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Presidential Documents

Title 3—THE PRESIDENT

EXECUTIVE ORDER 11073

PROVIDING FOR FEDERAL SALARY ADMINISTRATION

By virtue of the authority vested in me by sections 503, 504, and 505 of the Federal Salary Reform Act of 1962 (Public Law 87-793; 76 Stat. 841-843), and as President of the United States, it is hereby ordered as follows:

PART I—GENERAL POLICY

SECTION 101. Heads of departments and agencies in the executive branch of the Government are directed:

(a) To make full use of the authorities provided by the Federal Salary Reform Act of 1962 and the statutory salary systems to which that Act refers in such a manner as to secure and maintain the high quality of Federal personnel necessary for an effective and efficient Government service;

(b) To use such authorities in such a manner as to (1) motivate employees to perform continuously at their full capacity, and (2) provide fair treatment in pay matters of all employees subject to such statutory salary systems; and

(c) To take all appropriate measures to ensure that the Government receives full value for its expenditures for salaries and that every employee is paid no more than is warranted by the nature of his assignments and the degree of competence with which he performs them.

PART II—ANNUAL SALARY REVIEW

SECTION 201. The Director of the Bureau of the Budget and the Chairman of the Civil Service Commission shall submit to the President, not later than December 31 of each year, a report comparing the rates of salary fixed for Federal employees compensated under the statutes listed in this section with the rates of salary paid for the same levels of work in private enterprise as determined on the basis of the National Survey of Professional, Administrative, Technical, and Clerical Pay conducted by the Bureau of Labor Statistics:

(a) The Classification Act of 1949, as amended (5 U.S.C. 1071 *et seq.*).

(b) Part III of title 39, United States Code, relating to personnel in the postal field service.

(c) The Foreign Service Act of 1946, as amended (22 U.S.C. 801 *et seq.*).

(d) Chapter 73 of title 38, United States Code, relating to personnel of the Department of Medicine and Surgery in the Veterans' Administration.

Such report shall contain such recommendations with respect to statutory salary schedules, salary structures, compensation policy, and other related matters, as the Director and the Chairman deem advisable. In preparing such report the Director and the Chairman shall obtain and consider such recommendations as may be made to them by the heads of the agencies employing personnel under any of the statutes listed in (b), (c), or (d), and such recommendations shall be transmitted to the President with such report.

SEC. 202. The Director of the Bureau of the Budget and the Chairman of the Civil Service Commission shall (1) provide authorized representatives of such Federal employee organizations as they deem appropriate with (i) the findings of the Bureau of Labor Statistics survey referred to in section 201, and (ii) the methods and results of their comparison of Federal salary schedules with the findings of the Bureau of Labor Statistics; (2) establish suitable means for receiving and considering the views of such employee organizations

thereon; and (3) transmit the views of such employee organizations to the President with the report required by section 201.

SEC. 203. The heads of the agencies employing personnel under any of the statutes listed in section 201 shall provide such information and technical staff assistance with respect to the statutory salary systems applicable to their agencies as may be requested by the Director of the Bureau of the Budget and the Chairman of the Civil Service Commission in carrying out the provisions of sections 201 and 202.

PART III—SPECIAL RATES FOR RECRUITMENT AND RETENTION

SECTION 301. Subject to the provisions of sections 302 and 303, the Civil Service Commission is hereby designated and authorized to exercise the authority conferred upon the President by the provisions of sections 504(a) and 504(b) of the Federal Salary Reform Act of 1962 to establish and revise higher minimum rates of basic compensation (1) for positions compensated under section 603(b) of the Classification Act of 1949, as amended (5 U.S.C. 1113(b)), and (2) after consultation with the head of the department or agency concerned, for positions compensated (i) under the provisions of part III of title 39, United States Code, relating to personnel in the postal field service, (ii) the pay scales for physicians, dentists, and nurses in the Department of Medicine and Surgery of the Veterans' Administration under chapter 73 of title 38, United States Code, or (iii) sections 412 and 415 of the Foreign Service Act of 1946, as amended (22 U.S.C. 867 and 870).

SEC. 302(a). The Civil Service Commission shall not establish higher rates of compensation under section 504 of the Federal Salary Reform Act of 1962 unless the Commission first determines that the salary rates in private enterprise for one or more occupations in one or more areas or locations are so substantially above the salary rates of statutory pay schedules as to handicap significantly the Government's recruitment or retention of well-qualified personnel. Before so determining, the Commission shall satisfy itself that adequate attention has been given to other relevant factors, such as the conduct of an adequate recruiting program and the improvement of working conditions: *Provided*, That whenever statistically valid salary data (such as Bureau of Labor Statistics surveys) indicate that salary rates in private enterprise for one or more work levels for an occupation or group of occupations exceed statutory salary rates for the corresponding work levels by at least ten percent in an area or location where the Commission determines that the Government's recruitment or retention of qualified personnel is significantly handicapped, it may conclude without further investigation that such handicap is due to the difference in salary rates rather than to other factors.

(b) The Civil Service Commission shall not establish higher rates for all positions in a statutory grade or level in a given area unless the Commission determines that (1) the average of the salary rates in private enterprise for equivalent work levels in such area is at least ten percent above the fourth step rate of such statutory grade or level and (2) adequate recruitment and retention cannot be achieved by establishment of higher rates for certain occupations or groups of occupations.

SEC. 303. The Civil Service Commission shall review annually any higher rates of basic compensation established under section 504 of the Federal Salary Reform Act of 1962 and, after consultation with the department or agency concerned in the case of salary systems other than the Classification Act, shall continue, abolish, or revise such special rates in consideration of the current facts and the criteria set forth in section 302. No employee shall have his salary reduced because of a change, pursuant to the provisions of this section, in a minimum or other rate of a grade or level.

PART IV—CLASSIFICATION ACT SYSTEM

SECTION 401. The Civil Service Commission shall revoke the position classification authority of any department or agency under the Classification Act of 1949, as amended, whenever the Commission finds, in connection with its regular inspections, or otherwise, that

any such department or agency has failed to classify its positions in accordance with applicable standards.

SEC. 402. The Civil Service Commission shall issue such regulations and standards as may be necessary to ensure that only those employees whose work is of an acceptable level of competence receive step-increases under the provisions of section 701(a) of the Classification Act.

SEC. 403(a). Each department and agency in the executive branch of the Government employing personnel under the Classification Act shall establish a plan for granting additional step-increases in recognition of high quality performance under section 702 of that Act. Such plans shall (1) be as simple as practicable, (2) provide for delegation of authority to an appropriate management level, (3) seek to ensure fairness to all employees, and (4) provide for informing employees, at least annually, of the number of such increases granted in their agencies.

(b) The Civil Service Commission shall (1) establish such regulations and standards as it deems appropriate for such agency plans, (2) aid and advise agencies in the formulation and administration of such plans, and (3) inspect such plans and their operation to ensure that such step-increases are granted in a manner that is fair to employees and provides motivation for high quality performance.

SEC. 404. The Civil Service Commission, in prescribing regulations for higher rates of pay pursuant to section 803 of the Classification Act for employees having responsibility for supervision of prevailing-rate employees, shall give effect to the following:

(a) An irregular prevailing rate (such as the saved rate of a prevailing-rate employee not related to his current position) shall not serve to advance the salary rate of a Classification Act supervisor.

(b) The relative rate-ranges of a Classification Act supervisor and a prevailing-rate employee supervised by him shall be considered as well as the specific rate either is receiving at a given time.

(c) Due consideration shall be given to equities among supervisors as well as those between a supervisor and a prevailing-rate employee supervised by him.

PART V—REPORTS

SECTION 501. Each department and agency in the executive branch employing personnel under any of the statutory pay systems listed in section 201 shall submit annually to the Chairman of the Civil Service Commission in such form, at such time, and with such supporting information as the Chairman may prescribe, a report on the operation of that system, together with any recommendations the head of the department or agency may deem advisable. The Director of the Bureau of the Budget and the Chairman of the Civil Service Commission shall prepare and submit to the President, not later than December 31 of each year after 1962, a consolidated report, with recommendations, on the operation of each such system.

PART VI—PRIOR ORDER SUPERSEDED

SECTION 601(a). Executive Order No. 11056 of October 11, 1962, is hereby superseded.

(b) Executive Order No. 10072 of July 29, 1949, as amended, is hereby revoked.

JOHN F. KENNEDY

THE WHITE HOUSE,
January 2, 1963.

[F.R. Doc. 63-231; Filed, Jan. 7, 1963; 2:13 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Labor

Effective upon publication in the FEDERAL REGISTER, paragraph (a)(1) of § 6.213 is amended as set out below.

§ 6.213 Department of Labor.

(a) *Bureau of Apprenticeship and Training.* (1) Not to exceed July 1, 1963, not more than five positions of Industrial Training Adviser (Minorities) at grades GS-11, GS-12, and one position at GS-13.

(R.S. 1753, Sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[F.R. Doc. 63-206; Filed, Jan. 8, 1963;
8:40 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter V—Agricultural Marketing Service, Department of Agriculture

SUBCHAPTER B—EXPORT AND DOMESTIC CONSUMPTION PROGRAMS

PART 519—FRESH IRISH POTATOES

Subpart—Fresh Irish Potatoes-Livestock Feed Diversion Program DMD

3a

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AUTHORITY: §§ 519.222 to 519.242 issued under sec. 32, 49 Stat. 774, as amended; 7 U.S.C. 612c.

§ 519.222 General statement.

In order to encourage the domestic consumption of fresh Irish potatoes produced in the continental United States by diverting them from normal channels of trade and commerce, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payment for the diversion of 1962 crop potatoes for use as livestock feed, subject to the terms and conditions hereinafter set forth. Information relating to this program and forms prescribed for use hereunder may be obtained from the following:

Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C.

State Agricultural Stabilization and Conservation Committees in the respective States.

County Agricultural Stabilization and Conservation Committees in the respective counties.

§ 519.223 Administration.

The program provided for in this part will be administered under the general direction and supervision of the Director, Fruit and Vegetable Division, Agricultural Marketing Service, and in the field will be carried out by the Agricultural Stabilization and Conservation Service through the Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation County Committees, hereinafter referred to as State and County Committees. Each State Committee will authorize one or more employees of the State Committee to act as representatives of the United States Department of Agriculture, hereinafter referred to as USDA, to approve applications for participation. State and County Committees or their authorized representatives do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

§ 519.224 Area.

This program will be effective in such States or areas as may be designated from time to time by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture. Information with respect to the areas designated may be obtained from the offices listed in § 519.222.

§ 519.225 Period of program.

This program will be effective from the date of this announcement and continue until further notice, but in any event not later than April 30, 1963.

§ 519.226 Rate of payment.

The rate of payment per 100 pounds of potatoes which meet the requirements of Specification A as defined in § 519.232 and which are diverted as prescribed in

§ 519.231 will be 60 cents for potatoes diverted during the month of January 1963; 40 cents during the months of February and March 1963; and 30 cents until termination of the program. No payment will be made for any fractional part of 100 pounds and such quantities shall be disregarded.

§ 519.227 Eligibility for payment.

Payments will be made under this program to any individual, partnership, association, or corporation located in the continental United States, (a) who executes and files an application for participation on the prescribed forms, (b) who files a performance bond as provided in § 519.229, (c) whose application is approved, (d) who diverts fresh Irish potatoes within the State and county specified in the approved application, directly or through any other person or persons, (e) who files claim as provided in § 519.235 and (f) who complies with all other conditions precedent to payment contained in this subpart.

§ 519.228 Application and approval for participation.

Persons desiring to participate in this program must submit a written application on Form CSS-117 or ASCS-117 "Application for Participation in Fresh Irish Potato Livestock Feed Diversion Program." Each applicant must submit a performance bond as provided in § 519.229. Applications and bonds should be submitted to the County ASCS Office for the county within which the potatoes are to be diverted. Applications will be forwarded to the State ASCS Office and will be considered in the order received in the respective areas and in accordance with the availability of funds. Applicants will be notified of the approval or non-approval of their application. Approved applications may be modified or amended with the consent of the applicant and the duly authorized representative of the State Committee: *Provided*, That such modification or amendment shall not be in conflict with the provisions of this subpart or any amendment or supplements hereto. An approved applicant is hereinafter referred to as "the diverter."

§ 519.229 Performance bond.

Each applicant shall submit with his first application for participation a performance bond as further assurance that the potatoes diverted pursuant to this program will be used exclusively for feeding to livestock by methods prescribed in § 519.234. The bond shall be executed on Form CSS-119 or ASCS-119, "Performance Bond", by the principal and two individual sureties, all of whom shall agree to indemnify the USDA for any losses, claims, or payments made by USDA with respect to any quantity of such potatoes not used for livestock feed. The USDA may disapprove any bond if

for any reason any surety does not in the opinion of USDA afford USDA full protection and security.

§ 519.230 Period of diversion.

The potatoes in connection with which payments are to be made must be diverted (a) after the date of approval of the diverter's application, (b) within the time period specified in the approved application, and (c) in any event on or before April 30, 1963.

§ 519.231 Definition of diversion.

Diversion of potatoes for use as livestock feed as used herein means the initial processing of potatoes for feeding to livestock by ensiling, or by cutting, chopping, slicing, gouging, crushing, or cooking to the degree that (a) a minimum of 90 percent of the potatoes which are 2 inches in diameter or larger have been seriously damaged to such an extent that they will not meet the requirements of U.S. No. 2 quality, and (b) the general appearance of the lot as a whole has been seriously damaged to such an extent that, in the opinion of the inspector, the potatoes are readily and obviously identifiable as having been initially processed and rendered unsuitable to enter into normal channels of trade and commerce as potatoes.

§ 519.232 Diversion specifications.

Potatoes in connection with which payments will be made must meet the requirements of "Specification A" which is hereby defined as meaning potatoes which are equal to or better than the quality requirements of U.S. No. 2 grade, and which have either a minimum diameter of 2 inches or a minimum weight of 4 ounces, with no tolerance being allowed for defects or undersize. Long varieties of potatoes which by clipping ends or second growth could be made to meet the quality requirements of U.S. No. 2 grade need not be so clipped to be classed Specification A but the weight of the portions which customarily would be clipped off shall be deducted in determining the weight of those potatoes in the lot which do meet the requirements of Specification A. Notwithstanding the above, after consultation with industry representatives, the Director may exclude from meeting the requirements of Specification A any additional grades and sizes which otherwise would meet the requirements of Specification A. Any such exclusion will be set forth in the application form for diversion authorization in the particular area to which it is applicable.

§ 519.233 Inspection and certificate of diversion.

Prior to diversion the potatoes shall be inspected by an inspector authorized or licensed by the Secretary of Agriculture to inspect and certify the class, quality, and condition of fresh Irish potatoes. The diverter shall be responsible for requesting and arranging for inspection sufficiently in advance of the diversion so that the inspector can be present to determine the proportion of potatoes in each lot which meet the quality requirements of Specification A. The inspector shall also verify the quantity of potatoes being diverted and that such potatoes

have been diverted as defined in § 519.231. The diverter shall furnish such scale tickets, weighing facilities, or volume measurements as determined by the inspector to be necessary for ascertaining the net weight of the potatoes being diverted. The cost of inspecting, verifying the quantity, certifying that diversion has been performed, and issuing certificates thereof shall be borne by the diverter. Certificates shall be prepared on Form CSS-118 or ASCS-118 "Invoice and Certificates of Inspection and Diversion."

§ 519.234 Methods of feeding.

The feeding of potatoes to livestock shall be accomplished by the following methods:

(a) Feeding in barns or feed lots directly from troughs, bunkers, bins, or other suitable feeding receptacle;

(b) Spreading on pasture land where livestock are grazing, but the rate of spreading during any seven-day period shall not exceed 500 pounds of potatoes per head of cattle or horses or 250 pounds per head of sheep or swine; or

(c) Utilizing the potatoes for livestock feed after dehydration through a process of alternate freezing and thawing. This method may be followed only in areas suitable for this process as may hereinafter be approved by the Director, Fruit and Vegetable Division. The potatoes must be initially processed as specified in § 519.231 and in addition to other program requirements, the following special terms and conditions will be applicable:

(1) The potatoes must be spread on pasture consisting of sod or other grassland and the land must be fenced. The potatoes may not be spread on land under the Soil Bank Program or on land consisting of diverted acreage under the Feed Grain Program or the Wheat Stabilization Program. The land on which the potatoes are spread may not be plowed or otherwise cultivated until it is determined by USDA that adequate pasturing by livestock has taken place.

(2) The potatoes may be spread no deeper than 4 inches at any point.

(3) Diversion payments will be computed at the rate in effect at the time of initial processing and spreading but payment to diverters by USDA will not be made until it is determined by USDA that adequate pasturing by livestock has taken place.

(4) Spreading must take place on or before February 28, 1963.

§ 519.235 Claim for payment.

In order to obtain payment the diverter must submit a properly executed "Invoice and Certificates of Inspection and Diversion," Form CSS-118 or ASCS-118, to the State ASCS Office which approved his application. All such claims shall be filed not later than one calendar month after the termination date of the applicable diversion authorization.

§ 519.236 Compliance with program provisions.

If USDA determines that any quantity of potatoes diverted under this program was not used exclusively for livestock feed purposes, whether such

failure was caused directly by the diverter or by any other person or persons, the diverter shall not be entitled to diversion payments in connection with such potatoes, shall refund to USDA any payment made in connection with such potatoes, and shall be liable to USDA for any other damages incurred as a result of such failure to use the potatoes exclusively for livestock feed purposes. USDA may deny any diverter the right to participate in this program or the right to receive payments in connection with any diversion previously made under this program, or both, if USDA determines that: (a) The diverter has failed to use or caused to be used any quantity of potatoes diverted under this program exclusively for livestock feed purposes, whether such failure was caused directly by the diverter or by any other person or persons, (b) the diverter has not acted in good faith in connection with any transaction under this program, or (c) the diverter has failed to discharge fully any obligation assumed by him under this program. Persons making any misrepresentation of facts in connection with this program for the purpose of defrauding USDA will be subject to the applicable civil and criminal provisions of the United States Code.

§ 519.237 Inspection of premises.

The diverter shall permit authorized representatives of USDA at any reasonable time to have access to his premises to inspect and examine such potatoes as are being diverted or stored for diversion, and to inspect and examine the diverter's facilities for diverting potatoes, in order to determine to what extent there is or has been compliance with the provisions of this program.

§ 519.238 Records and accounts.

If the diverter sells or otherwise disposes of potatoes diverted pursuant to this program to any other person or persons for use as livestock feed, the diverter shall keep accurate records and accounts showing the details relative to the diversion and disposition of such potatoes. The diverter shall permit authorized representatives of USDA at any reasonable time to inspect, examine, and make copies of such records and accounts in order to determine to what extent there is or has been compliance with the provisions of this program. Such records and accounts shall be retained by the diverter for two years after date of last payment to him under the program.

§ 519.239 Set-off.

If the diverter is indebted to USDA or to any other agency of the United States, set-off may be made against any amount due the diverter hereunder. Setting off shall not deprive the diverter of the right to contest the justness of the indebtedness involved, either by administrative appeal or by legal action.

§ 519.240 Joint payment or assignment.

The diverter may name a joint payee on the claim for payment or may assign, in accordance with the provisions of the Assignment of Claims Act of 1940, Public Law 811, 76th Congress, as amended (31 U.S.C. 203, 41 U.S.C. 15), the proceeds of any claim, to a bank, trust company,

Federal lending agency, or other recognized financing institution: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of the assignment with the authorized representative of USDA who approved the application, together with a true copy of the instrument of assignment, in accordance with the instructions on Form CSS-66 "Notice of Assignment," which form must be used in giving notice of assignment to USDA. The "Instrument of Assignment" may be executed on Form CSS-347 or the assignee may use his own form of assignment. The CSS forms may be obtained from the State ASCS Office or the Washington office shown in § 519.222.

§ 519.241 Officials not to benefit.

No member of or delegate to Congress, or Resident Commissioner, shall be entitled to any share or part of any contract resulting from this program or to any benefits that may arise therefrom, but this provision shall not be considered to extend to such a contract if made with a corporation for its general benefit or to any such person acting in his capacity as a farmer.

§ 519.242 Amendment and termination.

This subpart may be amended or terminated at any time but the amendment or termination shall not be effective earlier than the date of filing with the Office of the Federal Register. No amendment or termination shall be applicable to any potatoes diverted before the effective time of such amendment or termination.

NOTE: The record-keeping and reporting requirements contained herein have been approved by, and subsequent requirements will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Dated: January 4, 1963.

FLOYD F. HEDLUND,
Authorized Representative of the
Secretary of Agriculture.

[F.R. Doc. 63-205; Filed, Jan. 8, 1963;
8:49 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

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PART 342—ADMINISTRATIVE CANCELLATION OF CERTIFICATES, DOCUMENTS, OR RECORDS

Miscellaneous Amendments

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

§ 103.7 [Amendment]

In Part 103—Powers and Duties of Service Officers, the 15th and 19th Items in the list of fees of paragraph (c) of § 103.7 *Records and fees* are amended so that when taken with the introductory material they will read as follows:

(c) *Additional fees.* In addition to the fees enumerated in sections 281 and 344 of the Act, the following fees and charges are prescribed:

* * * * *	
For filing appeal from, or a motion to reopen or reconsider, a decision in an exclusion or deportation proceeding, except when a motion to reopen or reconsider is made concurrently with an application for stay of deportation under Part 243 of this chapter or concurrently with an application for temporary withholding of deportation under section 243(h) of the Act, or concurrently with an application for suspension of deportation under section 244 of the Act, for adjustment of status under section 245 of the Act, or for creation of a record of lawful admission for permanent residence under section 249 of the Act. (The minimum fee of \$25 shall be charged whenever an appeal or motion is filed by or on behalf of two or more aliens and all such aliens are covered by one decision.)	\$25.00
* * * * *	
For filing application for stay of deportation under Part 243 of this chapter	25.00
(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)	

In part 251—Arrival Manifests and Lists; Supporting Documents, § 251.2 is amended to read as follows:

§ 251.2 Notification of illegal landings.

As soon as discovered, the master or agent of any vessel from which an alien crewman has illegally landed or deserted in the United States shall inform the immigration officer in charge of the port where the illegal landing or desertion occurred, in writing, of the name, nationality, passport number and, if known, the personal description, circumstances and time of such illegal landing or desertion of such alien crewman, and furnish any other information and documents which might aid in his apprehension, including any passport surrendered pursuant to § 252.1(d) of this chapter. Failure to file notice of illegal landing or desertion and to furnish any surrendered passport within 24 hours of the time of such landing or desertion becomes known shall be regarded as lack of compliance with section 251(d) of the Act.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

Part 342 is amended to read as follows:

PART 342—ADMINISTRATIVE CANCELLATION OF CERTIFICATES, DOCUMENTS, OR RECORDS

Sec.	
342.1	Notice.
342.2	Service of notice.
342.3	Allegations admitted; no answer filed; no personal appearance requested.
342.4	Answer asserting defense; personal appearance requested.
342.5	Conduct of examination.
342.6	Depositions.

Sec.	
342.7	Report and recommendation.
342.8	Appeals.

AUTHORITY: §§ 342.1 to 342.8 issued under sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interprets or applies sec. 342, 66 Stat. 263; 8 U.S.C. 1453.

§ 342.1 Notice.

If it shall appear to a district director that a person within his district has illegally or fraudulently obtained or caused to be created a certificate, document, or record described in section 342 of the Act, a notice shall be served upon the person of intention to cancel the certificate, document, or record. The notice shall contain allegations of the reasons for the proposed action and shall advise the person that he may submit, within 60 days of service of the notice, an answer in writing under oath showing cause why the certificate, document, or record should not be cancelled, that he may appear in person before a naturalization examiner in support of, or in lieu of his written answer, and that he may have present at that time, without expense to the Government, an attorney or representative qualified under Part 292 of this chapter. In such proceedings the person shall be known as the respondent.

§ 342.2 Service of notice.

(a) *Service.* The notice required by § 342.1 shall be served personally by delivery to the respondent by an employee of the Service; or by mailing to his last known address by registered or certified mail, return receipt requested; or by delivery at the respondent's dwelling house or usual place of abode to a person of suitable age and discretion residing therein.

(b) *Proof of service.* The post office return receipt, or the certificate of the Service employee serving the notice by personal delivery, setting forth the date and manner of service, shall constitute proof of service. In the case of a mentally incompetent respondent of a child under 14 years of age, service shall be made upon his guardian, near relative or friend, and the person so served shall be permitted to appear on behalf of the respondent.

§ 342.3 Allegations admitted; no answer filed; no personal appearance requested.

If the answer admits all material allegations in the notice, or if no answer is filed within the 60-day period or any extension thereof and no personal appearance is requested within such period or periods, it shall be deemed to authorize the district director, without further notice to respondent, to find the facts to be as alleged in the notice and to cancel the certificate, document, or record. No appeal shall lie from such decision. Written notice of the decision shall be served upon the respondent with demand for surrender of the certificate, document, or record forthwith.

§ 342.4 Answer asserting defense; personal appearance requested.

If the respondent files an answer within the prescribed period asserting

a defense to the allegations in the notice, or requests a personal appearance, with or without an answer, the district director shall designate a naturalization examiner to consider the case. The respondent shall be notified that he may appear in person or through counsel with any witnesses and evidence in defense of the allegations, and shall be informed of the date, time, and place for such appearance.

