments for both upland and extra long staple cotton, the county committee shall determine which allotment (upland, ELS, or both) shall be reduced and, if both are reduced, the amount of reduction for each.

(d) *Use of county reserve.* The county reserve shall be used by the county committee as follows:

(1) *Adjustments in indicated farm allotments of 15 acres or less.* Not less than 20 percent of the county reserve shall, to the extent required, be used by the county committee to adjust indicated farm allotments determined under paragraph (c) of this section to be 15 acres or less. Such adjustments shall be made so as to establish allotments which are fair and reasonable in relation to the allotments established for similar farms in the community, taking into consideration for the farm the acreages planted to ELS cotton in 1960, 1961, and 1962; the land, labor, and equipment available for the production of ELS cotton; crop-rotation practices; the soil and other physical facilities affecting the production of ELS cotton; and abnormal conditions of production.

(2) *Adjustments in indicated allotments for other farms.* The remainder of the acreage in the county reserve, after meeting or determining the requirements under subparagraphs (1), (3), and (4) of this paragraph, shall be used by the county committee to adjust indicated farm allotments which are more than 15 acres. Such adjustments shall be made so as to establish allotments which are fair and reasonable in relation to the allotments established for similar farms in the community, taking into consideration for the farm, the land, labor, and equipment available for the production of ELS cotton; crop-rotation practices; the soil and other physical facilities affecting the production of ELS cotton; and abnormal conditions of production. In the absence of specific data relating to the labor and equipment available for the production of ELS cotton and to the crop-rotation practices followed on a farm, the county committee may consider the acreage planted to ELS cotton on the farm in 1960, 1961, or 1962, as reflecting such factors and use such acreage as the basis for adjusting the indicated farm allotment under this subparagraph.

(3) *Allotments for new ELS cotton farms*—(i) *Determination of acreage needed for establishing allotments for new ELS cotton farms.* If any part of the State reserve or the county reserve is to be used for establishing allotments for new ELS cotton farms, the county committee with the assistance of the community committees may estimate from county office records and other available sources of information the number of new ELS cotton farms in the county and an estimate may be made of the cropland on new ELS cotton farms. Such estimates may be used by the State and county committees as a basis for determining the acreage, if any, that will be allocated for establishing allotments for new ELS cotton farms. In determining the acreage, if any, from the county reserve which is to be used for establishing allotments for new ELS cotton farms, the county committee shall take into consideration the acreage, if any, to be made available from the State reserve pursuant to § 722.666 (c)(4) for establishing allotments for new ELS cotton farms. The total acreage reserve for establishing allotments for new ELS cotton farms in the county, including any acreage allocated to the county for new ELS cotton farms from the State reserve, shall not exceed 75 percent of the total of the farm allotments which the county committee estimates will be determined for the same number of old ELS cotton farms in the county which are similar except for the acreages planted to ELS cotton during the years 1960, 1961, and 1962. The State committee shall establish a closing date for filing an application for a new ELS cotton farm allotment with the county committee which shall be no earlier than February 15, 1963 (January 15, 1963, in Puerto Rico) and no later than the date on which the planting of ELS cotton normally becomes general on farms in the county. Such closing date and the amount of reserve acreage available in the county for new ELS cotton farms shall be posted in the county office and to the extent practicable, such information shall be given general publicity in the county.

(ii) *Eligibility of a new ELS cotton farm for an ELS cotton allotment.* An ELS cotton allotment for a new ELS cotton farm may be established by the county committee if each of the following conditions is met:

(a) An application for an ELS cotton allotment is filed by the farm operator with the county committee by the closing date established by the State committee.

(b) Neither the farm operator nor the farm owner owns or operates any other farm in the United States for which an ELS cotton allotment is established for 1963.

(c) The available land, type of soil and topography of the land is suitable for the production of ELS cotton and such production ordinarily will not result in an undue erosion hazard under continuous production.

(d) The farm operator shall own, or otherwise have readily available, adequate equipment and the other facilities of production (including irrigation water in irrigated areas) necessary to produce ELS cotton on the farm.

(e) The farm operator expects to obtain during 1963 more than 50 percent of his income from the production of agricultural commodities or products from the farm excluding the estimated income from the production of ELS cotton requested for the farm. Where the farm operator is a partnership, each partner must expect to obtain during 1963 more than 50 percent of his income from the production of agricultural commodities or products from the farm excluding the estimated income from the production of ELS cotton requested for the farm. Where the farm operator is a corporation, it must have no major corporate purpose other than operation, and ownership where applicable, of such farm, and the officers and general manager of the corporation must expect to obtain during 1963 more than 50 percent of their income, whether dividends or salary, from the production of agricultural commodities or products from the farm excluding the estimated income from the production of ELS cotton requested for the farm. In estimating the income of the farm operator from the farm, the estimated value of home gardens, livestock and livestock products, poultry, or other agricultural products produced for home consumption or other use on the farm shall be included.

(iii) *Establishment of allotments for new ELS cotton farms.* If the applicant's farm is eligible for an ELS cotton allotment, such allotment shall be established by the county committee on the basis of land, labor, and equipment available for the production of ELS cotton; crop-rotation practices; and the soil and other physical facilities affecting the production of ELS cotton. The allotment so determined for any such farm shall not exceed the smaller of (a) the indicated allotments established pursuant to paragraph (c) of this section for old ELS cotton farms in the county which are similar except for the acreages planted to ELS cotton during the years 1960, 1961, and 1962, or (b) the allotment requested by the applicant. The sum of the allotments determined by the county committee for new ELS cotton farms shall not exceed the reserves available for such farms in the county under this subparagraph. The allotments for new ELS cotton farms shall be subject to review and approval by a representative of the State committee as provided in § 722.680. If the acreage planted to ELS cotton on a new ELS cotton farm is less than 75 percent of the ELS cotton allotment established for the farm pursuant to this subparagraph, such allotment shall be automatically reduced to the acreage planted to ELS cotton on the farm.

(iv) *Reduction or cancellation of new ELS cotton farm allotments.* If a new ELS cotton farm allotment is established under this subparagraph and it is later determined by the county committee or State committee, or the deputy administrator, that the new ELS cotton farm allotment was obtained by misrepresentation by or on behalf of the farm operator, the new ELS cotton farm allotment established for the farm shall be cancelled if the farm is not eligible for a new ELS cotton farm allotment or reduced to the amount which would be proper on the basis of the facts and a notice of revised allotment shall be issued. Any reduction or cancellation of a new ELS cotton farm allotment by the county committee shall be subject to the approval of the State committee. An ELS cotton allotment established for a farm in any year subsequent to the establishment of a new ELS cotton farm allotment for such farm shall be revised to reflect any reduction or cancellation of the new ELS cotton farm allotment and a notice of revised allotment shall be issued. The county committee shall issue any notice of marketing quota and penalty as may be required by the regulations pertaining to marketing quotas for extra long staple cotton (§§ 722.101 to 722.152; 26 F.R. 5489), as amended.

(4) *Adjustments in farm allotments to correct inequities and to prevent hardship.* The county committee shall determine the acreage required from the county reserve to supplement any acreage allocated to the county from the State reserve to correct inequities in farm allotments and to prevent hardship. Such reserves may also be used for establishing and adjusting farm allotments as provided in paragraph (g) of this section and to provide fair and reasonable allotments where the county committee had insufficient information to make proper adjustments at the time the original allotment for the farm was established. Any acreage from the county reserve and any allocation to the county from the State reserve which is made pursuant to § 722.666(c)(5) may be used by the county committee for making adjustments in farm allotments to correct inequities and to prevent hardship, taking into consideration for the farm the acreages planted to ELS cotton in 1960, 1961, and 1962; the land, labor, and equipment available for the production of ELS cotton; crop-rotation practices; the soil and other physical facilities affecting the production of ELS cotton and abnormal conditions of production and any other factors for correcting inequities and preventing hardship.

(e) *Use of acreage allocated to county from State reserve for adjusting allotments for small farms.* The acreage allocated to a county from the State reserve for small farms shall be used by the county committee to adjust indicated farm allotments of 15 acres and less for old ELS cotton farms on the basis of the factors set forth in paragraph (d)(1) and (2) of this section for adjusting small farm allotments.

(f) *Reconstitution of farms.* The reconstitution of farms under §§ 722.661 to 722.682 shall be governed by the regulations pertaining to reconstitution of farms in Part 719 of this chapter, as amended.

(g) *Allotments for missed and reconstituted farms and correction of errors.* The reserves provided for in paragraph (d)(4) of this section and in § 722.666 (c)(5) shall be used by the county committee for the purposes specified therein and also (1) for establishing allotments for old ELS cotton farms for which allotments were not established at the time allotments were originally established for old ELS cotton farms in the county because of oversight on the part of the county committee, (2) for correcting errors in farm allotments, and (3) for use in establishing allotments for farms which are divided or combined for 1963 under paragraph (f) of this section.

(h) *Equitable adjustments from State reserve for all old ELS cotton farms.* Under section 112(2) of the Soil Bank Act and the Great Plains program under section 16(b)(4) of the Soil Conservation and Domestic Allotment Act, as amended, acreage diverted from the production of ELS cotton shall be considered acreage devoted to ELS cotton for purposes of establishing future State, county, and farm allotments. In order to prevent inequitable allotments on farms included in such programs, the State reserve for categories other than new farms shall not be larger than that acreage required to give all old ELS cotton farms equal consideration, whether the farm history resulted from actual seeding of ELS cotton or from acreage history required by law.

§ 722.668 Release and reapportionment of ELS cotton allotments.

(a) *Conditions under which farm allotments cannot be released.* The following farm allotments shall not be released in whole or in part:

(1) Allotments for new ELS cotton farms.

(2) The allotment for an old ELS cotton farm which is owned by the Federal Government and which was leased by an agency of the Federal Government, as lessor on condition that no land on the farm shall be planted to ELS cotton.

(3) The allotment for any farm where such release is opposed by the owner or operator.

(b) *Allotments which may be released and reapportioned*—(1) *Release of allotments for 1963 only.* Except as provided otherwise in paragraph (a) of this section, all or any part of any 1963 farm allotment for an old ELS cotton farm, including allotments pooled for farms acquired by agencies having the right of eminent domain, which will not be used in 1963 may be voluntarily released in writing to the county committee by the farm owner or operator by the applicable closing date. Released acreage shall be deducted from the farm allotment and a

revised notice of farm allotment shall be issued in accordance with § 722.671.

(2) *Permanent release of allotments.* Except as provided otherwise in paragraph (a) of this section and except for pooled acreage allotments, all or any part of any 1963 farm allotment for an old ELS cotton farm may be permanently released in writing to the county committee by the owner and operator by the applicable closing date. Released acreage shall be deducted from the farm allotment and a revised notice of farm allotment shall be issued in accordance with § 722.671.

(3) *Reapportionment of allotments.* (i) The State committee may establish standards and guidelines to the extent necessary to assure uniform application of the basic factors required to be considered under section 344(m)(2) of the act listed in subdivision (iii) of this subparagraph in the reapportionment of released allotments to farms.

(ii) An oral or written request by the farm operator or owner shall be made to the county committee by the applicable closing date as a condition of eligibility for consideration by the county committee to have released acreage reapportioned to the farm: *Provided, however,* That the State committee may require a written request as a condition of eligibility.

(iii) Released allotments may be reapportioned by the county committee not later than the applicable closing date to other farms receiving farm allotments in the same county in amounts determined by the county committee to be fair and reasonable on the basis of past acreages of ELS cotton; land, labor, and equipment available for the production of ELS cotton; crop-rotation practices; and soil and other physical facilities affecting the production of ELS cotton and approved standards and guidelines, if any, established by the State committee. *Provided, however,* That any allotment released from a farm which is covered in whole or in part by a Soil Bank Conservation Reserve Contract, or for which an application is pending for a Conservation Reserve Contract, shall not be reapportioned by the county committee to any other farm or surrendered to the State committee for reapportionment to other counties.

(4) *Surrender of released acreage to the State committee.* If all of the released acreage in a county is not needed, the county committee may surrender, except for released acreage from pooled acreage allotments, or acreage released from soil bank farms, the unused released acreage to the State committee for reapportionment to counties as provided in § 722.666(f).

(5) *Closing dates.* The State committee shall establish closing dates for release of allotments, requests for reapportionment of allotments and reapportionment of allotments for the entire State or for areas consisting of one or more counties in the State taking into consideration the normal planting dates within the State. The closing date for release of allotments shall be no later than the date on which the planting of ELS cotton normally becomes general on farms in the State, area, or county. The closing date for reapportionment of allotments to other farms shall be no later than the latest date on which ELS cotton can normally be planted on farms in the State, area or county with reasonable expectation of producing an average crop. The closing date for requests for reapportionment of allotments shall be a date from the closing date for release of allotments to the closing date for reapportionment of allotments, both dates inclusive. Closing dates under this subparagraph may be extended by the State committee to a date by which ELS cotton could be planted with a reasonable expectation of producing a crop. In establishing closing dates, the State committee shall also take into consideration the time required for reapportionment of surrendered acreage to counties and farms.

(6) *Acreage history.* For the purpose of determining future State and county allotments, released allotments will be credited to the State and county in which such allotments were released. In determining future farm allotments, the planting in 1963 of reapportioned allotments shall not be considered. Any farm allotment released for 1963 only, shall, in determining future farm ELS cotton allotments, be regarded as having been planted on the farm from which such allotment was released if ELS cotton was planted or regarded as planted on such farm under section 377 of the act or section 106(a) or 112(2) of the Agricultural Act of 1956 or the Great Plains program under section 16(b) of the Soil Conservation and Domestic Allotment Act, as amended, in at least one of the years 1961 or 1962.

(7) *Public notice.* The county committee shall post in the county office the applicable closing dates and the amount of released allotments available in the county for reapportionment and to the extent practicable, such information shall be given general publicity in the county.

(c) *Apportionment of surrendered acreage allocated to county by State committee.* The acreage apportioned to the county under § 722.666(f) may be used by the county committee for establishing and adjusting farm allotments for the new ELS cotton farms or small farms or to correct inequities and to prevent hardship in accordance with the provisions of paragraphs (d) and (e) of § 722.667.

§ 722.669 Adjustment of allotment bases and determination of acreage history.

(a) *Farm base adjustments under section 344(f)(8) of the act applicable to 1963 plantings of ELS cotton.* Section 344(f)(8) of the act provides for adjustment of the farm base if 1963 plantings of ELS cotton are reduced below a specified percentage. The following items are set forth so that farm operators in 1963 may be fully advised and take any necessary action:

(1) Farm base adjustments are required in connection with establishing 1964 farm allotments, if marketing quotas are in effect and the acreage actually planted (or regarded as planted under the Soil Bank Act, Great Plains program under section 16(b) of the Soil Conservation and Domestic Allotment Act, as amended; and the release and reapportionment provisions of section 344(m)(2) of the act) to ELS cotton on the farm in 1963 was less than 75 percent of the 1963 farm allotment, in lieu of using the 1963 farm allotment as the farm base, the base shall be the average of (i) the ELS cotton acreage actually planted or regarded as planted for the farm for 1963, and (ii) the 1963 farm allotment. Notwithstanding the provisions of this subparagraph, the farm base on federally owned land with a restrictive lease prohibiting the planting of ELS cotton and for each farm for which the allotment has been pooled because of acquisition by an agency having the right of eminent domain shall not be adjusted under section 344(f)(8) of the act.

(2) Adjustments provided in subparagraph (1) of this paragraph shall not be made if the county committee determines that failure to plant at least 75 percent of the farm allotment was due to excessive rain, flood, hail, drought, lack of water on irrigated farms resulting from the effect of drought on the water supply, or illness of the farm operator or any other producers on the farm, which are hereby determined to be conditions beyond the control of producers on the farm. The farm operator or owner shall file an application in writing with the county committee not later than September 15, 1963, showing that failure to plant at least 75 percent of the farm allotment in 1963 was due to one or more of such conditions: *Provided, however,* That no written application by the farm operator or owner shall be required if the county committee finds that one or more of such conditions at planting time generally caused underplanting of allotments on a number of farms in an area of the county, and in such cases, the county committee, with the approval of a representative of the State committee, may determine that 75 percent or more of the 1963 farm allotment would have been planted to ELS cotton on any farm in such area if at least 75 percent of the farm allotment minus any acreage history earned under the conservation reserve program for one or more of the years 1961 or 1962 was actually planted to ELS cotton. A written record of the determinations of the county committee on each of the applications filed under this subparagraph or made under the proviso of this subparagraph shall be filed in the records of the county office showing the reason for failure to plant at least 75 percent of the farm allotment, the percent of allotments planted to ELS cotton in 1961 and 1962, where applicable, the county committee's approval or disapproval of an application, and where applicable, its reasons for disapproval.

(b) *Preservation of acreage history under section 377 of the act.* Section 377 of the act provides for preservation of acreage history under certain circumstances. The farm allotment for 1963, excluding any allotment released from the farm or reapportioned to the farm,

shall be considered for purposes of future State, county, and farm allotments to have been planted to ELS cotton (acreage history for released allotment shall be determined in accordance with § 722.668(b)): *Provided, however,* That the farm allotment for 1963 except for such allotment on farms owned by the Federal Government with a restrictive lease prohibiting the planting of ELS cotton and pooled allotment farms, shall not be preserved as history acreage unless an acreage equal to 75 percent or more of the farm allotment after release and before reapportionment in one of the years 1961, 1962, or 1963 was seeded to ELS cotton or devoted to the production of ELS cotton but seeded prior to such year or was regarded as planted to ELS cotton under the Soil Bank Act or the Great Plains program under section 16 (b) of the Soil Conservation and Domestic Allotment Act, as amended; and in cases where the farm allotment for 1963 shall not be preserved under this proviso, the acreage considered to have been planted to ELS cotton in such cases shall be the sum, subject to the limitation under § 722.678, of (1) acreage seeded to ELS cotton on the farm in 1963, (2) acreage devoted to the production of ELS cotton on the farm in 1963 but seeded prior to 1963, and (3) acreage regarded as planted on the farm in 1963 under the Soil Bank Act or the Great Plains program under section 16 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(c) *Farm acreage history.* Farm acreage history for the purpose of establishing future State and county allotments shall be the sum of the acreage considered to have been planted to ELS cotton under paragraph (b) of this section plus the acreage released for 1963 only from the farm.

§ 722.670 Allotments for special farms.

(a) *Where the farm owner is displaced by a Federal, State, or other agency having the right of eminent domain.* Where the farm owner is displaced by a Federal, State, or other agency having the right of eminent domain, farm allotments for such acquired land and determination of other farm allotments for such owner shall be governed by section 378 of the act and the regulations pertaining to reconstitution of farms in Part 719 of this chapter as amended.

(b) *Publicly owned agricultural experiment stations*—(1) *Allotments for farms operated by publicly owned agricultural experiment station.* A farm allotment shall be established pursuant to the provisions of § 722.667 for a farm operated by a publicly owned agricultural experiment station.

(2) *Conditions under which production is exempted from penalty.* The marketing penalty shall not apply to the marketing of any ELS cotton of the 1963 crop which is grown for experimental purposes only, on a farm operated by a publicly owned agricultural experiment station and produced at public expense by employees of the experiment station. Where the acreage planted to ELS cotton on a farm operated by a publicly owned agricultural experiment station is in excess of the farm allotment, the acreage used for determining the marketing excess, if any, for the farm shall be the smaller of (i) the acreage planted to ELS cotton on the farm in excess of the farm allotment, or (ii) the acreage planted to ELS cotton on the farm which is not for experimental purposes. Also, the marketing penalty shall not apply to ELS cotton produced for experimental purposes on other land by a person pursuant to a written agreement with a publicly owned agricultural experiment station whereby the experiment station bears the costs and risks incident to the production of the ELS cotton and the proceeds from the crop inure to the benefit of the experiment station and such agreement is approved by the State committee. Such approval will be given if the State committee finds that the agreement conforms to the requirements of this subparagraph.

FARM MARKETING QUOTA AND FARM MARKETING EXCESS

§ 722.671 Notice of farm allotment and marketing quota.