§ 342.5 Conduct of examination.

(a) *Authority of naturalization examiner.* The naturalization examiner assigned to consider the case shall have authority to administer oaths or affirmations to respondent and witnesses, issue subpoenas, present and receive evidence, rule upon offers of proof, take or cause depositions or interrogatories to be taken, regulate the course of the examination, take testimony of respondent and witnesses, grant continuances, consider and rule upon objections to the introduction of evidence, make recommendations to the district director as to whether cancellation shall be ordered or the proceedings terminated, and to take any other action as may be appropriate to the conduct and disposition of the case.

(b) *Assignment of additional officer.* The district director may, in his discretion, assign an officer of the Service to examine and cross-examine the respondent and witnesses and to present evidence pertinent to the case. The naturalization examiner designated under § 342.4 may take such part in the proceedings as he may deem necessary.

(c) *Examination.* The naturalization examiner designated under § 342.4 shall, prior to commencement of the examination, make known to the respondent his official capacity and that of any officer assigned pursuant to paragraph (b) of this section, the nature of the proceedings, his right to representation by counsel, to examine or object to evidence against him, to present evidence in his own behalf, to cross-examine witnesses presented by the Government, and shall read the allegations in the notice to respondent and, if necessary, explain them to him. The respondent shall be asked whether he admits or denies the material allegations in the notice, or any of them, and whether he concedes illegality or fraud. If respondent admits all the material allegations and that the certificate, document, or record was procured by fraud or illegality, and no issue of law or fact remains, the naturalization examiner may determine that fraud or illegality has been established on the basis of the respondent's admissions. The allegations in the notice shall be taken as admitted if respondent, without reasonable cause, fails or refuses to attend or remain in attendance at the examination. The examination shall be recorded verbatim except for statements made off the record with the permission of the naturalization examiner.

§ 342.6 Depositions.

Upon good cause shown, the testimony of any witness may be taken by depositions, either orally or upon written interrogatories before a person having au-

thority to administer oaths, as may be designated by the naturalization examiner.

§ 342.7 Report and recommendation.

The naturalization examiner shall prepare a report summarizing the evidence, discussing the applicable law, and containing his findings and recommendations. The record, including the report and recommendation, shall be forwarded to the district director, who shall sign the report, either approving or disapproving the recommendation. If the decision of the district director is that the proceedings be terminated, the respondent shall be so informed.

§ 342.8 Appeals.

Should the district director find that the certificate, document, or record was fraudulently or illegally obtained, he shall enter an order that it be cancelled and the certificate or document surrendered to the Service forthwith. Written notification of such action shall be given the respondent, with a copy of the decision, findings and decision of the district director, and he shall be informed of his right of appeal in accordance with the provisions of Part 103 of this chapter.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relate to agency procedure.

Dated: January 3, 1963.

RAFMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 63-180; Filed, Jan. 8, 1963;
8:46 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 1]

PART 120—LOAN POLICY STATEMENT

The Loan Policy Statement Regulation (13 CFR Part 120, 23 F.R. 10513) as amended (24 F.R. 8325, 25 F.R. 14022, 26 F.R. 4885, 8617, and 3064, and 27 F.R. 2793) is hereby revised by deleting Part 120 in its entirety and substituting the following in lieu thereof:

Sec.	
120.0	Statutory provision.
120.1	Introduction.
120.2	Business loans.
120.3	Terms and conditions of loans.
120.4	Disaster loans.

AUTHORITY: §§ 120.0 through 120.4 issued under Public Law 85-536, sec. 5, 72 Stat. 385.

§ 120.0 Statutory provision.

Sec. 4. * * * (d) There is hereby created the Loan Policy Board of the Small Business Administration, which shall consist of the

following members, all ex officio: The Administrator, as Chairman, the Secretary of the Treasury, and the Secretary of Commerce. Either of the said Secretaries may designate an officer of his Department, who has been appointed by the President by and with the advice and consent of the Senate, to act in his stead as a member of the Loan Policy Board with respect to any matter or matters. The Loan Policy Board shall establish general policies (particularly with reference to the public interest involved in the granting and denial of applications for financial assistance by the Administration and with reference to the coordination of the functions of the Administration with other activities and policies of the Government), which shall govern the granting and denial of applications for financial assistance by the Administration.

§ 120.1 Introduction.

This general policy statement is established by the Loan Policy Board of SBA to set forth the principles and policies which will be followed by SBA in the granting and denial of applications by small-business concerns for financial assistance. It is not intended that this general policy statement provide answers to all questions which may arise in connection with specific applications.

§ 120.2 Business loans.

Basic principles governing the granting and denial of applications for financial assistance:

(a) Applications for financial assistance may be considered only when there is evidence that the desired credit is not otherwise available on reasonable terms. The financial assistance applied for shall be deemed to be otherwise available on reasonable terms, unless it is satisfactorily demonstrated that:

(1) Proof of refusal of the required credit has been obtained from

(i) The applicant's bank of account,
(ii) If the amount of the loan applied for is in excess of the legal lending limit of the applicant's bank or in excess of the amount that the bank normally lends to any one borrower, then a refusal from a correspondent bank or from any other lending institution whose lending capacity is adequate to cover the loan applied for, and

(iii) Not less than two banks in cities where the population exceeds 200,000.

Proof of refusal must contain the date, amount and terms requested, and the reasons for not granting the desired credit. Bank refusals to advance credit should not be considered the full test of unavailability of credit and, where there is knowledge or reason to believe that credit is otherwise available on reasonable terms from sources other than such banks, the credit applied for cannot be granted notwithstanding the receipt of written refusals from such banks.

(2) The funds required do not appear to be obtainable on reasonable terms through the public offering or private placing of securities of the applicant.

(3) The funds required do not appear to be obtainable through the disposal at a fair price of assets not required by the applicant in the conduct of its existing business or not reasonably necessary to its potential healthy growth.

(4) The funds required do not appear to be obtainable without undue hardship

through utilization of the personal credit or resources of the owner, partners, management or principal shareholders of the applicant.

(5) V-loan, or other applicable Government financing, is not available to the applicant.

(b) It is the policy to stimulate and encourage loans by banks and other lending institutions.

(1) An applicant for a loan must show that a participation by a bank or other lending institution is not available; no immediate participation may be purchased unless it is shown that a deferred participation is not available.

(2) In agreements to participate in loans on a deferred or immediate basis such participation by SBA shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

(3) No agreement to participate shall establish any preferences in favor of the bank or other lending institution participating in the loan with SBA, except in participation agreements entered into in accordance with the Early Maturities Participation Plan set forth in Part 122 of this chapter.

(c) No loan shall be made unless there exists reasonable assurance that it can and will be repaid pursuant to its terms. Reasonable assurance of repayment will exist only where the loan is of sound value, or is adequately secured in the judgment of SBA. It will be deemed not to exist when the proposed loan is to accomplish an expansion which is unwarranted in the light of the applicant's past experience and management ability, or when the effect of making the loan is to subsidize inferior management.

(d) Financial assistance will not be granted by SBA:

(1) If the direct or indirect purpose or result of granting such assistance would be to—

(i) Pay off a creditor or creditors of the applicant who are inadequately secured and are in position to sustain a loss.

(ii) Provide funds, directly or indirectly, for payment, distribution, or as a loan to owners, partners or shareholders of the applicant which do not change ownership interests in applicant. This shall not apply to ordinary compensation for services rendered.

(iii) Refund a debt owed to a Small Business Investment Company.

(iv) Replenish funds theretofore used for such purposes.

(2) If the purpose of the applicant in applying for such assistance is to effect a change in ownership of a business unless such change will promote the sound development or preserve the existence of a small-business concern;

(3) If the financial assistance will provide or free funds for speculation in any kind of property, real or personal, tangible or intangible;

(4) If the applicant is an eleemosynary institution or other non-profit enterprise: *Provided, however*, That this provision shall not be construed to bar a loan to a cooperative if it carries on a business activity and the purpose of such

activity is to obtain pecuniary benefit for its members in the operation of their otherwise eligible small-business concerns.

(5) If the purpose of the loan is to finance the construction, acquisition, conversion or operation of recreational or amusement facilities, unless such facilities contribute to the health or general well-being of the public;

(6) If the applicant is a newspaper, magazine, radio broadcasting company, television broadcasting company or similar enterprise;

(7) If 50 percent or more of the net sales of the applicant is derived from the sale of alcoholic beverages;

(8) If any part of the gross income of the applicant (or of any of its principal owners) is derived from gambling activities;

(9) If the loan is to provide funds to an enterprise primarily engaged in the business of lending or investments or to any otherwise eligible enterprise for the purpose of financing investments not related or essential to the enterprise;

(10) If the purpose of the loan is to finance the acquisition, construction, improvement or operation of real property which is, or is to be, held primarily for sale or investment: *Provided, however*, That this prohibition shall not apply to loans for the remodeling or improvement (including limited expansion) of existing commercial and industrial structures held for rental where the applicant is performing substantial maintenance and operational services in connection with such structures: *And provided further*, That no loans may be made to build or acquire buildings for investments.

(11) If the effect of the granting of the financial assistance will be to encourage monopoly or will be inconsistent with the accepted standards of the American system of free competitive enterprise;

(12) If the proceeds of the loan would be used primarily in a farming or other agricultural activity; or if the applicant is a processor of agricultural commodities and grows or produces more of the commodities processed than he purchases from others.

§ 120.3 Terms and conditions of loans.

(a) *Maturities.* The maturity of each loan shall be restricted to the minimum consistent with sound business practice.

(b) *Charges and interest on business loans—*(1) *Charges.* In deferred participation loans (those made by a bank or other lending institution in which SBA has entered into an agreement to purchase thereafter a participating share in the loan), a participation charge shall be payable by the bank or other lending institution to SBA for such agreement. The participation charges shall be on a sliding scale, depending upon the percentage of the loan which SBA is obligated to purchase. Such participation charges, which shall not be charged to borrower by the participating institution, shall be as follows:

(i) For an amount not in excess of 50 percent of the loan, $\frac{1}{2}$ of 1 percent per annum on the portion of the loan which SBA is obligated to purchase;

(ii) For an amount in excess of 50 percent of the loan but not in excess of

75 percent of the loan, $\frac{3}{4}$ of 1 percent per annum on the portion of the loan which SBA is obligated to purchase; and

(iii) For an amount in excess of 75 percent of the loan but not in excess of 90 percent of the loan, 1 percent per annum on the portion of the loan which SBA is obligated to purchase.

(2) *Interest.* (i) Deferred and immediate participation loans: Except as provided in subdivisions (iii) and (iv) of this subparagraph, interest on SBA's share of all loans in which it participates with a bank or other lending institution shall not exceed $5\frac{1}{2}$ percent per annum and where the rate of interest on the share of the loan of the bank or other lending institution is less than $5\frac{1}{2}$ percent per annum then the rate on SBA's share of the loan shall be at the same rate, but not less than 5 percent per annum. Subject to the approval of SBA, a participating bank or other lending institution may establish such rate of interest, not to exceed 8 percent per annum, on its share of a loan as shall be legal and reasonable. This subparagraph applies whether the participation is on a deferred or immediate basis and whether in the first instance the bank or SBA makes the loan in which the other purchases an immediate participation.

(ii) Direct loans: Except as provided in subdivisions (iii) and (iv) of this subparagraph, interest on all direct loans which may be made by SBA shall be at the rate of $5\frac{1}{2}$ percent per annum, except as may be otherwise required by reason of the provisions of the Service-men's Readjustment Act of 1944, as amended.

(iii) Interest on the SBA share of a loan approved or disbursed subsequent to September 14, 1961, to a small business concern pursuant to section 7(a) of the Act, shall be at the rate of 4 percent per annum if, at the time of approval or initial disbursement, such concern agrees or has agreed to use more than 50 percent of the proceeds of such loan in the operation or establishment of its business located or to be located in:

(a) A Redevelopment Area designated in accordance with the Area Redevelopment Act (Public Law 87-27); or

(b) An area of Substantial Unemployment or an Area of Substantial and Persistent Unemployment as classified by the Department of Labor provided such area is listed as such by that Department in its publication "Area Labor Market Trends" for the month of September 1961, and in each subsequent issue of that publication until the time of such approval or initial disbursement of the loan.

The provisions of this subdivision shall not apply to assistance authorized pursuant to section 7(a)(5) of the Small Business Act, as amended (Group Corporation Loans).

(iv) Interest on SBA's share of loans, whether direct or participation loans, which may be made to Group Corporations shall be at the rate of 5 percent per annum. Subject to the approval of SBA, banks or other lending institutions may establish such rate of interest on

their share of participation loans as shall be legal and reasonable.

(3) *Service fees.* (i) In immediate participation loans made and serviced by the bank, the bank may deduct only out of interest collected for the account of SBA a service fee of $\frac{1}{2}$ of 1 percent per annum on the unpaid principal balance of SBA's portion of the loan, so long as the bank is servicing the loan, and provided such fee shall not be added to any amount which borrower is obligated to pay under the loan.

(ii) In deferred participation loans where SBA has purchased its share of the loan, the bank may deduct, only out of interest collected for the account of SBA, a service fee of $\frac{1}{2}$ of 1 percent per annum on the unpaid principal balance of SBA's portion of the loan, so long as the bank is servicing the loan, provided such fee shall not be added to any amount which borrower is obligated to pay under the loan.

§ 120.4 Disaster loans.

(a) Disaster loans will be considered on an individual basis in the light of circumstances of the applicant and of the particular flood, drought, excessive rainfall or other catastrophe, or business displacement. Such loans will be made to relieve the distress and hardships attendant upon the disasters or business displacement. Loans may be made:

(1) To rehabilitate or replace property damaged or lost as a result of disasters declared by SBA, declarations of which are published in the FEDERAL REGISTER, hereinafter referred to as Physical-Loss Disaster Loans. Loans may not be made to rehabilitate or replace personal recreation or vacation cabins or facilities.

(2) To any small-business concern located in an area affected by drought or excessive rainfall, if SBA determines that the small-business concern has suffered a substantial economic injury as a result of such drought or excessive rainfall, and the President has determined that such drought or excessive rainfall is a major disaster, or the Secretary of Agriculture or his designee has found that such drought or excessive rainfall constitutes a production or economic disaster in such area, hereinafter referred to as Excessive Rainfall or Drought Disaster Loans.

(3) To any small-business concern which has been displaced by a federally aided urban renewal or highway construction program or by any other construction conducted by or with funds provided by the Federal Government, if SBA determines that the small-business concern has suffered substantial economic injury as a result of such displacement, hereinafter referred to as Displaced Business Disaster Loans. Such loans may be made as SBA determines to be necessary or appropriate to assist displaced small-business concerns in re-establishing their business, including small-business concerns displaced prior to June 30, 1961.

Small-business concerns which were established after the approval of a federally aided project are not eligible for

loans under this section. Religious, eleemosynary, agricultural and non-profit organizations are not eligible for Displaced Business Disaster Loans. Loans may not be made for replacement or rehabilitation of homes or apartment houses.

(b) (1) Interest on the SBA share of direct and participation disaster loans, excluding Displaced Business Disaster Loans, shall be at the rate of 3 percent per annum. Where a disaster loan is made for the acquisition or construction (including acquisition of site therefor) of housing for the personal occupancy of the borrower, the interest rate on both the SBA share and bank share of such loan shall be at the rate of 3 percent per annum, except where the participating institution's share represents complete conversion of a pre-disaster loan made by such institution the interest rate on the participating institution's share may be at a rate accepted as reasonable by SBA.

(2) Interest on the SBA share of direct and participation Displaced Business Disaster Loans shall be at a rate determined by SBA in conformity with the statutory formula set forth in the Small Business Act, as amended.

(c) The maximum maturity, including renewals and extensions, for Disaster Loans shall not exceed 20 years.

(d) In agreements to participate in Disaster Loans on a deferred basis, such participation by SBA shall not be in excess of 90 percent of the balance of the loan outstanding at the time of disbursement.

(e) In immediate and deferred participation loans no service fee shall be charged either to the borrower or to the participant by the party servicing the loan.

This revision of Part 120 shall become effective upon publication in the FEDERAL REGISTER without prejudice to any actions initiated prior to publication.

Dated: December 19, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 63-183; Filed, Jan. 8, 1963;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-EA-80]

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

Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation regulations is to alter the description of the New York, N.Y. (La Guardia Field) control zone.

The New York (La Guardia Field) control zone is presently designated, in part,

with reference to the New York (La Guardia Field) radio range and the New Rochelle, N.Y., radio beacon. The Federal Aviation Agency is decommissioning these facilities as they are no longer required for air traffic control purposes. However, procedures based on the operating components of a proposed Runway 22 ILS system require retention of the La Guardia control zone northeast extension. Therefore, action is taken herein to substitute geographical coordinates for the position of the New York (La Guardia Field) radio range and a distance established by measurement from these coordinates for the position of the New Rochelle radio beacon in the description of the New York (La Guardia Field) control zone. Controlled airspace requirements for this area will be reviewed at a later date under the CAR Amendments 60-21/60-29 implementation program.

Since this amendment is editorial in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

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

In § 71.171 (27 F.R. 220-91, November 10, 1962) the New York, N.Y. (La Guardia Field) control zone is amended to read:

New York, N.Y. (La Guardia Field).

Within a 5-mile radius of La Guardia Field (latitude 40°46'29" N., longitude 73°52'20" W.) and within 2 miles either side of the 031° bearing from latitude 40°49'14" N., longitude 73°50'38" W., extending from the 5-mile radius zone to 5.5 miles NE of latitude 40°49'14" N., longitude 73°50'38" W.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on January 2, 1963.

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

[F.R. Doc. 63-164; Filed, Jan. 8, 1963;
8:45 a.m.]

[Airspace Docket No. 62-SO-47]

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

Designation of Transition Area

On October 10, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 9954) stating that the Federal Aviation Agency proposed to designate a transition area at Columbus, Ga.

No adverse comments were received regarding the proposed amendment.

Subsequent to the issuance of the notice, parts 600 and 601 of the Regulations of the Administrator were consolidated and recodified into Part 71 [New] of the Federal Aviation Regulations, effective December 12, 1962 (27 F.R. 10352, 220-2,

November 10, 1962). The airspace action taken herein reflects the new format and numbering system adopted for these parts.

In addition, since the publication of the notice, the Columbus radio range has been converted to a radio beacon. Therefore, action is taken herein to reflect the change to this facility.

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

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

Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Columbus, Ga.

That airspace extending upward from 1,200 feet above the surface within 8 miles NW. and 5 miles SE. of the Columbus ILS localizer SW. course extending from the ILS OM to 12 miles SW. and within 8 miles E. and 5 miles W. of the 204° bearing from the Columbus RBN extending from the RBN to 12 miles SW., excluding the portion within R-3002.

This amendment shall become effective 0001 e.s.t., March 7, 1963.

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

Issued in Washington, D.C., on January 2, 1963.

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

[F.R. Doc. 63-165; Filed, Jan. 8, 1963; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-372]

PART 223—TARIFFS OF AIR CARRIERS: FREE AND REDUCED-RATE TRANSPORTATION

Transportation of Empty Mail Bags

Adopted by the Civil Aeronautics Board at its offices in Washington, D.C., on the 4th day of January 1963.

Part 223 of the Board's Economic Regulations, 14 CFR Part 223, contains rules governing the grant of free and reduced-rate transportation by air carriers and foreign air carriers.

Pan American World Airways and Trans World Airlines have filed petitions (Dockets 14238 and 14239) requesting authority under Part 223 to transport empty air mail bags in foreign air transportation to the country of origin on a voluntary, space available basis, without charge to the Postal Administration concerned.

The petitions are an outgrowth of negotiations between the International Bureau of the Universal Postal Union (U.P.U.) and the International Air Transport Association (IATA) in which various international carriers have agreed to participate in a one year experimental program (from January 1, 1963, to December 31, 1963) to return by air

empty air mail bags to the country of origin without charge. The Board finds that the experimental program outlined above is in the public interest, and that authority to participate therein should be granted by regulation. This regulation will permit carriers engaged in foreign air transportation to participate in the program.

This action of the Board does not impose a regulatory burden or restriction on any person. The Board therefore finds that notice and public procedure thereon are unnecessary and that the amendment to Part 223, as set forth below, may be made effective upon publication in the FEDERAL REGISTER.

Accordingly, the Board hereby amends Part 223 of the Board's Economic Regulations, by the addition of a new § 223.2a effective January 9, 1963, to read:

§ 223.2a Transportation of empty mail bags.

Any air carrier or foreign air carrier authorized to engage in foreign air transportation may transport in foreign air transportation empty air mail bags from any country to the country of origin of such bags, free of charge, on a voluntary, space available basis.

(Sec. 204(a), 72 Stat. 743, 49 U.S.C. 1324. Interpret or apply Sec. 403(b), 72 Stat. 759, 49 U.S.C. 1373)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-196; Filed, Jan. 8, 1963; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55801]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

PART 25—CUSTOMS BONDS

Miscellaneous Amendments

Section 551, Tariff Act of 1930, as amended, provided that any common carrier of merchandise owning or operating a railroad, steamship, or other transportation line or route for the transportation of merchandise in the United States, or any freight forwarder authorized to operate as such by any agency of the United States may, in the discretion of the Secretary of the Treasury, be designated as a carrier of bonded merchandise. Public Law 87-854, approved October 23, 1962 (T.D. 55748), further amends section 551 of the tariff act to permit the Secretary to designate any contract carrier authorized to operate as such by any agency of the United States, as a carrier of bonded merchandise. The Customs Regulations are hereby amended, as set forth below, to conform to that change in the law.

In Part 18—Transportation in Bond and Merchandise in Transit:

§ 18.1 [Amendment]

The first sentence of § 18.1(a) is amended by inserting "or contract carrier" after "common carrier" so that the sentence will read as follows: "Merchandise to be transported from one port to another in the United States in bond, except as provided for in paragraph (b), shall be delivered to a common carrier or contract carrier bonded for that purpose, but such merchandise may be transported with the use of the facilities of other bonded or nonbonded carriers."

Footnote 1 appended to § 18.1(a) is amended to read as follows:

¹Under such regulations and subject to such terms and conditions as the Secretary of the Treasury shall prescribe—

(1) Any common carrier of merchandise owning or operating a railroad, steamship, or other transportation line or route for the transportation of merchandise in the United States,

(2) Any contract carrier authorized to operate as such by any agency of the United States, and

(3) Any freight forwarder authorized to operate as such by any agency of the United States,

upon application, may, in the discretion of the Secretary, be designated as a carrier of bonded merchandise for the final release of which from customs custody a permit has not been issued. (19 U.S.C. 1551.)

Section 18.1(c) is amended to read:

(c) A common carrier or contract carrier desiring to receive merchandise for transportation in bond shall file with the collector of customs a bond on customs Form 3587 in a sum to be recommended by the collector, accompanied by the fee of \$45 prescribed by § 24.12 of the regulations of this chapter. A common carrier shall also file with the collector a certified extract of its charter showing that it is authorized to engage in common carriage, and a statement that it is operating or intends to operate as a common carrier. In addition to the foregoing a freight forwarder shall submit a certificate from the appropriate agency of the United States showing that the applicant is authorized to operate as a freight forwarder by that agency. The extract and statement need not be submitted in the case of railroad or steamship companies generally known to be engaged in common carriage. A contract carrier shall also submit a certificate from the appropriate agency of the United States showing that the carrier is authorized to operate as a contract carrier by that agency, and a statement showing that it is operating or intends to operate as a contract carrier.

The first sentence of § 18.1(f) is amended to read: "Carrier bonds may be discontinued at any time by the Bureau or the collector of customs at the headquarters port where the bond is filed."

§ 18.8 [Amendment]

Section 18.8(b) is amended by deleting "common" therefrom.

§ 18.11 [Amendment]

Section 18.11(h) is amended by deleting "common" from the second sentence.

§ 18.16 [Amendment]

Section 18.16(a) is amended by deleting "common" from the third sentence.

§ 18.19 [Amendment]

Section 18.19(b) (1) is amended by deleting "common" from the second sentence.

§ 18.26 [Amendment]

Section 18.26(a) is amended by deleting "common" from the second sentence.

(R.S. 161, as amended, 251, secs. 551, 624, 46 Stat. 742, as amended, 759; 5 U.S.C. 22, 19 U.S.C. 66, 1515, 1624)

In Part 24—Customs Financial and Accounting Procedure:

§ 24.12 [Amendment]

Section 24.12(a) (1) (ii) is amended by deleting "common" therefrom.

(R.S. 161, as amended, R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

In Part 25—Customs Bonds:

§ 25.4 [Amendment]

The second, third, and fourth sentences of § 25.4(a) (35) are amended to read: "Such consolidated bond will not authorize an airline to act as a carrier for the transportation of bonded merchandise unless and until the airline filing the bond is qualified as a carrier for such transportation. If the airline desires to qualify as a carrier for the transportation of bonded merchandise and has not previously so qualified, it shall file an application with the collector requesting permission to so act accompanied by evidence that it is authorized to operate and intends to operate as a common carrier or contract carrier. The application for designation as a carrier for the transportation of bonded merchandise shall be accompanied by the fee prescribed in § 24.12 of the regulations of this chapter."

(R.S. 161, as amended, 251, secs. 623, 624, 46 Stat. 759, as amended; 5 U.S.C. 22, 19 U.S.C. 66, 1623, 1624)

[SEAL]

D. B. STRUBLING,
Acting Commissioner of Customs.

Approved: December 31, 1962.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary
of the Treasury.

[F.R. Doc. 63-192; Filed, Jan. 8, 1963;
8:48 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Regulations No. 4, further amended]

PART 404—FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE (1950—)

Evidence

Regulations No. 4, as amended of the Social Security Administration (20 CFR 404.1 et seq.), are further amended as follows:

1. The heading and paragraphs (a), (b), and (c) of § 404.701 are amended to read as follows:

§ 404.701 Evidence as to right to receive monthly benefits and lump-sum death payment, and to establishment of period of disability.

(a) *Evidence of eligibility.* An applicant for monthly benefits, a lump-sum death payment, or a period of disability shall submit such evidence of eligibility as is specified in this subpart. The Administration may at any time require additional evidence to be submitted with regard to entitlement, the right to receive payment, including the right of a funeral home to receive a lump-sum payment where applicant authorized such payment, the amount to be paid, or to the establishment of a period of disability. (For evidence requirements to support allegations of disability, see Subpart P of this Part 404.)

(b) *Failure to submit requested evidence of eligibility.* Whenever an applicant for benefits, a lump-sum death payment, or the establishment of a period of disability, or an applicant who authorizes payment of the lump sum to a funeral home, has submitted no evidence or insufficient evidence of eligibility to such benefits, lump sum, or period of disability, or the eligibility of the funeral home to the lump sum, whichever is applicable, the Administration will inform the applicant what evidence is necessary for a determination as to eligibility and will request him to submit such evidence within a specified time. The applicant's failure to submit evidence as requested by the Administration shall be a basis for determining that the conditions of eligibility concerning which such evidence was requested have not been met. (For effect of failure or refusal of individual to present himself for an examination or test in a disability case, and failure to submit evidence of disability, see §§ 404.1527 and 404.1530.)

(c) *Evidence of nonoccurrence of termination, suspension, or deduction event.* The Administration may at any time require any individual receiving, or claiming that he is entitled to receive a benefit or is entitled to the continuance of a period of disability under title II of the Act, either for himself or on behalf of another, to submit a written statement giving pertinent information bearing upon the issue of whether or not an event has occurred which would cause such benefit or such period of disability to be terminated, or which would subject such benefit to deductions or suspension under the provisions of such title. The failure on the part of such individual to submit such statement, properly executed, to the Administration, shall subject such benefit to deductions, suspension, or termination, or shall cause termination of a period of disability, as the case may be. (See § 404.1539 for information relating to cessation of disability.)

2. Section 404.702 is amended to read as follows:

§ 404.702 Evidence as to earnings.

The amounts of earnings credited to an individual and the periods to which

such earnings are credited may be proved by the records of the Administration and by other evidence of probative value subject to the limitations prescribed in Subpart I of this part. An applicant for monthly benefits, a lump-sum death payment, or the establishment of a period of disability, need not submit evidence as to earnings unless requested to do so by the Administration.

3. Section 404.706 is amended to read as follows:

§ 404.706 When evidence as to marriage and termination of marriage is required.

A wife, husband, widow, or widower who applies for monthly benefits or for a lump-sum death payment based upon the earnings of a husband, wife, deceased husband, or deceased wife, as the case may be, shall submit, when so requested, supporting evidence as specified in §§ 404.707 to 404.709, inclusive, as to her or his marriage to such individual, as to the time and place of marriage, and as to the termination of any former marriage. A former wife divorced who applies for benefits based upon the earnings of her deceased divorced husband shall submit, when so requested, supporting evidence as specified in § 404.710 as to her marriage to such individual and her divorce from him. Evidence of marriage may also be required by the Administration as to the marriage of any other individual when such marriage is relevant to the determination of an applicant's entitlement. Where a widow or former wife divorced, whose remarriage has been terminated by the death of her subsequent husband applies for widow's or mother's benefits based on the earnings of her former deceased husband, such widow or former wife divorced shall submit evidence of her marriage to such subsequent husband as specified in § 404.707 and evidence of his death as specified in § 404.704. Where an applicant alleges annulment of a marriage which marriage would otherwise bar initial entitlement to benefits or preclude reinstatement to benefits previously terminated by reason of such marriage, such applicant shall submit evidence of the annulment of such marriage as specified in § 404.709.

4. A new § 404.708a is added after § 404.708 to read as follows:

§ 404.708a Evidence as to deemed valid marriage.

An applicant whose status as a wife, husband, widow, or widower of the insured individual upon whose earnings the claim is based depends upon a purported marriage to such individual which is deemed to be a valid marriage under section 216(h) (1) (B) of the Act, shall submit, in order to establish his or her status as such, evidence consisting of the following:

(a) Evidence of the ceremonial marriage of the type listed in § 404.707 (a); and

(b) Applicant's signed statement as to whether he (or she) went through the marriage ceremony in good faith, believing that the marriage was valid at the time it was entered into, as to whether he (or she) knew of the impediment to the marriage (e.g., an undissolved prior

marriage) at such time and the reasons for his (or her) belief that the marriage was valid; and

(c) If insured individual is living, a signed statement from such individual concerning applicant's good faith and lack of knowledge of the impediment to the marriage, and also stating, if the insured individual's prior marriage is involved, what information had been given the applicant (before they went through the marriage ceremony) of the prior marriage and its alleged dissolution; and

(d) Upon request, if the applicant's marriage to the insured individual is invalid because of a prior undissolved marriage, and the prior spouse is living and his (or her) whereabouts are known, a signed statement from such spouse showing whether applicant, at the time the marriage ceremony was entered into, knew of the prior marriage and knew that it had not been dissolved, and showing the basis for his (or her) awareness of the applicant's knowledge of these facts; and

(e) If the insured individual is living, signed statements from the applicant and the insured individual (as described in § 404.716a) indicating whether they were living in the same household at the time the application was filed (for definition of "living in the same household," see § 404.1112), or, if the insured individual is deceased, a signed statement from the applicant (as described in § 404.716a) indicating whether he (or she) was living in the same household with the insured individual at the time of the latter's death.

5. Section 404.709 is amended to read as follows:

§ 404.709 Evidence of termination of marriage.

(a) *Termination of marriage by divorce, annulment, or death.* Where evidence of termination of a marriage is pertinent to a determination of entitlement (see § 404.706), the applicant, when so requested by the Administration, shall submit:

(1) A certified copy of the decree of divorce dissolving the marriage; or

(2) A certified copy of the decree of annulment; or

(3) Evidence of the death of a party to such marriage as described in § 404.704 in the order of priority therein listed.

(b) *Evidence not available.* If the evidence described in paragraph (a) of this section is not available, the applicant shall state the reason therefor and submit other evidence of probative value.

6. Section 404.711 is amended to read as follows:

§ 404.711 When evidence as to relationship of parent and child is required.

Where an applicant's eligibility to benefits is dependent upon the existence of a parent-child relationship the applicant shall submit evidence of the parent-child relationship as specified in §§ 404.712 to 404.715, inclusive, as may be appropriate.

7. Section 404.712 is amended to read as follows:

§ 404.712 Evidence as to blood relationship of parent and child.

If the relationship is by blood, the evidence described in § 404.703 shall be submitted (in the order of priority therein provided), if such evidence shows the relationship between the parent and child in question. If the document submitted is a public record of birth, a church record of birth or baptism, or a hospital birth record, described in § 404.703, and such document shows the name of the child but does not show the names of the parents and their relationship to the child, the document will be accepted, in the absence of evidence to the contrary, as supporting evidence of the relationship if the surname of the child shown thereon is the same as that of the alleged parent at the time of the birth of the child. Where from the evidence available or furnished the relationship or status of the child to the individual upon whose earnings the claim is based depends upon whether such insured individual and the father (or mother) of the child had entered into a ceremonial marriage which, but for a legal impediment described in section 216(h)(1)(B) of the Act, would have been a valid marriage, evidence of the type described in § 404.707(a) shall also be submitted to establish that the insured individual entered into a ceremonial marriage with the father (or mother) of the child.

8. Section 404.714 is amended to read as follows:

§ 404.714 Evidence as to adoption.

(a) *General.* If the relationship is by adoption, the applicant shall submit a certified copy of the decree or order of adoption. If it is not possible to obtain such a certified copy, or if such a certified copy can be obtained only by order of a court, the applicant shall submit a statement to this effect and submit other evidence of probative value establishing that a final decree or order of adoption was granted by a court of competent jurisdiction. If, under the law of the place of adoption, no decree or order is required to effect such adoption, the applicant shall submit either a certified copy of the public record of adoption required by such law or, if no such record is required, the original document, if available, by which the adoption was effected. If the original document is not available, the applicant shall submit an authentic copy thereof with a statement of the reason why the original is not available. If, under the law of the place of adoption, adoption may be accomplished without a writing or public record, other evidence of probative value which establishes the adoption shall be submitted.

(b) *Evidence required where child is adopted after death of insured by insured's surviving spouse.* Where the child was adopted by the surviving spouse of the insured within 2 years of the date of insured's death, or before August 29, 1960, if insured died before August 28, 1958, there shall be submitted:

(1) Appropriate evidence of adoption as described in paragraph (a) of this section; and

(2) A statement by the surviving spouse (or other person filing on behalf of such child) indicating (i) whether the child was living in the insured's household at the time of the insured's death; and (ii) what contributions, if any, and the regularity of such contributions, such child was receiving towards his support at the time of the insured's death from any individual other than the insured or the surviving spouse, or from any public or private organization, identifying the organization, if that is the case; and

(3) Evidence of the marriage of the surviving spouse to the insured as described in § 404.708a, if the status of the surviving spouse as widow or widower of the insured depends upon a purported marriage to the insured which is deemed a valid marriage under section 216(h)(1)(B) of the Act.

9. A new § 404.714a is added after § 404.714 to read as follows:

§ 404.714a Evidence of annulment of adoption.

Where an annulment of an adoption affects a person's entitlement to benefits or right to have his entitlement to benefits reinstated, such person shall submit a certified copy of the decree annulling such adoption. If it is not possible to obtain such a certified copy of the decree, or if such a certified copy can be obtained only by order of court, the person shall furnish a statement to this effect and submit other evidence of probative value establishing that a final decree annulling the adoption was granted by a court of competent jurisdiction, and showing the date such decree was granted, the date it became effective, the names of the parties thereto, and the pertinent provisions thereof.

10. Section 404.715 is amended to read as follows:

§ 404.715 Evidence as to steprelationship.

To establish the relationship of stepparent and stepchild, evidence of the relationship of the child to the stepparent's spouse, in accordance with §§ 404.712 to 404.714, inclusive, shall be submitted, together with evidence of the marriage of the stepparent and spouse in accordance with §§ 404.707 to 404.709, inclusive. If the relationship of the child to the individual upon whose earnings the claim is based, depends upon whether such insured individual and the father (or mother) of the child had entered into a ceremonial marriage which, but for a legal impediment described in section 216(h)(1)(B) of the Act, would have been a valid marriage, evidence of the type described in § 404.707(a) shall be submitted to establish that the insured individual entered into a ceremonial marriage with the father (or mother) of the child.

11. Section 404.716 is amended to read as follows:

§ 404.716 Evidence as to domicile.

Where the status of a claimant as a wife, husband, widow, widower, child, or parent of the insured, upon whose earnings record the claim is based, depends on the domicile of the insured as of the

applicable time as described in § 404.1101, such claimant, or person filing on claimant's behalf, as the case may be, shall, when requested by the Administration, submit a statement concerning the insured's domicile as of such applicable time. The statement shall include information indicating where the insured considered his permanent home to be. Upon request of the Administration, evidence shall also be submitted showing where the insured paid his personal and real property taxes, his State income taxes, where he voted, and, if insured is deceased, where he was buried, and also any other probative evidence as may be requested.

12. A new § 404.716a is added after § 404.716 to read as follows:

§ 404.716a Evidence of "living in the same household" with individual.

An applicant for a lump-sum death payment based upon the earnings of a deceased spouse and an applicant whose status as a wife, husband, widow, or widower depends upon meeting the requirements of section 216(h)(1)(B) of the Act, shall submit evidence to establish that he or she was living in the same household with his or her spouse at the time of the death of such insured individual, or (if such insured individual is living), at the time the application was filed (see § 404.1112 for definition of "living in the same household"). Such evidence shall include, if the insured individual is living, signed statements by the applicant and such insured individual showing whether they were living in the same place of abode at the time such applicant filed the application, or if the insured individual is deceased, a signed statement from the applicant showing whether he (or she) and the insured were living in the same place of abode at the time of the insured's death. If the applicant and the insured individual were not actually residing in the same place of abode at the applicable time, the statement or statements shall set forth the place where each was residing, the reason they were not residing in the same place, the date they last resided together, and how long the separation was expected to continue.

13. Section 404.717 is amended to read as follows:

§ 404.717 Evidence of receipt of support by husband.

A husband who applies for husband's insurance benefits based upon the earnings of his wife, shall submit evidence to establish receipt of at least one-half of his support (see § 404.332) from her. Such evidence shall include statements signed by the husband and wife showing whether he was receiving at least one-half of his support from her at the applicable time specified in section 202(c)(1)(C) of the Act. These statements shall set forth as of the applicable time and for a period of not less than one year before such time, the amount of the husband's income, if any, and any other sources of support, including contributions received, when they were received, and by whom they were furnished. If the evidence described above is not ob-

tainable, the applicant shall state the reason therefor and submit other evidence of probative value.

14. Section 404.718 is amended to read as follows:

§ 404.718 Evidence of receipt of support by widower.

A widower who applies for widower's insurance benefits based upon the earnings of his deceased wife, shall submit evidence to establish receipt of at least one-half of his support (see § 404.332) from her. Such evidence shall include a statement signed by the widower showing whether he was receiving at least one-half of his support from her at the applicable time specified in section 202(f)(1)(D) of the Act. This statement shall set forth as of the applicable time and for a period of not less than one year before such time, the amount of his income, if any, and any other sources of support, including contributions received, when they were received, and by whom they were furnished. If the evidence described above is not obtainable, the applicant shall state the reason therefor and submit other evidence of probative value.

15. Section 404.719 is amended to read as follows:

§ 404.719 Evidence of receipt of support by former wife divorced.

A former wife divorced who applies for monthly benefits based upon the earnings of her deceased divorced husband shall submit evidence to establish that she was receiving from such husband, pursuant to agreement or court order, at least one-half of her support (see § 404.332) at the applicable time specified in section 202(g)(1)(F) of the Act. Such evidence shall be as follows:

(a) The agreement, if in writing, or a certified copy of the court order, including a certification by the proper court official that such order had not been revoked or modified prior to the time in question, or, if neither the written agreement nor the certified copy of the court order can be produced, the applicant shall state the reason therefor and submit other evidence of probative value to establish the existence of the written agreement or court order and its terms (if the applicant alleges that she received support from her divorced husband pursuant to an agreement, which was not in writing, she may submit evidence of probative value to establish such agreement and its terms); and

(b) A signed statement by the applicant showing whether she was receiving from him, at the applicable time, at least one-half of her support, pursuant to the agreement or court order. This statement shall set forth, as of the applicable time and for a period of not less than one year before such time, the amount of her income, if any, and any other sources of support, including contributions received, when they were received, and by whom they were furnished. If the evidence described in this paragraph is not obtainable, the applicant shall state the reason therefor and submit other evidence of probative value.

16. Section 404.720 is amended to read as follows:

§ 404.720 Evidence of receipt of support by parent.

A parent who applies for parent's insurance benefits based upon the earnings of an individual shall submit evidence to establish receipt of at least one-half of his support (see § 404.332) from such individual. Such evidence shall include a signed statement by the parent showing whether he was receiving at least one-half of his support from such individual at the applicable time specified in section 202(h)(1)(B)(i) of the Act. This statement shall set forth, as of the applicable time and for a period of not less than one year before such time, the amount of the parent's income, if any, and any other sources of support, including contributions received, when they were received, and by whom they were furnished. If such evidence is not obtainable, the applicant shall state the reason therefor and submit other evidence of probative value.

17. A new § 404.720a is added after § 404.720 to read as follows:

§ 404.720a Evidence of "good cause" for delayed filing of proof of support or application for a lump-sum death payment.

When it is pertinent to entitlement to determine whether there was good cause as described in § 404.617 for failure to file proof of support or an application for a lump-sum death payment within the 2-year period prescribed in sections 202(c)(1)(C), 202(f)(1)(D), 202(h)(1)(B)(ii), and 202(i) of the Act, the applicant shall submit his signed statement, stating the reasons why he or she did not file proof of support or an application for a lump-sum death payment, as the case may be, within the prescribed 2-year period. Applicant shall also submit, when requested, other evidence of probative value relating to his or her reasons for not filing such proof or application within the prescribed 2-year period.

18. Section 404.721 is amended to read as follows:

§ 404.721 When evidenced as to dependency of child required.

A child who applies for monthly benefits based upon the earnings of an individual shall submit evidence as specified in §§ 404.722 to 404.724, inclusive, as may be appropriate, of his dependency upon such individual at the applicable time specified in section 202(d)(1)(C) of the Act. If such evidence is not obtainable, the applicant shall state the reason therefor and submit other evidence of probative value.

19. Section 404.722 is amended to read as follows:

§ 404.722 Evidence as to dependency of child on father or adopting father.

If the individual upon whose earnings the claim for benefits is based is the father or adopting father of the child, there shall be submitted, as requested, a signed statement by a person having personal knowledge thereof that, at the

applicable time specified in section 202(d) (1) (C) of the Act:

(a) The child is the legitimate or legally adopted child of such individual and had not been legally adopted by some other person, and, if benefits for months before September 1960 are involved and such child had a stepfather, such child was not living with or receiving more than one-half of his support from his stepfather (if the child was living with a stepfather who was contributing to the child's support, the statement of contributions described in § 404.723(b) shall also be submitted); or

(b) Such individual and the child were living together at a common place of above, giving the address of such place, or, if they were living apart, stating the place where each was living, the reason they were not living in the same place, the date they last lived together, and the expected length of the separation; or

(c) Such individual was contributing to the support of the child, describing the amount, time or times, and the manner of making such contributions.

20. Section 404.723 is amended to read as follows:

§ 404.723 Evidence as to dependency of child on stepfather.

If the individual upon whose earnings the claim for benefits is based is the stepfather of the child, there shall be submitted a signed statement by a person having personal knowledge thereof, that, at the applicable time specified in section 202(d) (1) (C) of the Act:

(a) Such individual and the child were living together at a common place of abode, giving the address of such place, or, if they were living apart, stating the place where each was living, the reason they were not living in the same place, the date they last lived together, and the expected length of the separation; or

(b) The child was receiving at least one-half of his support from such individual. If the child was receiving his total support from such individual, the statement shall be to this effect; if the child was not receiving his total support from the individual, the statement shall set forth as of the applicable time and for a period of not less than one year before such time, the amount of the child's income, if any, and any other sources of support including contributions received, when they were received, and by whom they were furnished.

21. Section 404.724 is amended to read as follows:

§ 404.724 Evidence as to dependency of child on mother, adopting mother, or stepmother.

(a) *General.* Except as provided in paragraph (b) of this section, if the individual upon whose earnings the claim for benefits is based is the child's mother, adopting mother, or stepmother, there shall be submitted by a person having personal knowledge thereof:

(1) A signed statement setting forth as of the applicable time for meeting the dependency requirement as specified in section 202(d) (1) (C) of the Act, and for a period of not less than one year

before such time, the amount of the child's income, if any, and any other sources of support including contributions received, when they were received, and by whom they were furnished; and

(2) A signed statement setting forth with whom such child was living at the applicable time, giving the address of such place, and, if the child was not living with the individual upon whose earnings the claim for benefits is based, the place where each was living, the reason they were not living in the same place, the date they last lived together, and the expected length of the separation.

(b) *When evidence as to dependency is not required.* If the individual upon whose earnings the claim for benefits is based, is the child's natural or legally adopting mother, and such individual was currently insured (see Subpart B of this Part 404) at the applicable time for meeting the dependency requirement as specified in section 202(d) (1) (C) of the Act, no evidence as to dependency of the child upon such individual shall be required.

22. Section 404.725 is amended to read as follows:

§ 404.725 Evidence as to wife under age 62, or over age 61 but under age 65, having care of child.

A wife under age 62 who applies for monthly benefits based upon the earnings of her husband shall submit a signed statement as to whether she has in her care, individually or jointly with her husband at the time of filing such application, a child of her husband entitled to a child's insurance benefit based upon such earnings. A wife over age 61 but under age 65 who is entitled to wife's insurance benefits, or who applies for such benefits, shall submit, when requested, a signed statement as to whether she has in her care (individually or jointly with her husband) a child of her husband entitled to a child's insurance benefit, or, with respect to monthly benefits for months before August 1961, a child entitled to child's insurance benefits on the basis of her husband's earnings record. If the child is living with the wife, this shall appear in the statement. If the child is not living with the wife, the statement shall disclose with whom the child is living, the reason the child is not living with the wife, the date the child last lived with the wife, the expected length of the separation, and how and to what extent, if any, she cares for the child, and to what extent, if any, she contributes to the support of the child, and in addition, the wife shall also submit a signed statement by the person with whom the child is living (or, if the child is in an institution, by an official of the institution), which states the sources of the child's support and the extent of the child's support from each such source, and how and to what extent, if any, the wife cares for the child. If there is a court order or written agreement as to the custody of the child, the wife shall submit a certified copy of such court order or agreement. If the evidence described in this section is not obtainable, the ap-

plicant shall state the reason therefor and submit other evidence of probative value.

23. Section 404.726 is amended to read as follows:

§ 404.726 Evidence as to widow or former wife divorced having care of child.

A widow or former wife divorced who applies for mother's insurance benefits shall submit a signed statement as to whether she has in her care a child of her deceased husband, or of her deceased divorced husband, as the case may be, entitled to a child's insurance benefit. If the child is living with such mother, this shall appear in the statement. If the child is not living with such mother, her statement shall disclose with whom the child is living, the reason the child is not living with the mother, the date the child last lived with the mother, the expected length of the separation; and how and to what extent, if any, she cares for the child, and to what extent, if any, she contributes to the support of the child; and in addition, she shall also submit a signed statement by the person with whom the child is living (or, if the child is in an institution, by an official of the institution), which states the sources of the child's support, the extent of the child's support from each such source, and how and to what extent, if any, the mother cares for the child. If there is a court order or written agreement as to the custody of the child, the mother shall also submit a certified copy of such court order or agreement. If the evidence described in this section is not obtainable, the applicant shall state the reason therefor and submit other evidence of probative value.

24. Section 404.727 is amended to read as follows:

§ 404.727 Evidence as to burial expenses incurred by or through a funeral home and other burial expenses pursuant to application for lump-sum death payment under section 202(i) of the Act, as amended on September 13, 1960.

(a) *Application by person who assumed responsibility for payment of burial expenses authorizing payment of lump sum to funeral home toward unpaid burial expenses.* Where applicant has assumed responsibility for payment of all or part of the burial expenses incurred by or through a funeral home for the burial of an insured individual and he authorizes payment of the lump-sum death payment to the funeral home toward such burial expenses, to the extent that they are unpaid, such applicant shall submit the following:

(1) His signed statement authorizing payment of the lump sum to the funeral home to the extent of such unpaid burial expenses and showing:

(i) Whether he assumed responsibility for the payment of all or any part of such expenses,

(ii) His relationship to the deceased, and if not related to the deceased by blood or marriage, the reason for assuming such responsibility,

(iii) The total burial expenses incurred by or through such home,

(iv) The amount of such burial expenses that he paid, if any,

(v) Whether any part of such burial expenses were paid by others, and if so, the names and addresses of such other persons, their relationships to the deceased, and the amounts paid, and

(vi) Whether an application for reimbursement for, or payment of, burial expenses has been, or will be filed with the Veterans' Administration or any other Federal agency, and if so, the name of the agency, the amount claimed, and the name of the person filing with the other agency; and

(2) A statement signed by the owner or other official of the funeral home showing:

(i) The total burial expenses incurred by or through such home,

(ii) The name, address, and relationship to the deceased of each person who assumed responsibility for the payment of all or part of such burial expenses,

(iii) Whether an application for reimbursement for, or payment of, burial expenses has been or will be filed with the Veterans' Administration or any other Federal agency, and if so, the name of the agency, the amount claimed, and the name of the person filing with the agency, and

(iv) The name and address of each person or organization who paid any portion of such expenses, together with the amounts paid and the dates of payment.

(b) *Application by funeral home.* Where application for the lump-sum death payment is filed by a funeral home, based on burial expenses incurred by or through the home for the burial of the insured individual upon whose earnings such claim is based, such applicant shall submit the following:

(1) A statement signed by the owner or other official of the home showing:

(i) The total burial expenses incurred by or through the home,

(ii) Whether any person or persons assumed the responsibility for the payment of any of such burial expenses before the expiration of 90 days after the date of death of the insured individual, and the circumstances relating to the burial,

(iii) Whether any person or persons paid any part of such burial expenses, and if so, their names and addresses, relationship to the deceased, and the amounts paid, and

(iv) Whether an application for payment of burial expenses has been or will be filed with the Veterans' Administration, or any other Federal agency, and if so, the name of the agency, the amount claimed, and the name of the person filing with the other agency; and

(2) If someone other than the owner of the funeral home or its employees participated in the burial arrangements, a statement from such person showing whether or not he assumed responsibility.