Immediately after farm allotments in a county are established and approved pursuant to § 722.680(b), the county committee shall mail to the operator of each such farm a written notice of the farm allotment and marketing quota for the farm. The county committee shall also mail to the operator of each new ELS cotton farm for which application for an allotment is made but for which it is determined that no farm allotment and marketing quota will be established, a similar written notice showing "None" as the allotment and marketing quota, established for the farm. The notice shall contain at or near the top thereof substantially the following statement: "To all persons who as operator, landlord, tenant, or sharecropper, will for the crop year shown above be interested in the commodity designated above produced on the farm for which this acreage allotment and marketing quota are established." Notice so given shall constitute notice to all such persons. Such notice shall also contain a brief statement of the procedure whereby application for review of the marketing quota may be made under section 363 of the act. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeeman or an employee of the county office. A copy of each notice, containing a notation thereon of the date of mailing the notice to the operator of the farm, shall be kept among the permanent records of the county committee, and upon request a copy thereof duly certified as a true and correct copy shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper, is interested in the ELS cotton produced in 1963 on the farm for which the notice is given. Insofar as practicable, the notice for each old ELS cotton farm shall be prepared and mailed to the operator so as to be received prior to the referendum to determine whether ELS cotton farmers favor or oppose marketing quotas for the 1963 crop. Where it is impractical or impossible to use the United States mail to serve the producer in Puerto Rico with the notice provided for in this section, use shall be made of such other method of service as is available; however, when such other method is used, the county committee shall make provision for keeping an accurate record of the date and method of delivery to the producer of any such notice. Farm allotments shall not become effective unless (a) proper approval is obtained as provided under § 722.680 and (b) written notice of farm allotment is issued as provided under §§ 722.661 to 722.682. The farm operator shall immediately notify the county committee of any change in the ownership, operation, or control of the farm, or any part thereof, for which a notice of farm allotment is issued for 1963. Revised notices of allotment shall be issued where an erroneous allotment was established or the farm allotment is adjusted by release and reapportionment.

§ 722.672 Referendum for 1963 crop.

A referendum of the farmers who were engaged in the production of ELS cotton in the calendar year 1962 will be held on December 11, 1962, pursuant to the provisions of section 343 of the act and the Regulations Governing the Holding of Referenda on Marketing Quotas as set forth in Part 717 of this chapter, as amended, to determine whether such farmers are in favor of or opposed to the 1963 quota. If two-thirds or more of the ELS cotton farmers voting in the ELS cotton referendum favor the quota, such quota will be in effect for the 1963 crop of ELS cotton. If more than one-third of the ELS cotton farmers voting in such referendum oppose the quota, the quota will not be in effect for the 1963 crop of ELS cotton; however, farm allotments established for such crop pursuant to section 344 of the act will remain in effect and compliance with such farm allotments will be a condition of eligibility of producers for price support under the Agricultural Act of 1949, as amended.

§ 722.673 Amount of farm marketing quota and farm marketing excess.

The farm marketing quota for any farm for the 1963 crop of ELS cotton shall be the actual production of ELS lint cotton on the farm less the farm marketing excess. The farm marketing excess for the 1963 crop of ELS cotton shall be the normal production of the acreage of ELS cotton on the farm in excess of the farm allotment: *Provided,* That such farm marketing excess shall not be larger than the amount by which the actual production of ELS cotton on the farm exceeds the normal production of the farm allotment if the producer establishes such actual production in accordance with the regulations pertaining to marketing quotas for ELS cotton (§§ 722.101 to 722.152; 26 F.R. 5489), as amended.

§ 722.674 Publication of farm allotments and marketing quotas.

One copy of each notice of the farm allotment and marketing quota for farms in a county shall be placed in binders or

folders, or in lieu thereof, a listing of such allotments and quotas shall be prepared and such notices or listing shall be kept freely available in the office of the county committee for public inspection for a period of not less than 30 calendar days. At the end of such period, the copies of the notices or the listing shall be filed in the office of the county committee and remain readily available for further public inspection. Either the copies of notices or the listing referred to in this section shall be maintained in the county office by the county office manager for the use of the chairman of the community committees.

§ 722.675 Successors-in-interest.

Any person who succeeds to the interest of a producer in a farm, or in an ELS cotton crop or in ELS cotton for which a farm marketing quota and farm marketing excess were established, shall, to the same extent as his predecessor, be entitled to all the rights and privileges incident to such marketing quota and marketing excess and be subject to the restrictions on the marketing of ELS cotton.

§ 722.676 Marketing quotas not transferable.

A farm marketing quota is established for a farm and except as specifically provided for in §§ 722.668 and 722.670(a) may not be assigned or otherwise transferred in whole or in part to any other farm.

MISCELLANEOUS PROVISIONS

§ 722.677 Measurement of farms to determine compliance with allotments.

For purposes of determining compliance with allotments, premeasurement of farms, measurement of farms after planting, notice of measured acreage, disposition of excess acreage and remeasurement shall be governed by Part 718 of this chapter, as amended.

§ 722.678 No credit for overplanting the farm allotment.

Any acreage planted to ELS cotton in 1963 in excess of the farm allotment for the 1963 crop of ELS cotton shall not be taken into account in establishing State, county, and farm allotments for the 1964 and subsequent crops of ELS cotton.

§ 722.679 Availability of records.

The State and county committees shall make available for inspection by owners or operators of farms receiving ELS cotton allotments, all records pertaining to ELS cotton allotments and marketing quotas, including the allocations to the county from the State reserve and the total amount and the distribution of the county reserve.

§ 722.680 Approval of determinations and additional authority for determination of farm allotments and farm marketing quotas.

(a) *Approval of State reserves, county allotments and county reserves.* Determinations of State reserves and county allotments as provided for in § 722.666 (a) and (e) and for county reserves, as provided in § 722.667(b), shall be subject to review and approval by the Secretary and such allotments and reserves as approved by the Secretary shall be published at a later date in an amendment to § 722.666(g).

(b) *Approval of county committee determinations.* A representative of the State committee shall review all farm allotments prior to issuance thereof and may revise or require revision of any determinations made under §§ 722.667 to 722.677: *Provided, however,* That such prior review shall not be required where revised farm allotments resulting from reconstitution of farms or from release and reapportionment of farm allotments do not require additional acreage for allocation except in the case of reapportionment of allotments the State committee may require approval by its representative prior to issuance thereof. ELS cotton allotments for both old and new ELS cotton farms shall be approved by a representative of the State committee. No official notice of farm allotment and marketing quota shall be mailed to a farm operator until such approval has been obtained.

(c) *Additional authority for determination of farm allotments and farm marketing quotas.* In addition to the authority established in §§ 722.661 to 722.682 for determination of farm allotments and farm marketing quotas for both old and new ELS cotton farms, including revised allotments to correct errors, such determinations may be made by the Secretary and Assistant Secretary of Agriculture, or the Administrator of Agricultural Stabilization and Conservation Service. A notice conforming to the requirements of § 722.671 executed by any of the foregoing officials and mailed to the operator of the farm shall be deemed to meet the requirements of § 722.671. A copy of each notice shall be kept among the permanent records of the appropriate county committee and copies thereof shall be made available in accordance with the provisions of § 722.671 to any person who as operator, landlord, tenant, or sharecropper, is interested in the ELS cotton produced in 1963 on the farm for which the notice is given.

(d) *Supervisory authority of State committee.* The State committee may take any action required to be taken by the county committee under §§ 722.661 to 722.682 which the county committee fails to take. The State committee may also correct or require the county committee to correct any action taken by such county committee which is not in accordance with §§ 722.661 to 722.682, or require the county committee to withhold taking any action which is not in accordance with §§ 722.661 to 722.682.

§ 722.681 Review of farm allotment.

Any producer who is dissatisfied with the farm allotment established for his farm, or in the case of a new ELS cotton farm with the action of the county committee in refusing to establish a farm allotment for such farm, may, by making application in writing within 15 days after the mailing to him of the notice provided for in § 722.671, have such allotment reviewed by a review committee pursuant to section 363 of the act and the Marketing Quota Review Regulations set forth in Part 711 of this chapter, a copy of which may be obtained from the county committee.

§ 722.682 Erroneous notices.

(a) *Erroneous notice of ELS cotton allotment.* In any case where through error the producer is officially notified in writing of a farm allotment larger than the final approved farm allotment and it is found by the county committee that such producer, acting solely on the information contained in the erroneous notice, planted an acreage to ELS cotton in excess of the final approved farm allotment, the producer will not be considered to have exceeded the farm allotment unless he planted an acreage in excess of the allotment shown on the erroneous notice. Before a producer can be said to have relied upon the erroneous notice the circumstances must have been such that the producer had no cause to believe that the allotment notice was in error. To determine this fact, the date of any corrected notice in relation to the time of planting; the size of the farm; the amount of ELS cotton customarily planted; and all other pertinent facts should be taken into consideration. The determination by the county committee under this section shall be subject to the approval of the State committee or the State executive director. The acreage planted to ELS cotton on the farm in excess of the final approved allotment shall be considered as excess acreage for purposes of § 722.678.

(b) *Erroneous notice of planted acreage.* In any case where it is discovered after all the ELS cotton acreage on the farm has been picked one or more times that the farm operator was officially notified in writing through error of an acreage planted to ELS cotton which is less than the acreage actually planted but the acreage actually planted is in excess of the farm allotment, the county committee shall determine whether or not the following conditions are met:

(1) The lack of compliance was caused by reliance in good faith by the farm operator on an erroneous official notice of measured acreage.

(2) Neither the farm operator nor any producer on the farm had actual knowledge of the error in time to adjust the excess acreage in accordance with § 722.677.

(3) The incorrect notice was the result of an error made by an employee of the county or State office in reporting, computing or recording the ELS cotton acreage for the farm.

(4) Neither the farm operator nor any producer on the farm was in any way responsible for the error.

(5) The extent of the error in the erroneous notice was such that the farm operator would not reasonably be expected to question the acreage of which he was erroneously notified.

If the county committee determines that all five of the conditions are met, and the State executive director concurs upon review of the county committee determination, the acreage planted to ELS

cotton on the farm will be considered as an acreage equal to the farm allotment.

NOTE. The recordkeeping and reporting requirements of these regulations have been approved by, and subsequent recordkeeping and reporting requirements will be subject to, the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 19, 1962.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 62-11568; Filed, Nov. 20, 1962; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-CE-57]

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

Alteration of Control Zone and Control Area Extension

The purpose of these amendments to Part 71 (New) of the Federal Aviation Regulations is to alter the descriptions of the Springfield, Mo., control zone and control area extension. Part 71 (New) was published in the FEDERAL REGISTER on October 24, 1962 as a part of the Agency's recodification program. This new Part contains the regulatory material presently found in Parts 600 and 601 of the regulations of the Administrator and becomes effective on December 12, 1962 (27 F.R. 10352, 220-2).

The Springfield control zone and the Springfield control area extension are designated, in part, with reference to the Springfield radio range. The Federal Aviation Agency is converting the radio range to a combined transcribed weather broadcast and radio beacon. The action taken herein reflects this conversion in the descriptions of the Springfield control zone and control area extension, and in addition, reduces the linear dimensions of the control zone extensions presently designated with reference to the radio range and the Springfield VORTAC from 10 miles to 8 miles in accordance with existing air traffic control operational requirements. Controlled airspace requirements for this area will be further reviewed at a later date under the CAR Amendments 60-21/60-29 implementation program.

Since the changes effected by these amendments impose no additional burden on any person, notice and public procedure hereon are unnecessary and they may be made effective December 13, 1962.

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

1. In § 71.171 (27 F.R. 220-91), the Springfield, Mo., control zone is amended to read:

Springfield, Mo.

Within a 5-mile radius of Springfield Municipal Airport (latitude 37°14'35" N., longitude 93°23'20" W.); within 2 miles either side of the 321° bearing from the Springfield RBN extending from the 5-mile radius zone to 8 miles NW of the RBN, and within 2 miles either side of the 019° and 199° radials of the Springfield VORTAC extending from the 5-mile radius zone to 8 miles NE of the VORTAC.

2. Section 71.165 (27 F.R. 220-59), is amended as follows:

In the Springfield, Mo., control area extension "That airspace within a 25-mile radius of the Springfield, Mo., RR;" is deleted and "Within a 25-mile radius of the Springfield RBN;" 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 November 15, 1962.

CLIFFORD P. BURTON,
Chief,
Airspace Utilization Division.

[F.R. Doc. 62-11521; Filed, Nov. 20, 1962; 8:46 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1319; Amdt. 509]

PART 507—AIRWORTHINESS DIRECTIVES

Boeing 707 and 720 Series Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring modification of the flight control systems of Boeing Models 707 and 720 Series aircraft was published in 27 F.R. 7682.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment recommended that Service Bulletin 1482 be dropped as it was believed that the provisions of this Bulletin were included in Service Bulletin 1490. However, this is not the case as Service Bulletin 1482 contains the only FAA approved installation for rerouting hydraulic lines to by-pass the pressure control valve. Another comment recommended increasing the proposed compliance times with respect to certain service bulletins. The Agency has subsequently reevaluated all of the proposed compliance times and has found that certain of the proposed compliance periods can be increased without adversely affecting safety. The directive has been revised to incorporate these new compliance times. Furthermore, the Agency has subsequently determined that there are additional approved parts which may be used in complying with certain of the referenced Service Bulletins. The AD has therefore been changed to incorporate the new part numbers where appropriate.

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

BOEING. Applies to Models 707 and 720 Series aircraft.

Compliance with certain service bulletins pertaining to the Model 707 and Model 720 flight control systems is considered necessary to provide for significant improvement in the safety and reliability of operation of those aircraft models. Accordingly, the aircraft models listed below shall be inspected and/or modified within the compliance times and in accordance either with the service bulletins as indicated or with equivalent methods approved by the Chief, Engineering and Manufacturing Branch, FAA Western Region. Airplanes modified in accordance with later FAA approved revisions of the service bulletins listed below will be considered to have complied with the appropriate provisions of this AD.

(a) Compliance required within the next 400 hours' time in service following the effective date of this AD:

Modification	Model	Service bulletin No.
1. Stabilizer trim actuator auxiliary brake retaining nut.	707 and 720	984.

(b) Compliance required within the next 650 hours' time in service following the effective date of this AD:

Modification	Model	Service bulletin No.
1. Rudder pedal push-rod attachment.	707	337.
2. Inboard aileron tab nose weight attaching screws.	707	860.
3. Spoiler and emergency flap switch placard installation.	707 and 720	*1524.

* BAC P/N 10-60424-621 (Type I) and P/N 10-60424-184 (Type I) are approved equivalents.

(c) Compliance required within the next 2,700 hours' time in service following the effective date of this AD:

Modification	Model	Service bulletin No.
1. Bearing retainer installation for center and inboard hinges for inboard aileron tab.	707	307 (R-1) and 307 (R-1)A.
2. Guard installation for chain in stabilizer trim unit.	707	655 and 655B.
3. Flap drive torque tube guard installation in wheel well area.	707	680 and 680A.
4. Rudder control input stop modification and directional bushing replacement.	707	735 (R-1).
5. Replacement of stabilizer trim actuator.	707 and 720	889.
6. Flap takeoff warning switch relocation.	707 and 720	1016 (R-1) and 1016 (R-1)C.
7. Stabilizer trim actuator motor replacement.	707	1247.
8. Emergency flap switch installation.	707 and 720	1251.
9. Rudder power control unit replacement, "Extension Sleeve Revision".	707 and 720	1479 (R-1) Part I only.
10. Rudder pressure control valve bypass installation.	707 and 720	1482 (R-1).
11. Rudder control centering spring cable modification.	707 and 720	1625.
12. Rudder control centering spring cable guard installation.	707 and 720	1680 and 1680A.

(d) Compliance required within the next 3,500 hours' time in service following the effective date of this AD:

Modification	Model	Service bulletin No.
1. Inboard aileron centering spring cartridge.	707 and 720	1344.
2. Control wheel stabilizer trim switch installation.	707 and 720	1410** and 1410B.
3. Replacement of rudder hydraulic system solenoid valve.	707 and 720	1490 (R-1).

**BAC P/N 10-3265-6 is an approved equivalent.

(e) Compliance required within the next 5,000 hours' time in service following the effective date of this AD:

Modification	Model	Service bulletin No.
1. Stabilizer trim actuator brake unlock gear ball bearing adapter addition.	707 and 720	1128 and 1128A.
2. Stabilizer trim actuator brake pawl spring.	707 and 720	1237.
3. Outboard spoiler shutoff valve consolidation.	707 and 720	1336 (R-1) and 1336 (R-1)B.
4. Replacement of spoiler hydraulic system shutoff valve.	707 and 720	1484.

This amendment shall become effective December 20, 1962.

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

Issued in Washington, D.C., on November 15, 1962.

GEORGE C. PRILL,
Director,
Flight Standards Service.

[F.R. Doc. 62-11520; Filed, Nov. 20, 1962; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55760]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

Ports of Entry; Changes in the Customs Field Organization

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2) which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 1 (26 F.R. 11877), the designation of Cordova, Alaska, as a customs port of entry in Customs Collection District No. 31 (Alaska) is revoked, effective 30 days after the date of publication of this Treasury decision in the FEDERAL REGISTER.

Section 1.1(c), Customs Regulations, is amended by deleting "Cordova (E.O. 10042, Mar. 10, 1949; 14 F.R. 1155)", in the column headed "Ports of Entry" in District No. 31 (Alaska).

Notice of the proposed revocation of the designation of Cordova as a port of entry was published in the FEDERAL REGISTER on September 25, 1962 (27 F.R. 9483) pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No objections were received.

(R.S. 161, as amended, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 1, 2, 66, 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: November 14, 1962.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 62-11545; Filed, Nov. 20, 1962; 8:49 a.m.]

[T.D. 55757]

PART 3—DOCUMENTATION OF VESSELS

Restrictive Endorsements on Frontier Enrollments and Licenses

In order to provide for uniform restrictive endorsements on frontier enrollments and licenses and to make definite the endorsement to be used by collectors, § 3.40(b) of the Customs regulations is amended to read as follows:

(b) In similar cases frontier enrollments shall bear the same endorsements as are placed on registers. When the endorsement required by § 3.2(d)(1), or § 3.2(f) is placed on a frontier enrollment and license, the word "Coasting" in the license shall be deleted, and the word "Fisheries" inserted in lieu thereof. When the endorsement required by § 3.2(e) is placed on a frontier enrollment and license, the words "and Foreign" in the license shall be deleted.

(R.S. 161, sec. 2, 23 Stat. 118, as amended, R.S. 4318, as amended, 4321, as amended, 72 Stat. 1736; 5 U.S.C. 22, 46 U.S.C. 2, 258, 263, 883-1)

[SEAL] PHILIP NICHOLS, Jr.
Commissioner of Customs.

Approved: November 13, 1962.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 62-11543; Filed, Nov. 20, 1962; 8:48 a.m.]

[T.D. 55759]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

Informal Entries

A customs field officer reports that under § 8.51(a) of the Customs regulations, the second and third sentences of which prescribe the conditions for the use of both non-serially-numbered and serially numbered informal entries, informal entries must often be prepared by customs officers for merchandise which has been released under an immediate delivery permit. Since it is not contemplated that customs officers will prepare informal entries for shipments not exceeding $250 in value released under immediate delivery permits, § 8.51(a) of the Customs regulations is hereby amended by inserting the following new sentence after the third sentence: "The conditions for the preparation of non-serially-numbered customs Form 5119 or 5119-A by importers or their agents, described above, do not apply to the acceptance of these entries for shipments not exceeding $250 in value released under an immediate delivery permit in accordance with § 8.59".

(R.S. 161, as amended, 251, secs. 498(a), 624, 46 Stat. 728, as amended, 759; 5 U.S.C. 22, 19 U.S.C. 66, 1498(a), 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: November 8, 1962.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 62-11546; Filed, Nov. 20, 1962; 8:49 a.m.]

[T.D. 55758]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

Articles for Institutions

It appears that to permit the acceptance of bonds for the subsequent production of documents establishing free entry status for articles imported by or for institutions rather than requiring a deposit of duties will save time and expense both for importers and the Customs Service.

Under §§ 10.44(c) and 10.52(b) of the Customs regulations a certicate of delivery (customs Form 3337) is required to be filed by institutions claiming an exemption from duty except in certain specified instances. Because other adequate safeguards to insure compliance with the law appear to exist, the requirement that customs Form 3337 be filed is revoked. Accordingly, the Customs regulations are hereby amended as follows:

Section 10.44 is amended to read as follows:

§ 10.44 Declaration of dealer or agent.

When such articles are imported through a dealer, his declaration and that of the importer shall be filed on customs Form 3321. If these declarations are not filed at the time of entry, the importer may deposit the estimated duties or post bond for their subsequent production. (See § 25.16(c) of this chapter.)

(Sec. 201 (paragraphs 1631, 1773, 1774, 1817), 46 Stat. 672, as amended; 19 U.S.C. 1201 (paragraphs 1631, 1773, 1774, 1817))

Section 10.52 is amended to read as follows:

§ 10.52 Stained or painted glass windows for houses of worship.