(c) *Application by person who paid all or part of expenses incurred by or through a funeral home or funeral homes.* When applicant files for a lump-sum death payment based on payment of all or part of the expenses in-

curred by or through a funeral home or funeral homes for the burial of the insured individual upon whose earnings the claim is based, such applicant shall submit the following:

(1) His signed statement showing:

(i) His relationship to the deceased, and if not related by blood or marriage the reason for paying such burial expenses,

(ii) The total burial expenses incurred by or through a funeral home or funeral homes,

(iii) The amount of such expenses that he paid,

(iv) Whether any part of such expenses were paid by others, and if so, their names and addresses, relationship to the deceased, and amounts paid,

(v) The amounts in cash or property he has received or expects to receive as reimbursement for his payment of such expenses, and the source and date of each payment received or expected, and

(vi) Whether an application for reimbursement for, or payment of, burial expenses, has been or will be filed with the Veterans' Administration or any other Federal agency, and if so, the name of the agency, the amount claimed, and the name of the person filing with the other agency; and

(2) A statement signed by the owner or other official of the funeral home showing:

(i) The total burial expenses incurred by or through the funeral home, and

(ii) The name and address of each person or organization who paid any portion of such burial expenses and the amount and date of each payment.

(d) *Application by person who paid all or part of other expenses in connection with burial.* If any part of the lump-sum death payment remains after payments have been made on account of burial expenses incurred by or through a funeral home or funeral homes for the burial of the insured individual, an applicant filing for such part of the lump-sum death payment based on payment of all or part of other expenses in connection with the burial (comprising the expense of opening and closing of the grave, the expense of providing the burial plot, and any remaining expenses, in that order of priority), shall submit:

(1) His signed statement showing:

(i) His relationship to the deceased, and if not related by blood or marriage, the reason for paying such burial expenses,

(ii) As applicable, the total expense of opening and closing the grave, the total expense of providing the burial plot (including the cost of the plot, or, if the applicant furnished the plot, its value), and the total of any remaining expenses in connection with the burial.

(iii) The amount of such expenses that he paid,

(iv) Whether any part of such expenses were paid by others, and if so, their names and addresses, relationship to the deceased, and amounts paid,

(v) The amounts in cash or property he has received or expects to receive as reimbursement for his payment of such

expenses, and the source and date of each payment received or expected, and

(vi) Whether an application for reimbursement for, or payment of, burial expenses has been or will be filed with the Veterans' Administration or any other Federal agency, and if so, the name of the agency, the amount claimed, and the name of the person filing with the other agency; and when requested,

(2) A signed statement by the person or persons from whom the plot, goods, or services were purchased showing:

(i) The total cost of such plot, goods, or services, and

(ii) The name and address of each person who paid any portion of such costs, and the amount and date of each payment.

(e) *Evidence not obtainable.* If the evidence described in this section is not obtainable, the reason therefor shall be stated and the applicant may submit other evidence of probative value.

25. Section 404.728 is added to read as follows:

§ 404.728 Evidence of payment of burial expenses pursuant to application for a lump-sum death payment under section 202 (i) of the Act as in effect before September 13, 1960.

If a condition of entitlement to a lump-sum death payment is that the applicant shall have paid part or all of the burial expenses of the individual based upon whose earnings the lump-sum death payment is claimed, the applicant shall file an itemized and receipted statement or statements of the person or persons who supplied goods or services for the burial of the individual. Such statement or statements shall show the total cost of all goods or services furnished, the amount remaining unpaid, if any, the name of each person who paid any portion of such costs, and the amount and date of each payment. The applicant shall also submit his own signed statement as to his relationship or other connection with the individual, the total amount of the burial expenses, the amount of the burial expenses paid from his own funds, the amount of burial expenses unpaid, and the amount in cash or property which he has received or expects to receive as reimbursement for his payment of burial expenses. If the evidence described in this section is not obtainable, the reason therefor shall be stated and the applicant may submit other evidence of probative value.

26. *Effective date.* The foregoing amendments shall become effective on the date of publication in the FEDERAL REGISTER.

(Secs. 205 and 1102, 53 Stat. 1368, as amended, 49 Stat. 647, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405 and 1302)

Dated: December 20, 1962.

[SEAL] ROBERT M. BALL
Commissioner of Social Security.

Approved: January 3, 1963.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 63-175; Filed, Jan. 8, 1963; 8:46 a.m.]

Title 26—INTERNAL REVENUE

**Chapter I—Internal Revenue Service,
Department of the Treasury**

SUBCHAPTER A—INCOME TAX

[T.D. 6631]

**PART 1—INCOME TAX; TAXABLE
YEARS BEGINNING AFTER DECEM-
BER 31, 1953**

**Deduction for Investment Expenses of
Mutual Fire and Casualty Insurance
Companies**

On August 31, 1962, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under section 822(c) (2) of the Internal Revenue Code of 1954 (relating to deduction for investment expenses of mutual fire and casualty insurance companies) was published in the FEDERAL REGISTER (27 F.R. 8742). After consideration of all such relevant matter as was presented by interested persons regarding the rule proposed, the amendment of the regulations as proposed is hereby adopted. In addition, § 1.801-7 (relating to variable annuities) and § 1.1016-4 (relating to exhaustion, wear and tear, obsolescence, amortization, and depletion; periods during which income was not subject to tax) of the regulations contained in Treasury Decision 6610 (26 CFR Part 1), approved August 27, 1962, superseded § 19.1-6 (relating to variable annuities; increases and decreases in reserves) of Treasury Decision 6414 (26 CFR Part 19), approved September 9, 1959 (24 F.R. 7371), and § 19.1-5 (relating to adjustments to basis) of Treasury Decision 6415 (26 CFR Part 19), approved September 10, 1959 (26 F.R. 7373), respectively.

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: January 3, 1963.

STANLEY S. SURREY,
Assistant Secretary of the
Treasury.

In order to provide regulations under section 822(c) (2) of the Internal Revenue Code of 1954, relating to the deduction for investment expenses of mutual fire and casualty insurance companies, for taxable years beginning after December 31, 1954, the Income Tax Regulations (26 CFR Part 1) are amended by revising paragraph (c) (2) (ii) of § 1.822-5 to read as follows:

§ 1.822-5 Mutual insurance company taxable income.

(c) Deductions from gross investment income—* * *

(2) Investment expenses. * * *

(ii) Any assignment of general expenses to the investment department of a mutual insurance company subject to the tax imposed by section 821 subjects the entire deduction for investment expenses to the limitation provided in section 822(c) (2) and subdivision (iii) of this subparagraph. As used in section 822(c) (2), the term "general expenses"

means any expense paid or incurred for the benefit of more than one department of the company rather than for the benefit of a particular department thereof. For example, if an expense, such as a salary, is attributable to more than one department, including the investment department, such expense may be properly allocated among these departments. If such expense is allocated, the amount properly allocable to the investment department shall be deductible as general expenses assigned to or included in investment expenses and as such shall be subject to the limitation of section 822(c) (2) and subdivision (iii) of this subparagraph. However, a company subject to the tax imposed by section 821 shall not deduct under section 822(c) (2) its real estate taxes, depreciation, or other expenses with respect to any portion of the real estate which it owns, irrespective of whether such items are properly allocable to its investment department. For the rules relating to the deductibility of these items, see section 822(c) (3) and (4) and subparagraphs (3) and (4) of this paragraph. If general expenses are in part assigned to or included in investment expenses, the maximum allowance (as determined under section 822(c) (2)) shall not be granted unless it is shown to the satisfaction of the district director that such allowance is justified by a reasonable assignment of actual expenses. The accounting procedure employed is not conclusive as to whether any assignment has in fact been made. Investment expenses do not include Federal income and excess profits taxes, if any.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

[F.R. Doc. 63-181; Filed, Jan. 8, 1963; 8:46 a.m.]

**SUBCHAPTER E—ALCOHOL, TOBACCO, AND
OTHER EXCISE TAXES**

**PART 198—PRODUCTION OF VOLA-
TILE FRUIT-FLAVOR CONCENTRATES**

On November 3, 1962, a notice of proposed rule making to reissue 26 CFR Part 198, with respect to the production of volatile fruit-flavor concentrates, was published in the FEDERAL REGISTER (27 F.R. 10754). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. No comments or suggestions were received within the 30-day period prescribed in the notice, and the proposed regulations as published in the FEDERAL REGISTER are hereby adopted.

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: January 4, 1963.

STANLEY S. SURREY,
Assistant Secretary of
the Treasury.

In order to provide simplified requirements for qualification, construction, and operation of volatile fruit-flavor concentrate plants under the provisions of chapter 51 of the Internal Revenue Code, to modernize the regulations, and

to make other changes, the regulations in Part 198 of Title 26 of the Code of Federal Regulations are reissued as follows:

Preamble. 1. The regulations in this part shall supersede the 1955 edition of Part 198, Production of Volatile Fruit-Flavor Concentrate (26 CFR Part 198; 20 F.R. 1569) as amended by Treasury Decisions 6225 (22 F.R. 979) and 6386 (24 F.R. 4789).

2. These regulations shall not affect any act done or any liability or right accruing or accrued, or any suit or proceeding had or commenced, before the effective date of these regulations.

3. The regulations in this part shall become effective on the first day of the first month which begins not less than 30 days following the date of publication in the FEDERAL REGISTER.

Subpart A—Scope

- Sec. 198.1 General.
- 198.2 Territorial extent.
- 198.3 Status of existing qualified plants.

Subpart B—Definitions

- 198.11 Meaning of terms.

Subpart C—Administrative and Miscellaneous Provisions

- 198.21 Forms prescribed.
- 198.22 Other business.
- 198.23 Alternate methods of procedures; and emergency variations from requirements.
- 198.24 Approval of documents.
- 198.25 Installation of meters, tanks, and other apparatus.
- 198.26 Right of entry and examination.
- 198.27 Taxable status of stills.
- 198.28 Unlawful operations.
- 198.29 Retention of documents.

Subpart D—Location and Use

- 198.41 Restriction as to location.
- 198.42 Use of premises.
- 198.43 Concentrate plant located on other premises.

Subpart E—Qualification of Volatile Fruit-Flavor Concentrate Plants

- 198.51 General.
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PLATS AND FLOW PLANS

- 198.58 General requirements.
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- 198.64 General requirements.
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- 198.67 Adoption of plat and plans.
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- 198.69 Change in location.
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- 198.72 Suspension and resumption of operations.
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Subpart F—Bonds and Consents of Surety

- 198.81 Bond, Form 1694.
- 198.82 Corporate surety.
- 198.83 Deposit of securities in lieu of corporate surety.

Sec.	
198.84	Consents of surety.
198.85	Strengthening bonds.
198.86	New bond.

TERMINATION OF BONDS

198.87	Termination of bond.
198.88	Application of surety for relief from bond.
198.89	Relief of surety from bond.
198.90	Release of pledged securities.

Subpart G—Construction and Equipment

198.101	Security.
198.102	Means of ingress and egress.
198.103	Identification of apparatus and equipment.

Subpart H—Operations

198.111	Processing material.
198.112	Quantities to be determined.
198.113	Use of concentrates on premises.
198.114	Removal of concentrate.
198.115	Label.

Subpart I—Records and Reports

198.121	Records and reports.
198.122	Photographic copies of records.
198.123	Daily records.
198.124	Monthly report.
198.125	Final report.

AUTHORITY: §§ 198.1 to 198.125 issued under sec. 7805, 68A Stat. 917; 26 U.S.C. 7805. Statutory provisions interpreted or applied are cited to the text in parentheses.

Subpart A—Scope

§ 198.1 General.

The regulations in this part relate to the location, construction, arrangement, equipment, and qualification of plants for the manufacture of volatile fruit-flavor concentrates; and to the production, removal, sale, transportation, and use of such concentrates and the fruit mash or juice from which such concentrates are produced.

§ 198.2 Territorial extent.

This part applies to the several States of the United States and the District of Columbia.

§ 198.3 Status of existing qualified plants.

Volatile fruit-flavor concentrate plants heretofore qualified to operate may continue to operate, pursuant to their prior qualification, after the effective date of the regulations in this part. All plants hereafter established, and all changes in existing plants, shall be in conformity with this part. Operations of all plants shall be conducted pursuant to the provisions of this part.

Subpart B—Definitions

§ 198.11 Meaning of terms.

When used in this part and in forms prescribed under this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meaning ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms "includes" and "including" do not exclude things not enumerated which are in the same general class.

Assistant Regional commissioner. An assistant regional commissioner (alcohol

and tobacco tax) who is responsible to, and functions under the direction and supervision of, a regional commissioner of internal revenue.

Commissioner. The Commissioner of Internal Revenue.

Concentrate. Any volatile fruit-flavor concentrate produced by any process which includes evaporation from any fruit mash or juice.

Concentrate plant. An establishment qualified under this part for the production of concentrates.

Director. The Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington, D.C.

Executed under penalties of perjury. Signed with the prescribed declaration under the penalties of perjury as provided on or with respect to the application, report, form, or other document or, where no form of declaration is prescribed, with the declaration: "I declare under the penalties of perjury that this ----- (insert type of document, such as application or report), including the documents submitted in support thereof, has been examined by me and, to the best of my knowledge and belief, is true, correct and complete."

Flashed mash or juice. The spent fruit mash or juice from which the volatile fruit flavors have been removed.

Fold. The ratio of the volume of the fruit mash or juice to the volume of the concentrate produced from such fruit mash or juice. For example, one gallon of concentrate of 100-fold would be the product from 100 gallons of fruit mash or juice.

Fruit. All products commonly known and classified as fruit, berries, or grapes.

I.R.C. The Internal Revenue Code of 1954, as amended.

Person. An individual, trust, estate, partnership, association, company, or corporation.

Processing material. The fruit mash or juice from which concentrate is to be made.

Proprietor. The person qualified under this part to operate the volatile fruit-flavor concentrate plant.

Registry number. The number assigned to a volatile fruit-flavor concentrate plant by the assistant regional commissioner.

U.S.C. The United States Code.

Subpart C—Administrative and Miscellaneous Provisions

§ 198.21 Forms prescribed.

The Director is authorized to prescribe all forms required by this part. All the information called for in each form shall be furnished, as indicated by the headings on the forms and the instructions thereon or issued in respect thereto, and as required by this part.

§ 198.22 Other business.

The Director may authorize (a) the establishment of a concentrate plant on premises where fruit products, other than concentrates, are made or (b) the carrying on of such other businesses on premises of a concentrate plant where he finds such establishment of a concentrate plant or the carrying on of such other business will not jeopardize the

revenue, hinder effective administration of this part, or be contrary to law.

§ 198.23 Alternate methods or procedures; and emergency variations from requirements.

(a) *Alternate methods or procedures.* The proprietor, on specific approval by the Director as provided in this paragraph, may use an alternate method or procedure in lieu of a method or procedure specifically prescribed in this part. The Director may approve an alternate method or procedure, subject to stated conditions, when he finds that—

(1) Good cause has been shown for the use of the alternate method or procedure;

(2) The alternate method or procedure is within the purpose of, and consistent with the effect intended by, the specifically prescribed method or procedure, and affords equivalent security to the revenue; and

(3) The alternate method or procedure will not be contrary to any provision of law, and will not result in an increase in cost to the Government or hinder the effective administration of this part.

No alternate method or procedure relating to the giving of any bond shall be authorized under this paragraph. Where the proprietor desires to employ an alternate method or procedure, he shall submit a written application so to do, in triplicate, to the assistant regional commissioner, for transmittal to the Director. The application shall specifically describe the proposed alternate method or procedure, and shall set forth the reasons therefor. Alternate methods or procedures shall not be employed until the application has been approved by the Director. The proprietor shall, during the period of authorization of an alternate method or procedure, comply with the terms of the approved application. Authorization for any alternate method or procedure may be withdrawn whenever in the judgment of the Director the revenue is jeopardized or the effective administration of this part is hindered by the continuation of such authorization. As used in this paragraph, alternate methods or procedures shall include alternate construction or equipment.

(b) *Emergency variations from requirements.* The Director may approve construction, equipment, and methods of operation other than as specified in this part, where he finds that an emergency exists and the proposed variations from the specified requirements are necessary, and the proposed variations—

(1) Will afford the security and protection to the revenue intended by the prescribed specifications;

(2) Will not hinder the effective administration of this part; and

(3) Will not be contrary to any provisions of law. Variations from requirements granted under this paragraph are conditioned on compliance with the procedures, conditions, and limitations with respect thereto set forth in the approval of the application. Failure to comply in good faith with such procedures, condi-

tions, and limitations shall automatically terminate the authority for such variations and the proprietor thereupon shall fully comply with the prescribed requirements of regulations from which the variations were authorized. Authority for any variation may be withdrawn whenever in the judgment of the Director the revenue is jeopardized or the effective administration of this part is hindered by the continuation of such variation. When the proprietor desires to employ such variation, he shall submit a written application so to do, in triplicate, to the assistant regional commissioner for transmittal to the Director. The application shall describe the proposed variations and set forth the reasons therefor. Variations shall not be employed until the application has been approved.

§ 198.24 Approval of documents.

The assistant regional commissioner is authorized to approve, except as otherwise provided in this part, all qualifying documents, bonds, and consents of surety required by this part.

§ 198.25 Installation of meters, tanks, and other apparatus.

The assistant regional commissioner is authorized to require the proprietor to install meters, tanks, pipes, or any other apparatus which the assistant regional commissioner deems advisable for the purpose of protecting the revenue. Any proprietor refusing or neglecting to install such apparatus when so required shall not be permitted to operate.

(72 Stat. 1395; 28 U.S.C. 5552)

§ 198.26 Right of entry and examination.

Any internal revenue officer may at all times, as well by night as by day, enter any concentrate plant to make examination of the materials, equipment, and facilities thereon; and make such gauges and inventories as he deems necessary. Whenever any internal revenue officer, having demanded admittance, and having declared his name and office, is not admitted into such premises by the proprietor or other person having charge thereof, he may at all times use such force as is necessary for him to gain entry to such premises.

(72 Stat. 1357; 26 U.S.C. 5203)

§ 198.27 Taxable status of stills.

The special (occupation and commodity) taxes imposed by section 5101, I.R.C., shall not be applicable in respect of any stills set up on concentrate plant premises and used in the production of concentrates pursuant to this part.

§ 198.28 Unlawful operations.

A manufacturer of concentrate who violates any of the conditions exempting him from the provisions of chapter 51, I.R.C., will subject himself to the taxes and penalties otherwise applicable under that chapter in respect of such operations; and any person who sells, transports, or uses any concentrate or the mash or juice from which it is produced, in violation of chapter 51, I.R.C., or the regulations promulgated thereunder,

will subject himself to all the provisions of that chapter pertaining to distilled spirits and wines, including those requiring the payment of the tax thereon.

(72 Stat. 1314; 26 U.S.C. 5001)

§ 198.29 Retention of documents.

The proprietor shall maintain a file of approved Forms 27-G, plats, flow plans, bonds, and other documents, on or convenient to the concentrate plant premises, available for inspection by internal revenue officers.

Subpart D—Location and Use

§ 198.41 Restrictions as to location.

A concentrate plant shall not be established in any dwelling house or on board any vessel or boat, or (except as provided in this subpart) in any building or on any premises where any other business is carried on or where the revenue will be jeopardized or the effective administration of this part will be hindered.

§ 198.42 Use of premises.

The premises and equipment of a concentrate plant shall be used only for the business stated in the approved application for registration. Where the proprietor desires to use such premises and equipment, or any portion thereof, for any business other than that of a manufacturer of concentrates (and activities incident thereto), he shall submit to the Director, through the assistant regional commissioner, a written application, in triplicate, setting forth the type of business he desires to conduct, the buildings and equipment he proposes to use, and the relationship, if any, of such business to concentrate plant operations. On approval of the application by the Director, the proprietor shall submit an amended application for registration, Form 27-G, setting forth the type of business to be conducted. Such business may not be carried on until the application, Form 27-G, has been approved by the assistant regional commissioner.

§ 198.43 Concentrate plant located on other premises.

Any person desiring to establish a concentrate plant on premises where fruit products, other than concentrates, are made shall submit to the Director, through the assistant regional commissioner, a written application, in triplicate, setting forth a description of the premises on which he desires to establish the concentrate plant, the type of business conducted thereon, and the relationship, if any, of such business to concentrate plant operations. On approval of the application by the Director, the applicant shall comply with the provisions of Subparts E and F of this part.

Subpart E—Qualification of Volatile Fruit-Flavor Concentrate Plants

§ 198.51 General.

A person shall not engage in the business of manufacturing concentrates unless he has made application for registration, on Form 27-G, to the assistant regional commissioner and has received

his approval thereof as provided in this part. Each application shall be executed under penalties of perjury, and all written statements, affidavits, and other documents submitted in support of the application or incorporated by reference shall be deemed to be a part thereof.

§ 198.52 Data for application, Form 27-G.

Applications on Form 27-G shall be prepared in accordance with the instructions thereon and issued in respect thereto, and shall include the following:

- (a) Serial number.
- (b) Name and principal business address of the applicant, and the location of the plant if different from the business address.
- (c) Statement of purpose for which filed.
- (d) Statement of information regarding proprietorship, supported by the organizational documents listed in § 198.54.
- (e) Description of plant (see § 198.55).
- (f) Description of major apparatus and equipment. List separately each tank, evaporator, and separator by serial number and show the capacity of each in wine gallons. List separately each still and condenser by serial number, kind, capacity and intended use.
- (g) Statement of capacity of plant (see § 198.56).
- (h) Statement of process to be employed.
- (i) Statement of other business, if any, to be conducted on concentrate plant premises, identifying approved application therefor.

Where any of the information required by paragraph (d) of this section is on file with the assistant regional commissioner, such information, if accurate and complete, may, by incorporation by reference thereto by the applicant, be made a part of the application. The applicant shall, when so required by the assistant regional commissioner, furnish as a part of his application such additional information as may be necessary for the assistant regional commissioner to determine whether the application should be approved.

§ 198.53 Powers of attorney.

The proprietor shall execute and file with the assistant regional commissioner a Form 1534, in accordance with the instructions on the form, for every person authorized to sign or to act on behalf of the proprietor. (Not required for persons whose authority is furnished in the application, Form 27-G.)

§ 198.54 Organizational documents.

The supporting information required by paragraph (d) of § 198.52, includes, as applicable:

- (a) Extracts from the articles of incorporation or of the minutes of meetings of the board of directors, authorizing the incumbents of certain offices, or other persons, to sign for the corporation;
- (b) Names and addresses of the officers and directors;
- (c) Names and addresses of the 10 persons having the largest ownership or other interest in the corporation, or other legal entity, and the nature and amount

of the stockholding or other interest of each, whether said interest appears in the name of the interested party or in the name of another for him; and

(d) In the case of individual owner or partnership, the name and address of every person interested in the concentrate plant, whether such interest appears in the name of the interested party or in the name of another for him.

§ 198.55 Description of plant.

The application, Form 27-G, shall contain a complete description of the building constituting or containing the concentrate plant, including the location, dimensions, material of which constructed, and means of protection and security. All rooms or areas comprising the concentrate plant shall be described on Form 27-G. The description shall include the designated name of each room or area, which shall be according to its use, and the dimensions thereof.

§ 198.56 Statement of capacity.

The statement of the capacity of the plant in the application, Form 27-G, shall set forth the kind, by name of fruit, of processing materials to be used, the maximum quantity of each kind of processing material that will be processed in 24 hours, the maximum quantity of concentrates (in wine gallons) that will be produced in 24 hours, and, as to each kind, the minimum and maximum folds to which the volatile fruit-flavors will be concentrated, and the maximum percent of alcohol that will be contained in the concentrates.

§ 198.57 Registry of stills.

Any stills set up on concentrate plant premises and intended to be used in the production of concentrates shall be registered with the assistant regional commissioner of the region in which located. The listing of stills for production of concentrates in the application, Form 27-G, and the approval of the application shall constitute registration of such stills: *Provided*, That stills set up and registered under regulations in effect prior to the effective date of these regulations shall not be required to be reregistered because of the provisions of this section.

PLATS AND FLOW PLANS

§ 198.58 General requirements.

The proprietor shall submit with his application, Form 27-G, a plat of the premises, and flow plans, in triplicate, in conformity with the requirements of this subpart.

§ 198.59 Preparation.

Every plat shall be drawn to scale and shall show the cardinal points of the compass. Each plat and flow plan shall bear a distinctive title, and the complete name and address of the proprietor, enabling ready identification. Each sheet of the drawings shall be numbered, the first being designated number "1", and the other sheets numbered in consecutive order. The dimensions of the drawings shall be 15" x 20", outside measurement, with a clear margin of at least 1" on each side: *Provided*, That the assistant regional commissioner may authorize the

use of larger sheets if they can be satisfactorily filed. The drawings shall be submitted on sheets of good quality white paper, tracing cloth, opaque cloth, sensitized linen, or blueprint paper, and may be original drawings, or, if clear and distinct, reproductions made by lithoprint, ditto, or ozalid processes. The Director may approve other materials and methods which he finds are equally acceptable.

§ 198.60 Depiction of premises.

The plat shall show the outer boundaries of the concentrate plant premises in feet and inches, in a color contrasting with those used for other drawings on the plat, and shall contain an accurate depiction of the building or buildings comprising such premises. The depiction of such premises should agree with the description in the application, Form 27-G. If two or more buildings are to be used, they shall be shown in their relative positions, and the designated name or use of each shall be indicated. All exterior doors on the first floor of each building shall be shown on the plat. If the concentrate plant consists of less than an entire building, the plat shall show the building, the location of the concentrate plant within the building, and the means of ingress from and egress to a public street or yard. Where premises on which distilled spirits, wines, beer, or other liquors are manufactured or produced, stored, used, or sold, are contiguous to the concentrate plant, the plat shall show the relative location of the concentrate plant and such contiguous premises, and all pipelines and other connections, if any, between them (public utility pipelines and similar connections excepted), and the distance they are from each other. The outlines of such contiguous premises and the concentrate plant shall be shown in contrasting colors.

§ 198.61 Flow plans.

Flow plans shall be submitted reflecting the production process and shall show major equipment (identified as to use) in its relative operating sequence, with essential connecting pipelines and valves. Minor equipment (such as pumps, pressure regulators, or rotometers) need not be shown. The direction of flow through the equipment and pipelines shall be indicated by arrows.

§ 198.62 Certificate of accuracy.

The plat and plans shall bear a certificate of accuracy in the lower right-hand corner of each sheet, signed by the proprietor, substantially as follows:

 (Name of proprietor)

 (Concentrate Plant No.)

 (Address)
 Accuracy certified by:

 (Name and capacity—
 for the proprietor)
 -----, 19____
 Sheet No. _____

§ 198.63 Revised plats and plans.

Any revised plat or plan shall bear the same number as the sheet superseded,

but will be given a new date. Any additional plat or plan sheet shall be given a new number in consecutive order, or will be otherwise numbered and lettered in such manner as will permit the filing of the plat or plan in proper sequence.

CHANGES AFTER ORIGINAL ESTABLISHMENT

§ 198.64 General requirements.

Where there is a change with respect to the information shown in the application, Form 27-G, the proprietor shall (except as otherwise provided in this subpart) submit, within 10 days of such change, an amended application on Form 27-G. Such application may be executed in skeleton form. Items which are correctly set forth in prior applications and remain unchanged may be incorporated in the amended application by reference to the respective application previously filed in which the item is fully and correctly set forth. Such incorporation by reference shall be made by entering for such item in the space provided therefor the statement "No change since filing Form 27-G, Ser. No. _____ (insert serial number)."

(72 Stat. 1392; 26 U.S.C. 5511)

§ 198.65 Change in name of proprietor.

Where there is to be a change in the individual, firm, or corporate name, the proprietor shall file an amended application, Form 27-G; a new bond or consent of surety will not be required. Operations shall not be conducted under the new name prior to approval of the amended application.

§ 198.66 Change in proprietorship.

(a) *General*. Where there is a change in the proprietorship of a concentrate plant, the outgoing proprietor shall comply with the requirements of § 198.73, and the successor shall, before commencing operations, file the required bond, and file application on Form 27-G and receive approval thereof in the same manner as a person qualifying as the proprietor of a new concentrate plant, except that he may adopt the plats and plans of the predecessor as provided in § 198.67. Materials, concentrates, and flashed mash or juice may be transferred from an outgoing proprietor to a successor.

(b) *Fiduciary*. If the successor to the proprietorship of a concentrate plant is an administrator, executor, receiver, trustee, assignee, or other fiduciary, he shall comply with the provisions of paragraph (a) of this section except that he may, in lieu of filing a new bond, furnish consent of surety extending the terms of his predecessor's bond, and he may also incorporate by reference in his application on Form 27-G any pertinent information contained in his predecessor's approved application. The fiduciary shall furnish a certified copy of the order of the court or other pertinent document showing his qualification as such fiduciary. If the fiduciary was appointed by a court, the effective dates of the qualifying documents filed by the fiduciary shall be the effective date of the court order, or the date specified therein for him to assume control. If the fiduciary was not appointed by a court, the date

of his assuming control shall coincide with the effective date of the qualifying documents filed by him.

(c) *Corporation.* The sale or transfer of the capital stock of a corporation operating a concentrate plant does not constitute a change in the proprietorship of such plant. However, where the sale or transfer of capital stock results in a change in the control or management of the business, or where there is a change in the officers or directors, the proprietor, within 10 days, shall give written notice thereof, in triplicate, to the assistant regional commissioner. A change in stockholders of corporations not constituting a change in control need not be so reported.

§ 198.67 Adoption of plat and plans.

The adoption by a successor of the plat and plans of a predecessor shall be in the form of a certificate to be submitted with the application, Form 27-G, in which shall be set forth the identity of the concentrate plant and the predecessor, and a description (by sheet number and title) of each plat and plan sheet adopted, and a certification that the adopted plat and plans accurately depict the premises.

§ 198.68 Continuing partnerships.

Where, under the laws of the particular State, the partnership is not terminated on death or insolvency of a partner, but continues until the winding up of the partnership affairs is completed, and the surviving partner has the exclusive right to the control and possession of the partnership assets for the purpose of liquidation and settlement, such surviving partner may continue to operate the plant under the prior qualification of the partnership, provided a consent of surety, wherein the surety and the surviving partner agree to remain liable on the bond given on Form 1694, is filed. If such surviving partner acquires the business on completion of the settlement of the partnership, he shall qualify in his own name from the date of acquisition, as provided in § 198.66(a). The rule set forth in this section shall also apply where there is more than one surviving partner.

§ 198.69 Change in location.

Where there is a change in the location of a concentrate plant, the proprietor shall file an amended application, Form 27-G, new plat and plans, and either a new bond or a consent of surety on Form 1533. Operation of the concentrate plant may not be commenced at the new location prior to approval of the amended application, the new plat and plans, and the new bond or the consent of surety.

§ 198.70 Changes in equipment.

Where changes are to be made in the distilling apparatus and equipment, which changes would affect the accuracy of the application and the plat and plans, the proprietor shall first secure approval thereof by the assistant regional commissioner pursuant to application, in duplicate, setting forth specifically the proposed changes: *Provided*, That emergency repairs may be made without prior approval of the as-

sistant regional commissioner. Where such emergency repairs are made, the proprietor shall file immediately a report thereof, in duplicate, with the assistant regional commissioner. Changes made under this section shall be reflected in the next amendment of the application, Form 27-G, and in the next revision of the plat and plans unless the assistant regional commissioner requires the immediate filing of such documents.

§ 198.71 Change in process.

Before a proprietor makes any change in his process of manufacture which would affect the accuracy of the statement of process required by § 198.52, he shall file an amended application, Form 27-G, to include the amended or new statement of process and the new or amended process may not be used prior to approval of the amended application.

§ 198.72 Suspension and resumption of operations.

Any proprietor desiring to suspend operations for a period of 30 days or more shall give written notice to the assistant regional commissioner of the date operations are to be suspended and the approximate date operations are to be resumed. Where the proprietor wishes to resume operations at an earlier date than stated, he shall give written notice to the assistant regional commissioner to that effect at least 10 days before operations are to be resumed.

§ 198.73 Notice of permanent discontinuance.

Where the proprietor permanently discontinues the business of a concentrate manufacturer, he shall, after completion of his operations, file a Form 27-G to cover such discontinuance, giving the date of the discontinuance.

Subpart F—Bonds and Consents of Surety

§ 198.81 Bond, Form 1694.

Every person intending to commence the business of manufacturing concentrates shall file bond, Form 1694, with the assistant regional commissioner at the time of filing his original application, Form 27-G, and at such other times as are required by this subpart. Such bond shall be conditioned that each such person shall fully and faithfully comply with all of the requirements of the law and regulations relating to the manufacture, removal, sale, transportation, or use of any concentrate (or any fruit mash or juice from which such concentrate is produced) and shall pay or cause to be paid, all taxes, together with penalties and interest, on all such concentrates or any other alcoholic products manufactured, removed, sold, transported, or used by him contrary to law or regulations. No person shall commence or continue the business of manufacturing concentrates until such bond has been approved by the assistant regional commissioner. The penal sum of bond, Form 1694, shall be \$5,000: *Provided*, That where it is the opinion of the assistant regional commissioner that an additional bond should be required for the protection of the revenue, because of the magnitude of the

proposed operations, or for other good reason, he may require an additional bond not to exceed \$20,000.

(72 Stat. 1392; 26 U.S.C. 5511)

§ 198.82 Corporate surety.

Surety bonds required by this part may be given only with corporate sureties holding certificates of authority from, and subject to the limitations prescribed by, the Secretary of the Treasury as set forth in the current revision of Treasury Department Circular 570. Powers of attorney and other evidence of appointment of agents and officers to execute bonds or to consent to changes in the terms of bonds on behalf of corporate sureties are required to be filed with, and passed on by, the Commissioner of Accounts, Surety Bonds Branch, Treasury Department.

(61 Stat. 648; 6 U.S.C. 6, 7)

§ 198.83 Deposit of securities in lieu of corporate surety.

In lieu of corporate surety, the principal may pledge and deposit, as surety for his bond, securities which are transferable and are guaranteed as to both interest and principal by the United States, in accordance with the provisions of 31 CFR Part 225.

(61 Stat. 650; 6 U.S.C. 15)

§ 198.84 Consents of surety.

Consents of surety to changes in the terms of bonds shall be executed on Form 1533 by the principal and by the surety with the same formality and proof of authority as is required for the execution of bonds.

§ 198.85 Strengthening bonds.

In any case where the assistant regional commissioner determines under the provisions of § 198.81 that an additional bond should be required, the principal shall either give a strengthening bond with the same surety to attain the penal sum set by the assistant regional commissioner, or give a new bond to cover the entire liability. Strengthening bonds will not be approved where any notation is made thereon which is intended, or which may be construed, as a release of any former bond, or as limiting the amount of any bond to less than its full penal sum. Strengthening bonds shall show the current date of execution and the effective date.

§ 198.86 New bond.

A new bond shall be required in the case of the insolvency or removal of any surety, and may, at the discretion of the assistant regional commissioner, be required in any other contingency affecting the validity or impairing the efficiency of bond given on Form 1694. Where, under the provisions of § 198.83, the surety on a bond, on Form 1694, has filed application to be relieved of liability under such bond and the principal desires to continue the business of a concentrate manufacturer, he shall file a valid superseding bond to be effective on or before the date specified in the surety's notice. Where a new bond is submitted to supersede a bond or bonds in effect, the new bond shall show the current date of execution and the effective date.

If a new bond is not filed when required the principal shall discontinue forthwith operations at his concentrate plant.

TERMINATION OF BONDS

§ 198.87 Termination of bond.

A bond, Form 1694, may be terminated by the assistant regional commissioner as to future liability pursuant to (a) application by the surety as provided in § 198.88, (b) approval of a superseding bond, or (c) discontinuance of business by the principal.

§ 198.88 Application of surety for relief from bond.

A surety on any bond required by this part may at any time, in writing, notify the principal and the assistant regional commissioner in whose office the bond is on file that he desires, after a date named, to be relieved of liability under such bond. Such date shall be not less than 60 days after the date the notice is received by the assistant regional commissioner. The notice shall be executed in triplicate by the surety, who shall deliver one copy to the principal and two copies to the assistant regional commissioner. The surety shall also file with the assistant regional commissioner an acknowledgment or other proof of service of such notice on the principal. Unless the notice is withdrawn in writing before such date, the rights of the principal as supported by such bond shall be terminated on the date named in the notice, and the surety shall be relieved from liability to the extent set forth in § 198.89.

§ 198.89 Relief of surety from bond.

Where the surety has filed application for relief from liability, as provided in § 198.88, and a new or superseding bond has been filed, the surety shall be relieved of liability arising from acts occurring wholly on or subsequent to the effective date of the new or superseding bond. If the concentrate manufacturer files a valid superseding bond on Form 1694 prior to the date named in the surety's notice, the surety shall also be relieved from liability for concentrate and fruit mash or juice on hand at the concentrate plant on such date. If the principal fails to file a superseding bond, the surety, notwithstanding his release from liability as specified above, shall continue to remain liable under the bond for all concentrates and fruit mash or juice on hand at the concentrate plant on such date, until such concentrate and mash or juice have been lawfully disposed of or a new bond has been filed by the principal covering the same.

§ 198.90 Release of pledged securities.

Securities of the United States pledged and deposited as provided in § 198.83 shall be released only in accordance with the provisions of 31 CFR Part 225. Such securities will not be released by the assistant regional commissioner until liability under the bond for which they were pledged has been terminated. When the assistant regional commissioner is satisfied that they may be released, he shall fix the date or dates on which a part or all of such securities may be released. At any time prior to

the release of such securities, the assistant regional commissioner may extend the date of release for such additional length of time as he deems necessary.

(61 Stat. 650; 6 U.S.C. 15)

Subpart G—Construction and Equipment

§ 198.101 Security.

The concentrate plant and equipment shall be so constructed, arranged, equipped, and protected as to afford adequate protection to the revenue and facilitate inspection by internal revenue officers.

§ 198.102 Means of ingress and egress.

The proprietor shall make provisions to assure that internal revenue officers have ready ingress to, and egress from, the concentrate plant at any time, and furnish, on request, evidence satisfactory to the assistant regional commissioner that such ingress and egress are assured.

(72 Stat. 1357; 26 U.S.C. 5203)

§ 198.103 Identification of apparatus and equipment.

Each tank or receptacle for concentrate, processing material, or flashed mash or juice shall be marked to show its serial number, capacity, and use. Each still, separator, evaporator, and condenser shall be numbered and marked to show its use. All other major equipment used for manufacturing concentrates shall be identified as to use unless the intended use thereof is readily apparent.

Subpart H—Operations

§ 198.111 Processing material.

A proprietor may produce processing material or receive processing material produced elsewhere. Fermented processing material shall not be used in the manufacture of concentrates. Processing material may be used if it contains no more alcohol than is reasonably unavoidable, and shall be used when produced, or as soon thereafter as practicable. If processing material is removed from the concentrate plant for any purpose whatsoever, the proprietor shall enter in his record required by § 198.123 the kind and quantity so removed, the name and address of the consignee, and the reason for the removal.

§ 198.112 Quantities to be determined.

The proprietor shall determine the number of gallons of processing material fed to the evaporator and the quantity and alcohol content of the concentrate produced therefrom. Such determinations shall be recorded as prescribed in § 198.123.

§ 198.113 Use of concentrates on premises.

Concentrates may be used on the concentrate plant premises in the manufacture of any product made in the conduct of another business authorized to be conducted on concentrate plant premises under the provisions of § 198.22, if such product contains less than one-half of one percent of alcohol by volume.

§ 198.114 Removal of concentrate.

Concentrate fit for use as a beverage may not be removed from the place of manufacture. Where the alcohol content of any concentrate exceeds six percent but not fifteen percent of alcohol by volume, and it is desired to remove such concentrate from the premises, there shall be added to each gallon thereof not less than:

- (a) $8\frac{3}{10}$ pounds of sucrose; or
- (b) 1 gallon of concentrated fruit juice of not less than 70 degree Brix made from the same kind of fruit used in the manufacture of the concentrate; or
- (c) $2\frac{1}{2}$ ounces of any one of the following:

- (1) Malic acid;
- (2) Citric acid;
- (3) Tartaric acid.

Concentrate containing not more than six percent alcohol by volume may be removed from the premises without being modified by the addition of any substance unless the Director finds that the concentrate is fit for use as a beverage and requires the addition thereto of substances specified in paragraphs (a), (b), or (c) of this section.

§ 198.115 Label.

Each container of concentrate shall have affixed thereto, before removal, a label identifying the product and showing (a) the name of the proprietor; (b) the registry number of the plant; and (c) the address of the plant, as shown on the application, Form 27-G.

Subpart I—Records and Reports

§ 198.121 Records and reports.

Each proprietor shall keep records and render reports as required by this part. Such records, and copies of such reports, shall be maintained on or convenient to the concentrate plant available for inspection by internal revenue officers during business hours. The records and copies of reports shall be preserved for a period of not less than two years from the date thereof or the date of the last entry required to be made thereon, whichever is the later.

§ 198.122 Photographic copies of records.

Persons who desire to record, copy, or reproduce records required to be preserved under § 198.121 by any photographic, photostatic, microfilm, microcard, miniature photographic, or other process which accurately reproduces or forms a durable medium for so reproducing the original of such records, shall make application to the assistant regional commissioner, in triplicate, to do so, describing:

- (a) The records to be reproduced.
- (b) The reproduction process to be employed.
- (c) The manner in which the reproductions are to be preserved.
- (d) The provisions to be made for examining, viewing, and using such reproductions.

The assistant regional commissioner shall not approve any application unless (1) the Director has approved that type

of record for reproduction and the reproduction process to be employed, and (2) the manner of preservation of the reproductions and the provisions for examining, viewing, and using such reproductions are, in the assistant regional commissioner's opinion, satisfactory. Whenever records are reproduced under this section, the reproduced records shall be preserved in conveniently accessible files, and provisions shall be made for examining, viewing, and using the reproduced record the same as if it were the original record, and it shall be treated and considered for all purposes as though it were the original record; all provisions of law and regulations applicable to the original record shall be applicable to the reproduced record. As used in this section "original record" shall mean the record required by this part to be maintained or preserved, even though it may be an executed duplicate or other copy of the document.

§ 198.123 Daily records.

The proprietor shall maintain daily records which show the date of the transaction and which accurately and clearly reflect, by kind and by quantity, the following:

- (a) Processing material used.
- (b) Processing material removed.
- (c) Concentrates produced and the alcohol content thereof.
- (d) Concentrates used in manufacture of products, and concentrates removed from the concentrate plant premises (showing the name and address of each person to whom such concentrates are shipped).
- (e) Substances received for use in rendering concentrates unfit for use as a beverage.
- (f) Substances used in rendering concentrates unfit for use as a beverage or otherwise disposed of.

(72 Stat. 1392; 26 U.S.C. 5511)

§ 198.124 Monthly report.

A monthly report, on Form 1695, of concentrate plant operations shall be prepared in duplicate by each proprietor. Where the proprietor has given notice of suspension of operations in accordance with the provisions of § 198.72, a report on Form 1695 need not be prepared or submitted for any month in which there were no operations. The original of each monthly report shall be forwarded to the assistant regional commissioner not later than the tenth day of the month succeeding that for which rendered.

§ 198.125 Final report.

When a change in the proprietorship of the concentrate plant occurs, the outgoing proprietor shall enter on his final report, Form 1695, an account of all concentrates transferred to his successor, who shall in turn enter such items on his report, Form 1695, as received from his predecessor. The outgoing proprietor shall make appropriate notation on all forms and records required to be kept by him, showing the change in proprietorship and the date thereof.

[F.R. Doc. 63-193; Filed, Jan. 8, 1963; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1464—CONSOLIDATED RENEGOTIATION OF AFFILIATED GROUPS AND RELATED GROUPS

Consolidated Renegotiation of a Related Group

§ 1464.3 [Amendment]

1. Section 1464.3(b) *Definition of "related group."* is amended by deleting the first sentence and inserting in lieu thereof the following: "A 'related group' means two or more related contractors, one of whom controls the other or others, or who are under common control (see § 1451.31 of this subchapter)."

2. Section 1464.4 *Request for consolidated renegotiation of related group; when granted* is deleted in its entirety and the following is inserted in lieu thereof:

§ 1464.4 Request for consolidated renegotiation of related group; when granted.

In order properly to reflect excessive profits, the Board may, in its discretion, grant a request for a consolidated proceeding with respect to a related group if all the following conditions exist:

(a) Each person in the group had renegotiable receipts or accruals during the related group's fiscal year under review.

(b) Each of such persons who participated in a consolidated renegotiation for a prior fiscal year and whose fiscal year differed from the fiscal year of the related group in that renegotiation has, before the close of the renegotiation proceeding for the related group's fiscal year under review, adopted under the Internal Revenue Code a fiscal year in conformity with the related group's fiscal year: *Provided, however,* That this requirement may be waived by the Board, in its discretion, in the case of any contractor who for any reason has ceased to engage in renegotiable business before the close of the renegotiation proceeding for the related group's fiscal year under review.

(c) Stock possessing at least 80 percent of the voting power of all classes of stock and at least 80 percent of each class of the nonvoting stock of each corporate member of the group (except the common parent, if any), and the right to at least 80 percent of the profits of each unincorporated member of the group (except the common parent, if any), are owned directly or indirectly by one or more of the other members of the group, or by the same person or persons other than a member or members of the group. (Sec. 109, 65 Stat. 22; 50 U.S.C. App. Sup. 1219)

Dated: January 4, 1963.

HERSCHEL C. LOVELESS,
Acting Chairman.

[F.R. Doc. 63-195; Filed, Jan. 8, 1963; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

PART 204—DANGER ZONE REGULATIONS

PART 207—NAVIGATION REGULATIONS

Miscellaneous Amendments

1. Pursuant to the provisions of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.706 governing the operation of the New York Central Railroad Company bridge across Sandusky Bay, Ohio, is hereby amended with respect to paragraph (a) (1), effective upon publication in the FEDERAL REGISTER in order that the owner of the bridge may take advantage of the regulations during this winter season, as follows:

§ 203.706 Sandusky Bay, Ohio.

(a) *New York Central Railroad Company bridge between Baybridge and Danbury.* (1) The owner of or agency controlling this bridge shall keep a draw tender in constant attendance except during the period from December 1 to April 1. During this period at least 24 hours' advance notice is required for opening the bridge for any vessel unable to pass under the closed bridge. The required advance notice shall be given the Division Engineer, New York Central System, Toledo, Ohio.

[Regs., December 7, 1962, 285/111—ENGCW—ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 204.51 governing the use and navigation of danger zones in Chesapeake Bay, Virginia, is hereby amended redesignating the boundaries of the small-arms firing range in paragraph (b) and amending paragraph (c), effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 204.51 Chesapeake Bay, Lynnhaven Roads; danger zones, U.S. Naval Amphibious Base.

(b) *Small-arms firing range*—(1) *The Area.* Beginning at a point on the shore line at latitude 36°55'27", longitude 76°08'38"; thence to latitude 36°55'50", longitude 76°08'37"; thence to latitude 36°57'11", longitude 76°08'11"; thence to latitude 36°56'53", longitude 76°07'18"; thence to latitude 36°55'39", longitude 76°07'46"; thence to latitude 36°55'22", longitude 76°08'17"; thence along the shore line to the point of beginning.

(c) This section shall be enforced by the Commanding Officer, U.S. Naval Amphibious Base, Little Creek, Norfolk, Virginia.

[Regs., December 11, 1962, 285/111—ENG CW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

3. Pursuant to provisions of Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.8 prescribing and governing the use and navigation of a naval restricted area in Massachusetts Bay northeast of Deer Island, Mass. is hereby revoked, effective on publication in the FEDERAL REGISTER since the area is no longer needed, as follows:

§ 207.8 Massachusetts Bay northeast of Deer Island, Mass.; naval restricted area. [Revoked]

[Regs., December 11, 1962, 285/111—ENG CW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

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

[F.R. Doc. 63-163; Filed, Jan. 8, 1963; 8:45 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 24—SANITATION, HEALTH, AND QUARANTINE

Subpart C—Maritime and Aircraft Quarantine

MISCELLANEOUS AMENDMENTS

Effective on the thirtieth day after publication in the FEDERAL REGISTER Subpart C of Part 24 of Title 35 of the Code of Federal Regulations is hereby amended as follows:

1. Sections 24.100a, 24.100b, 24.100d and 24.100e are amended to read as follows:

§ 24.100a Same; quarantine period.

Every dog or cat brought into the Canal Zone from off the Isthmus and not destined for the Republic of Panama shall be held in quarantine, under veterinary supervision, for a period of not less than 120 days.

§ 24.100b Same; place of quarantine.

Quarantined dogs and cats, including those arriving for transshipment, shall be detained at such places, including aboard the vessel on which the animal arrived, if practicable, as may be designated by the Chief, Division of Veterinary Medicine or by his authority.

§ 24.100d Same; disposition of unclaimed animals and of animals for which charges are not paid.

If an animal is unclaimed or accrued charges are unpaid within 30 days after notice to remove the animal from quarantine detention has been served upon or mailed to the last known address of the owner or other responsible person, the Chief, Division of Veterinary Medicine is authorized (a) to cause the animal to be sold at public auction or on written bids or by any other reasonable method, or (b) to cause the animal to be destroyed if it is of no substantial value or is suffering from any infectious or contagious disease or is deemed not saleable for any other reason. The balance,

if any, of the proceeds of the sale, after deduction of the unpaid charges and costs of the sale, shall be paid over to the owner or other person responsible for the quarantine charges.

§ 24.100e Same; immunization against rabies.

(a) Every dog four months of age or older shall, upon arrival in the Canal Zone, be accompanied by a valid certificate of rabies vaccination. This certificate shall:

(1) Identify the dog;

(2) Be signed by a licensed veterinarian; and

(3) Specify the date of vaccination and the type of vaccine employed.

(b) In no case will vaccination be recognized if performed on a dog less than four months of age.