When stained or painted glass windows or window glass which are works of art valued at $15 or more per square foot are claimed to be free of duty under paragraph 1810, Tariff Act of 1930,[47] the importer shall file in connection with the entry a declaration on customs Form 3321, declaring that the importation is a work of art made for use in a house of worship.

(Sec. 201 (par. 1810), 46 Stat. 682; 19 U.S.C. 1201 (par. 1810))

To reflect amendments to the tariff act, various footnotes appended to Part 10 are revised as indicated below.

§ 10.43 [Amendment]

Footnote 39 appended to § 10.43 is amended by inserting the words "sound recordings, slides and transparencies," after the word "music,".

Footnote 40 appended to § 10.43 is amended to read as follows:

[40] "* * * regalia and gems, where specially imported in good faith for the use of, either by order of or for presentation (without charge) to, any society incorporated or established solely for religious, philosophical, educational, scientific, or literary purposes, or for the encouragement of the fine arts, or for the use of, either by order of or for presentation (without charge) to, any college, academy, school, seminary of learning, orphan asylum, or public hospital in the United States, or any State or public library, and not for sale, subject to such regulations as the Secretary of the Treasury shall prescribe; but the term 'regalia' as herein used shall be held to embrace only such insignia of rank or office or emblems as may be worn upon the person or borne in the hand during public exercises of the society or institution, and shall not include articles of furniture or fixtures, or of regular wearing apparel, nor personal property of individuals." (Tariff Act of 1930, par. 1773, as amended (free list); 19 U.S.C. 1201, par. 1773)

Footnote 40b appended to § 10.43 is amended to read as follows:

[40b] "Altars, pulpits, communion tables, baptismal fonts, shrines, mosaics, inconostases, or parts, appurtenances, or adjuncts of any of the foregoing, whether to be physically joined thereto or not, and statuary (except granite or marble cemetery headstones, granite or marble grave markers, and granite or marble feature memorials, and excepting casts of plaster of Paris, or of compositions of paper or papier mache), imported in good faith for the use of, either by order of, or for presentation (without charge) to, any corporation or association organized and operated for religious purposes, including cemeteries, schools, hospitals, orphanages, and similar nonprofit activities staffed and controlled by such corporation or association." (Tariff Act of 1930, par. 1774, as amended (free list); 19 U.S.C. 1201, par. 1774)

§ 10.51 [Amendment]

That part of footnote 46, appended to § 1051, quoting paragraph 1774, is amended to read as follows:

[46] "PAR. 1774. Altars, pulpits, communion tables, baptismal fonts, shrines, mosaics, iconostases, or parts, appurtenances, or adjuncts of any of the foregoing, whether to be physically joined thereto or not, and statuary (except granite or marble cemetery headstones, granite or marble grave markers, and granite or marble feature memorials, and excepting casts of plaster of Paris, or of compositions of paper or papier mache), imported in good faith for the use of, either by order of, or for presentation (without charge) to, any corporation or association organized and operated for religious purposes, including cemeteries, schools, hospitals, orphanages, similar nonprofit and activities staffed and controlled by such corporation or association." (Tariff Act of 1930, par. 1774, as amended (free list); 19 U.S.C. 1201, par. 1774)

(R.S. 251, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

Approved: November 14, 1962.

JAMES P. HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 62-11544; Filed, Nov. 20, 1962; 8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 608—HANDKERCHIEF, SCARF, AND ART LINEN INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 566 (27 F.R. 9070), the Secretary of Labor appointed and convened Industry Committee No. 56-B. Administrative Order No. 566 referred to Industry Committee No. 56-B the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the handkerchief, scarf, and art linen industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 56-B are hereinafter published in this revision of 29 CFR Part 608.

Effective December 7, 1962, 29 CFR Part 608 is hereby revised to read as follows:

AUTHORITY: §§ 608.1 to 608.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 608.1 Definition.

The handkerchief, scarf, and art linen industry in Puerto Rico is defined as follows: The manufacture of plain, scalloped, or ornamental handkerchiefs and scarves; the manufacture of art linen, including, but not by way of limitation, table cloths, luncheon cloths, altar cloths, napkins, bridge sets, table covers, sheets, pillow cases, and towels; and the manufacture of needlepoint on canvas or other materials: *Provided, however,* That the industry shall not include the outlining or embroidery of lace by machine or the embroidery of any article or trimming by a crochet beading process or with bullion thread.

§ 608.2 Wage rates.

The handkerchief, scarf, and art linen industry in Puerto Rico is divided into five separate classifications. Wages at rates not less than those prescribed below shall be paid under section 6 (c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) *Hand-sewing classification.* 30 cents an hour.

(2) This classification shall be defined as the operations of hand-sewing as well as hand-embroidering, hand-

embellishing, ornamental stitching, and similar operations involving decorative effects on all products except oblong scarves: *Provided, however,* That mending, repairing, sewing of labels, tacking, and similar operations on articles which are otherwise wholly machine sewn shall not be included.

(b) (1) *Other operations classification.* 56 cents an hour.

(2) This classification shall be defined as all operations in the handkerchief, scarf, and art linen industry in Puerto Rico, other than operations described in the other classifications of this industry.

(c) (1) *Hand-sewing on oblong scarves classification.* 71 cents an hour.

(2) This classification shall be defined as the operations of hand-sewing as well as hand-embroidering, hand-embellishing, ornamental stitching, and similar operations involving decorative effects on oblong scarves: *Provided, however,* That mending, repairing, sewing of labels, tacking, and similar operations on articles which are otherwise wholly machine sewn shall not be included.

(d) (1) *Other operations on oblong scarves classification.* 87 cents an hour.

(2) This classification shall be defined as all operations on oblong scarves except those included in the hand sewing on oblong scarves classification.

(e) (1) *New coverage classification.* 71 cents an hour.

(2) This classification shall be defined as all activities of employees covered by section 6 of the Act, only by reason of the Fair Labor Standards Amendments of 1961.

§ 608.3 Notices.

Every employer subject to the provisions of § 608.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 608.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 16th day of November 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-11554; Filed, Nov. 20, 1962; 8:50 a.m.]

PART 609—WOMEN'S AND CHILDREN'S UNDERWEAR AND WOMEN'S BLOUSE INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 566 (27 F.R. 9070), the Secretary of Labor appointed and convened Industry Committee No. 56-A. Administrative Order No. 566 referred to Industry Committee No. 56-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the women's and children's underwear and women's blouse industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 56-A are hereinafter published in this revision of 29 CFR Part 609.

Effective December 7, 1962, 29 CFR Part 609 is hereby revised to read as follows:

AUTHORITY: §§ 609.1 to 609.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 609.1 Definition.

The women's and children's underwear and women's blouse industry in Puerto Rico is defined as follows: The knitting or manufacture from woven or knit fabric, of women's, misses', girls', boys' size 6X or under, and infants' underwear and nightwear, including but not by way of limitation, slips, petticoats, nightgowns negligees, panties, undershirts, briefs, shorts, pajamas, sleepers, and similar articles; and the manufacture of women's and misses' blouses, shirts, waists, and neckwear (including collar and cuff sets but excluding scarves): *Provided, however,* That the industry shall not include any product or activity included in the corsets, brassieres, and allied garments industry in Puerto Rico (Part 614 of this chapter); or the outlining or embroidery of lace by machine, or the embroidery of any article or trimming by a crochet beading process or with bullion thread.

§ 609.2 Wage rates.

The women's and children's underwear and women's blouse industry in Puerto Rico is divided into two classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) *Hand-sewing and new coverage classification.* 75 cents an hour.

(2) This classification is defined as the operations of hand-sewing, hand-embroidering, hand-embellishing, ornamental stitching, and similar operations involving decorative effects: *Provided, however,* That mending, repairing, sewing of labels, tacking, and similar operations on articles which are wholly machine-sewn or machine-knit shall not be included; and all activities of employees in the industry covered by section 6 of the Act only by reason of the Fair Labor Standards Amendments of 1961.

(b) (1) *Other operations classification.* 92.5 cents an hour.

(2) This classification is defined as all operations in the women's and children's underwear and women's blouse industry in Puerto Rico, other than those operations in the hand-sewing and new coverage classification.

§ 609.3 Notices.

Every employer subject to the provisions of § 609.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 609.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 16th day of November 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-11557; Filed, Nov. 20, 1962; 8:50 a.m.]

PART 611—SWEATER AND KNIT SWIMWEAR INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 566 (27 F.R. 9070), the Secretary of Labor appointed and convened Industry Committee No. 56-C. Administrative Order No. 566 referred to Industry Committee No. 56-C the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the sweater and knit swimwear industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 56-C are hereinafter published in this revision of 29 CFR Part 611.

Effective December 7, 1962, 29 CFR Part 611 is hereby revised to read as follows:

Sec.
611.1 Definition.
611.2 Wage rates.
611.3 Notices.

AUTHORITY: §§ 611.1 to 611.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 611.1 Definition.

The sweater and knit swimwear industry in Puerto Rico is defined as follows: The manufacture of men's, women's, misses', boys', and girls' knit sweaters, shrugs, shoulderettes, boleros, and similar knitwear, and women's, misses', and girls' knit swimwear: *Provided, however,* That the industry shall not include the embroidery of any article or trimming by a crochet beading process or with bullion thread.

§ 611.2 Wage rates.

The sweater and knit swimwear industry in Puerto Rico is divided into two classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) *General classification.* $1.12 an hour.

(2) This classification is defined as all activities in the industry except those covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

(b) (1) *New coverage-classification.* $1.00 an hour.

(2) This classification is defined as all activities in the industry covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

§ 611.3 Notices.

Every employer subject to the provisions of § 611.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 611.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 16th day of November 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-11556; Filed, Nov. 20, 1962; 8:50 a.m.]

PART 619—ALCOHOLIC BEVERAGE AND INDUSTRIAL ALCOHOL INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 565 (27 F.R. 8213), the Secretary of Labor appointed and convened Industry Committee No. 55-A. Administrative Order No. 565 referred to Industry Committee No. 55-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the Alcoholic Beverage and Industrial Alcohol Industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Excluded from the matters referred to Industry Committee No. 55-A were activities heretofore described in 29 CFR 619.2 (a) and (b). The minimum rates for these activities already equal the rates prescribed in section 6(a)(1) or 6(b)(1) of the Act.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 55-A are hereinafter published in this revision of 29 CFR Part 619.

Effective December 7, 1962, 29 CFR Part 619 is hereby revised to read as follows:

Sec.
619.1 Definition.
619.2 Wage rates.
619.3 Notices.

AUTHORITY: §§ 619.1 to 619.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 619.1 Definition.

The alcoholic beverage and industrial alcohol industry in Puerto Rico, to which this part shall apply, is defined as follows: The manufacture, including, but without limitation, the distilling rectifying, blending, or bottling of rum, gin, vodka, whisky, brandy, cordials, liqueurs, wines, ale, beer, and similar malt beverages with or without alcohol, other alcoholic beverages, industrial alcohol (such as amyl, butyl, and ethyl alcohol), acetone, antifreeze, and any related by-product resulting from the manufacture of any of the foregoing products.

§ 619.2 Wage rates.

The alcoholic beverage and industrial alcohol industry in Puerto Rico is divided into separate classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) *General classification.* $1.15 an hour.

(2) This classification shall be defined as all activities in the industry except those covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

(b) (1) *New-coverage classification.* $1.00 an hour.

(2) This classification shall be defined as all activities in the industry covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

§ 619.3 Notices.

Every employer subject to the provisions of § 619.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 619.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 16th day of November 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-11553; Filed, Nov. 20, 1962; 8:50 a.m.]

PART 689—SUGAR MANUFACTURING INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 565 (27 F.R. 8213), the Secretary of Labor appointed and convened Industry Committee No. 55-A. Administrative Order No. 565 referred to Industry Committee No. 55-A the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the Sugar Manufacturing Industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 55-A are hereinafter published in this revision of 29 CFR Part 689.

Effective December 7, 1962, 29 CFR Part 689 is hereby revised to read as follows:

Sec.
689.1 Definition.
689.2 Wage rates.
689.3 Notices.

AUTHORITY: §§ 689.1 to 689.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 689.1 Definition.

The sugar manufacturing industry in Puerto Rico to which this part shall apply is defined as the production of raw sugar, cane juice, molasses and refined sugar, and incidental by-products; all railroad transportation activities carried on by a producer of any of these products (or by any firm owned or controlled by, or owning and controlling such producer, or by any firm owned or controlled by the parent company of such producer) where the railroad transportation activities are in whole or in part used for the production or shipment of the products of the industry; and any transportation activities by truck, vessel, or other vehicle performed by a producer of products of the industry in connection with the production or shipment of such products by such producer: *Provided, however,* That the industry shall not include any transportation activity covered by the wage order for the communications, utilities, and transportation industry in Puerto Rico (29 CFR Part 671), or any transportation activity to which the agricultural exemption contained in section 13(a)(6) of the Act is applicable.

§ 689.2 Wage rates.

The sugar manufacturing industry in Puerto Rico is divided into two classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a)(1) *General sugar classification.* $1.125 an hour.

(2) This classification shall be defined as all activities in the industry except those covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

(b)(1) *New-Coverage sugar classification.* $1.00 an hour.

(2) This classification shall be defined as all activities in the industry covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards Amendments of 1961.

§ 689.3 Notices.

Every employer subject to the provisions of § 689.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 689.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 16th day of November 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-11555; Filed, Nov. 20, 1962; 8:50 a.m.]

Title 44—PUBLIC PROPERTY AND WORKS

Chapter VIII—Office of the Secretary, Department of Commerce (Public Works Acceleration)

ESTABLISHMENT, ORGANIZATION, AND PROCEDURES

Chapter VIII of Title 44 of the Code of Federal Regulations relating to the establishment of standards and procedures under the Public Works Acceleration Act (Public Law 87-658) and Executive Order 11049 dated September 14, 1962, is issued to read as follows:

PART 801—ESTABLISHMENT

AUTHORITY: §§ 801.1 to 801.13 issued under sec. 3, Pub. Law 87-658, E.O. 11049, 27 F.R. 9203.

Subpart A—Introduction

§ 801.1 President's Executive Order.

Presidential Executive Order 11049 provides that the Secretary of Commerce shall assist the President in the carrying out of the Public Works Acceleration Act (Public Law 87-658). It also delegates to the Secretary certain authorities vested in the President by the Act, and prescribes that Federal departments and agencies receiving funds under the Act shall cooperate with the Secretary and follow rules, regulations, and procedures established by the Secretary.

§ 801.2 Definitions.

(a) *Secretary.* "Secretary" when used without further designation shall mean the Secretary of Commerce.

(b) *Act.* "Act" when used without other designation shall mean the Public Works Acceleration Act (Public Law 87-658).

(c) *State.* The term "State" when used in connection with the sponsorship of a public works project shall include those public entities, departments, instrumentalities, agencies, and authorities owned and controlled by a State and by and through which a State may provide public services and accommodations.

(d) *Local government.* The term "local government" when used in connection with the sponsorship of a public works project shall include municipalities, counties, and other sub-divisions of State governments and those public entities, departments, instrumentalities, agencies, and authorities owned and controlled by any such municipality, county, or other sub-division of State government and by and through which any such municipality, county, or sub-division of State government may provide public services and accommodations.

(e) *Agency.* The term "agency" when used without further designation shall mean any department, agency or instrumentality of the Federal government responsible for the construction of Federal public works projects or for the administration of laws authorizing Federal financial assistance to public works projects of State and local governments.

§ 801.3 Purpose.

The purpose of the Public Works Acceleration Act and the program authorized thereby is to assist those areas of the Nation which are burdened by the highest rates of unemployment and underemployment by providing immediate employment opportunities and enhancing the capabilities of these areas for economic growth.

Subpart B—Functions

§ 801.10 Allocation requests for Federal public works.

The head of each department, agency, and instrumentality of the Federal government responsible for the construction of Federal public works projects shall submit to the Secretary of Commerce allocation requests setting forth those Federal public works projects which have been authorized by Congress and which such department, agency, or instrumentality desires to initiate or accelerate in "eligible areas". Such requests should include a general description of each project or program to be initiated or accelerated, the location, and an estimate of the projected cost. All requests should be directed to the Administrator, Area Redevelopment Administration, Department of Commerce, Washington 25, D.C.

§ 801.11 Allocation requests for financial assistance to State and local government agencies.

The head of each department, agency, or instrumentality of the Federal government responsible for the administration of laws authorizing Federal financial assistance to public works projects of the State and local government shall submit to the Secretary of Commerce allocation requests setting forth estimates of the total Federal financial assistance which such department, agency, or instrumentality believes necessary to initiate or accelerate public works projects of State or local governments in eligible areas. All requests should be directed to the Administrator, Area Redevelopment Administration, Department of Commerce, Washington 25, D.C.

§ 801.12 Recommendations for allocation of funds to participating departments, agencies, and instrumentalities of the Federal government.

(a) The Area Redevelopment Administration of the Department of Commerce shall (1) review and evaluate all allocation requests received from participating Federal departments, agencies, and instrumentalities; (2) prepare comprehensive allocation proposals for the Secretary of Commerce; and (3) assist the Secretary of Commerce in developing recommendations to the President for the allocation of funds appropriated to carry out the Public Works Acceleration Act among the several participating departments, agencies, and instrumentalities.

(b) The Secretary of Commerce shall make recommendations to the President for the allocation of such funds.

§ 801.13 Maintenance of information and reporting.

(a) The Area Redevelopment Administration, Department of Commerce, shall maintain a list of those areas which the Secretary of Labor has designated for the current month as having been areas of substantial unemployment for at least nine (9) of the preceding twelve (12) months.

(b) The head of each department, agency or instrumentality of the Federal government participating in the accelerated public works program shall submit to the Area Redevelopment Administration, Department of Commerce, such periodic and special status reports and other information as the Secretary of Commerce or his representative shall request in order to fulfill those duties assigned to him under Executive Order 11049.

(c) In order to fulfill its responsibilities for evaluating and coordinating the Public Works Acceleration Program, the Area Redevelopment Administration shall (1) maintain current lists of eligible areas as defined in section 3(a) of the Public Works Acceleration Act; (2) maintain current records of all amounts allocated by the President under this Act; (3) maintain records of progress and accomplishments under such allocations; and (4) review such periodic and special status reports and other information as may be required of the several participating departments and agencies and prepare consolidations and statistical summaries, together with appropriate recommendations, to apprise the Secretary of the status of the public works acceleration program and to serve as the basis for the Secretary's recommendations to the President.

(d) The head of each agency shall be responsible for taking all possible steps to assure that all obligations for accelerated public works projects incurred by his agency adhere carefully to the restrictions and requirements of the Act, the allocation made by the President, and the approved program upon which such allocation was based. Particular care should be exercised that such projects do not merely replace public expenditures which would otherwise occur during the period. It is intended that funds allocated under the Act shall be supplementary to other Federal funds which otherwise would be expended in eligible areas and the Secretary or his representative may require as a part of the reports from agencies evidence that this objective is being accomplished to the fullest extent practicable.

(e) To enable the Secretary to carry out his responsibilities in assuring that adequate consideration is given to the relative needs of eligible areas, that the required benefits shall be made available to areas designated under section 5(b) of the Area Redevelopment Act, and that no more than 10 percent of all amounts allocated under the Act shall be made available for projects in any one State, each agency shall prior to making any final commitment with respect to funds for any project provide the Area Redevelopment Administration with a reasonable identification and description of the proposed project and shall receive notification from the Area Redevelopment Administration that such project is not inconsistent with the above requirements.

PART 802—USE OF ALLOCATED FUNDS

Subpart A—General Rules

Subpart B—Federal Projects

Subpart C—State and Local Projects

AUTHORITY: §§ 802.1 to 802.36 issued under sec. 3, Pub. Law 87-658, E.O. 11049, 27 F.R. 9203. Additional authority is cited in parentheses following the sections affected.

Subpart A—General Rules

§ 802.1 Eligible areas.

(a) For the purposes of this Act, the term "eligible area" means those areas which the Secretary of Labor designates each month as having been areas of substantial unemployment for at least nine of the preceding twelve months; and those areas which are designated by the Secretary of Commerce under subsections (a) and (b) of section 5 of the Area Redevelopment Act as "redevelopment areas".

(b) Public works projects must be located in an eligible area in order to qualify for assistance under the Act.

§ 802.2 Limitation to any State.

Not more than 10 percent of the total amount appropriated by Congress for the purposes of the Act shall be made available for public works projects within any one State.

§ 802.3 Time in which projects initiated.