(c) A dog arriving without a valid certificate of vaccination or one which has been vaccinated in a manner deemed unsatisfactory by the Chief, Division of Veterinary Medicine, shall be vaccinated with an approved rabies vaccine following its arrival and at least 30 days prior to its release from quarantine. The owner or person in charge of the dog shall bear the expense of this vaccination.

2. New §§ 24.54a, 24.55a, 24.93a, 24.100f, 24.101a, 24.101b, 24.101c, 24.101k and 24.101l are added as set forth below:

§ 24.54a Disinsecting.

Vessels required to be disinfected under § 24.54 shall be disinfected as follows:

(a) The insecticide used shall be an aerosol of a type approved by the Health Bureau and containing not less than 5.0 percent by weight pyrethrum extract (20 percent pyrethrins);

(b) The insecticide shall be dispensed in the amount of not less than five grams per 1000 cubic feet of enclosed space and released or sprayed throughout all accessible compartments;

(c) The ventilating system shall be stopped and all openings to the exterior kept closed while the insecticide is being released or sprayed for a period of at least 15 minutes thereafter.

§ 24.55a Disinsecting.

Aircraft required to be disinfected under § 24.55 shall be disinfected as follows:

(a) The insecticide used shall be an aerosol of a type specified for vessels and the method of application or disinsecting as required for vessels specified in § 24.54a except that the ventilation system shall be stopped and all openings to the exterior kept closed for a period of at least 3 minutes after the insecticide is released or sprayed.

(b) Disinsecting may be accomplished before take-off at the last airport before arrival at the Canal Zone or after departure from such airport (for compartments accessible in flight). In no case shall disinsecting be accomplished later than 30 minutes before the first landing in the Canal Zone.

§ 24.93a Vessels at docks; sanitary measures.

(a) When in the opinion of the quarantine officer a docking vessel pre-

sents a possible source of rodents, the vessel may be required immediately after docking to place rat-guards in good condition and of a design approved by the Chief, Division of Preventive Medicine and Quarantine on all mooring lines leading from the vessel to the wharf or to another vessel and the rat-guards shall be maintained on the lines while the vessel remains at the wharf, pier or dock. Such rat-guards, placed at a distance between 3 to 5 feet from the vessel, shall be secured in such manner as to prevent rats from passing along the lines and shall be located so as not to overhang the wharf or another vessel.

(1) Rat-guards to meet the approval of the Chief, Division of Preventive Medicine and Quarantine, shall have a diameter not less than three feet, shall be constructed of metal of sufficient thickness to maintain the shape of the guard (preferably not less than No. 20 gauge), and shall be so designed as to fit snugly about the cable or hawser.

(2) A vessel will be required to supply its own rat-guards. A vessel that does not have rat-guards which meet the requirements of this section or does not have a sufficient number of rat-guards for mooring lines, may rent such rat-guards from the Terminals Division.

(b) If in the opinion of the quarantine officer a vessel is a possible source of vermin or rodents, the vessel shall be breasted off in such manner that no part of said vessel is nearer than four feet to the wharf, pier, or other vessel.

(c) All freight gangways, save-all nets, catch-all nets, cargo chutes, hoses and other gear from vessel to pier or wharf which might serve as a route for the passage of rats to the dock, shall be hoisted when not in use in such manner as to render the passage of rats impossible: *Provided, however,* That such gear may remain unhoisted for short intervals during the daytime if watchmen from the ship's crew are stationed for the purpose of preventing rats from leaving the vessel by means of such gear.

(d) All gangways shall be well lighted after nightfall and shall be continuously guarded by watchmen from the ship's crew in such a manner as to prevent rats from leaving the vessel.

§ 24.100f Same; treatment of quarantined animals.

When a dog or cat entering the Canal Zone from off the Isthmus of Panama is found not to be in good health when examined upon admission to the quarantine station, such animal shall be quarantined and treated at the expense of the owner or person in charge of the animal.

§ 24.101a Certificate for ruminants, swine and poultry.

(a) All ruminants and swine offered for importation into the Canal Zone from any country of the world except the Republic of Panama shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin stating that such animals have been kept in said country at least 60 days immediately preceding the date of movement there-

from and that said country during such period has been entirely free from foot-and-mouth disease, rinderpest, contagious pleuro-pneumonia and surra: *Provided, however*, That in the case of sheep, goats, and swine, the certificate, as far as it relates to contagious pleuro-pneumonia, may specify freedom from such disease of the district of origin only. For domestic swine the certificate shall also show that for 60 days immediately preceding the date of movement from the premises of origin no hog cholera, swine plague or erysipelas has existed on such premises or on adjoining premises.

(b) The certificate accompanying sheep and goats offered for importation from any part of the world shall, in addition to the statements required by paragraph (a) of this section, state:

(1) That the said salaried veterinary officer has inspected such sheep and goats on the premises of origin and found them free of evidence of the disease known as scrapie and of any other communicable disease;

(2) That, as far as it has been possible to determine, such animals have not been exposed to any such disease during the preceding 60 days;

(3) That, as far as can be determined the disease known as scrapie has not existed in any district in which such sheep or goats were located during the three years immediately prior to shipment to the Canal Zone; and

(4) That each of such animals is not the progeny of a sire or dam that has been affected with scrapie.

(c) All poultry, except eggs for hatching, offered for importation from any country of the world shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin stating that such poultry and their flock or flocks of origin were inspected on the premises of origin immediately before the date of movement from such country and that they were found to be free of evidence of pullorum disease (bacillary white diarrhea) and other communicable diseases; and that, as far as it has been possible to determine, they were not exposed to any such disease common to poultry during the 60 days immediately preceding the date of such movement. Certificates for such poultry 60 days of age or older shall also state that the poultry have been kept in the country from which they are offered for importation for at least 60 days immediately preceding the date of movement therefrom and that, as far as it has been possible to determine, no case of European fowl pest (fowl plague), Newcastle disease (avian pneumoencephalitis) or psittacosis (ornithosis) occurred in the locality or localities where the poultry were kept during such period. All eggs for hatching offered for importation from any part of the world shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin stating that the flock or flocks of origin were found upon inspection to be free from evidence of pullorum disease (bacillary white diarrhea) and

other communicable disease and that as far as it has been possible to determine such flock or flocks were not exposed to any such disease common to poultry during the preceding 60 days.

§ 24.101b Cattle and goats; diagnostic tests for tuberculosis and brucellosis.

All cattle and goats offered for importation into the Canal Zone from any part of the world, except for immediate slaughter, shall be accompanied by a satisfactory certificate of a salaried veterinary officer of the national government of the country of origin showing that the animals have been tested for tuberculosis and brucellosis with negative results within 30 days of the date of their exportation: *Provided, however*, That the brucellosis test will not be required for steers, spayed heifers, or any cattle less than 6 months old. The said certificate shall give the dates and places of testing, name of the consignor and consignee, and a description of the cattle, with breed, ages, and markings.

§ 24.101c Horses; accompanying forage and equipment.

Horses offered for importation from any part of the world shall be accompanied by a certificate of a salaried veterinary officer of the national government of the country of origin showing that the animals described in the certificate have been in the said country during the preceding 60 days; and that as far as it has been possible to ascertain, no case of dourine, glanders, surra or epizootic or ulcerative lymphagitis has occurred in the locality or localities where the horse or horses have been kept during such period. Horses arriving at a port of entry unaccompanied by the aforesaid certificate, if otherwise eligible for importation, may upon permission secured from the Chief, Division of Veterinary Medicine, be landed subject to such quarantine and blood tests or other tests as he may direct. Even if accompanied by said certificate said horses may be quarantined and tested when deemed necessary by the Chief, Division of Veterinary Medicine. Upon inspecting horses at the port of entry and before permitting them to land, the inspector may require their disinfection and the disinfection of their accompanying equipment as a precautionary measure against the introduction of foot-and-mouth disease or any other disease dangerous to the livestock or public health of the Canal Zone. Hay, straw, or other forage accompanying horses, and the shipping crates in which the animals are transported shall not be admitted into the Canal Zone when such horses are from, or have been transhipped through, countries infected with foot-and-mouth disease.

§ 24.101k Designation of countries where African swine fever exists.

Notice is hereby given that the Governor of the Canal Zone has determined that African swine fever exists in the following designated countries:

- (1) All countries of Africa;
- (2) Portugal; and
- (3) Spain.

§ 24.101l Pork or pork products from countries where African swine fever exists.

(a) The importation of pork or pork products from swine originating in any infected country designated in § 24.101l is prohibited unless:

(1) Such pork or pork products have been sterilized by heat in hermetically sealed containers; or

(2) The meat has been heated to such an extent that, upon inspection, the meat has a thoroughly cooked appearance throughout.

3. Section 24.101a is redesignated as § 24.101d and is amended to read as follows:

§ 24.101d Designation of countries where foot-and-mouth disease or rinderpest exists; importations prohibited; transiting vessels.

(a) Notice is hereby given that the Governor of the Canal Zone has determined that foot-and-mouth disease or rinderpest exists in the following designated countries:

- (1) Island of Curaco;
- (2) Island of Martinique;
- (3) All countries of South America; and

(4) All countries east of the 30th meridian west longitude and west of the International Date Line, except Australia, the Channel Islands, Greenland, Iceland, New Zealand, Northern Ireland, Norway, and the Republic of Ireland.

(b) The importation into the Canal Zone from the infected countries, designated in paragraph (a) of this section, of cattle, sheep, or other ruminants, or swine, domestic or wild (including the docking in any Canal Zone port of any vessel having on board as sea stores or otherwise such live animals from any such country), or of fresh, chilled or frozen beef, veal, mutton, lamb, or pork is prohibited.

(c) No vessel having on board any animal or animals whose importation into the Canal Zone is prohibited under paragraph (b) of this section shall be permitted to transit the Canal until such animal or animals have been examined by a veterinarian of the Division of Veterinary Medicine. If, upon examination, any such animal or animals are found to be infected with a vesicular disease, or otherwise show lesions or symptoms characteristic of either foot-and-mouth disease or rinderpest, such vessel may be denied permission to transit the Canal.

(d) The phrase "importations into the Canal Zone from the infected countries" as used in paragraph (b) of this section shall include importations which were shipped through, or were on board any vessel which docked in, an infected country although such importations originated in an uninfected country.

4. Section 24.101b is redesignated as § 24.101e and is amended to read as follows:

§ 24.101e Foreign cured or cooked meats from countries where rinderpest or foot-and-mouth disease exists.

(a) The importation of cured meats derived from ruminants or swine, originating in any country designated in

§ 24.101d is prohibited unless the following conditions have been fulfilled:

(1) All bones shall have been completely removed in the country of origin.

(2) The meat shall have been held in an unfrozen, fresh condition for at least 3 days immediately following the slaughter of the animals from which it was derived.

(3) The meat shall have been thoroughly cured and fully dried in such manner that it may be stored and handled without refrigeration, as in the case of salami and other summer sausages, tasajo, xarque, or jerked beef, bouillon cubes, dried beef, and Westphalia, Italian and similar type hams. The term "fully dried" as used in this subparagraph means dried to the extent that the water-protein ratio in the wettest portion of the product does not exceed 2.25 to 1.

(b) The importation of cooked meats derived from ruminants or swine originating in any country designated in § 24.101d is prohibited unless the following conditions shall have been fulfilled:

(1) All bones shall have been completely removed in the country of origin.

(2) The meat shall have been heated to such an extent that, upon inspection, the meat will have a thoroughly cooked appearance throughout.

(c) The importation of meat that has been sterilized by heat in hermetically sealed containers is not prohibited by this section.

5. Section 24.101c is redesignated as § 24.101f and is amended to read as follows:

§ 24.101f Organs, glands, extracts, or secretions, other parts and products of animals and things; importations prohibited.

The importation into the Canal Zone of fresh, chilled or frozen organs, glands, extracts or secretions, fresh or dried blood, hides (fresh or salted), raw wool, hair, bones, horns, feet, bone meal, meat flour, fertilizer, gluestock, biological products for veterinary use, straw and hay for forage and packing, and other things derived from or associated with ruminants or swine originating in any country infected with foot-and-mouth disease or rinderpest designated in § 24.101d, is prohibited.

6. Section 24.101d is redesignated as § 24.101g and is amended to read as follows:

§ 24.101g Dressed poultry.

The importation of dressed poultry from any foreign country is prohibited unless such poultry have been drawn and the feet and head have been removed.

7. Section 24.101e is redesignated as § 24.101h and is amended to read as follows:

§ 24.101h Nonsusceptible animals; disinfection.

Animals not susceptible to foot-and-mouth disease or rinderpest coming from countries infected with foot-and-mouth disease or rinderpest designated in section 24.101d may be detained at the port of entry pending the application of such disinfection procedures as may be deemed necessary by the Chief, Division of Veterinary Medicine. Such

detention and disinfection shall be at the expense of the owner or other person responsible for the importation.

8. Section 24.101f is redesignated as § 24.101i and is amended to read as follows:

§ 24.101i Garbage from foreign meats or meat products.

No garbage derived in whole or in part from meats or meat products originating in any country designated in § 24.101d or § 24.101k as infected with foot-and-mouth disease, rinderpest, or African swine fever shall be exposed to carrion birds nor unloaded from any vessel, aircraft, or carrier in the Canal Zone or within the territorial waters thereof: *Provided, however,* That such garbage when contained in tight receptacles may be unloaded for incineration or other proper disposal in such manner and under such supervision as may be prescribed by the Chief, Division of Veterinary Medicine.

9. Section 24.101g is redesignated as § 24.101j and is amended to read as follows:

§ 24.101j Disposition of animals, etc. refused admission.

Animals, meats, products, and other things that are prohibited importation under these regulations shall not be unloaded from any carrier in the Canal Zone, except as may be authorized by the Chief, Division of Veterinary Medicine or by his authority but shall be removed from the Canal Zone on the same carrier, unless otherwise authorized, under such isolation and other safeguards as may be required by the Chief, Division of Veterinary Medicine or by his authority. Such animals, meats, products, and other things that are prohibited importation under these regulations shall be destroyed or otherwise disposed of as the Chief, Division of Veterinary Medicine may direct, without compensation or indemnification, and at the expense of the carrier, unless they are removed from the Canal Zone within a reasonable time as determined by the Chief, Division of Veterinary Medicine. (2 C.Z.C. 911; 35 CFR 24.54, 24.93, 24.100 and 24.101)

Issued at Balboa Heights, Canal Zone, December 4, 1962.

[SEAL] ROBERT J. FLEMING, Jr.,
Governor.

[F.R. Doc. 63-173; Filed, Jan. 8, 1963;
8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Mark Twain National Wildlife Refuge, Illinois and Iowa

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

ILLINOIS AND IOWA

MARK TWAIN NATIONAL WILDLIFE REFUGE

Sport fishing on the Mark Twain National Wildlife Refuge, Illinois and Iowa, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 5,300 acres or 100 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyed pike, sauger, largemouth and smallmouth bass, and other minor species as permitted by the States' regulations.

(b) Open season:

ILLINOIS

In the Calhoun and Batchtown Units of the Mark Twain National Wildlife Refuge the fishing season is open from January 1, 1963, through October 14, 1963, subject further to applicable State seasons pertaining to species.

In the Gardner and Keithsburg Units of the Mark Twain National Wildlife Refuge the fishing season is open from April 1, 1963 through September 30, 1963, subject further to applicable State seasons pertaining to species.

IOWA

In the Lower Louisa Unit of the Mark Twain National Wildlife Refuge the fishing season is open from January 1, 1963, through September 30, 1963, subject further to applicable State seasons pertaining to species.

In the Upper Louisa Unit of the Mark Twain National Wildlife Refuge the fishing season is open from April 1, 1963, through September 30, 1963, subject further to applicable State seasons pertaining to species.

(c) Daily creel limits:

ILLINOIS

Northern pike—5, size limit 20 inches; walleyed pike and saugers—10 aggregate; largemouth bass—10; smallmouth bass—10; creel limits for other minor species are as prescribed by State regulations.

IOWA

Northern pike—5, size limit 24 inches (in natural lakes only); walleyed pike and sauger—10 aggregate; largemouth and smallmouth bass—10 aggregate; creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

ILLINOIS

(1) It is unlawful to take fish through the ice by use of more than two poles and lines at any one time or with more than two hooks attached to each line; or from any hole cut in the ice that is larger than 12 inches in diameter.

(2) It is unlawful to use any pole and line, or rod and line device to which more than two (2) hooks have been attached; to use more than 50 hooks in

the aggregate; (Trotline may be used under separate license in excess of 50 hooks).

(3) It is unlawful to use any trotline, throw line or similar device, having hooks spaced at intervals less than 24 inches.

(4) It is unlawful to leave unattended any trotline without a tag indicating name and address of owner.

(5) See applicable State regulations for additional details.

IOWA

(1) No person shall at any time take from the waters of the State any fish, except as otherwise provided in this chapter, except with hook, line and bait, nor shall any person use more than two (2) lines with one (1) hook on each line in still fishing or trolling, and in fly fishing not more than one (1) fly may be used on one (1) line and in trolling and bait casting not more than one (1) trolling spoon or artificial bait may be used on one (1) line. No person shall leave such fish line or lines and hooks in the water unattended or take or attempt to take any fish by snagging or to purposely hook them in any other part than in the mouth. One (1) hook shall mean a single, double or treble pointed hook, and all hooks attached as a part of an artificial bait or lure shall be counted as one (1) hook.

(2) It shall be unlawful for any person to use, in the Mississippi River, more than one (1) throw or trotline having more than twenty-five (25) hooks.

(3) See applicable State regulations for additional detail.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to October 15, 1963.

D. H. JANZEN,
Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 31, 1962.

[F.R. Doc. 63-167; Filed, Jan. 8, 1963; 8:45 a.m.]

PART 33—SPORT FISHING

Seney National Wildlife Refuge,
Michigan

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

MICHIGAN

SENEY NATIONAL WILDLIFE REFUGE

Sport fishing on the Seney National Wildlife Refuge, Michigan, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 5,700 acres or 100 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office

of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyed pike, and other minor species as permitted by State regulations.

(b) Open season: January 1, 1963, through February 28, 1963; daylight hours only.

(c) Daily creel limits: Northern pike and walleyed pike—5 singly or combined; minimum size limit for northerns is 20 inches, for walleye, 13 inches; creel limits for other species are as prescribed by State regulations.

(d) Methods of fishing:

(1) Two lines, having a total of not more than 4 hooks on all lines, may be used for still fishing, ice fishing, casting or trolling if under immediate supervision. All hooks, single, double or treble pointed, attached to a manufactured artificial bait counted as one hook.

(2) Minnows may be used for bait only in the Manistique River.

(3) Spearing through the ice is permitted, subject to State regulations.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to March 1, 1963.

D. H. JANZEN,
Director, Bureau of
Sport Fisheries and Wildlife.

DECEMBER 31, 1962.

[F.R. Doc. 63-168; Filed, Jan. 8, 1963; 8:45 a.m.]

PART 33—SPORT FISHING

Horicon National Wildlife Refuge, and
Necedah National Wildlife Refuge,
Wisconsin

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

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

WISCONSIN

HORICON NATIONAL WILDLIFE REFUGE

Sport fishing on the Horicon National Wildlife Refuge, Wisconsin, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 250 acres or 1.2 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, bullheads, and other

minor species permitted by State regulations.

(b) Open season: Northern pike—January 1, 1963, through February 15, 1963; bullheads—January 1, 1963, through March 15, 1963; all other species seasons as prescribed by State regulations, except that in no case shall the season extend beyond March 15, 1963—daylight hours only.

(c) Daily creel limits: Northern pike—5; bullheads—no limit; other minor species limits as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two lines or two poles with one line attached to each pole, and with one hook or bait on each line, may be used for fishing, except that fishermen using only one line or one pole with one line attached thereto may use not more than two lures or two hooks.

(2) No snag hook, snag line or snag pole may be used to take fish.

(3) One dip net per person may be used for the taking, catching or killing of rough fish except suckers.

(4) No person while operating a dip net for rough fish shall fish for fish in any other manner at that time.

(5) All ice fishing tip-ups must be identified with the name of the owner.

(6) It shall be unlawful for any person to cut, use or maintain a hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice, except for dip-netting.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to March 16, 1963.

NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Wisconsin, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 500 acres or 10 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, yellow perch, bullheads, and other minor species permitted under State regulations.

(b) Open season: January 1, 1963, through February 15, 1963; daylight hours only.

(c) Daily creel limits: Northern pike—5; yellow perch and bullheads—no limit; creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) No more than two lines or two poles with one line attached to each pole, and with one hook or bait on each line, may be used for fishing, except that fishermen using only one line or one pole

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with one line attached thereto may use not more than two lures or two hooks.

(2) No snag hook, snag line or snag pole may be used to take fish.

(3) One dip net per person may be used for the taking, catching or killing of rough fish, except suckers.

(4) No person while operating a dip net for rough fish shall fish for fish in any other manner at that time.

(5) All ice fishing tip-ups must be identified with the name of the owner.

(6) It shall be unlawful for any person to cut, use or maintain a hole larger than 12 inches in diameter or square for the taking of fish in any manner through the ice, except for dip-netting.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to February 16, 1963.

W. A. ELKINS,

*Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.*

JANUARY 2, 1963.

[F.R. Doc. 63-169; Filed, Jan. 8, 1963;
8:45 a.m.]

Proposed Rule Making

ATOMIC ENERGY COMMISSION

[10 CFR Part 30]

EXEMPT CONCENTRATION OF BYPRODUCT MATERIAL

Licensing of Transfer; Notice of Proposed Rule Making

By letter of January 26, 1962, California Research Corporation petitioned for an amendment of the Commission's regulations, 10 CFR Part 30—Exempt Concentration of Byproduct Material, which would permit a person licensed by the Atomic Energy Commission to add byproduct material in exempt concentrations to products or materials which are owned by or in the possession or control of an unlicensed person with whom the licensee has a contractual agreement, when the introduction will result in concentrations of byproduct material which are so low that they are exempt from controls under the Commission's established standards.

The Commission's regulations have not previously declared explicitly whether a company which engages another firm to perform radiotracer services for it involving the introduction of exempt concentrations of byproduct material into the company's products is required to have a license issued pursuant to § 30.24 (h) even though the radiotracer firm performing the service has a Commission license issued under § 30.24(h). The Commission is proposing to clarify its regulations in this respect by providing that only the radiotracer firm, which introduces the byproduct material into the product, need be licensed. The Commission has determined that a specific license issued under § 30.24(h) is not required for the company for which the radiotracer services are rendered, and which has control and ultimate possession of the product.

The proposed amendment of § 30.24 (h) requires that a licensee who transfers byproduct material by introducing it into a product or material owned or possessed by another person file a quarterly report of activities under the license. The licensee also would be required to obtain a statement from a company utilizing its services to the effect that the company is consenting to such introduction. The licensee must demonstrate reasonable assurance that the concentration of byproduct material at the time of ultimate distribution of the product or material as an exempt concentration will not exceed the concentrations in § 30.73.

This amendment is not intended to prevent the owner or possessor of the product or material from obtaining a license for this purpose under § 30.24(h), or to require him to utilize the services of another firm or person for the introduction of the byproduct material.

The Commission's regulation, 10 CFR Part 150, "Exemptions and Continued

Regulatory Authority in Agreement States Under Section 274" established certain exemptions for persons in states with which the Commission has entered into effective agreements under subsection 274(b) of the Atomic Energy Act of 1954. A license nevertheless is required for the transfer of possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material, intended for use by the general public (10 CFR 150.15(a)(6)).

A product containing exempt concentrations of byproduct material is sometimes intended for use by the general public. The proposed amendment of Part 30 would establish a general license authorizing a manufacturer, processor, or producer to transfer any product intended for use by the general public, containing byproduct material in exempt concentrations which the manufacturer, processor or producer has added to the product in accordance with a specific license issued by an Agreement State. The general license would not authorize transfer of byproduct material contained in any food, beverage, cosmetic, drug, or other product designed for ingestion or inhalation by or application to, a human being.

The proposed general license includes a reporting requirement which would require the manufacturer, processor or producer of any commodity or other product who transfers byproduct material under the general license to file a report with the Commission describing the type and quantity of each commodity or product into which byproduct material has been introduced, intended use of the commodity or product, type and quantity of byproduct material introduced into each such commodity or product, and the initial concentrations of byproduct material in the commodity or product at the time of transfer.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, notice is hereby given that adoption of the following amendment to 10 CFR Part 30 is contemplated. All interested persons who desire to submit written comments or suggestions in connection with the proposed amendment should send them to the Secretary, United States Atomic Energy Commission, Washington 25, D.C., within 60 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

§ 30.24 [Amendment]

1. Paragraph (h) of § 30.24 is revised to read as follows:

(h) *Licensing the transfer of byproduct material contained in products in exempt concentrations.* (1) An applica-

tion for a specific license authorizing the introduction of byproduct material into a product or material owned by or in the possession of the licensee or another and the transfer of ownership or possession of the product or material will be approved if the applicant:

(i) Satisfies the general requirements specified in § 30.23;

(ii) Provides a description of the product or material into which the byproduct material will be introduced, intended use of the byproduct material and the product or material into which it is introduced, method of introduction, initial concentration of the byproduct material in the product or material, control methods to assure that no more than the specified concentration is introduced into the product or material, estimated time interval between introduction and transfer of the product or material, and estimated concentration of the radioisotopes in the product or material at the time of transfer; and

(iii) Provides reasonable assurance that the concentrations of byproduct material at the time of transfer will not exceed the concentrations in § 30.73, that reconcentration of the byproduct material in concentrations exceeding those in § 30.73 is not likely, that the product or material is not likely to be inhaled or ingested, and that use of lower concentrations is not feasible.