To be eligible for assistance under the Act a project must be such as can be initiated or accelerated within a reasonably short period of time. Preference will be given to those projects which can be undertaken immediately following obligation of funds and with respect to all projects there must be reasonable assurance that on-site work will commence within 120 days after funds are obligated, subject only to conditions outside the control of the contracting parties, such as adverse weather conditions.

§ 802.4 Time in which projects can be completed.

To be eligible for assistance under the Act a project must be one with respect to which a substantial portion can be completed within twelve months after initiation or acceleration. This shall mean those projects for which there is reasonable assurance that the same may be more than half completed within twelve months after first employment of on-site labor.

§ 802.5 Essential public need.

To be eligible for assistance under the Act a project must be such as will meet an essential public need. In applying this standard, consideration may be given to the prospective effect of the project upon the health, safety and welfare of the citizens of the area, and the implementation of economic development.

§ 802.6 Contribution to reduction of local unemployment.

To be eligible for assistance under the Act a project must be such as will contribute significantly to the reduction of local unemployment. In applying this standard primary consideration shall be given to employment involved in the project construction. Supporting consideration may be given to the employment opportunities which may be created as a result of the completion of the project.

§ 802.7 Relationship to locally approved comprehensive plans.

To be eligible for assistance under the Act a project must not be inconsistent with locally approved comprehensive plans for the jurisdiction affected, wherever such plans exist. Many areas and communities have, pursuant to the Area Redevelopment Act and otherwise, developed and approved overall economic development programs, land use programs, and other plans for the orderly and effective promotion of the areas' best potentials. Where such plans and programs exist, projects assisted under the Act must not be in conflict therewith.

§ 802.8 School or other educational facility.

No part of any allocation made by the President under this Act shall be made

available for any planning or construction, directly or indirectly, of any school or other educational facility.

(Sec. 4, Public Law 87-658)

§ 802.9 Employment of local labor.

(a) For the purpose of advancing that objective of the Act to increase employment opportunities for the unemployed and underemployed within the eligible areas, every contractor and subcontractor undertaking to do work on any project assisted under the Act which is or reasonably may be done as on-site work shall be required to employ in carrying out such contract work qualified persons who regularly reside in the eligible area where such project is situated or in the labor market area as designated by the United States Department of Labor wherein such project is situated, except:

(1) To the extent that qualified persons regularly residing in the area are not available.

(2) For the reasonable needs of any such contractor or subcontractor, to employ supervisory or specially experienced individuals necessary to assure an efficient execution of the contract.

(3) For the obligation of any such contractor or subcontractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that in no event shall the number of non-resident persons employed under this subparagraph (3) exceed 20 percent of the total number of employees employed by such contractor and his subcontractors on such project.

(b) Every such contractor and subcontractor shall furnish the United States Employment Service office in the area in which the public works project is located with a list of all positions for which it may from time to time require laborers, mechanics and other employees.

(Sec. 2, Public Law 87-658)

Subpart B—Federal Projects

§ 802.20 Authorization by Congress.

The head of the department, agency, or instrumentality of the Federal government responsible for the construction of any Federal public works project to be initiated or accelerated pursuant to the terms of this Act shall, in addition to assuring compliance with the terms and conditions as set forth in Subpart A, determine that the Congress of the United States has previously authorized such project by class or item.

Subpart C—State and Local Projects

§ 802.30 General.

The heads of departments, agencies, and instrumentalities authorized by law to extend Federal financial assistance for public works projects of States and local governments may, subject to the terms and conditions of the Act, this chapter, and the law otherwise governing such departments, agencies, and instrumentalities as amended by the Act, use funds allocated under the Act for financial assistance for eligible public works projects.

§ 802.31 Grants to extent of 50 percent.

Except as hereinafter provided in § 802.32, grants-in-aid made from allocations under this Act with respect to projects otherwise qualified for assistance, may in the discretion of the head of any department, agency, or instrumentality of the Federal government administering an authorized grant-in-aid program be extended in such amount as shall not exceed 50 percent of the cost of such project: *Provided further, however,* That where existing legislation permits a grant-in-aid in excess of 50 percent of the cost of a project, then a grant-in-aid under this Act may not exceed the percentage of the cost of such a project allowable under such existing grant-in-aid program except as authorized by § 802.32. In determining the cost of a project the department or agency extending the financial assistance shall be guided by the policies and standards applicable to its regular programs of assistance.

§ 802.32 When grants-in-aid over 50 percent.

(a) Grants-in-aid from allocations under this Act with respect to projects otherwise qualified for assistance, may be extended in an amount up to 75 percent of the cost of a project in those eligible areas where the State or local government does not have economic and financial capacity to assume all of the additional financial obligations required as evidenced by the incidence of unemployment or low family income. In determining the maximum grant which may be made within any eligible area, the head of a participating Federal agency shall utilize the following criteria:

Criteria for establishing maximum grant	*Maximum grant (percent)*
Three times the national average unemployment rate for 4 out of 4 years (1958, 1959, 1960, 1961) or median family income under $1,600	75
Two times the national average unemployment rate for 4 out of 4 years (1958, 1959, 1960, 1961) or median family income $1,600 or above but less than $1,700	66
Two times the national average unemployment rate for 3 out of 4 years (1958, 1959, 1960, 1961) or median family income $1,700 or above but less than $1,800	58

(b) The Area Redevelopment Administration will maintain a current list of "Maximum Grants-in-Aid for Eligible Areas" which list shall be kept available for public inspection during the regular business hours of the Department of Commerce.

(c) In determining the exact percentage of the grant in excess of 50 percent to be made available for each particular project, the head of the participating Federal agency shall consider the net revenues which should be available to the borrower from fair user charges generated by the project and reduce the grant percentum accordingly.

§ 802.33 State or local share as extra effort.

As a condition to the extension of any financial assistance under this Act, any State or local government making application shall be required to:

(a) Certify to the head of the participating agency that the proposed or planned total expenditure (exclusive of Federal funds) of such State or local government for all its capital improvement projects has been increased for the fiscal year in which the assisted project is to be initiated by an amount approximately equal to the non-Federal funds required to be made available for such public works project; and

(b) Submit such supporting documents which the participating Federal agency may require to determine that the planned or proposed increase in capital improvement expenditures will occur.

(Sec. 4, Public Law 87-658)

§ 802.34 Not for relocating industry.

Whenever the project for which financial assistance is sought is undertaken principally to assist the establishment or expansion of commercial or industrial plants and facilities and the head of the participating agency has reason to believe that such establishment or expansion is being created with the intention of closing down or reducing the operations of an existing business entity in the area of its original location or in any other area where it conducts similar operations, financial assistance shall not be extended under this Act.

§ 802.35 Application forms.

Application for financial assistance under this Act shall be made directly to the Federal agency responsible for the administration of the law authorizing Federal financial assistance to the particular public works project to be initiated, and shall be made by filing the regular agency application form together with such additional information which may be required by such participating agency.

§ 802.36 Report forms.

Every State and local government receiving assistance under the terms of this Act shall file with the participating Federal agency such periodic status report setting forth such information as shall be requested by the participating agency.

In accordance with the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) it has been found that notice and hearing on the foregoing Chapter VIII of Title 44 of the Code of Federal Regulations is unnecessary for the reason that all matters therein relate to agency management, personnel, loans, grants or benefits; and for the reason that because of the nature of these rules, such notice and hearing would serve no useful purpose. The provisions of Chapter VIII of Title 44 are effective October 24, 1962.

Dated November 14, 1962.

EDWARD GUDEMAN,
Acting Secretary of Commerce.

[F.R. Doc. 62-11532; Filed, Nov. 20, 1962; 8:47 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER S—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

[CGFR 62-43]

PART 171—STANDARDS FOR NUMBERING

Virgin Islands' System of Numbering Approved

Acting under the authority delegated by Treasury Department Order 167-32 dated September 23, 1958 (23 F.R. 7605), the Commandant, United States Coast Guard, on November 1, 1962, approved the Virgin Islands' system for numbering of motorboats.

As provided in this approval, the Virgin Islands' system shall be operative on and after November 15, 1962. On that date the authority to number motorboats principally used in the Virgin Islands passes to the Government of Virgin Islands. The temporary exemption for motorboats in the Virgin Islands from the numbering requirements in the Federal Boating Act of 1958, published in the FEDERAL REGISTER on April 24, 1962 (27 F.R. 3887), is canceled, effective November 15, 1962.

On and after November 16, 1962, the reports of "boating accidents" which involve motorboats numbered in the Virgin Islands, which were required to be reported to the Coast Guard, will be reported to the Commissioner of Commerce, Virgin Islands, Charlotte Amalie, St. Thomas, Virgin Islands, pursuant to the Act No. 902 of the Fourth Legislature of the Virgin Islands, Sixth Special Session, 1962, and implementing Rules and Regulations for Numbering and Operation of Motorboats.

Because the amendment to § 171.10-1(b), as set forth in this document, is an informative rule about official acts performed by the Commandant, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rulemaking procedures thereon, and effective date requirements thereof) is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), and 167-17 dated June 29, 1955 (20 F.R. 4976), to promulgate rules in accordance with the statutes cited with the informative rule below, the following amendment is prescribed:

In § 171.10-1 *To whom made*, paragraph (b) is amended by inserting in the list of States having approved numbering systems the name "Virgin Islands" to follow after the State of "Virginia."

(Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545, 5 U.S.C. 1002, 14 U.S.C. 633)

Dated: November 16, 1962.

[SEAL] D. McG. MORRISON,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 62-11542; Filed, Nov. 20, 1962; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Salton Sea National Wildlife Refuge, California; Correction

In Federal Register Document 62-10532, appearing on page 10297 of the issue for Saturday, October 20, 1962, paragraphs (b) and (c) of § 32.12, special hunting regulations for migratory game birds on the Salton Sea National Wildlife Refuge, California, should read as follows:

(b) Open season—All species: From 12 noon to sunset December 8 and from one-half hour before sunrise to sunset December 9, 12, 15, 16, 19, 22, 23, 25, 26, 29, 30 and January 1, 2, 5, 6, 1963, provided that the season for taking Canada geese shall close at sunset December 25, 1962.

(c) Bag limits: Coots 25, ducks 5, geese 6, (except Ross's geese). The daily bag limit on ducks may not include more than 1 wood duck and 1 hooded merganser. In addition to the limits on other ducks the daily bag limit on American and red-breasted mergansers is 5, singly or in the aggregate of both kinds. The daily bag limit on geese may not include more than 1 Canada goose or subspecies.

A. V. TUNISON,
Acting Director.

NOVEMBER 16, 1962.

[F.R. Doc. 62-11538; Filed, Nov. 20, 1962; 8:48 a.m.]

Proposed Rule Making

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 16,464]

HOUSING FACILITIES FOR THE AGING

Notice of Proposed Rule Making

NOVEMBER 15, 1962.

Resolved that, in order to give effect to the provisions of section 901(c) of the Housing Act of 1961 relating to loans to finance housing facilities for the aging, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), it is hereby proposed that Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) be amended by adding a new section to said Part, § 545.6–16, the substance of which is as follows:

§ 545.6–16 Housing facilities for the aging.

(a) *General provisions.* Subject to the provisions of this section and the provisions of paragraph (a) of § 541.12 of this chapter, a Federal association may, if permitted by the terms of its charter, invest in installment loans or participating interests therein which are secured by real estate improved by multiple housing accommodations designed for the purpose of providing accommodations for occupancy by aging persons over fifty-five years of age, or of providing rest homes or nursing homes, so constructed or altered as to be suitable primarily for the occupancy of aging persons over fifty-five years of age, and limited principally to the occupancy of such persons. Said authority shall be exercised by a Federal association only by the making of loans in accordance with the provisions of this section. Such loan plans, practices and procedures, not inconsistent with this section or with other provisions of this part otherwise applicable to such loans, as may be used in the making of such loans, are hereby approved by the Board.

(b) *Basic limitations.* (1) A Federal assocation may make or invest in loans, or participating interests therein, under this section only when (i) the real estate security is located within such association's regular lending area, (ii) the loans are made on a monthly installment basis and (iii) the aggregate amount of the investments made under this section does not at any one time exceed 5 percent of the association's assets.

(c) *Limitations on specific loans.* (1) The principal obligation of each such loan shall be specified in the security instrument with respect to such loan and shall not exceed (i) 75 percent of the value of such real estate security therefor, if the loan is not an insured loan as defined in § 541.15 of this chapter, or (ii), the maximum percentage of the value of such real estate security acceptable to the insuring agency, if such loan is an insured loan as so defined. Each such loan shall be repayable monthly within 25 years or, if an insured loan, within the period acceptable to the insuring agency.

(2) A Federal association shall not make any loan pursuant to this section unless and until it has obtained a statement signed by the borrower or, if the borrower is a trust, partnership, corporation, or syndicate, signed by its authorized officer or agent, certifying that the security property has been, or as a result of such loan will be, constructed or altered to provide housing accommodations suitable primarily for aging persons over fifty-five years of age or to provide a rest home or a nursing home for such persons and certifying that, as long as such loan is outstanding, occupancy of such property will be limited principally to occupancy by aging persons over fifty-five years of age.

(3) A Federal association shall not make any loan on existing housing accommodations for the aging, rest homes or nursing homes pursuant to this section unless and until it has obtained evidence from the appropriate state or local authorities that the security property has been approved by such authorities, for occupancy by aging persons over fifty-five years of age or, if applicable, as a rest home or a nursing home for such persons. In any jurisdiction where such facilities are not subject to regulation under state or local laws or ordinances, a Federal association shall not make any loan pursuant to this section unless and until it has obtained a statement signed by an architect or, in the absence of an architect, such other qualified person as the board of directors of the association may designate certifying that the security property is designed primarily to provide housing accommodations for aging persons over fifty-five years of age or, if applicable, to provide a rest home or nursing home for such persons. If the security property is to be constructed or altered as a result of a loan made pursuant to this section, a Federal association shall not make such a loan unless and until it has obtained evidence from the appropriate state or local authorities that the plans and specifications for the construction or alteration comply with all applicable state and local laws or ordinances and that the security property, if completed according to such plans and specifications, will be approved by such authorities for occupancy by aging persons over fifty-five years of age or, if applicable, for occupancy as a rest home or a nursing home for such persons. If the security property to be constructed or altered as a result of the loan is located in a jurisdiction where such facilities are not subject to regulation under state or local laws or ordinances, a Federal association shall not make any loan pursuant to this section unless and until it has obtained a statement signed by an architect or, in the absence of an architect, such other qualified person as the board of directors of the association may designate, certifying that he has inspected the plans and specifications for the construction or alteration and certifying that the security property, if constructed or altered according to such plans and specifications, will be designed primarily to provide housing accommodations for aging persons over fifty-five years of age or, if applicable, to provide a rest home or a nursing home for such persons. Notwithstanding any other provision of this subparagraph (3), if the loan is an insured loan as defined in § 541.15 of this chapter, the association may accept the determination of the insuring agency as evidence of compliance with the requirements of this subparagraph (3).

(d) *Relationship to the other provisions of the regulations.* Except as expressly provided by this section, the exercise of any authority conferred on or vested in any Federal association by this section shall be subject to, and limited or restricted by, all other provisions of this part: *Provided,* That loans or investments made pursuant to this section shall not be included in the aggregate amount of investments referred to in § 545.6–7.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendments should be adopted as proposed; (2) whether said proposed amendments should be modified and adopted as modified; (3) whether said proposed amendments should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington 25, D.C., not later than December 24, 1962, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN, *Secretary.*

[F.R. Doc. 62–11540; Filed, Nov. 20, 1962; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 148]

[Docket No. 33991]

POSTING OF FREIGHT TARIFFS AT STATIONS

Denial of Petition for Proposed Rule Making

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D.C., on the 9th day of November A.D. 1962.

By petition filed February 1, 1962 the Railway Labor Executives' Association through their Counsel, Mulholland, Robie & Hickey, 620 Tower Building, Washington 5, D.C., prays amendment (27 F.R. 1776) of Rule 33 of Tariff Circular No. 20 to provide (1) that when a tariff is filed which abolishes or curtails a type of freight service at a station or stations, (a) there shall be included with such tariff during the thirty-day period prior to the effective date thereof a simple narrative statement explaining the meaning and intended effect of the tariff and setting forth the right to protest the tariff before the Board of Suspension, (b) publication of the tariff and accompanying narrative statement on three nonconsecutive days during the first ten days of the thirty-day statutory notice period in a newspaper of general circulation in each county of each state wherein a station at which such type of freight service is to be abolished or curtailed is located, and (c) maintenance of a bulletin board in a conspicuous place available to the public at each station at which such type of freight service is to be abolished on which such tariff and accompanying narrative statement shall be displayed during the thirty-day statutory notice period; (2) require tariffs to be posted at least thirty days before their effective date in accordance with the rule as amended in (a), (b), and (c); and (3) prohibition of a shorter period of notice to the public than thirty days for tariffs which abolish or curtail a type of freight service at a station or stations, or, in the alternative, the matter be assigned for public hearing. A full investigation of the matters and things set forth in the petition and of the statements in opposition to the amendment sought filed by the Association of Oil Pipe Lines, the Railroads of the United States (joint statement by the Chairman, Traffic Executive Association-Eastern Railroads, Chairman, Executive Committee-Western Traffic Association, and Chairman, Southern Freight Association), and The National Industrial Traffic League, having been made, which petition and statements in opposition thereto are hereby referred to and made a part hereof, and the Commission, Division 2, being of the opinion that amendment of Rule 33 to the extent and in the manner prayed would impose a burden upon the carriers subject to the provisions of said rule not shown to be justified or necessary in the public interest:

It is ordered, That the petition be, and it is hereby, denied.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, *Secretary*.

[F.R. Doc. 62-11535; Filed, Nov. 20, 1962; 8:47 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 348]

ARIZONA

Notice of Filing of Plat of Survey

NOVEMBER 9, 1962.

1. Plat of survey of the lands described below will be officially filed in the Land Office, Phoenix, Arizona, effective at 10:00 a.m. on December 15, 1962:

GILA AND SALT RIVER MERIDIAN

T. 8 N., R. 12 W.,
Sec. 1, lots 1, 2, 3, 4, S½;
Sec. 2, lots 1, 2, 3, 4, S½;
Sec. 3, lots 1, 2, 3, 4, S½;
Sec. 4, lots 1, 2, 3, 4, S½;
Sec. 9;
Sec. 10;
Sec. 11;
Sec. 12;
Sec. 13;
Sec. 14;
Sec. 15;
Sec. 16;
Sec. 17, lots 1, 2, 3, 4, 5, 6, 7, SE¼, S½NE¼, SE¼NW¼, E½SW¼;
Sec. 19, lots 1, 2, 3, 4, 5, 6, 7, SE¼, S½NE¼, SE¼NW¼, E½SW¼;
Sec. 20;
Sec. 21;
Sec. 22;
Sec. 23;
Sec. 24;
Sec. 25;
Sec. 26;
Sec. 27;
Sec. 28;
Sec. 29;
Sec. 30, lots 1, 2, 3, 4, E½, E½W½;
Sec. 31, lots 1, 2, 3, 7, 8, 9, 10, NE¼, E½NW¼, NE¼SW¼, N½SE¼ (corrected supplemental plat accepted September 21, 1962);
Sec. 33, lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, NE¼, E½NW¼;
Sec. 34, lots 1, 2, 3, 4, N½, N½S½;
Sec. 35;
Sec. 36.

Within the above described area are 18,665.43 acres.

2. Available data indicates that the lands in T. 8 N., R. 12 W., are rough and broken with a sandy and rocky soil.

3. The above described lands are opened to application, selection and petition, as outlined in the foregoing paragraphs. No application for these lands will be allowed under the Homestead, Desert Land, Small Tract, or any other nonmineral public land law, unless the lands have already been classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of applicable law, rules, and regulations, the lands described are hereby opened to file applications and selections in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs.

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on December 15, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing. Persons claiming preference rights based on valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

ROY T. HELMANDOLLAR,
Manager.

[F.R. Doc. 62-11525; Filed, Nov. 20, 1962; 8:46 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

NOVEMBER 13, 1962.

The Bureau of Reclamation of the Department of the Interior has filed an application, Serial Number Colorado 096885, for the withdrawal from public entry, under the first form of withdrawal, as provided by section 3 of the Act of June 17, 1902 (32 Stat. 388), certain public lands in the sections and townships described below.

The applicant desires the land for reclamation purposes in connection with the Green Mountain Afterbay, Colorado-Big-Thompson Project.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Colorado Land Office, Gas and Electric Building, 910 15th Street, Denver 2, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands affected are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 2 S., R. 80 W.,
Sec. 3, W½W½;
Sec. 4, SE¼NE¼; E½SE¼;
Sec. 9, E½NE¼; NE¼SE¼;
Sec. 10, SW¼NE¼; NW¼NW¼; S½NW¼; SW¼; W½SE¼.