(2) Each person licensed under this paragraph shall file a report in duplicate with the Director, Division of Licensing and Regulation, describing the type and quantity of each product or material into which byproduct material has been introduced during the reporting period, name and address of the person who owns or possesses the product or material into which byproduct material has been introduced, the type and quantity of byproduct material introduced into each such product or material, and the initial concentrations of byproduct material in the product or material at time of transfer of the byproduct material by the licensee. The report shall be submitted within 30 days after the end of each calendar quarter in which the licensee introduces byproduct material into a product or material resulting in concentrations of byproduct material not in excess of those specified in § 30.73.

(3) Prior to introduction of byproduct material into a product or material owned by or in the possession of another person, a licensee under this paragraph shall obtain a written statement from the owner or person in possession of the product or material, stating that the owner or person in possession:

(i) Is aware of the licensee's intention to introduce radioactive byproduct material into the product or material; and

(ii) Consents to the introduction of radioactive byproduct material into the product or material.

PROPOSED RULE MAKING

The licensee shall maintain copies of such statements on file subject to inspection by the Commission.

2. A new § 30.30 is added to read as follows:

§ 30.30 General license, transfer of byproduct material contained in exempt concentrations.

(a) Subject to the provisions of paragraph (b) of this section, a general license is hereby issued to the manufacturer, processor, or producer for the transfer of any commodity or other product intended for use by the general public and containing byproduct material in concentrations not in excess of those specified in § 30.73, which the manufacturer, processor, or producer has added to the commodity or product in accordance with a specific license issued by an agreement state.

(b) A general license issued under paragraph (a) of this section does not authorize the transfer of byproduct material contained in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

(c) Each person licensed under paragraph (a) of this section shall file a report in duplicate with the Director, Division of Licensing and Regulation, describing the type and quantity of each commodity or product into which byproduct material has been introduced, intended use of the commodity or product, the type and quantity of byproduct material introduced into each such commodity or product, and the initial concentrations of byproduct material in the commodity or product at the time of transfer. The report shall be submitted within 30 days after the end of each calendar quarter in which the licensee transfers byproduct material pursuant to paragraph (a) of this section.

§ 30.32 [Amendment]

3. Paragraph (f) of § 30.32 is amended to read as follows:

(f) Notwithstanding the provisions of §§ 30.9 and 30.32(c) of this part, no person may introduce byproduct material into a product or material knowing or having reason to believe that it will be transferred to persons not licensed by the Commission, except in accordance with a license issued pursuant to § 30.24(h) of this part. The prohibition of this paragraph shall not apply to transfers to duly licensed persons of products or materials containing byproduct material for analytical, laboratory, or waste disposal purposes. This paragraph shall not be deemed to modify any authority granted to any person in a specific license issued by the Commission prior to the effective date of this paragraph.

(Sec. 161, 68 Stat. 948, 42 U.S.C. 2201; sec. 274, 73 Stat. 688, 42 U.S.C. 2021. Interpret or apply secs. 81, 183, 68 Stat. 935, 954; 42 U.S.C. 2111, 2232)

Dated at Germantown, Md., this 19th day of December 1962.

For the Atomic Energy Commission,
WOODFORD B. McCool,
Secretary.

[F.R. Doc. 63-161; Filed, Jan. 8, 1963;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14419; RM-268]

HOURS OF OPERATION OF STAND- ARD BROADCAST STATIONS

Order Extending Time for Filing Com- ments and Reply Comments

1. The Commission has before it for consideration a motion filed by the Association on Broadcasting Standards on December 31, 1962, requesting an extension of the time for filing comments and reply comments, to March 28 and April 15, 1963, respectively. The dates now are January 28 and February 12, 1963.

2. It is urged that the extension is warranted, since the necessary engineering studies which have been directed by the Association will require at least 60 days, the proceeding involves matters of great importance and significance, and because of the complexity of the proposals.

3. It appearing that good cause for an extension has been shown although in view of the urgency of this matter the time requested is reduced.

4. Accordingly, it is ordered, This 2d day of January 1963, that the said motion for extension is granted; that the dates within which interested persons may file comments and reply comments are extended to and including March 15 and April 1, 1963.

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

Released: January 3, 1963.

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

[F.R. Doc. 63-198; Filed, Jan. 8, 1963;
8:49 a.m.]

Notices

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-II-5
(Rev. 4)]

BRANCH MANAGER, HARTFORD, CONNECTICUT

Delegation of Authority to Conduct Program Activities in the Branch Office

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 7), 27 F.R. 6247, there is hereby redelegated to the Branch Manager, Hartford Branch Office, the authority:

A. *Financial Assistance.* 1. To approve and decline the following type loans:

a. Direct loans in an amount not to exceed \$20,000.

b. Bank participation of at least 25 percent not to exceed \$100,000.

c. Limited loan participation wherein this agency's exposure is not in excess of \$15,000.

d. Small loans not exceeding \$15,000.

e. Simplified Bank Participation not exceeding \$150,000.

f. Simplified Early Maturities Participation not exceeding \$150,000.

g. Disaster loans not exceeding \$50,000.

2. To enter into business loan and disaster loan participation agreements with banks.

3. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), *Administrator,*

By _____
(Name)

Branch Manager, Hartford Branch Office.

4. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

5. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

6. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

7. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

8. To take all necessary actions in connection with the administration, servicing and collection, but not liquidation, of all loans and other obligations or assets; and to do and perform and to

assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

B. *Administration.* 1. To administer oaths of office.

2. To approve annual and sick leave and overtime for employees under his supervision.

3. To (a) make emergency purchases chargeable to the Administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock, subject to the total limitations set forth in (a) of of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

4. To authorize or approve official travel of the branch office personnel.

C. *Size determination.* To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulations, as amended, except no determinations will be made in those cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

II. The specific authority delegated in Item I-C may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager is rescinded without prejudice

to actions taken under such delegations of authority prior to the date hereof.

Effective date: November 6, 1962.

CHARLES H. KRIGER,
Regional Director,
New York.

[F.R. Doc. 63-188; Filed, Jan. 8, 1963;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI63-263—RI63-282]

PURE OIL CO. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates;¹ and Allowing Rate Change To Become Effective Subject to Refund

DECEMBER 31, 1962.

In the matter of The Pure Oil Company, Docket No. RI63-263; Sun Oil Company, Docket No. RI63-264; Gulf Oil Corporation, Docket No. RI63-265; Sunray DX Oil Company, Docket No. RI63-266; Joseph I. O'Neill, Jr., (Operator), et al., Docket No. RI63-267; Midwest Oil Corporation (Operator), et al., Docket No. RI63-268; Midwest Oil Corporation, Docket No. RI63-269; Sohio Petroleum Company (Operator), et al., Docket No. RI63-270; Sinclair Oil & Gas Company, Docket No. RI63-271; The Atlantic Refining Company, Docket No. RI63-272; Austral Oil Company Incorporated, Docket No. RI63-273; United Producing Company, Inc., Docket No. RI63-274; Greenville Gasoline Company, Inc. (Operator), Docket No. RI63-275; Harper Oil Company, Docket No. RI63-276; Edwin L. Cox, Docket No. RI63-277; Union Oil Company of California, Docket No. RI63-278; Ben C. Hyde, Jr., (Operator), Docket No. RI63-279; Cabot Corporation (SW), Docket No. RI63-280; William E. McCommons d/b/a McCommons Exploration Company, et al., Docket No. RI63-281; Ridgely Inc., Docket No. RI63-282.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 14.65 psia with the exception of the sale made by Sunray DX Oil Company which is made at a pressure base of 16.4 psia, and the sale made by William E. McCommons d/b/a McCommons Exploration Company, et al., (McCommons) which is made at a pressure base of 15.025 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

¹This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-263...	The Pure Oil Co., 200 East Golf Road, Palatine, Ill. Attn: J. C. Snodgrass, attorney.	38	1	West Texas Gathering Co. (Emperor and S. Kermit Fields, Winkler County, Tex.) (R.R. District No. 8).	\$20,872	11-29-62	1-1-63	6-1-63	16.0	2 17.0	-----
RI63-264...	Sun Oil Co., 1608 Walnut St., Philadelphia 3, Pa. Attn: Mr. C. E. Webber.	94	3	Northern Natural Gas Co. (Emperor Field, Winkler County, Tex.) (R.R. District No. 8).	57,791	11-29-62	1-1-63	6-1-63	16.0	2 17.0	-----
RI63-265...	Gulf Oil Corp., P.O. Drawer 2100, Houston 1, Tex. Attn: Anthony G. Riddleberger, attorney.	135	2	Phillips Petroleum Co (Azalea Field, Midland County, Tex.) (R.R. District No. 8).	580	12-3-62	3-1-63	6-3-63	12.5	2 13.5	-----
	Gulf Oil Corp.....	138	2	West Texas Gathering Co. (Emperor and S. Kermit Fields, Winkler County, Tex.) (R.R. District No. 8).	15,814	12-3-62	3-1-63	6-3-63	16.0	2 17.0	-----
RI63-266...	Sunray DX Oil Co., Tulsa 2, Okla. Attn: Homer E. McEwen, Jr., attorney.	151	1	Kansas-Nebraska Natural Gas Co., Inc. (Little Hoot Field, Logan County, Colo.).	3,099	12-3-62	2-1-63	7-1-63	14.0	2 15.0	-----
RI63-267...	Joseph I. O'Neill, Jr. (operator), et al., 410 West Ohio, Midland, Tex. Attn: N. E. Gradisic, agent.	15	1	Phillips Petroleum Co. (Midland County, Tex.) (R.R. District No. 8).	2,000	12-3-62	3-1-63	6-3-63	12.5	2 13.5	-----
RI63-268...	Midwest Oil Corp. (operator), et al., 1700 Broadway, Denver 2, Colo.	12	2	El Paso Natural Gas Co. (Pecos Valley Field, Pecos County, Tex.) (R.R. District No. 8).	571	11-16-62	1-1-63	6-1-63	10.5	2 11.5	-----
RI63-269...	Midwest Oil Corp.....	17	3	El Paso Natural Gas Co. (Spraberry Trend, Reagan County, Tex.) (R.R. District No. 7-c).	649	11-16-62	1-1-63	6-1-63	11.0	2 12.0	-----
RI63-270...	Sohio Petroleum Co. (Operator), et al., 970 First National Annex, Oklahoma City, Okla.	64	5	El Paso Natural Gas Co. (Emmont Field, Lea County, N. Mex.). (Permian Basin area).	1,730	11-23-62	1-1-63	6-1-63	9.5	2 11.5	-----
RI63-271...	Sinclair Oil & Gas Co. P.O. Box 521, Tulsa 2, Okla. Attn: Mr. W. L. Minturn.	221	1	El Paso Natural Gas Co. (Brown-Bassett Field, Terrell County, Tex.) (R.R. District No. 7-c).	9,778	11-20-62	1-1-63	6-1-63	16.0	2 17.0	-----
RI63-272...	The Atlantic Refining Co., P.O. Box 2819, Dallas 21, Tex. Attn: Stuart J. Scott, attorney.	229	1	West Texas Gathering Co. (Emperor Field, Winkler County, Tex.) (R.R. District No. 8).	4,123	11-9-62	1-1-63	6-1-63	16.0	2 17.0	-----
	The Atlantic Refining Co.	34	24	Texas Eastern Transmission Corp. (Clay West, et al., Fields, Live Oak County, Tex.) (R.R. District No. 2).	27,145	12-7-62	2-5-63	7-5-63	7 14.3733	7 14.8733	-----
	do.....	244	12	Texas Eastern Transmission Corp. (North Hostetter Field, McMullen County, Tex.) (R.R. District No. 1).	1,335	12-7-62	2-5-63	7-5-63	7 14.3733	7 14.8733	-----
RI63-273...	Austral Oil Co., Inc., 300 San Jacinto Bldg., Houston 2, Tex.	16	12	El Paso Natural Gas Co. (Brown-Bassett Field, Terrell County, Tex.) (R.R. District No. 7-c).	3,650	11-23-62	1-1-63	6-1-63	16.0	2 17.0	-----
RI63-274...	United Producing Co., Inc., P.O. Box 1503, Houston 1, Tex.	47	4	Colorado Interstate Gas Co., (Hugoton Field, Stanton, Hamilton, and Haskell Counties, Kans.).	32,000	11-29-62	1-1-63	6-1-63	8 12.5	2 13.5	-----
RI63-275...	Greenville Gasoline Co., Inc. (Operator), c/o Mr. George N. Otey, Jr., P.O. Box 959, Ardmore, Okla.	1	1	Lone Star Gas Co. (NE. Greenville Field, Love County, Okla.) (other Oklahoma area).	588	12-3-62	3-1-63	6-3-63	11.0	2 12.0	-----
RI63-276...	Harper Oil Co., 904 Hightower Bldg., Oklahoma City, Okla.	10	2	Panhandle Eastern Pipe Line Co. (Beaver County, Okla.) (Oklahoma-Panhandle area).	2,168	12-3-62	3-1-63	6-3-63	9 17.0	2 10 21.315	-----
RI63-277...	Edwin L. Cox, 2100 Adolphus Tower, Dallas 2, Tex.	14	5	Panhandle Eastern Pipe Line Co. (Greenwood Field, Morton County, Kans.).	883	12-3-62	1-1-63	6-3-63	12 15.0	12 16.0	-----
	Edwin L. Cox.....	13	9	Natural Gas Pipeline Co. of America (Beaver County, Okla.) (Oklahoma-Panhandle area).	250	12-10-62	1-1-23-63	6-23-63	9 17.2	2 9 17.4	RI62-281
	do.....	17	9	Natural Gas Pipeline Co. of America (Texas County, Okla.) (Oklahoma-Panhandle area).	534	12-10-62	1-1-23-63	6-23-63	9 17.2	2 9 17.4	RI62-281
	do.....	25	5	do.....	95	12-10-62	1-1-23-63	6-23-63	9 17.2	2 9 17.4	RI62-281
RI63-278...	Union Oil Co. of California, P.O. Box 7600, Los Angeles 54, Calif.	36	2	Colorado Interstate Gas Co. (Highland Field, Beaver County, Okla.) (Oklahoma-Panhandle area).	10 595	11-28-62	1-1-63	6-1-63	14 16.5	2 13 17.6	-----
RI63-279...	Ben C. Hyde, Jr., (Operator), c/o Mr. Barth P. Walker, 220 Cravens Bldg., Oklahoma City 2, Okla.	1	2	Jernigan & Morgan Transmission Co. (East Victor Field, Lincoln County, Okla.) (other Oklahoma area).	778	12-10-62	3-1-63	6-10-63	9.0	2 10.0	-----
RI63-280...	Cabot Corporation (SW), P.O. Box 1101, Pampa, Tex.	70	1	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla.) (Oklahoma-Panhandle area).	16 304	11-29-62	1-1-63	6-1-63	10 17.0	17 18 19.04	-----
RI63-281...	William E. McCommons d/b/a McCommons Exploration Co., et al., 1510 Mercantile Securities Bldg., Dallas, Tex.	1	2	United Gas Pipe Line Co. (Baxterville Field, Lamar County, Miss.).	30,559	12-6-62	3-1-63	10 1-7-63	11.9689	2 22.8829	-----

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-282	Ridgely Inc., Sixth Floor, C & I Life Bldg., Houston 2, Tex.	1	2	Northern Natural Gas Co. (Farnsworth Field, Ochiltree County, Tex.) (R.R. District No. 10).	\$1,088	12- 6-62	1- 6-63	6- 6-63	15.5	16.5	-----

¹ The stated effective date is the effective date proposed by respondent.
² Periodic rate increase.
³ The stated effective date is the first day after expiration of the required statutory notice.
⁴ Subject to reduction of 0.4467 cents per Mcf for low pressure gas.
⁵ Subject to a deduction, not exceeding 4.5 cents per Mcf, for treating Ellenburger gas.
⁶ Two-step periodic rate increase.
⁷ Includes a 0.50 cents per Mcf dehydration charge paid to the producer.
⁸ Subject to a downward Btu adjustment for gas containing less than 950 Btu's per cu. ft.
⁹ Subject to a downward Btu adjustment for gas containing less than 1,000 Btu's per cu. ft.
¹⁰ Includes upward Btu adjustment.
¹¹ Base rate of 19.5 cents per Mcf which is subject to an upward and downward

Btu adjustment for gas containing more or less than 1,000 Btu's per cu. ft.
¹² Subject to an upward and downward Btu adjustment for gas containing more or less than 1,000 Btu's per cu. ft. (Btu content is 946 Btu's per cu. ft.).
¹³ Includes base rate of 16.0 cents per Mcf plus upward Btu adjustment for gas containing an estimated 1,100 Btu's per cu. ft.
¹⁴ Includes base rate of 15.0 cents per Mcf plus upward Btu adjustment for gas containing an estimated 1,100 Btu's per cu. ft.
¹⁵ Amount based on gas having an estimated 1,120 Btu per cu. ft.
¹⁶ Base rate; subject to a downward Btu adjustment for gas containing less than 1,000 Btu's per cu. ft. (not subject to upward Btu adjustment).
¹⁷ Includes base rate of 17.0 cents per Mcf plus upward Btu adjustment for gas estimated at 1,120 Btu's per cu. ft.
¹⁸ Base rate is subject to an upward or downward Btu adjustment for gas containing more or less than 1,000 Btu's per cu. ft.
¹⁹ The suspension period is limited to 1 day.

The proposed periodic rate increase of Ben C. Hyde, Jr. (Hyde), is for gas sold to Jernigan & Morgan Transmission Company (the gatherer) for resale to Cities Service Gas Company (Cities Service) and is geared to the gatherer's resale contract. The proposed rate is based on a 2.0 cent per Mcf differential for resale of the gas to Cities Service which was suspended by the Commission's order issued December 13, 1962, in Docket No. RI63-234, until May 24, 1963, and thereafter until made effective in the manner prescribed by the Natural Gas Act. Hyde requests the contractual effective date for the increase of December 12, 1962; however, adequate notice for such date has not been given.

The proposed rate increase of Cabot Corporation (SW) (Cabot) is based solely on the application of the upward Btu provision of the contract. Cabot was granted a temporary certificate on October 5, 1962, in Docket No. CI63-254, and service commenced on October 12, 1962. The initial price was 17.0 cents (equal to the ceiling) with provisions for only a downward Btu adjustment for gas containing less than 1,000 Btu's per cubic foot. The contract provides that after December 31, 1962, a proportionate upward Btu adjustment provision will become operative. Cabot estimates that the gas contains 1,120 Btu's per cubic foot. On such basis, the total adjusted price will be 19.04 cents per Mcf (17.0 cent base plus 2.04 cent Btu adjustment).

The producer, William E. McCommons d/b/a McCommons Exploration Company, et al., on May 23, 1962, filed for an increase in rate to 25.5319 cents per Mcf (including tax reimbursement) for the subject sale of gas, which was in excess of the highest filed rate in Mississippi and was therefore suspended and set for immediate hearing in Docket No. RI62-427, et al. The Commission in Opinion No. 369 and Order issued November 30, 1962, dismissed the proceedings and disallowed the proposed increases in rates. McCommons has now filed for an increase in rate to 22.8829 cents per Mcf (21.5 cents plus 1.3729 cents tax reimbursement) stating that the Commission in its order issued November 30, 1962, dismissing the previous

proposed increase "invited McCommons to refile at appropriate levels and indicated that undoubtedly, McCommons is entitled to more than the 11 cents per Mcf price for which he originally contracted * * *". McCommons further states that he has lost \$3,400 since July 1, 1962, by having to sell gas at 11.2502 cents as against 21.5 cents per Mcf which United Gas Pipe Line Company is paying to offset operators in addition to the several thousand dollars in fees and expenses consumed by the lengthy Federal Power Commission proceedings, in which he was attempting to protect his contractual rights. McCommons requests that since he has already been denied an increase in price for a period of six months under his proposed notice of change submitted May 23, 1962, that the Commission waive the 30-day notice requirement, as well as the suspension of rate increase for the period of five months. Under the circumstances, the suspension period for McCommons' proposed increased rate may be shortened to one day from the date of expiration of the statutory notice.

The notice of change in rate of Ridgely, Inc. (Ridgely) (formerly Beacon Building Corporation) accompanied Ridgely's notice of succession to the subject rate schedule, certificate application and request for temporary certificate authorization to make such sale. With the exception of the proposed increase of Hyde which is geared to the gatherer's resale contract and is based on a 2.0 cents per Mcf differential for resale of the gas to Cities Service Gas Company, the proposed increases exceed the applicable area price levels set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, section 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated

supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CR, Chapter I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed changed rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: Provided, however, that Supplement No. 2 to William E. McCommons d/b/a McCommons Exploration Company, et al. FPC Gas Rate Schedule No. 1, suspended for one day in Docket No. RI63-281, as set forth above, shall become effective subject to refund on the date and in the manner prescribed if within 20 days from the date of issuance of this order McCommons shall execute and file under Docket No. RI63-281 with the Secretary of the Commission his agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies upon all purchasers under the rate schedule involved. Unless McCommons is advised to the contrary within 15 days after the filing of his agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washing-

ton 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 11, 1963.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-117; Filed, Jan. 8, 1963;
8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 31, 1962.

The United States Department of Agriculture has filed an application, Serial Number Sacramento 074030 for the withdrawal of the lands described below, from prospecting, location, entry, and purchase under the general mining laws only, subject to existing valid claims.

The applicant desires the land for expansion of present recreation area identified as the Black Rock Picnic Area and Swimming Beach in the Six Rivers National Forest and to install sanitation facilities.

For a period of 30 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, 4201 U.S. Courthouse and Federal Building, 650 Capitol Avenue, Sacramento 14, California.

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 involved in the application are:

HUMBOLDT MERIDIAN, CALIFORNIA
SIX RIVERS NATIONAL FOREST

Black Rock Picnic Area and Swimming Beach

T. 7 N., R. 5 E.,

Sec. 29: S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described above aggregates 25.00 acres.

[SEAL] WALTER E. BECK,
Manager, Land Office, Sacramento.

[F.R. Doc. 63-170; Filed, Jan. 8, 1963;
8:45 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 31, 1962.

The Bureau of Reclamation, United States Department of the Interior has filed an application, Serial Number Sacra-

ramento 073664 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws, subject to valid existing claims.

The applicant desires the land for operation and management of Shasta Dam and Shasta reservoir watershed, Central Valley Project, California.

For a period of 30 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, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Avenue, Sacramento 14, California.

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 involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

SHASTA NATIONAL FOREST

T. 34 N., R. 4 W.,

Sec. 26: Lot 1, exclusive of portions of patented M.S. 4914 and M.S. 4690.

The area to be withdrawn embraces approximately 2.50 acres.

[SEAL] WALTER E. BECK,
Manager, Land Office, Sacramento.

[F.R. Doc. 63-171; Filed, Jan. 8, 1963;
8:45 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

DECEMBER 31, 1962.

The Bureau of Reclamation, United States Department of the Interior, has filed an application, Serial Number Sacramento 074022 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws, subject to valid existing claims.

The applicant desires the land for use by the Bureau of Reclamation for the continuance of, and is a part of, the overall Central Valley Project development plan and is required for the installation of a radio repeater station, and several recording and reporting instruments as well as the protection thereof.

For a period of 30 days from the 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, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Avenue, Sacramento 14, California.

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 involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 6 W.,

Sec. 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$ (excluding MS5438);
E $\frac{1}{2}$ SE $\frac{1}{4}$ (excluding MS3982 and ex-
cluding Lot 6).

The withdrawn area approximates 65.00 acres of Federal land.

WALTER E. BECK,
Manager, Land Office, Sacramento.

[F.R. Doc. 63-172; Filed, Jan. 8, 1963;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

AREAS OF VENUE FOR MARKETING QUOTA REVIEW COMMITTEE PANELS

Establishment

Pursuant to section 3(a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002) which requires that the field organization be published in the FEDERAL REGISTER and § 711.12 of the Marketing Quota Review Regulations (26 F.R. 10204) which provides for establishment of areas of venue for marketing quota review committee panels, notice is hereby given of areas of venue established by ASC State Committees effective January 1, 1963 as listed herein. This notice supersedes previous notices respecting areas of venue (26 F.R. 689, 10522; 27 F.R. 263, 10918).

ALABAMA

Counties of:

- Area I—Colbert, Franklin, Lauderdale, Lawrence.
- Area II—Jackson, Limestone, Madison, Morgan.
- Area III—Blount, Cherokee, Cullman, DeKalb, Etowah, Marshall.
- Area IV—Fayette, Lamar, Jefferson, Marion, Walker, Winston.
- Area V—Calhoun, Chambers, Clay, Cleburne, Randolph, St. Clair, Talladega, Tallapoosa.
- Area VI—Greene, Hale, Marengo, Pickens, Sumter, Tuscaloosa.
- Area VII—Autauga, Bibb, Chilton, Dallas, Perry, Shelby.
- Area VIII—Bullock, Elmore, Lee, Lowndes, Macon, Montgomery, Russell, Coosa.
- Area IX—Butler, Coffee, Covington, Crenshaw, Pike.
- Area X—Barbour, Dale, Geneva, Henry, Houston.
- Area XI—Baldwin, Choctaw, Clarke, Mobile, Washington.
- Area XII—Conecuh, Escambia, Monroe, Wilcox.