The above-described area aggregates approximately 720 acres.

J. ELLIOTT HALL,
Manager, Land Office,
Denver.

[F.R. Doc. 62-11526; Filed, Nov. 20, 1962; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

1963 CROP SUGAR BEET WAGES AND PRICES IN STATES OTHER THAN CALIFORNIA AND DESIGNATION OF PRESIDING OFFICERS

Notice of Hearings

Pursuant to the authority contained in sections (c) (1) and (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and as further amended by Public Law 87-535 and Public Law 87-539, and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq), notice is hereby given that public hearings will be as follows:

At Denver, Colorado, on December 7, in the Century Room, Cosmopolitan Hotel, at 9:30 a.m.;

At Fargo, North Dakota, on December 10, in the Student Lounge Room, Library Building, North Dakota State University, beginning at 10 a.m.;

At Detroit, Michigan, on December 12, in the Cass Room, Pick-Fort Shelby Hotel, beginning at 9:30 a.m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1), pursuant to the provisions of section 301(c)(1) of the Act, fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugar beets for the 1963 crop in States other than California, on farms with respect to which applications for payments under the Act are made, and (2), pursuant to the provisions of section 301(c)(2) of the Act, fair and reasonable prices for the 1963 crop of

sugar beets in States other than California, to be paid under purchase or toll agreements by producers who process sugar beets grown by other producers and who apply for payments under the Act.

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

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

W. S. Stevenson, W. N. Garrott, and R. S. Berberich are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearings.

Signed at Washington, D.C., on November 16, 1962.

ROBERT G. LEWIS
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-11566; Filed, Nov. 20, 1962; 8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-2845]

WONDERBOWL, INC.

Order Canceling Hearing and Making Suspension Permanent

NOVEMBER 15, 1962.

The Commission, by order dated July 24, 1962, having temporarily suspended the Regulation A exemption of Wonderbowl, Inc., 7805 Sunset Boulevard, Los Angeles 46, California, pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, and Wonderbowl, Inc., having requested a hearing upon the allegations set forth in the aforementioned order, and the Commission by order dated August 29, 1962, having ordered a hearing in the above-entitled matter, pursuant to section 3(b) of the Securities Act of 1933, as amended, and the applicable provisions thereunder, to commence on October 11, 1962 at 10:00 a.m., P.s.t., at the Los Angeles Branch Office of the Commission, Room 309 Guaranty Building, 6331 Hollywood Boulevard, Los Angeles 28, California, before a hearing officer to be designated, and said hearing having been postponed until November 15, 1962, and

The company having requested a withdrawal of its request for a hearing, and the Division of Corporation Finance and the San Francisco Regional Office not objecting thereto,

It is ordered, That the request for hearing be, and it hereby is, deemed withdrawn.

It is further ordered, That the hearing in this matter scheduled for November 15, 1962, be, and it hereby is, canceled.

Pursuant to the provisions of Rule 261(b) of Regulation A, the suspension of the Regulation A exemption from registration under the Securities Act of 1933, as amended, with respect to the proposed public offering of securities by the company becomes permanent.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 62-11528; Filed, Nov. 20, 1962; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Consideration

Notice is hereby given that the Bureau of the Census is planning to conduct its usual annual survey of inventories covering 29 canned and bottled products, including vegetables, fruits, juices, and fish as of December 31, 1962 under the provisions of the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225. This survey, together with the previous surveys, provides the only continuing source of information on stocks of the specified canned foods held by wholesalers and in warehouses of retail multi-unit organizations.

On the basis of information received by the Bureau of the Census, these data will have significant application to the needs of the public, industry and the distributive trades, and governmental agencies and are not publicly available from nongovernmental or other governmental sources.

Such survey, if conducted, shall begin not earlier than 30 days after publication of this notice in the FEDERAL REGISTER.

Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multi-unit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measurable reliability. These stocks will be measured in terms of actual cases with separate data requested for "all sizes smaller than No. 10" and for "sizes No. 10 or larger."

Copies of the proposed forms and a description of the collection methods are available upon request to the Director, Bureau of the Census, Washington 25, D.C.

Any suggestions or recommendations concerning the subject matter of this proposed survey should be submitted in writing to the Director of the Census within 30 days after the date of this publication and will receive consideration.

RICHARD M. SCAMMON,
Director, Bureau of the Census.

[F.R. Doc. 62-11529; Filed, Nov. 20, 1962; 8:47 a.m.]

Office of the Secretary

[Dept. Order 89 (Rev.)]

PATENT OFFICE

Organization and Functions

The following order was issued by the Secretary of Commerce on October 15, 1962. This material together with the Organization and Function Supplement to Department Order 89 (Revised), of October 31, 1962, supersedes the material appearing at 25 F.R. 65-66 of January 5, 1960.

SECTION 1. *Purpose.* The purpose of this order is to delegate authority to the Commissioner of Patents and to describe the general functions of the Patent Office.

SEC. 2. *General.*

.01 The Patent Office is a primary organization unit of the Department of Commerce headed by a Commissioner of Patents, who is assisted by a first assistant commissioner and two assistant commissioners. Each is appointed by the President with the advice and consent of the Senate.

.02 The first assistant commissioner, or, in the event of a vacancy in that office, the assistant commissioner senior in date of appointment, shall fill the Office of the Commissioner during a vacancy in that office until a Commissioner is appointed and takes office. In the absence or unavailability of the Commissioner and the assistant commissioners, the Solicitor of the Patent Office may perform the duties of the Commissioner.

.03 The Patent Office was first established as an independent bureau under the direction of a Commissioner of Patents by the general revision of patent laws enacted by Congress July 4, 1836 (5 Stat. 117). It became a bureau of the Department of Commerce by Executive Order of April 1, 1925, in accordance with the authority contained in the act of February 14, 1903 (32 Stat. 830). When the patent laws were codified as Title 35, United States Code, effective January 1, 1953, the Patent Office was continued as a bureau (a primary organization unit) under the jurisdiction of the Secretary of Commerce.

SEC. 3. *Delegation of authority.*

.01 Pursuant to the authority vested in the Secretary of Commerce by Title 35 U.S.C. 3 and 6, Reorganization Plan No. 5 of 1950, and subject to such policies and directives as the Secretary of Commerce or the Assistant Secretary for Science and Technology may prescribe, the Commissioner of Patents is hereby delegated the authority vested in the Secretary under Title 35, U.S. Code and Chapter 22 of Title 15, U.S. Code and other applicable laws with respect to the granting of patents for inventions and the registration of trademarks.

.02 In addition, the Commissioner of Patents is hereby authorized to perform the functions prescribed by Executive Order 10096 as amended by Executive Order 10930 and heretofore performed by the Government Patents Board and the Chairman thereof.

.03 The Commissioner of Patents may redelegate his authority to appropriate officials of the Patent Office subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 4. *General functions.* The Patent Office shall perform the following functions:

1. Examine applications to ascertain if applicants are entitled to patents or trademark registrations under the law.
2. Grant patents and certificates of trademark registration.
3. Maintain the Principal and Supplemental registers of trademark registrations.
4. Publish issued patents and trademark registrations and various publications concerning them.
5. Maintain a scientific library for the use of examiners and a public search room.
6. Maintain a subject matter classification of U.S. patents and non-patent literature for use in making searches for novelty of invention.
7. Perform the functions formerly assigned to the Government Patents Board.
8. Any other functions necessary and proper in the exercise of the authority delegated herein.

SEC. 5. *Organization and assignment of functions.* An Organization and Function Supplement to this order, prescribing the organization and assignment of functions within the Patent Office, shall be developed and issued by the Commissioner of Patents, with the approval of the Assistant Secretary for Science and Technology and the Assistant Secretary for Administration.

SEC. 6. *Saving provision.* All rules, regulations, orders, certificates, and delegations of authority issued by or relating to the Patent Office or any official thereof shall remain in effect until specifically revoked or amended by proper authority.

Effective date: October 15, 1962.

HERBERT W. KLOTZ,
Assistant Secretary for Administration.

[F.R. Doc. 62-11530; Filed, Nov. 20, 1962; 8:47 a.m.]

[Dept. Order 89 (Rev.)]

PATENT OFFICE

Organization and Functions

This material together with Department Order No. 89 (Revised) of October 15, 1962 supersedes the material appearing at 25 F.R. 65-66 of January 5, 1960.

SEC. 1. *Purpose.* The purpose of this Organization and Function Supplement is to prescribe the organization structure and to assign functions within the Patent Office.

SEC. 2. *Organization.* The Patent Office shall consist of the following organization units:

1. Office of the Commissioner of Patents:

Commissioner of Patents.
Office of the Solicitor.
Office of Legislative Planning.
Office of Planning and Program Evaluation.
First Assistant Commissioner.
Assistant Commissioner.
Assistant Commissioner for Research.

2. Board of Appeals.
3. Board of Patent Interferences.
4. Patent Examining Corps:

Office of Examining Control.
Chemical Examining Operation.
Electrical Examining Operation.
General Engineering and Industrial Arts Examining Operation.
Mechanical Engineering Examining Operation.

5. Trademark Trial and Appeal Board.
6. Trademark Examining Operation.
7. Office of Administration:

Budget and Finance Division.
Management Programs Division.
Personnel Division.
General Services Division.

8. Office of Information Services.
9. Office of Research and Development.
10. Office of Patent Classification.
11. Scientific Library.

SEC. 3. *Functions of the Office of the Commissioner of Patents.*

.01 The Commissioner determines the policies and directs the programs of the Patent Office and is responsible for the conduct of all activities of the Patent Office.

.02 The Assistant Commissioners shall perform the duties pertaining to the Office of the Commissioner assigned to them by the Commissioner. The attached chart showing the organization of the Patent Office approved by this order reflects major assignments of functions to the Assistant Commissioners by the Commissioner, under his prior and continuing authority, which are as follows:

1. The First Assistant Commissioner provides administrative and policy direction to the Board of Appeals, the Board of Patent Interferences and the Patent Examining Corps.
2. The Assistant Commissioner provides administrative and policy direction to the Trademark Trial and Appeal Board, Trademark Examining Operation, Office of Administration and Office of Information Services.
3. The Assistant Commissioner for Research provides administrative and policy direction to the Office of Research and Development, the Office of Patent Classification, and Scientific Library.

.03 Functions reserved in the immediate Office of the Commissioner, as indicated below, are conducted by the following three components of that office:

1. Office of the Solicitor as chief legal officer for the Patent Office, the Solicitor and his professional associates comprising this office handle all litigation to which the Commissioner is a party and all other required legal services, including advice and assistance on legislative matters.
2. Office of Legislative Planning makes studies and advises the Commissioner on matters which may require legislative action and, with advice and assistance of Solicitor, prepares necessary legislation and supporting reports; makes studies and advises the Commissioner on international patent matters.
3. Office of Planning and Program Evaluation generates and develops over-all Patent Office plans and evaluates the effectiveness of various segments of the Patent Office in their implementation of these plans.

SEC. 4. *Board of Appeals.* The Board of Appeals is responsible for conducting hearings and rendering decisions on appeals from adverse decisions of examiners as to the patentability of inventions claimed in patent applications.

SEC. 5. *Board of Patent Interferences.* The Board of Patent Interferences conducts patent interferences proceedings and makes final determination in the Patent Office as to priority of invention.

SEC. 6. *Patent Examining Corps.* The Patent Examining Corps is responsible for the examination of patent applications. The Corps comprises five major components, namely: Office of Examining Control, Chemical Examining Operation, Electrical Examining Operation, Mechanical Engineering Examining Operation, General Engineering and Industrial Arts Examining Operation.

1. Office of Examining Control develops procedures and quality and quantity standards relating to the conduct of the examination function; evaluates examiner compliance with such standards; trains new examiners in patent practice and procedures; and issues instructions regarding all procedures.
2. Each Examining Operation examines patent applications falling in its generic category (Chemical, Electrical, Mechanical Engineering, or General Engineering and Industrial Arts, respectively). An Examining Operation comprises a number of groups each representing a broad field of invention within its category and having jurisdiction over several examining divisions.

SEC. 7. *Trademark Trial and Appeal Board.* The Trademark Trial and Appeal Board is responsible for hearing and deciding adversary proceedings involving interfering applications, oppositions to registration, cancellation petitions, and concurrent use proceedings, and for hearing and deciding appeals from final refusals of the trademark examiners to allow the registration of trademarks.

SEC. 8. *Trademark Examining Operation.* The Trademark Examining Operation is responsible for the classification and examination of applications for the registration of trademarks and service marks and the maintenance of the principal and supplemental registers of trademarks.

SEC. 9. *Office of Administration.* The Office of Administration is responsible for over-all Patent Office administrative functions. These functions are carried out, as indicated, in the following divisions which constitute the Office of Administration:

1. Budget and Finance Division provides staff assistance in the development,

application and execution of budgetary and fiscal policies and programs; conducts accounting operations for revenue, trust funds, and the Patent Office appropriation; and administers payroll and related employee accounts.

2. Management Programs Division provides staff assistance in planning and implementing changes and innovations for improvements in systems, methods, organization, equipment use, and management practices; conducts forms, records, reports, and data processing systems management programs; and, assists in planning and procuring printing and publications.

3. Personnel Division administers activities relating to recruitment, placement, employee relations, training and employee development, incentive awards, performance rating, and position classification and wage administration.

4. General Services Division reviews incoming applications for compliance as to form, assigns applications to appropriate examining units, issues patent grants, records instruments transferring property rights in patents and trademarks, provides drafting services, furnishes copies of patents and office records, opens and routes mail for the office, answers correspondence of a general nature, maintains a search room for public use in searching and examining patents, furnishes the supply and service needs of the office, and provides data processing services.

SEC. 10. *Office of Information Services.* The Office of Information Services advises and represents the Commissioner on public information matters, and subject to the policy direction and guidance of the Department's Office of Public Information, conducts information programs fostering public knowledge of and benefit from the American patent system and the functions and services of the Patent Office.

SEC. 11. Office of Research and Development. The Office of Research and Development conducts research on the organization of information for novelty searching and develops retrieval systems, including computer assisted systems, for the use of information by Patent Office examiners and the scientific community.

SEC. 12. Office of Patent Classification. The Office of Patent Classification is responsible for developing a system for the classification of patents in the various useful arts and insuring the effective use of this system in the classification of issued patents.

SEC. 13. Scientific Library. The Scientific Library is responsible for obtaining and bringing pertinent technical and scientific information to the attention of patent and trademark examiners and to interested segments of the public.

Effective date: October 31, 1962.

HERBERT W. KLOTZ,
Assistant Secretary for Administration.

[F.R. Doc. 62-11531; Filed, Nov. 20, 1962; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 115-1]

ELK RIVER DEMONSTRATION REACTOR PROGRAM PROJECT

Notice of Authorization for Operation

Please take notice that, pursuant to the provisions of Paragraph 4.A. of Provisional Operating Authorization No. DPRA-3, Allis-Chalmers Manufacturing Company has been authorized to load fuel and to operate the Elk River Reactor located near the village of Elk River, Minnesota at steady-state power levels not exceeding 58.2 thermal megawatts in the manner described and subject to the provisions set forth in the authorization.

Based upon reports of inspection by a representative of the Division of Compliance, it is found that construction of the facility has been completed in conformity with the construction authorization, the application, as amended, the technical specifications prescribed in the authorization, the provisions of the Act, and the rules and regulations of the Commission.

Notice of issuance of Provisional Operating Authorization No. DPRA-3 was issued on November 6, 1962.

Dated at Germantown, Md., this 10th day of November 1962.

For the Atomic Energy Commission.

R. LOWENSTEIN,
Director, Division of Licensing and Regulation.

[F.R. Doc. 62-11517; Filed, Nov. 20, 1962; 8:45 a.m.]

[Docket No. 50-20]

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

Notice of Issuance of Amendment To Utilization Facility License

Please take notice that the Atomic Energy Commission has issued Amendment No. 5, set forth below, to Facility License No. R-37. The license authorizes Massachusetts Institute of Technology ("the licensee") to operate its research reactor ("the facility") located in Cambridge, Massachusetts. The amendment, as requested by the licensee's application for amendment dated April 20, 1962 and supplement thereto dated October 1, 1962, (1) increases the amount of contained uranium-235 which may be received, possessed, and used in connection with operation of the facility from 12 kilograms to 14.0 kilograms, (2) increases the Commission's allocation to the licensee of contained uranium-235 for use in connection with operation of the facility from 11.63 kilograms to 30.5 kilograms, and (3) revises the schedule of transfers of special nuclear material between the licensee and the Commission. The licensee has requested the increases (1) to reflect a more accurate estimate of fuel requirements at presently authorized power levels, and (2) to enable the licensee to have on hand and available sufficient fuel for operation at increased power levels, an application for which the licensee has indicated will be submitted to the Commission.

The Commission has found that:

(1) Conduct of the proposed activities in accordance with the license as amended will not present an undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application dated April 20, 1962 and supplement thereto dated October 1, 1962 comply with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter 1, CFR;

(3) The licensee is financially qualified to assume financial responsibility for payment of Commission charges for the special nuclear material to be furnished by the Commission and to undertake and carry out the proposed use of such material for a reasonable period of time; and

(4) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since conduct of the proposed activities in accordance with the license, as amended, does not present any hazards to the health and safety of the public significantly different from those considered and evaluated in connection with the previously approved operation.

Within fifteen days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details see (1) the application for amendment dated April 20, 1962 and supplement thereto dated October 1, 1962, and (2) a related hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

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

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[License No. R-37; Amdt. No. 5]

License No. R-37 issued to Massachusetts Institute of Technology is hereby amended in the following respects:

1. Paragraph 1.b. is amended in its entirety to read as follows:

b. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to receive, possess and use 14.0 kilograms of contained uranium-235 in connection with operation of the facility. These activities shall be conducted in accordance with the applicable procedures and conditions in License No. R-37, as amended, "the application" as defined in Amendment No. 4 to License No. R-37 and the application for amendment dated April 20, 1962, and supplement thereto dated October 1, 1962.

2. Paragraph 4. is revised in its entirety to read as follows:

4. Pursuant to § 50.60 of the regulations in Chapter I, CFR, Part 50, the Commission has allocated to MIT, for use in connection with operation of the facility, 30.5 kilograms of contained uranium 235. Estimated schedules of special nuclear material transfers to MIT and returns to the Commission are contained in Appendix "A" which is attached hereto. Shipments by the Commission to MIT in accordance with column 2 in Appendix "A" will be conditioned upon MIT's return to the Commission of material substantially in accordance with column 3 of Appendix "A".

3. Appendix "A" to Facility License No. R-37 is revised in its entirety to read as the new Appendix "A" attached hereto.

4. This amendment is effective as of the date of issuance.

Date of issuance: November 13, 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

APPENDIX "A"

TO MASSACHUSETTS INSTITUTE OF TECHNOLOGY, FACILITY LICENSE NO. R-37

[Estimated schedule of transfers of special nuclear material from the Commission to Massachusetts Institute of Technology and to the Commission from MIT]

(1) Date of transfer (Fiscal year)	(2) Transfers from AEC to MIT [1] (Kgs. U-235)	(3) Returns by MIT to AEC Irrad.[2] (Kgs-U-235)	(4) Net yearly distribution (Kgs. U-235)	(5) Cumulative distribution. (Kgs. U-235)
Thru-62	10.0	[3] 1.6	8.4	8.4
1963	5.9	3.5	2.4	10.8
1964	0	2.7	(2.7)	8.1
1965	4.1	2.7	1.4	9.5
1966	3.4	2.7	0.7	10.2
1967	3.4	2.7	0.7	10.9
1968	3.4	2.7	0.7	11.6
1969	3.4	2.7	0.7	12.3
1970	3.4	2.7	0.7	13.0
1971	3.4	2.7	0.7	13.7
1972	3.4	2.7	0.7	14.4
1973	3.4	2.7	0.7	15.1
1974	3.4	2.7	0.7	15.8
1975	3.4	2.7	0.7	16.5
1976	3.4	2.7	0.7	17.2
1977	3.4	2.7	0.7	17.9
1978	3.4	2.7	0.7	18.6
1979	3.4	2.7	0.7	19.3
1980	3.4	2.7	0.7	20.0
1981	3.4	2.7	0.7	20.7
1982	3.4	2.7	0.7	21.4
1983	3.4	2.7	0.7	22.1
1984	3.4	2.7	0.7	22.8
1985	3.4	2.7	0.7	23.5
1986	3.4	2.7	0.7	24.2
1987	3.4	2.7	0.7	24.9
1988	3.4	2.7	0.7	25.6
1989	3.4	2.7	0.7	26.3
1990	3.4	2.7	0.7	27.0
1991	3.4	2.7	0.7	27.7
1992	3.4	2.7	0.7	28.4
1993	3.4	2.7	0.7	29.1
1994	3.4	2.7	0.7	29.8
1995	3.4	2.7	0.7	30.5
1996	0	2.7	(2.7)	27.8
1997	0	3.0	(3.0)	24.8
	122.0	97.2	24.8	----------

[1] 93 percent.
[2] Approximately 88 percent.
[3] Recoverable cold scrap at 93 percent for Thru-62 only.

[F.R. Doc. 62-11518; Filed, Nov. 20, 1962; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14144; Order E-19017]

NORTHEAST AIRLINES, INC.

Proposed Passenger Fares; Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of November 1962.

By tariff revisions,[1] marked to become effective November 16, 1962, Northeast proposes to increase its propeller first-class fares in the carrier's non-competitive New England markets by approximately 4.75 percent. Non-competitive fares from New England to other points on Northeast's system would also be increased by amounts ranging from approximately 2 to 4.75 percent.

In support of its proposal Northeast states that its revised fares will result in over-all advantages to the public; that traffic growth will not be prevented; that the over-all charges (fare plus tax) to the public will be reduced or remain equal; and that revenues to the carrier will be increased. In Northeast's view, its proposal is necessitated by the fact that its New England operations have been uneconomic and unprofitable that increased revenues would decrease the losses incurred in such regional operations.

Northeast's proposal would effect substantial increases in fares which in many instances are already comparatively high. Although it is generally believed that Northeast's New England operations are unprofitable, no actual data have been furnished in support of fare increases of the magnitude here proposed. Moreover, it may be appropriate to view Northeast's operations as a whole in passing upon this extensive series of regional fare increases and we are not persuaded by the data and information available that the carrier's system cannot be operated profitably at current fare levels. Accordingly, the Board finds that the fares proposed by Northeast may be unjust ,or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, and should be investigated. In view of the substantial questions raised by these proposals, we have concluded to suspend their effectiveness pending investigation.[2]

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, particularly sections 204(a) and 1002 thereof,

It is ordered, That:

1. An investigation is instituted to determine whether the fares, other than those bearing the black dot reference mark denoting no change, on 26th Revised Page 205, 25th Revised Page 206, 24th Revised Page 207, and 25th Revised Page 208 of Agent C. C. Squire's C.A.B. No. 44, are, or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful fares.

2. Pending hearing and decision by the Board, the fares, other than those bearing the black dot reference mark denoting no change, on 26th Revised Page 205, 25th Revised Page 206, 24th Revised Page 207, and 25th Revised Page 208 of Agent C. C. Squire's C.A.B. No. 44, so far as applicable to interstate air transportation, are suspended and their use deferred to and including February 13, 1963, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

4. Copies of this order shall be filed with the tariff and shall be served upon Northeast Airlines, Inc., and upon the States of Maine, New Hampshire, and Vermont, which are hereby made parties in this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-11541; Filed, Nov. 20, 1962; 8:48 a.m.]

[1] Revisions to Agent C. C. Squire's C.A.B. No. 44 filed October 15, 1962.

[2] A late telegraphic complaint requesting suspension of Northeast's fare increases was filed November 9, 1962, on behalf of the States of Maine, New Hampshire, and Vermont by their respective Aeronautics Commissions and Board.

FEDERAL COMMUNICATIONS COMMISSION

[List No. 41; FCC 62-1180]

STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

NOVEMBER 15, 1962.

Notice is hereby given, pursuant to § 1.354(c) of the Commission rules, that on December 27, 1962, the standard broadcast applications listed below will be considered as ready and available for processing. Pursuant to § 1.106(b)(1) and § 1.361(c) of the Commission rules, an application, in order to be considered with any application appearing below or with any other application on file by the close of business on December 26, 1962, which involves a conflict necessitating a hearing with an application on this list, must comply with the interim criteria governing acceptance of standard broadcast applications set forth in the Note to § 1.354 of the Commission rules and be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on December 26, 1962, or (b) the earlier effective cut-off date which a listed application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast application pursuant to section 309(d)(1) of the

Communications Act of 1934, as amended, is directed to § 1.359(i) of the Commission rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: November 14, 1962.

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

APPENDIX

APPLICATIONS FROM THE TOP OF THE PROCESSING LINE

BP-15145 New, Vega Baja, P.R.
Raul Santiago Roman.
Req: 1460 kc, 500 w, 1 kw-LS, U.

BP-15148 New, Ketchikan, Alaska.
South Eastern Alaska Broadcasters, Inc.
Req: 620 kc, 500 w, 1 kw-LS, U.

BP-15149 New, Port Gibson, Miss.
Southwestern Broadcasting Co. of Mississippi.
Req: 1320 kc, 500 w, Day.

BP-15150 WJQS, Jackson, Miss.
Dumas Milner Broadcasting Co.
Has: 1400 kc, 250 w, U.
Req: 1400 kc, 250 w, 1 kw-LS, U.

BP-15151 New, DePere, Wis.
Tedesco, Inc.
Req: 1520 kc, 1 kw, 10 kw-LS, DA-2, U.

BP-15157 New, Herndon, Va.
Virginia-Potomac Broadcasting Corp.
Req: 1440 kc, 5 kw, DA, Day.

BP-15158 New, Herndon, Va.
Colchester Broadcasting Corp.
Req: 1440 kc, 1 kw, DA, Day.

BP-15159 WEMD, Easton, Md.
Easton Broadcasting Co.
Has: 1460 kc, 500 w, DA, Day.
Req: 1460 kc, 500 w, 1 kw-LS, DA-2, U.

BP-15166 KOXR, Oxnard, Calif.
Oxnard Broadcasting Corp.
Has: 910 kc, 1 kw, DA, Day.
Req: 910 kc, 1 kw, 5 kw-LS, DA-2 U.

BP-15167 WETB, Johnson City, Tenn.
Press, Inc.
Has: 790 kc, 1 kw, Day.
Req: 790 kc, 1 kw, 5 kw-LS, DA-2, U.

BP-15168 WABR, Winter Park, Fla.
Contemporary Broadcasting Co., Inc.
Has: 1440 kc, 5 kw, Day.
Req: 1440 kc, 1 kw, 5 kw LS, DA-N, U.

BP-15171 New, Hastings, Nebr.
K Bar J, Inc.
Req: 1550 kc, 500 w, Day.

BP-15172 New, Honolulu, Hawaii.
Lawrence T. Kagawa.
Req: 1420 kc, 5 kw, U.

BP-15174 WHHT, Lucedale, Miss.
Tri-County Broadcasters, Inc.
Has: 1440 kc, 1 kw, Day.
Req: 1440 kc, 5 kw, Day.

BP-15176 New, Saltville, Va.
Saltville Broadcasting Corp.
Req: 1080 kc, 500 w, Day.

BP-15181 New, South St. Paul, Minn.
South St. Paul Broadcasting Co.
Req: 1370 kc, 500 w, DA, Day.

BP-15182 New, Rochester, Minn.
WBIZ, Inc.
Req: 1520, kc, 1 kw, Day.

BP-15188 WENO, Madison, Tenn.
Central Broadcasting Corp.
Has: 1430 kc, 5 kw, Day.
Req: 1430 kc, 1 kw, 5 kw LS, DA-N, U.

BP-15189 WJBL, Holland, Mich.
Ottawa Broadcasting Corp.
Has: 1260 kc, 5 kw, DA, Day.
Req: 1260 kc, 1 kw, 5 kw LS, DA-2, U.

BP-15190 New, Holdenville, Okla.
Canadian River Broadcasting Co.
Req: 1370 kc, 500 w, Day.

BP-15191 New, Sioux Falls, S. Dak.
Sioux Empire Broadcasting Co.
Req: 1520 kc, 1 kw, 500 w(CH), Day.

BP-15192 WPVL, Painesville, Ohio.
WPVL, Inc.
Has: 1460 kc, 500 w, Day.
Req: 1460 kc, 1 kw, DA, Day.

BP-15193 WKTQ, South Paris, Maine.
Oxford Broadcasting Corp.
Has: 1450 kc, 250 w, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-15199 WFTG, London, Ky.
London Broadcasting Co., Inc.
Has: 1400 kc, 250 w, S. H.
Req: 1400 kc, 250 w, 1 kw-LS, S. H.

BP-15200 KLWT, Lebanon, Mo.
Lebanon Broadcasting Co.
Has: 1230 kc, 250 w, U.
Req: 1230 kc, 250 w, 1 kw-LS, U.

BP-15201 New, Sutton, W. Va.
Braxton Broadcasting Co.
Req: 1490 kc, 250 w, U.

BP-15214 New, Danville, Pa.
Montour County Broadcasting Co.
Req: 1570 kc, 1 kw, Day.

BP-15218 KSAM, Huntsville, Tex.
Huntsville Broadcasting Co.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.

BP-15219 KSMA, Santa Maria, Calif.
John I. Groom and James Hagerman.
Has: 1240 kc, 250 w, U.
Req: 1240 kc, 250 w, 1 kw-LS, U.

BP-15222 WMIQ, Iron Mountain, Mich.
Iron Mountain-Kingsford Broadcasting Co.
Has: 1450 kc, 250 w, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-15223 New, Smithville, Tenn.
Center Hill Broadcasting Corp., Inc.
Req: 1480 kc, 1 kw, Day.

BP-15224 KAKE, Wichita, Kans.
KAKE-TV and Radio, Inc.
Has: 1240 kc, 250 w, U.
Req: 1240 kc, 250 w, 1 kw-LS, U.

BP-15226 New, Moulton, Ala.
Lawrence County Broadcasting Co.
Req: 1530 kc, 1 kw, 250 w(CH), Day.

BP-15227 WMIC, St. Helen, Mich.
Bel Enterprises.
Has: 1590 kc, 500 w, Day.
Req: 1590 kc, 5 kw, DA, Day.

BP-15228 New, Williams, Ariz.
Frank S. Barc, Jr.
Req: 1370 kc, 500 w, Day.

BP-15231 WHOC, Philadelphia, Miss.
William Howard Cole.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.

BP-15232 New, Honolulu, Hawaii.
Paul C. Schafer.
Req: 1460 kc, 500 w, U.

BP-15233 New, New Port Richey, Fla.
Jasmin Properties, Inc.
Req: 1500 kc, 250 w, Day.

BP-15234 KHAR, Anchorage, Alaska.
Sourdough Broadcasters, Inc.
Has: 590 kc, 5 kw. U.
Req: 640 kc, 50 kw, DA-N, U.

BP-15236 New, Alexander City, Ala.
Radio Alexander City.
Req: 1470 kc, 500 w, Day.

BP-15238 WCJU, Columbia, Miss.
WCJU, Inc.
Has: 1450 kc, 250 w, U.
Req: 1450 kc, 250 w, 1 kw-LS, U.

BP-15239 WGWC, Selma, Ala.
Robert J. Martin.
Has: 1340 kc, 250 w, U.
Req: 1340 kc, 250 w, 1 kw-LS, U.

BP-15241 NEW, Kingsport, Tenn.
Model City Broadcasting Corp.
Req: 1090 kc, 1 kw, Day.

BP-15248 NEW, Waverly, Tenn.
Humphreys County Broadcasting Co.
Req: 1540 kc, 1 kw, 500 w (CH), Day.

BP-15249 NEW, Trumann, Ark.
Adrian L. White.
Req: 1530 kc, 250 w, Day.

BP-15251 KFML, Denver, Colo.
Colorado Televents, Inc.
Has: 1390 kc, 1 kw, Day.
Req: 1390 kc, 5 kw, Day.

BP-15253 WHAV, Haverhill, Mass.
WHAV Broadcasting Co., Inc.
Has: 1490 kc, 250 w, U.
Req: 1490 kc, 250 w, 1 kw-LS, U.

BP-15254 KOCA, Kilgore, Tex.
A. E. McCubbin.
Has: 1240 kc, 250 w, U.
Req: 1240 kc, 250 w, 1 kw-LS, U.

BP-15259 WAPI, Birmingham, Ala.
Newhouse Broadcasting Corp.
Has: 1070 kc, 5 kw, 50 kw-LS, DA-2, U.
Req: 1070 kc, 5 kw, 50 kw-LS, DA-N, U.

BP-15262 KRLN, Canon City, Colo.
Royal Gorge Broadcasters, Inc.
Has: 1400 kc, 250 w, S.H.
Req: 1400 kc, 250 w, 1 kw-LS, S.H.

[F.R. Doc. 62-11559; Filed, Nov. 20, 1962; 8:50 a.m.]

[Docket Nos. 14803-14805; FCC 62M-1527]

FRANKLIN COUNTY BROADCASTING CO., INC.

Order Canceling Hearing

In re applications of Franklin County Broadcasting Company, Inc., Owensville, Missouri, Docket No. 14803, File No. BP-14539; Franklin County Broadcasting Company, Inc. (KYRO), Potosi, Missouri, Docket No. 14804, File No. BP-14541; Franklin County Broadcasting Company, Inc. (KLPW), Union, Missouri, Docket No. 14805, File No. BP-14548; for construction permits.

The Hearing Examiner having been advised that the applicant herein is this date filing an appropriate petition to dismiss the subject applications;

It is ordered, This 15th day of November 1962, that the prehearing conference heretofore scheduled for November 16, 1962, and the hearing heretofore scheduled for December 19, 1962, are hereby canceled, and this matter is held in abeyance pending such further orders as may be appropriate.

Released: November 16, 1962.

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

[F.R. Doc. 62-11560; Filed, Nov. 20, 1962; 8:51 a.m.]

[Docket No. 14841; FCC 62M-1523]

VERNE M. MILLER

Order

In re application of Verne M. Miller, Crystal Bay, Nevada, Docket No. 14841, File No. BP-14706; for construction permit.

It is ordered, This 14th day of November 1962, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 9, 1963, in Washington, D.C.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, December 14, 1962.

Released: November 15, 1962.

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

[F.R. Doc. 62-11561; Filed, Nov. 20, 1962; 8:51 a.m.]

[Docket No. 14840; FCC 62M-1522]

MITCHELL BROADCASTING CO.

Order Scheduling Hearing

In re application of Mitchell Broadcasting Company, Estherville, Iowa, Docket No. 14840, File No. BP-15283; for construction permit.

It is ordered, This 14th day of November 1962, that Forest L. McClenning will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 9, 1963, in Washington, D.C.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, December 14, 1962.

Released: November 15, 1962.

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

[F.R. Doc. 62-11562; Filed, Nov. 20, 1962; 8:51 a.m.]

[Docket Nos. 14818-14823; FCC 62M-1530]

TIPTON COUNTY BROADCASTERS (WKBL) ET AL.

Order Continuing Prehearing Conference

In re applications of Robert C. Whiteley, Jr. & Katharine Whiteley d/b as Tipton County Broadcasters (WKBL), Covington, Tennessee, Docket No. 14818, File No. BR-2982; Shelby County Broadcaster's Inc. (WHEY), Millington, Tennessee, Docket No. 14819, File No. BR-3656, for renewal of license; Earl W. Daly, tr/as Jonesboro Broadcasting Service, Jonesboro, Arkansas, Docket No. 14820, File No. BP-13617; Day-Phil Broadcasting Company, Blytheville, Arkansas, Docket No. 14821, File No. BP-13705; Earl W. Daly, tr/as West Helena Radio Service, West Helena, Arkansas, Docket No. 14822, File No. BP-14063; Huntingdon Broadcasting Company, Huntingdon, Tennessee, Docket No. 14823, File No. BP-14556, for construction permits.

The Examiner having an informal request on behalf of all the parties herein that the prehearing conference presently scheduled for November 26, 1962, be rescheduled for December 18, 1962;

It is ordered, This 16th day of November 1962, that the prehearing conference heretofore scheduled for November 26, 1962, is postponed to December 18, 1962, at the Commission's offices in Washington, D.C., at 10:00 a.m.

Released: November 16, 1962.

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

[F.R. Doc. 62-11563; Filed, Nov. 20, 1962; 8:51 a.m.]

[Docket Nos. 14844, 14845; FCC 62-1179]

TRI-COUNTY BROADCASTING CO., INC. (WIFM) AND RESSIE M. SHELTON

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Tri-County Broadcasting Company, Incorporated (WIFM), Elkin, North Carolina, has 1540 kc, 250 w, Day, requests 1540 kc, 1 kw, 500 w (CH), Day, Docket No. 14844, File No. BP-14,789; Ressie M. Shelton, Pilot Mountain, North Carolina, requests 1530kc, 1kw, 250w (CH), Day, Docket No. 14845, File No. BP-15,282; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 14th day of November 1962;

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

It appearing that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially, and otherwise qualified to construct and operate the instant proposals; and

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

1. The proposals involve mutual 10 kc removed interference which, standing alone, does not place either proposal in violation of any Commission rule but which, when combined with interference from all other sources, would result in a contravention of § 3.28(d)(3) by the proposal of Ressie M. Shelton.

2. The proposed operation of Ressie M. Shelton would cause objectionable interference to the existing operation of Station WIFM, Elkin, North Carolina.

3. The proposal of Ressie M. Shelton would cause to and receive interference from the proposals of Wilkes Broadcasting Company, BP-14,288, WIDU Broadcasting, Inc., BP-14,348, and AL-OR Broadcasting Company, BP-15,051. The latter three proposals have already been designated for hearing. The proposal of Ressie M. Shelton was not consolidated because it was not timely filed with the three aforementioned proposals. Accordingly, they will also be made parties to this proceeding.

4. It cannot be determined that the proposed antenna system of Tri-County Broadcasting Company, Incorporated would be reasonably free of deleterious effects with nearby structures since no recent site photograph has been submitted.

It further appearing that the proposed operations of Tri-County Broadcasting Company, Incorporated and Risden Allen Lyon (BP-14,661, Docket No. 14,390) will involve slight mutual interference, that the interference noted will not place either proposal in violation of any Commission rule; and that, accordingly, in the event of a grant of the Tri-County application, the construction permit shall be conditioned on acceptance of any interference that may result from a subsequent grant of the former application; and

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

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

1. To determine the areas and populations which would receive primary service from the proposal of Ressie M. Shelton and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WIFM and the availability of other primary service to such areas and populations.

3. 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 either of the instant proposals.

4. To determine whether the instant proposal of Ressie M. Shelton would cause objectionable interference to the proposals of Wilkes Broadcasting Company, BP-14,288, WIDU Broadcasting, Inc., BP-14,348, AL-OR Broadcasting Company, BP-15,051 and to Station WIFM, Elkin, North Carolina or to 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.

5. To determine whether interference received from all sources would affect more than ten percent of the population within the normally protected primary service area of the instant proposal of Ressie M. Shelton in contravention of § 3.28(d)(3) of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said Section.

6. To determine whether the transmitter site proposed by Tri-County Broadcasting Company, Incorporated is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would distort the proposed antenna radiation pattern.

7. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which, if either, of the proposals would better provide a fair efficient and equitable distribution of radio service.

8. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the instant applications should be granted.

It is further ordered, That Tri-County Broadcasting Company, Incorporated, licensee of Station WIFM, is made a party to the proceeding with respect to its existing operation.

It is further ordered, That, Wilkes Broadcasting Company, WIDU Broadcasting, Inc., and AL-OR Broadcasting Company, respectively, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the application of Tri-County Broadcasting Company, Incorporated, the construction permit shall contain the following conditions:

Permittee shall accept any interference received in the event of a subsequent grant of the application of Risden Allen Lyon, BP-14,661.

Permittee shall submit, with the application for license, antenna resistance measurements made in accordance with § 3.54 of the Commission's rules.

Licensee shall take appropriate measurements to insure that the existing FM antenna system will not cause undesirable reradiation effects because of its proximity to the standard broadcast antenna system.

It is further ordered, That a grant of either or both of the applications, in this proceeding prior to a final decision in Docket No. 14419 will be conditioned as follows: Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities the present provisions of § 3.87 of the Commission rules are not extended to this authorization, and such operation is precluded.

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

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

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: November 16, 1962.

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

[F.R. Doc. 62-11564; Filed, Nov. 20, 1962; 8:51 a.m.]

[Docket No. 14839; FCC 62M-1521]

SOUTHWESTERN BROADCASTING CO. OF MISSISSIPPI (WAPF)

Order Scheduling Hearing

In re application of Albert Mack Smith, Phillip Dean Brady and Louis Alford, A Partnership, d/b as The Southwestern Broadcasting Company of Mississippi (WAPF), McComb, Mississippi, Docket No. 14839, File No. BP-14576; for construction permit.

It is ordered, This 14th day of November 1962, that Annie Neal Huntting will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 17, 1963, in Washington, D.C.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Tuesday, December 18, 1962.

Released: November 15, 1962.

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

[F.R. Doc. 62-11565; Filed, Nov. 20, 1962; 8:51 a.m.]

CIVIL SERVICE COMMISSION

POSITIONS FOR WHICH THERE IS DETERMINED TO BE A MANPOWER SHORTAGE

Notice of Listing

Under the provisions of Public Law 86-587, the Civil Service Commission has determined that there is a manpower shortage for the following:

Series code and grade	Position	Location	Effective date
GS-1530-5 and 7	Statistician	Nationwide	Nov. 14, 1962
GS-1530-5 and 7	do	Baltimore metropolitan area, Aberdeen and Edgewood, Md.	Oct. 16, 1962

Travel and transportation expenses may be paid for appointees to their duty station for the positions as listed below.

Any such payments as a result of this determination must be made in accordance with travel regulations issued by the Bureau of the Budget.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 62-11558; Filed, Nov. 20, 1962; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-6670]

NORTHERN ELECTRIC COOPERATIVE

Notice of Application

NOVEMBER 13, 1962.

Take notice that on June 29, 1962, the Northern Electric Cooperative (Applicant), Opheim, Montana, filed an application to revise its authority to export electric energy from the United States to Canada.

By order of January 18, 1957, Applicant was authorized to export up to 50,000 kwh of electric energy per year, at a maximum rate of transmission of 80 kw (combined annual aggregate rate) at four points on the international border between the United States and Canada pursuant to section 202(e) of the Federal Power Act. The Northern Electric Cooperative also received a permit pursuant to Executive Order No. 10485, dated September 3, 1953, to construct, operate, maintain and connect facilities at four points on the international border for the transmission of such energy.

Applicant now seeks to amend its permit to eliminate authorization to construct, operate, maintain and connect a transmission facility at one of the four points which was to be located in section 2, Township 37 North, Range 36 East, Montana Principal Meridian as the need for the facility has not developed. Applicant also seeks to change its authorization under section 202(e) of the Federal Power Act to provide for export of up to 57,000 kwh of electric energy per year, at a combined annual aggregate maximum rate of 60 kw.

Any person desiring to be heard or to make any protest with reference to said application should, on or before December 4, 1962, file with the Federal Power Commission, Washington 25, D.C., a petition or protest in accordance with the Commission's rules of practice and pro-

cedure. The application is on file and available for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11549; Filed, Nov. 20, 1962; 8:49 a.m.]

[Docket No. G-14762 etc.]

J. E. JONES DRILLING CO. ET AL.

Order Making Successor in Interest Corespondent, Accepting Successor's Undertakings, and Redesignating Proceedings

NOVEMBER 13, 1962.

J. E. Jones Drilling Company (Operator), et al., Docket, No. G-14762[1] and Sohio Petroleum Company (Operator), et al., Docket No. RI61-466; J. E. Jones Drilling Company and Sohio Petroleum Company, Docket No. RI61-474.

On June 20, 1962, Sohio Petroleum Company (Sohio) filed a motion requesting (1) that, as of May 1, 1962, Sohio be made co-respondent with J. E. Jones Drilling Company (Jones) in Docket Nos. G-14762, RI61-466, and RI61-474 since Sohio has acquired the assets, properties and rights covered by Jones' FPC Gas Rate Schedules Nos. 1, 2, and 3, to which the subject proceedings relate;[2] and (2) that Sohio's agreements and undertakings, filed concurrently with the motion, be accepted to assure refund of any excess charges which might be determined by a final order in Docket Nos. G-14762, RI61-466, and RI61-474 to have accrued subsequent to May 1, 1962.

Concurrent with the filing of the above-mentioned motion, Sohio filed its Certificate of Adoption of Rate Schedules (notices of succession) covering Jones' FPC Gas Rate Schedules Nos. 1, 2, and 3, as supplemented. By letter of August 2, 1962, the adoption was accepted for filing and Jones' FPC Gas Rate Schedules Nos. 1, 2, and 3, as supplemented, were redesignated as Sohio's FPC Gas Rate Schedules Nos. 73, 74, 75, as supplemented, respectively.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act and the Regulations thereunder that Sohio be made co-respondent with Jones in Docket Nos. G-14762, RI61-466, and RI61-474, that Sohio's agreements and undertakings be accepted for filing and made effective as hereinafter ordered, and that the proceedings in Docket Nos. G-14762, RI61-466, and RI61-474 be redesignated accordingly.

The Commission orders:

(A) Sohio Petroleum Company is hereby joined as co-respondent with J. E. Jones Drilling Company in the proceedings in Docket Nos. G-14762, RI61-466, and RI61-474, and such proceedings are redesignated accordingly.

(B) The agreements and undertakings submitted by Sohio Petroleum Company on June 20, 1962, in Docket Nos. G-14762, RI61-466, and RI61-474 are hereby accepted for filing, effective as of May 1, 1962, and such agreements and undertakings shall assure refund of any excess charges which might be determined by a final order in such proceedings to have accrued subsequent to May 1, 1962. Such agreements and undertakings shall remain in full force and effect until discharged by the Commission.

(C) Sohio Petroleum Company shall comply with the refunding and reporting procedures required by the Natural Gas Act and § 154.102 of the regulations thereunder.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11550; Filed, Nov. 20, 1962; 8:49 a.m.]

[Docket Nos. G-3046 etc.]

JOSEPH S. MORRIS ET AL.

Applications To Amend Certificate Authorizations; Correction

NOVEMBER 9, 1962.

Joseph S. Morris, et al., Docket Nos. G-3046 etc.; F. A. Callery, Inc., Docket No. G-2795; Cabot Corporation (formerly Godfrey L. Cabot, Inc.), Docket No. G-5236; Cabot Corporation, Docket No. G-10673; The Atlantic Refining Company, Docket No. G-12170; Cabot Corporation, Docket No. CI62-1547; F. A. Callery, Inc., et al., Docket No. CI62-1560.

In the Notice of Applications To Amend Certificate Authorizations, issued November 1, 1962 and published in the FEDERAL REGISTER November 8, 1962 (F.R. Doc. 62-11158; 27 F.R. 10919).

In the first paragraph:

Line 26, change name of Applicant opposite Docket No. G-12170 from "Socony Mobil Oil Company, Inc." to "The Atlantic Refining Company."

Line 52, after Docket No. CI62-1547, add footnote "3"; also add a footnote "4", which reads, "Construed as a petition to amend authorization in Docket No. G-2795".

After CI62-1560, change footnote "3" to "4".

Add as last item, "F. A. Callery, Inc., Docket No. G-2795".

Second column, paragraph 4, change Docket No. and Amendment Date from G-5236, CI62-1560, 6-28-62 to G-2795, CI62-1560, 6-28-62.

Second column, add new paragraph 5 to read as follows:

G-5236, CI62-1547, 6-25-62; Piney Coking Coal Land Company, Wells, Slab Fork District, Raleigh County, West Virginia; Atlantic Seaboard Corporation; Supplement No. 3 to FPC Gas Rate Schedule No. 7.

Second column, paragraph 13, change Amendment Date under Docket No. G-10673 from 8-8-62 to 7-16-62.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11551; Filed, Nov. 20, 1962; 8:49 a.m.]

[Docket Nos. G-15250 etc.]

SHELL OIL CO. ET AL.

Notice of Applications, Date of Hearing, and Severance; Correction

NOVEMBER 2, 1962.

In the Notice of Applications and Date of Hearing and Notice of Severance, issued October 9, 1962, and published in the FEDERAL REGISTER on October 16, 1962 (F.R. Doc. 62-10255; 27 F.R. 10134): In the last paragraph of the above Notice, listing the docketed proceedings thereby severed from the Area Rate Proceeding designated as Docket No. AR61-2: Change "CI61-14" to "CI60-14."

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11552; Filed, Nov. 20, 1962; 8:49 a.m.]

[Docket Nos. CP63-12, CP63-13]

MISSISSIPPI RIVER TRANSMISSION CORP. AND MISSISSIPPI RIVER FUEL CORP.

Notice of Applications, Consolidation and Date of Hearing

NOVEMBER 16, 1962.

Take notice that on July 16, 1962, as supplemented September 24, 1962, Mississippi River Transmission Corporation (Transmission) filed an application in Docket No. CP63-12, pursuant to section 7(c) of the Natural Gas Act, for authorization to acquire and operate the pipeline facilities of Mississippi River Fuel Corporation (Fuel). Transmission, an affiliate of Fuel, presently owns and operates a natural gas pipeline system in the States of Illinois and Missouri, serving utility distribution customers in the Greater St. Louis area. Fuel owns and operates a natural gas pipeline system in the States of Texas, Louisiana, Arkansas, Missouri, and Illinois, serving utility distribution customers and direct industrial customers at points along its system but principally in the Greater St. Louis area. It is these pipeline facilities that Transmission seeks to acquire.[1] The two systems are presently interconnected at a point in the Greater St. Louis area for the purpose of effecting gas exchanges; thus, Transmission alleges, the pipeline operations of both companies can be combined into a single system without the construction of any additional facilities.

Fuel's gas production and exploration activities are carried on by its Natural Gas and Oil Division and gas it produces from Sligo and Hico-Knowles Fields in North Louisiana is presently being taken into Fuel's pipeline system as part of its overall gas supply to meet the requirements of its customers. Fuel proposes to retain its production properties but, as set forth in its application of July 16, 1962, in Docket No. CP63-13, it will sell the gas produced from the aforementioned fields to Transmission under new gas purchase contracts. Fuel, in Docket

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[1] The proceeding in Docket No. G-14762 has been consolidated with the proceeding in Docket No. AR61-1.

[2] Docket No. G-14762 relates to Rate Schedule No. 2, Docket No. RI61-466 relates to Rate Schedules Nos. 1, and 2, and Docket No. RI61-474 relates to Rate Schedule No. 3.

[1] Also includes common stock and receivables of Storage Corporation, a wholly owned subsidiary of Fuel.

No. CP63-13 is seeking only certification of these proposed gas sales which provide for initial prices of 13.70 cents per Mcf, of which 1.33 cents is tax reimbursement, for the Hico-Knowles Field gas and 14.-167 cents per Mcf, of which 1.661 cents is tax reimbursment, for the Sligo Field working interest gas and 13.5 cents per Mcf for the royalty interest gas.

Transmission's acquisition of Fuel's pipeline facilities will be effectuated by the formers issuing to the latter 2,950,000 shares of common stock, par value $1 per share, and $30,000,000 principal amount of Ten-Year 5 percent Sinking Fund Debentures.

Upon acquisition of the pipeline facilities, Transmission will continue to render its present service and will also continue the services formerly rendered by Fuel. In this regard Transmission proposes three new rate schedules for service to the combined Transmission-Fuel customers, subsequent to the acquisition, namely Rate Schedules CD-1, I-1 and S-1. Rate Schedule CD-1 will be for firm service of the usual demand and commodity type and is similar to, and will replace, Tranmission's CQ-1 and Fuel's F-1 rate schedules. Rate Schedule I-1 will be for interruptible service, essentially the same as that presently being rendered by both companies. Rate Schedule S-1 will be for stand-by service to Arkansas Louisiana Gas Company, near Pine Bluff, Arkansas, as formerly rendered by Fuel. The proposed rate levels are as follows:

Rate Schedule CD-1	$2.12 demand, 23 cents commodity.
Rate Schedule I-1	34 cents per Mcf.
Rate Schedule S-1	$200 per month, plus 34 cents per Mcf.

The General Terms and Conditions of the proposed rate schedules are generally modeled after Transmission's present tariff, except as to pressure base. Transmission's present tariff is at 14.73 p.s.i.a., saturated. Fuel's is at 14.9 p.s.i.a., dry The proposed new tariff is at 14.73 p.s.i.a., dry.

These matters are interrelated and should be disposed of on a consolidated record, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on March 25, 1963, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

Protests or petitions to intervene in these consolidated proceedings may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 7, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11539; Filed, Nov. 20, 1962; 8:48 a.m.]

[Docket Nos. G-13183 etc.]

PLACID OIL CO. ET AL.

Order Approving Offer of Settlement Severing Proceedings and Conditionally Reissuing Permanent Certificates of Public Convenience and Necessity

NOVEMBER 14, 1962.

Placid Oil Company, et al., Docket No. G-13183, et al.; Sun Oil Company Docket Nos. G-13710, G-14254, G-15122.

Sun Oil Company has filed a proposed settlement of the controversies attendant to certificate applications in its above-captioned proceedings. These proceedings were remanded to us as a result of judicial review of certificate orders issued on September 4, 1958, and August 10, 1959. Transcontinental Gas Pipe Line Corp., 20 FPC 264, remanded, P.S.C. of N.Y. v. F.P.C., 361 U.S. 195; Sun Oil Company, 22 FPC 351, remanded, United Gas Improvement Co. v. F.P.C., 290 F. 2d 133 (CA5), cert. den. 368 U.S. 823. They have been consolidated with other remanded south Louisiana certificate cases in Placid Oil Company, et al. (Docket Nos. G-13183, et al.). Those consolidated proceedings have been heard, but still await decision by the Presiding Examiner.

Sun filed its proposal on September 18, 1962. A number of parties[1] filed answers suggesting revisions in Sun's proposal. On October 15, 1962, Sun filed an amended offer of settlement reflecting the substance of all the suggested revisions but one, which was formally withdrawn after clarifying negotiations. On September 26, 1962, the Superior Oil Company, another applicant in Placid Oil Company, et al. supra (but not a party to any of Sun's proceedings), filed an answer to Sun's proposal objecting to "the severance of Sun from this consolidated docket". Superior's answer fails to demonstrate any basis for its claims of prejudice, and its objections are without merit. No party objects to Sun's proposal, which may be summarized as follows.

Docket No.; R.S. No.; Settlement Price; and Buyer

G-13710; 92; 20.625 cents Mcf; Transcontinental Gas Pipe Line Corp.

G-14254; 101; 19.0; Transcontinental Gas Pipe Line Corp.

G-15122; 114; 20.625; United Gas Pipe Line Co.

Sun's proposal is patterned upon and in accordance with other settlements which we very recently approved in Texaco Inc., 28 FPC (order issued July 30, 1962, in Docket Nos. G-13169, et al.). It provides for immediate rate reductions; for the two-thirds refund formula approved by us in Texaco, supra, as to periods prior to July 1, 1962; and for 100 percent refunds for the period since July 1, 1962. As a further feature of the settlement proposal Sun will withdraw its increased rate filing in Docket No. RI62-483.

We find the proposed settlement to be in the public interest for the reasons we stated in Texaco, supra, and without reference to the record upon rehearing in these proceedings. Accordingly it is necessary and appropriate that we sever the dockets of Sun from Docket Nos. G-13183, et al., pass on the merits of the settlement proposals, and thereby promptly establish the reduced purchase price under the affected rate schedules. No party has objected to waiver of intermediate decision in these proceedings.

The Commission further finds:

(1) Sun Oil Company (the applicant) is a natural-gas company within the meaning of the Natural Gas Act, as heretofore found, and is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission.

(2) The sales of natural gas proposed by Sun's applications, as amended, are subject to the jurisdiction of the Commission, and such sales, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Sun is able and willing properly to do the acts and to perform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The sales proposed by Sun in the above-captioned dockets, together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public convenience and necessity and are in the public interest upon the conditions set forth below, and certificates should be issued as ordered below effective as of the date of initial delivery.

(5) The conditions attached to the certificates herein issued are required by the public convenience and necessity.

The Commission further orders:

(A) The proceedings in Docket Nos. G-13710, G-14254, and G-15122 are severed from those in Docket Nos. G-13183 et al., and the intermediate decision procedure is waived in the severed proceedings.

(B) Certificates of public convenience and necessity are hereby reissued upon the conditions set forth herein, to Sun, effective as of the dates of initial delivery, for the sale of natural gas in interstate commerce for resale as proposed, and for the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, as more fully described in the applications.

[1] Transcontinental Gas Pipe Line Corporation, Long Island Lighting Company, et al., Consolidated Edison Company of New York, Inc., and United Gas Pipe Line Company.

(C) The certificates issued by paragraph (B), above, are granted upon the express condition that applicant fully comply with the terms of the amended offer of settlement, which is expressly approved.

(D) Within 30 days after making the refunds required by the terms and conditions of this order and the settlement proposal, Sun shall report to the Commission, in writing and under oath, the amount of the refunds made to each of its purchasers, showing separately the amount of principal and interest so paid and the bases used for such determinations, together with releases from its purchasers showing receipt of the refunds in conformity to the settlement as approved.

(E) Upon full compliance of Sun with all the terms of this order and of the settlement proposal, applicant shall be relieved of any further refund obligations in these proceedings and said proceedings shall terminate.

(F) The certificates herein issued are not transferable and shall be effective only so long as the applicant continues the acts and operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(G) The grant of the certificates herein shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act, or of Part 154 of the regulations thereunder; *Provided, however,* That the 30-day notice provision of § 154.94(b) and the detailed submittal requirements of § 154.94(e) are hereby waived insofar as they apply to the filing of reductions in rate as required by this order and the settlement proposal.

(H) The grant of certificates herein and approval of the settlement proposal is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against applicant, particularly any proceeding under section 5 of the Natural Gas Act or section 5(c) of the Outer Continental Shelf Lands Act, and is without prejudice to claims or contentions which may be made by the Commission, applicant, the Commission staff, or any affected party herein in any other proceeding.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11522; Filed, Nov. 20, 1962; 8:46 a.m.]

[Project No. 2315]

SOUTH CAROLINA ELECTRIC & GAS CO.

Notice of Application for License

NOVEMBER 14, 1962.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by South Carolina Electric & Gas Company (correspondence to: Arthur M. Williams, Jr., Esq., Senior Vice President and Counsel, South Carolina Electric & Gas Company, P.O. Box 390, Columbia, South Carolina) for license for constructed Project No. 2315, located on Broad River, in Chester and Union Counties, South Carolina, in the region of Leeds, Santuck, Carlisle and Union, South Carolina.

The project consists of: A gravity type dam 1,087 feet long constructed of granite blocks and concrete with three-foot wooden flash boards across a 481-foot section; a reservoir extending about 10 miles upstream with an area of about 600 acres; an open flume to the powerhouse; a powerhouse containing four generating units each having a capacity of 1,300 kilowatts; and a double circuit 13.2 kw transmission line about 14 miles long extending to Union Mill at Union, South Carolina, with one circuit extending about three miles to Midway Substation and then two miles to Buffalo Mill at Buffalo, South Carolina.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is December 31, 1962. The application is on file with the Commission for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11523; Filed, Nov. 20, 1962; 8:46 a.m.]

[Docket No. CP63-38]

VILLAGE OF CISNE, ILL.

Notice of Application

NOVEMBER 14, 1962.

Take notice that on August 8, 1962, the Village of Cisne, Wayne County, Illinois, filed an application, as supplemented on October 30, 1962, in Docket No. CP63-38, for an order directing Trunkline Gas Company to establish physical connection of its facilities with the proposed distribution facilities of Cisne, and to sell and deliver to the Applicant volumes of natural gas for distribution in the villages of Cisne and Johnsonville, Illinois, all as more fully set forth in the application as supplemented, which is on file with the Commission and open to public inspection.

The total volumes of natural gas necessary to meet the estimated annual and peak day requirements for the first three years of operation are as follows:

Year of operation	Requirements	
	Peak day (Mcf)	Annual (Mcf)
1st	300	28,550
2d	400	39,660
3d	580	55,590

Applicant estimates the cost of its project to be $180,000, which will be financed by the sale of gas utility certificates through local subscription. Local authorization to distribute natural gas in the above-named villages has been obtained by the Village of Cisne.

Trunkline Gas Company, by letter to the Commission filed November 2, 1962, stated that it has no objection to the issuance of the order sought by Applicant.

Protests, requests for hearing, or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 14, 1962.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-11524; Filed, Nov. 20, 1962; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

GUAM

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter to me dated November 12, 1962, reading in part as follows:

I hereby determine the damage in the various areas of the Territory of Guam adversely affected by Typhoon Karen, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement Territorial efforts.

I do hereby determine the entire Territory of Guam to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 12, 1962.

Dated: November 14, 1962.

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

[F.R. Doc. 62-11519; Filed, Nov. 20, 1962; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 233]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 16, 1962.

The following letter-notice 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-52629 (Deviation No. 12) HUBER & HUBER MOTOR EXPRESS, INC., 970 Eighth Street, Louisville, Ky., filed November 9, 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 the junction of U.S. Highways 41 and 52 south of Chicago over U.S. Highway 41 to Nashville, Tenn., 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 a pertinent authorized service route as follows: From the junction of U.S. Highways 41 and 52 over U.S. Highway 52 to Indianapolis, Ind., thence over U.S. Highway 31 to Louisville, Ky., thence over U.S. Highway 31E to Nashville, and return over the same route.

No. MC-52629 (Deviation No. 13), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed November 9, 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 the junction of U.S. Highways 41 and 52 south of Chicago over U.S. Highway 41 to Chattanooga, Tenn., 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 a pertinent authorized service route as follows: From the junction of U.S. Highways 41 and 52 over U.S. Highway 52 to Indianapolis, Ind., thence over U.S. Highway 31 to Louisville, Ky., thence over U.S. Highway 31E to Nashville, Tenn., and thence over U.S. Highway 41 to Chattanooga, and return over the same route.

No. MC-52629 (Deviation No. 14), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky., filed November 8, 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 Chicago, Ill., over U.S. Highway 30 to Fort Wayne, Ind., thence over U.S. Highway 33 to Columbus, Ohio, 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 a pertinent service route as follows: From Chicago over U.S. Highway 41 to junction U.S. Highway 52 thence over U.S. Highway 52 to Indianapolis, Ind., and thence over U.S. Highway 40 to Columbus, and return over the same route.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 62-11536; Filed, Nov. 20, 1962; 8:48 a.m.]

[Notice 492]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 16, 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 o'clock a.m., United States standard time (or 9:30 o'clock 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 95540 (Sub-No. 477), filed October 28, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Duane W. Acklie, 14th and J Streets, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as described by the Commission, in Appendix I, 61 M.C.C. 209, from Portland, Oreg., to points in Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia.

HEARING: December 11, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 107403 (Sub-No. 441), filed November 8, 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: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Mosherville, Mich., and points within five miles thereof, to points in Indiana.

HEARING: December 5, 1962, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 23.

No. MC 124671 (CORRECTION), filed August 2, 1962, published FEDERAL REGISTER, issue October 24, 1962, and republished as corrected this issue. Applicant: JOHN KLEFFNER, Brinktown, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, P.O. Box 352, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Fertilizers*, and *animal and poultry feeds*, from points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone 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, Mo., serving the intermediate point of Vienna, Mo., and transporting *exempt commodities*, on return.

NOTE: The purpose of this republication is to show only *from and to* movements for fertilizers and animal and poultry feeds, in lieu of *between*, and on return only exempt commodities.

HEARING: Remains as assigned December 10, 1962, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

MOTOR CARRIERS OF PASSENGERS

No. MC 115025 (Sub-No. 7), filed July 6, 1962. Applicant: THE SHORT LINE OF CONNECTICUT, INCORPORATED, doing business as THE SHORT LINE, 12 James Street, East Hartford, Conn. Applicant's attorney: John L. Collins, 49 Pearl Street, Hartford 3, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, (1) beginning and ending at Hartford, Hartford County, Meriden, New Haven County, and Wallingford, New Haven County, Conn., and extending to Belmont Race Track, Nassau County, Long Island, N.Y., Roosevelt Race Track, Nassau County, Long Island, N.Y., and Aqueduct Race Track, Queens County, Long Island, N.Y., (2) beginning and ending at New Haven, County of New Haven, Conn., and extending to Roosevelt Race Track, Nassau County, Long Island, N.Y., and (3) beginning and ending at Hartford, Hartford County, Conn., Meriden, New Haven County, Conn., Wallingford, New Haven County, Conn., and New Haven, New Haven County, Conn., and extending to Madison Square Garden, New York County, N.Y., Polo Grounds, New York County, N.Y., and Yankee Stadium, Bronx County, N.Y.

HEARING: December 3, 1962, at the U.S. Court Rooms, Hartford, Conn., before Examiner William E. Messer.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

No. MC 66562 (Sub-No. 1924), filed October 23, 1962. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 1235 South 41st Street, Milwaukee 15, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, (1) between Madison, Wis., and Chicago, Ill., as follows: from Madison, over U.S. Highway 51, to Janesville, Wis., thence over Interstate Highway 90 to junction of U.S. Highway 20, thence over U.S. Highway 20, to the junction of Illinois Highway 53, thence over Illinois Highway 53 to junction of Illinois Highway 64,

thence east over Illinois Highway 64 to the junction of Interstate Highway 90, thence over Interstate Highway 90 to Chicago, and return over the same route, serving the intermediate points of Stoughton and Janesville, Wis., and (2) from Madison, over Wisconsin Highway 30 to its junction with "future" Interstate Highway 90, thence over "future" Interstate Highway 90 to its junction with existing Interstate Highway 90, at or near Janesville, thence over existing Interstate Highway 90 to Chicago, and return over the same route, as an alternate route, for operating convenience only, serving no intermediate points.

NOTE: Applicant states the proposed service is for the purpose of substituting motor for rail operations; also, that the proposed service will be limited to that which is auxiliary to, or supplemental of, express service, moving on through bills of lading or express receipts of Railway Express Agency, Inc., and such further conditions as the Commission in the future may find necessary to impose to restrict such service.

No. MC 110525 (Sub-No. 538), filed November 13, 1962. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Cynthiana, Ky., to Kentland, Ind.

No. MC 111103 (Sub-No. 10), filed November 7, 1962. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725–29 South Broad Street, Philadelphia 47, Pa. Applicant's attorney: Peter Platten, Land Title Building, Philadelphia 10, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theatre and television exhibition), limited to not more than 50 pounds per shipment, between Philadelphia, Pa., on the one hand, and, on the other, points in Atlantic, Cape May and Ocean Counties, N.J.,

NOTE: Applicant states that the proposed operation will be under a continuing contract with Perfect Photo, Inc., of Philadelphia, Pa.

No. MC 114194 (Sub-No. 42), filed November 7, 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: *Corn syrup and blends*, in bulk, from Granite City, Ill., to points in North Dakota and Minnesota (except to St. Paul, Minn.), and *rejected shipments* of the above specified commodities, on return.

No. MC 124078 (Sub-No. 47), filed November 9, 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: *Dry cement*, in bulk and in packages, from Knoxville, Tenn., to points in Lee, Wise, Dickenson, Scott, Buchanan, Russell, Washington, Tazewell, Wythe, Smyth, Grayson, Bland, Giles, Pulaski, Carroll, Patrick, Floyd, Montgomery, Craig, Roanoke, Franklin, and Henry Counties, Va.; points in Greenup, Carter, Boyd, Elliott, Lawrence, Morgan, Johnson, Martin, Magoffin, Floyd, Pike, Letcher, Knott, Breathitt, Wolfe, Powell, Lee, Owsley, Leslie, Harlan, Bell, Clay, Jackson, Estill, Madison, Rockcastle, Laurel, Knox, Whitley, McCreary, Pulaski, Lincoln, Garrard, Boyle, Casey, Russell, Wayne, Adair, Clinton, Cumberland, Metcalfe, Monroe, and Perry Counties, Ky.; points in Rockingham, Stokes, Surry, Alleghany, Ashe, Wilkes, Yadkin, Davie, Forsyth, Guilford, Randolph, Davidson, Rowan, Iredell, Alexander, Caldwell, Watauga, Avery, Mitchell, Burke, Catawba, Lincoln, Gaston, Union, Anson, Richmond, Montgomery, Stanly, Cabarrus, Mecklenburg, Cleveland, Rutherford, McDowell, Yancey, Madison, Buncombe, Henderson, Polk, Transylvania, Haywood, Jackson, Swain, Graham, Macon, Clay, and Cherokee Counties, N.C.; and points in Tennessee.

NOTE: Applicant states that it has filed an application with the Interstate Commerce Commission to convert its contract carrier Permits in MC 113832 and Subs thereunder to a Certificate, and the matter is now pending before the Commission; thus, dual operations may be involved. Common control may also be involved.

MOTOR CARRIERS OF PASSENGERS

No. MC 108961 (Sub-No. 3), filed August 6, 1962. Applicant: L. M. BROWN, doing business as RANDOLPH COUNTY BUS LINE, R.F.D. I, Woodland, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers*, between Springfield, Ala. and Junction unnumbered highway at the Atlanta-Georgia State Line; from Springfield over unnumbered Farm-to-Market Road to junction Alabama Highway 22 (formerly Alabama Highway 63), thence over Alabama Highway 22 to junction unnumbered access road to the Alabama-Georgia State Line, and return over the same route, serving all intermediate points, restricted to the transportation of passengers who are employed at the sites of textile mills and industrial plants in La Grange, Ga.

NOTE: Applicant presently is authorized to transport workers to Textile Plants in La Grange, Ga., in No. MC 108961 Sub. 1. The route proposed herein will cut off about 22 miles of travel for workers living in Randolph County, Ala., rural areas.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12613 (Sub-No. 2), filed November 5, 1962. Applicant: MRS. ANN L. MC CARTNEY, doing business as MC CARTNEY TOURS, R.D. 1, Fredonia, Pa. Applicant's attorney: S. Harrison Kahn, 1110–14 Investment Building, Washington, D.C. For a license (BMC 5) to engage in operations as a *broker* at points in Mercer, Crawford, Clarion, Jefferson, Clearfield, and Lawrence Counties, Pa., and Trumbull and Mahoning Counties, Ohio, with offices maintained at Sharon, Mercer and Fredonia, Pa., in arranging for transportation in interstate or foreign commerce by motor vehicle of *passengers and their baggage*, both as individuals and in groups in charter operations, between points in the United States, including Hawaii and Alaska.

NOTICE OF FILING OF PETITION SEEKING MODIFICATION OF COMMODITY DESCRIPTION IN PERTINENT ACTIVE OPERATING AUTHORITY HELD BY PETITIONER

In a report on reconsideration, decided October 16, 1961, and served November 9, 1961, in No. MC 109637 (Sub-No. 74), *Southern Tank Lines, Inc., Extension—St. Bernard, Ohio*, the Commission concluded generally that the commodity descriptions utilized in granting operating authority to motor carriers of liquid chemicals, including those prescribed in *Descriptions in Motor Carrier Certificates*, 61 M.C.C., 209, 766, and *Maxwell Co., Extension—Addyston*, 63 M.C.C., 677, should be revised for use in making future grants, and as a basis for modifying outstanding certificates and permits upon application of the holders thereof in accordance with approved procedure. The Commission found with respect to the commodity descriptions at issue, that the generic heading "liquid chemicals, in bulk, in tank vehicles," is a proper and reasonable commodity description for use in motor carrier operating authorities issued by the Commission; and that where such commodity description described is utilized, the following will be reasonable and proper definition thereof for determining the commodities which are embraced in such description:

Liquid chemicals, as used in the foregoing commodity description are those substances or materials resulting from a chemical or physical change induced by processes employed in the chemical industry, including uniting, mixing, blending, and compounding.

The subject report provided: "All motor carriers holding certificates or permits authorizing the transportation in bulk, in tank vehicles, of 'liquid chemicals as defined in the *Maxwell* case', of acids and chemicals as described in the *Descriptions* case', or of liquid chemicals under any other commodity description, are hereby notified that petitions will be entertained requesting the modification of such authorities to reflect the revised commodity descriptions promulgated herein. Such petitions should refer to the specific authority which the carrier desires to have modified, and should contain a certification that there is in fact, traffic available for the transportation from and to the points it is authorized to serve, and that its operations are not dormant. The petitions should be filed in the proceedings in which the authority held was granted, these petitions will be published in the FEDERAL REGISTER, and if no objections are filed thereto, they will be disposed of without ex-

tending further proceedings. If protests are received, a hearing may be required for their disposition; but, in such event, every effort will be made to conclude the proceedings promptly." The following petition seeking modification of pertinent operating authorities has been received:

No. MC 108449 and Sub-Nos. 20, 21, 22, 44, 48, 62, 85, 99, 103, and 141, dated October 16, 1962. Petitioner: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Any person or persons desiring to participate in this proceeding may file replies to said petition (original and fourteen (14) copies each) within 30 days from the date of this publication in the FEDERAL REGISTER. In the event it is deemed necessary or desirable, informal conferences between our staff members and the tank truck carriers, and any other persons who may have an interest in the matter, can be arranged for the purpose of implementing the matter. Persons responding to this publication should specifically advise whether an informal conference is desired.

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 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-7413 (UNITED BUCKINGHAM FREIGHT LINES (FORMERLY BUCKINGHAM FREIGHT LINES)—PURCHASE (PORTION)—RISS & CO., INC.), published in the January 13, 1960, issue of the FEDERAL REGISTER on page 277. Petition filed October 25, 1962, for substitution of JOHN MANLOWE, East 915 Springfield Avenue, Spokane 2, Wash., as the controlling stockholder of the vendee corporation in lieu of EARL F. BUCKINGHAM and HAROLD D. BUCKINGHAM.

No. MC-F-8266 (GROENDYKE TRANSPORT, INC.—CONTROL—C. W. KELLEY TRANSPORT, INC.), published in the October 31, 1962, issue of the FEDERAL REGISTER on page 10616. Supplemental application filed November 7, 1962, to show joinder of INLAND, INC., and in turn by LEON KAROSEN, J. R. DOMINICK, II, JULIUS KAROSEN, R. L. DOMINICK, LOUIS B. GRESHAM, H. C. GROENDYKE and SEYMOUR ZEINFELD, of control of C. W. KELLEY TRANSPORT, INC., through the acquisition by GROENDYKE TRANSPORT, INC.

No. MC-F-8267. Authority sought for purchase by C & H TRANSPORTATION CO., INC., P.O. Box 5976, Dallas, Tex., of a portion of the operating rights of FAIRCHILD MOVING & STORAGE CO., 301 South Fourth Avenue, Yakima, Wash., and for acquisition by W. O. HARRINGTON, Coppell, Tex., of control of such rights through the purchase. Applicants' attorneys: W. T. Brunson, 419 NW. Sixth Street, Oklahoma City 2, Okla., and Douglas A. Wilson, Suite 2, Yakima Legal Center, 303 East D Street, Yakima, Wash. Operating rights sought to be transferred: *Machinery*, the transportation of which, because of its size or weight, requires the use of special equipment, and *related machinery parts* and *related materials and supplies*, when their transportation is incidental to the transportation of such machinery, as a *common carrier* over irregular routes, between points in Washington, Oregon, Idaho, and that part of Montana on and west of a line extending north and south through Dupuyer and Butte, Mont. Vendee is authorized to operate as a *common carrier* in Georgia, Arizona, Kansas, New Mexico, Texas, Oklahoma, Oregon, Louisiana, Illinois, Indiana, Kentucky, Mississippi, Washington, Wisconsin, North Dakota, South Dakota, Missouri, Minnesota, Nebraska, Colorado, Nevada, Pennsylvania, Michigan, New Jersey, New York, Wyoming, Arkansas, Ohio, Iowa, Utah, Montana, West Virginia, Tennessee, Alabama, and Florida. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8274. (FRENCH INTERSTATE TRANSPORTATION CO.—CONTROL AND MERGER—MORRIS MOTOR EXPRESS, INC.), published in the November 7, 1962, issue of the FEDERAL REGISTER on page 10879. Application filed November 14, 1962, for temporary authority under section 210a(b).

No. MC-F-8276. (PAUL MUSSLEWHITE—PURCHASE—S & G TRUCKS, INC.), published in the November 7, 1962, issue of the FEDERAL REGISTER on page 10879. Application filed November 13, 1962, for temporary authority under section 210a(b).

No. MC-F-8282. Authority sought for purchase by DIECKBRADER EXPRESS, INC., 5391 Eastern Avenue, Cincinnati 26, Ohio, of a portion of the operating rights of SENTLE TRUCKING CORPORATION, 210 Alexis Road, Toledo 12, Ohio, and for acquisition by R. E. DIECKBRADER and H. R. ARNOLD, both of 5391 Eastern Avenue, Cincinnati 26, Ohio, of control of such rights through the purchase. Applicants' attorneys: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill., and Louis E. Smith, Smith, Turner and Smith, Suite 511 Fidelity Building, Indianapolis, 4, Ind. Operating rights sought to be transferred: *Bakery products* and *waxed paper*, as a *common carrier* over irregular routes from Detroit, Michigan to points in Ohio; *paper boxes* and *boxboard*, from Monroe, Michigan to points in Ohio; *bakery equipment, supplies*, and *materials*, between Toledo, Ohio and Detroit, Michigan. Vendee is authorized to operate as a *common carrier* in Illinois, Missouri, Indiana, Kentucky, Ohio, Michigan, West Virginia, Iowa, Minnesota, Wisconsin, Tennessee, New York, Pennsylvania, and New Jersey. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8283. Authority sought for purchase by H & W MOTOR EXPRESS COMPANY, 3000 Elm Street, Dubuque, Iowa, of the operating rights of GLENN RIES, doing business as DUBUQUE-ELKADER MOTOR SERVICE, 2757 Broadway, Dubuque, Iowa, and for acquisition by CYRIL H. WISSEL, 1849 Plymouth Road, Dubuque, Iowa, and MARIE C. HAAS, 915 Victoria, Dubuque, Iowa, of control of such rights through the purchase. Applicants' representative: V. J. Grice, 3000 Elm Street, Dubuque, Iowa. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over a regular route, between Dubuque, Iowa, and Elkader, Iowa, serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Iowa, Illinois, and Minnesota. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8284. Authority sought for purchase by N.Y. & N.J. FREIGHTWAYS, INC., 161 Second Street, Jersey City, N.J., of the operating rights of MARATHON FREIGHT LINES, INC., 2400 83d Street, North Bergen, N.J., and for acquisition by IRVING BLUMENTHAL, 16 Fairview Road, Tenafly, N.J., of control of such rights through the purchase. Applicants' attorney and representative respectively: William Biederman, 280 Broadway, New York 7, N.Y., and George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in Essex, Union, Hudson, Bergen, Passaic, Morris, and Middlesex Counties, N.J., on the one hand, and, on the other, Newburgh, Middletown, Suffern, and New York, N.Y., and points in Westchester, Nassau, and Suffolk Counties, N.Y. Vendee is authorized to operate as a *common carrier* in New Jersey, New York, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

NOTE: The above application for N.Y. & N.J. FREIGHTWAYS, INC., AND MARATHON FREIGHT LINES, INC., to exchange and transfer their respective operating authorities, one to the other. See No. MC-F-8285.

No. MC-F-8285. Authority sought for purchase by MARATHON FREIGHT LINES, INC., 2400 83d Street, North Bergen, N.J., of the operating rights of N.Y. & N.J. FREIGHTWAYS, INC., 161 Second Street, Jersey City, N.J., and for acquisition by MICHAEL GOLDFARB, 2400 83d Street, North Bergen, N.J., of control of such rights through the purchase. Applicants' attorney and representative respectively: William Biederman, 280 Broadway, New York, N.Y., and George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. 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 Carteret, N.J., and New York, N.Y., serving the intermediate point of Newark, N.J., and the off-route point of Liberty, N.Y., and between Carteret, N.J., and Philadelphia, Pa.; *general commodities*, excepting

among others, household goods and commodities in bulk, over irregular routes, between points in the New York, N.Y., Commercial Zone, as defined by the Commission in 1 M.C.C. 665, between points in the above-specified commercial zone, on the one hand, and on the other, points in Middlesex, Somerset, Union, Essex, Hudson, Passaic, and Bergen Counties, N.J., and Westchester County, N.Y., from New York, N.Y., to points on Long Island, N.Y.; *canned goods*, and *processed food* in packages, and *matches, clothes pins, tooth picks* and *paper products*, from Jersey City, N.J., to Sea Bright and Asbury Park, N.J., New Rochelle, Mamaroneck, and White Plains, N.Y., and to points in Essex, Hudson, Bergen, Passaic, Union, Middlesex, and Morris Counties, N.J., except those New Jersey points within the *New York, N.Y., Commercial Zone, supra; matches, clothes pins, tooth picks* and *paper products*, from Woodbridge, N.J., to points in the *New York, N.Y., Commercial Zone*, supra; and *hardware and agricultural and horticultural implements*, from New York, N.Y., to Newark, Paterson, Passaic, and Perth Amboy, N.J. Vendee is authorized to operate as a common carrier in New Jersey, and New York. Application has not been filed for temporary authority under section 210a(b).

NOTE: The above application for MARATHON FREIGHT LINES, INC., AND N.Y. & N.J. FREIGHTWAYS, INC., to exchange and transfer their respective operating authorities, one to the other. See No. MC-F-8284.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-11537; Filed, Nov. 20, 1962; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during November.