ALASKA

None.

ARIZONA

Area—Entire State.

ARKANSAS

Counties of:

- Area I—Clay, Conway, Craighead, Faulkner, Greene, Independence, Jackson, Lawrence, Mississippi, Poinsett, Randolph, White.
- Area II—Arkansas, Crittenden, Cross, Lee, Lonoke, Monroe, Phillips, Prairie, Pulaski, St. Francis, Woodruff.
- Area III—Ashley, Bradley, Calhoun, Chicot, Cleveland, Dallas, Desha, Drew, Grant, Jefferson, Lincoln, Union.
- Area IV—Clark, Columbia, Garland, Hempstead, Hot Spring, Howard, Logan, Miller, Montgomery, Nevada, Ouachita, Perry, Pike, Polk, Saline, Scott, Sevier, Yell, Lafayette, Little River.
- Area V—Baxter, Benton, Boone, Carroll, Cleburne, Crawford, Franklin, Fulton, Izard, Johnson, Madison, Marion, Newton, Pope, Seary, Sebastian, Sharp, Stone, Van Buren, Washington.

COLORADO

Counties of:

- Area I—Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity.
- Area II—Contra Costa, Mendocino, Sonoma, Lake, Napa, Marin, Solano.
- Area III—Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Inyo, Mono, Nevada, Placer, Sacramento, Sutter, Yolo, Yuba.
- Area IV—Calaveras, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne.
- Area V—Alameda, Monterey, San Benito, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz.
- Area VI—Fresno, Kern, Kings, Tulare.
- Area VII—Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura.

COLORADO

Counties of:

- Area I—Cheyenne, Kit Carson, Lincoln, Logan, Phillips, Sedgwick, Washington, Yuma.
- Area II—Adams, Arapahoe, Boulder, Douglas, Elbert, Jefferson, Larimer, Morgan, Park, Weld.
- Area III—Baca, Bent, Chaffee, Crowley, Custer, El Paso, Fremont, Huerfano, Kiowa, Las Animas, Otero, Prowers, Pueblo, Teller.
- Area IV—Alamosa, Archuleta, Conejos, Costilla, Dolores, La Plata, Montezuma, Rio Grande, Saguache.
- Area V—Delta, Eagle, Garfield, Grand, Gunnison, Jackson, Mesa, Moffat, Montrose, Ouray, Pitkin, Rio Blanco, Routt, San Miguel.

CONNECTICUT

Counties of:

- Area I—Hartford, Litchfield, Middlesex, Tolland.

DELAWARE

Counties of:

- Area I—Kent, New Castle, Sussex.

FLORIDA

Counties of:

- Area I—Alachua, Baker, Clay, Columbia, Duval, Gilchrist, Hendry, Hillsborough, Lake, Levy, Marion, Nassau, Orange, Palm Beach, Polk, Putnam, Seminole, St. Johns, Sumter, Union, Volusia.
- Area II—Bradford, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor.
- Area III—Calhoun, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Wakulla.
- Area IV—Bay, Escambia, Holmes, Okaloosa, Santa Rosa, Walton, Washington.

GEORGIA

Counties of:

- Area I—Bartow, Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Coweta, Dade, Dawson, De Kalb, Douglas, Fannin, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Gwinnett, Haralson, Heard, Henry, Lumpkin, Murray, Newton, Paulding, Pickens, Polk, Rockdale, Spalding, Union, Walker, Whitfield.

- Area II—Banks, Barrow, Burke, Clarke, Columbia, Elbert, Franklin, Glascock, Greene, Habersham, Hall, Hancock, Hart, Jackson, Jefferson, Jenkins, Lincoln, McDuffie, Madison, Morgan, Oconee, Oglethorpe, Putnam, Rabun, Richmond, Screven, Stephens, Taliaferro, Towns, Walton, Warren, White, Wilkes.

- Area III—Baldwin, Bibb, Bleckley, Butts, Chattahoochee, Crawford, Crisp, Dodge, Dooly, Harris, Houston, Jasper, Jones, Lamar, Laurens, Macon, Marion, Meriwether, Monroe, Muscogee, Peach, Pike, Pulaski, Schley, Sumter, Talbot, Taylor, Troup, Twiggs, Upson, Washington, Wilcox, Wilkinson.

- Area IV—Baker, Ben Hill, Berrien, Brooks, Calhoun, Clay, Colquitt, Cook, Decatur, Dougherty, Early, Grady, Irwin, Lee, Lowndes, Miller, Mitchell, Quitman, Randolph, Seminole, Stewart, Telfair, Terrell, Thomas, Tift, Turner, Webster, Worth.

- Area V—Appling, Atkinson, Bacon, Brantley, Bryan, Bulloch, Camden, Candler, Charlton, Chatham, Clinch, Coffee, Echols, Effingham, Emanuel, Evans, Glynn, Jeff Davis, Johnson, Lanier, Liberty, Long, McIntosh, Montgomery, Pierce, Tattnall, Toombs, Treutlen, Ware, Wayne, Wheeler.

HAWAII

None.

IDAHO

Counties of:

- Area I—Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, Teton.
- Area II—Bannock, Bear Lake, Bingham, Bonneville, Caribou, Franklin, Oneida, Power.
- Area III—Blaine, Camas, Cassia, Gooding, Lincoln, Jerome, Minidoka, Twin Falls.
- Area IV—Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette Valley, Washington.
- Area V—Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce.

ILLINOIS

Counties of:

- Area I—Carroll, Jo Daviess, Lee, Stephenson, Whiteside.
- Area II—Bureau, Henry, Mercer, Rock Island, Stark.
- Area III—Boone, De Kalb, McHenry, Ogle, Winnebago.
- Area IV—Cook, Du Page, Kane, Lake, Will.
- Area V—Grundy, Kankakee, Kendall, LaSalle, Marshall, Putnam.
- Area VI—De Witt, Livingston, McLean, Peoria, Tazewell, Woodford.
- Area VII—Hancock, Henderson, Knox, McDonough, Warren.
- Area VIII—Adams, Brown, Pike, Schuyler, Scott.
- Area IX—Cass, Fulton, Logan, Mason, Menard, Morgan.
- Area X—Christian, Montgomery, Sangamon, Shelby.
- Area XI—Champaign, Edgar, Ford, Iroquois, Vermilion.
- Area XII—Coles, Douglas, Macon, Moultrie, Piatt.
- Area XIII—Clark, Crawford, Cumberland, Effingham, Jasper.
- Area XIV—Edwards, Lawrence, Richland, Wabash.
- Area XV—Calhoun, Greene, Jersey, Macoupin, Madison.
- Area XVI—Bond, Clinton, Fayette, Monroe, St. Clair.
- Area XVII—Clay, Franklin, Jefferson, Marion, Wayne.
- Area XVIII—Gallatin, Hamilton, Saline, White.
- Area XIX—Jackson, Perry, Randolph, Union, Washington, Williamson.
- Area XX—Alexander, Hardin, Johnson, Massac, Pope, Pulaski.

INDIANA

Counties of:

- Area I—Benton, Jasper, Lake, LaPorte, Newton, Porter, Pulaski, Starke, Tippecanoe, White.

- Area II—Brown, Daviess, Greene, Gibson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Sullivan.

- Area III—Adams, Allen, DeKalb, Huntington, Jay, LaGrange, Noble, Steuben, Wells, Whitley.

- Area IV—Boone, Clay, Fountain, Hendricks, Montgomery, Parke, Putnam, Vermillion, Vigo, Warren.

- Area V—Blackford, Delaware, Grant, Hamilton, Hancock, Howard, Madison, Marion, Randolph, Tipton.

- Area VI—Carroll, Cass, Clinton, Elkhart, Fulton, Kosciusko, Marshall, Miami, St. Joseph, Wabash.

- Area VII—Bartholomew, Decatur, Fayette, Franklin, Henry, Johnson, Rush, Shelby, Union, Wayne.

- Area VIII—Crawford, Dubois, Harrison, Orange, Perry, Pike, Posey, Spencer, Vanderburgh, Warrick, Washington.

- Area IX—Clark, Dearborn, Floyd, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland.

IOWA

Counties of:

- Area I—Buena Vista, Cherokee, Clay, Dickinson, Emmet, Humboldt, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sioux.
- Area II—Butler, Cerro Gordo, Floyd, Franklin, Grundy, Hancock, Hardin, Kossuth, Mitchell, Winnebago, Worth, Wright.
- Area III—Allamakee, Black Hawk, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, Jackson, Jones, Winneshiek.
- Area IV—Audubon, Calhoun, Carroll, Crawford, Guthrie, Harrison, Ida, Monona, Sac, Shelby, Woodbury.
- Area V—Boone, Dallas, Greene, Hamilton, Jasper, Madison, Marion, Marshall, Polk, Story, Warren, Webster.
- Area VI—Benton, Cedar, Clinton, Iowa, Johnson, Linn, Louisa, Muscatine, Poweshiek, Scott, Tama, Washington.
- Area VII—Adair, Adams, Cass, Clarke, Decatur, Fremont, Mills, Montgomery, Page, East Pottawattamie, West Pottawattamie, Ringgold, Taylor, Union.
- Area VIII—Appanoose, Davis, Des Moines, Henry, Jefferson, Keokuk, Lee, Lucas, Mahaska, Monroe, Van Buren, Wapello, Wayne.

KANSAS

Counties of:

- Area I—Cheyenne, Decatur, Rawlins, Sheridan, Sherman, Thomas.
- Area II—Gove, Greeley, Logan, Scott, Wallace, Wichita.
- Area III—Grant, Hamilton, Kearny, Morton, Stanton, Stevens.
- Area IV—Finney, Gray, Haskell, Lane, Meade, Seward.
- Area V—Clark, Edwards, Ford, Hodgeman, Kiowa, Pawnee.
- Area VI—Barber, Comanche, Harper, Kingman, Pratt, Stafford.
- Area VII—Barton, Ellis, Ness, Rush, Russell, Trego.
- Area VIII—Graham, Norton, Osborne, Phillips, Rooks, Smith.
- Area IX—Cloud, Jewell, Lincoln, Mitchell, Ottawa, Republic.
- Area X—Dickinson, Ellsworth, Marion, McPherson, Rice, Saline.
- Area XI—Cowley, Harvey, Reno, Sedgwick, Sumner.
- Area XII—Butler, Chautauqua, Elk, Greenwood, Wilson, Woodson.
- Area XIII—Chase, Geary, Lyon, Morris, Wabaunsee.
- Area XIV—Clay, Marshall, Nemaha, Pottawatomie, Riley, Washington.
- Area XV—Atchison, Brown, Doniphan, Jackson, Jefferson, Leavenworth.
- Area XVI—Douglas, Franklin, Johnson, Osage, Shawnee, Wyandotte.
- Area XVII—Allen, Anderson, Bourbon, Coffey, Linn, Miami.

Area XVIII—Cherokee, Crawford, Labette, Montgomery, Neosho.

KENTUCKY

Counties of:

- Area I—Ballard, Caldwell, Calloway, Carlisle, Fulton, Graves, Hickman, Livingston, Lyon, McCracken, Marshall, Trigg.
 Area II—Butler, Christian, Crittenden, Daviess, Henderson, Hopkins, Logan, McLean, Muhlenberg, Todd, Union, Webster.
 Area III—Adair, Allen, Barren, Casey, Cumberland, Green, Hart, Metcalfe, Monroe, Simpson, Taylor, Warren.
 Area IV—Breckenridge, Bullitt, Edmonson, Grayson, Hancock, Hardin, Larue, Marion, Meade, Nelson, Ohio, Washington.
 Area V—Bell, Clay, Clinton, Harlan, Knox, Laurel, Leslie, McCreary, Pulaski, Russell, Wayne, Whitley.
 Area VI—Anderson, Boyle, Clark, Estill, Garrard, Jackson, Lincoln, Madison, Mercer, Montgomery, Powell, Rockcastle.
 Area VII—Bourbon, Fayette, Franklin, Harrison, Henry, Jessamine, Nicholas, Robertson, Scott, Shelby, Spencer, Woodford.
 Area VIII—Boone, Bracken, Campbell, Carroll, Gallatin, Grant, Jefferson, Kenton, Oldham, Owen, Pendleton, Trimble.
 Area IX—Bath, Boyd, Carter, Elliott, Fleming, Greenup, Johnson, Lawrence, Lewis, Mason, Menifee, Rowan.
 Area X—Breathitt, Floyd, Knott, Lee, Letcher, Magoffin, Martin, Morgan, Owsley, Perry, Pike, Wolfe.

LOUISIANA

Parishes of:

- Area I—Bienville, Bossier, Caddo, Claiborne, DeSoto, Jackson, Lincoln, Red River, Union, Webster.
 Area II—Caldwell, Concordia, East Carroll, Franklin, Madison, Morehouse, Richland, Tensas, West Carroll, Ouachita.
 Area III—Avoyelles, Beauregard, Catahoula, Grant, LaSalle, Natchitoches, Rapides, Sabine, Vernon, Winn.
 Area IV—Acadia, Allen, Calcasieu, Cameron, Evangeline, Jefferson Davis, Lafayette, St. Landry, St. Martin, Vermilion.
 Area V—East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Tammany, Tangipahoa, Washington, West Baton Rouge, West Feliciana.
 Area VI—Ascension, Assumption, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. John, St. Mary, Terrebonne, St. James.

MAINE

None.

MARYLAND

Counties of:

- Area I—Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, Washington.
 Area II—Baltimore, Cecil, Harford, Kent, Queen Annes.
 Area III—Caroline, Dorchester, Somerset, Talbot, Wicomico, Worcester.
 Area IV—Calvert, Charles, St. Marys.
 Area V—Anne Arundel, Prince Georges.

MASSACHUSETTS

Area—Entire State.

MICHIGAN

Counties of:

- Area I—Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.
 Area II—Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Crawford, Emmet, Iosco, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle.
 Area III—Benzie, Clare, Gladwin, Grand Traverse, Lake, Leelanau, Manistee, Mason, Missaukee, Osceola, Roscommon, Wexford, Kalkaska.

Area IV—Gratiot, Ionia, Isabella, Kent, Mecosta, Midland, Montcalm, Muskegon, Newaygo, Oceana, Ottawa.

Area V—Bay, Genesee, Saginaw, Shiawassee, Tuscola.

Area VI—Huron, Lapeer, St. Clair, Sanilac, Macomb.

Area VII—Livingston, Monroe, Oakland, Washtenaw, Wayne.

Area VIII—Clinton, Hillsdale, Ingham, Jackson, Lenawee.

Area IX—Barry, Branch, Calhoun, Eaton, St. Joseph.

Area X—Allegan, Berrien, Cass, Kalamazoo, Van Buren.

MINNESOTA

Counties of:

- Area I—Beltrami, Clearwater, Cook, Itasca, Kittson, Koochiching, Lake, Lake of the Woods, Mahnomon, Marshall, Norman, Pennington, West Polk, East Polk, Red Lake, Roseau, South St. Louis, North St. Louis.
 Area II—Aitkin, Becker, Carlton, Cass, Clay, Crow Wing, Douglas, Grant, Hubbard, Kanabec, Mille Lacs, Morrison, East Otter Tail, West Otter Tail, Pine, Todd, Traverse, Wadena, Wilkin.
 Area III—Anoka, Benton, Carver, Chisago, Dakota, Dodge, Fillmore, Freeborn, Goodhue, Hennepin, Houston, Isanti, Le Sueur, Mower, Olmsted, Ramsey, Rice, Scott, Sherburne, Steele, Wabasha, Waseca, Washington, Winona, Wright.
 Area IV—Big Stone, Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Kandiyohi, Lac qui Parle, Lincoln, Lyon, McLeod, Martin, Meeker, Murray, Nicollet, Nobles, Pipestone, Pope, Redwood, Renville, Rock, Sibley, Stearns, Stevens, Swift, Watonwan, Yellow Medicine.

MISSISSIPPI

Counties of:

- Area I—Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo, Union.
 Area II—Calhoun, Carroll, Chickasaw, Choctaw, Clay, Grenada, Lowndes, Monroe, Montgomery, Oktibbeha, Webster, Yalobusha.
 Area III—Attala, Kemper, Leake, Neshoba, Noxubee, Winston.
 Area IV—Clarke, Jasper, Lauderdale, Newton, Scott, Smith.
 Area V—Forrest, George, Greene, Harrison, Hancock, Jackson, Jones, Perry, Stone, Wayne.
 Area VI—Covington, Jefferson Davis, Lamar, Lawrence, Marion, Pearl River, Simpson, Walthall.
 Area VII—Adams, Amite, Franklin, Lincoln, Wilkinson, Pike.
 Area VIII—Claiborne, Copiah, Hinds, Jefferson, Madison, Rankin, Warren.
 Area IX—Holmes, Humphreys, Issaquena, Leflore, Sharkey, Sunflower, Washington, Yazoo.
 Area X—Bolivar, Coahoma, De Soto, Panola, Quitman, Tallahatchie, Tate, Tunica.

MISSOURI

Counties of:

- Area I—Andrew, Atchison, Buchanan, Clay, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway, Platte, Worth.
 Area II—Caldwell, Carroll, Chariton, Grundy, Jackson, Lafayette, Linn, Livingston, Mercer, Putnam, Ray, Saline, Sullivan.
 Area III—Adair, Clark, Knox, Lewis, Macon, Marion, Monroe, Ralls, Randolph, Schuyler, Scotland, Shelby.
 Area IV—Audrain, Boone, Callaway, Howard, Lincoln, Montgomery, Pike, St. Charles, St. Louis, Warren.
 Area V—Bates, Benton, Cass, Cole, Cooper, Henry, Johnson, Miller, Moniteau, Morgan, Pettis.

Area VI—Barton, Camden, Cedar, Dade, Dallas, Hickory, Laclede, Polk, Pulaski, St. Clair, Vernon, Webster, Wright.

Area VII—Crawford, Dent, Franklin, Gasconade, Jefferson, Maries, Osage, Phelps, St. Francois, Texas, Washington.

Area VIII—Bollinger, Cape Girardeau, Madison, Mississippi, New Madrid, Perry, Ste. Genevieve, Scott, Stoddard.

Area IX—Butler, Carter, Dunklin, Howell, Iron, Oregon, Pemiscot, Reynolds, Ripley, Shannon, Wayne.

Area X—Barry, Christian, Douglas, Greene, Jasper, Lawrence, McDonald, Newton, Ozark, Stone, Taney.

MONTANA

Counties of:

- Area I—Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli, Sanders.
 Area II—Blaine, Cascade, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, Toole.
 Area III—Daniels, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley.
 Area IV—Beaverhead, Broadwater, Deer Lodge, Gallatin, Granite, Jefferson, Lewis & Clark, Madison, Powell, Silver Bow.
 Area V—Carbon, Fergus, Golden Valley, Judith Basin, Meagher, Park, Stillwater, Sweet Grass, Wheatland.
 Area VI—Big Horn, Garfield, Musselshell, Petroleum, Rosebud, Treasure, Yellowstone.
 Area VII—Carter, Custer, Dawson, Fallon, Powder River, Prairie, Wibaux.

NEBRASKA

Counties of:

- Area I—Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.
 Area II—Arthur, Blaine, Brown, Buffalo, Cherry, Custer, Dawson, Grant, Hooker, Keya Paha, Lincoln, Logan, McPherson, Rock, Thomas.
 Area III—Antelope, Boone, Boyd, Burt, Cedar, Cuming, Dakota, Dixon, Garfield, Greeley, Holt, Howard, Knox, Loup, Madison, Merrick, Nance, Pierce, Platte, Sherman, Stanton, Thurston, Valley, Wayne, Wheeler.
 Area IV—Chase, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Keith, Perkins, Red Willow.
 Area V—Clay, Fillmore, Franklin, Harlan, Jefferson, Kearney, Nuckolls, Phelps, Saline, Thayer, Webster.
 Area VI—Adams, Butler, Colfax, Dodge, Hall, Hamilton, Polk, Saunders, Seward, York.
 Area VII—Cass, Douglas, Gage, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Sarpy, Washington.

NEVADA

Counties of:

Area I—Clark, Nye.

NEW HAMPSHIRE

None.

NEW JERSEY

Area—Entire State.

NEW MEXICO

Counties of:

- Area I—Colfax, Curry, De Baca, Guadalupe, Harding, Mora, Quay, Roosevelt, San Miguel, Union.
 Area II—Bernalillo, McKinley, Rio Arriba, Sandoval, San Juan, Santa Fe, Taos, Torrance, Valencia.
 Area III—Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, Socorro.
 Area IV—Chaves, Eddy, Lea, Lincoln, Otero.

NEW YORK

Counties of:

- Area I—Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates.

Area II—Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Herkimer, Jefferson, Lewis, Madison, Montgomery, Nassau, Oneida, Orange, Oswego, Otsego, Putnam, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schoenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester.

NORTH CAROLINA

Counties of:

Area I—Alleghany, Ashe, Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Swain, Transylvania, Watauga, Yancey.
 Area II—Alexander, Anson, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Polk, Rutherford, Stanly, Union.
 Area III—Davidson, Davie, Forsyth, Guilford, Montgomery, Randolph, Rockingham, Rowan, Stokes, Surry, Wilkes, Yadkin.
 Area IV—Alamance, Caswell, Chatham, Durham, Franklin, Granville, Harnett, Lee, Orange, Person, Vance, Wake, Warren.
 Area V—Beaufort, Bertie, Camden, Chowan, Currituck, Dare, Edgecombe, Gates, Halifax, Hertford, Hyde, Martin, Nash, Northhampton, Pasquotank, Perquimans, Pitt, Tyrrell, Washington, Wilson.
 Area VI—Carteret, Craven, Duplin, Greene, Johnston, Jones, Lenoir, Onslow, Pamlico, Wayne.
 Area VII—Bladen, Brunswick, Columbus, Cumberland, Hoke, Moore, New Hanover, Pender, Richmond, Robeson, Sampson, Scotland.

NORTH DAKOTA

Counties of:

Area I—Burke, Divide, McKenzie, Williams.
 Area II—McLean, Mountrail, Renville, Ward.
 Area III—Bottineau, McHenry, Pierce, Rollette, Towner.
 Area IV—Benson, Eddy, Foster, Sheridan, Wells.
 Area V—Cavalier, Grand Forks, Pembina, Ramsey, Walsh.
 Area VI—Griggs, Nelson, Steele, Traill.
 Area VII—Adams, Billings, Bowman, Golden Valley, Slope.
 Area VIII—Dunn, Grant, Hettinger, Stark.
 Area IX—Burlingame, Mercer, Morton, Oliver, Sioux.
 Area X—Emmons, Kidder, Logan, McIntosh.
 Area XI—Barnes, Dickey, LaMoure, Stutsman.
 Area XII—Cass, Ransom, Richland, Sargent.

OHIO

Counties of:

Area I—Erie, Fulton, Henry, Huron, Lorain, Lucas, Ottawa, Sandusky, Seneca, Williams, Wood.
 Area II—Ashland, Belmont, Carroll, Coshocton, Harrison, Holmes, Jefferson, Knox, Richland, Tuscarawas, Wayne.
 Area III—Ashtabula, Columbiana, Cuyahoga, Geauga, Lake, Mahoning, Medina, Portage, Stark, Summit, Trumbull.
 Area IV—Allen, Auglaize, Defiance, Hancock, Hardin, Logan, Mercer, Paulding, Putnam, Shelby, Van Wert.
 Area V—Crawford, Delaware, Fayette, Franklin, Licking, Madison, Marion, Morrow, Pickaway, Union, Wyandot.
 Area VI—Butler, Champaign, Clark, Clinton, Darke, Greene, Hamilton, Miami, Montgomery, Preble, Warren.
 Area VII—Adams, Brown, Clermont, Gallia, Highland, Jackson, Lawrence, Pike, Ross, Scioto.
 Area VIII—Athens, Fairfield, Guernsey, Hocking, Meigs, Monroe, Morgan, Muskingum, Noble, Perry, Vinton, Washington.

OKLAHOMA

Counties of:

Area I—Beaver, Cimarron, Custer, Dewey, Ellis, Harper, Roger Mills, Texas, Woods, Woodward.

Area II—Alfalfa, Garfield, Grant, Kay, Major, Noble, Osage.

Area III—Adair, Cherokee, Craig, Delaware, Mayes, Muskogee, Nowata, Okmulgee, Ottawa, Rogers, Tulsa, Wagoner, Washington.

Area IV—Blaine, Canadian, Creek, Hughes, Kingfisher, Lincoln, Logan, Okfuskee, Oklahoma, Pawnee, Payne, Pottawatomie, Seminole.

Area V—Beckham, Greer, Harmon, Jackson, Kiowa, Tillman, Washita.

Area VI—Caddo, Carter, Cleveland, Coal, Comanche, Cotton, Garvin, Grady, Jefferson, Johnston, Love, McClain, Marshall, Murray, Pontotoc, Stephens.

Area VII—Atoka, Bryan, Choctaw, Haskell, Latimer, LeFlore, McCurtain, McIntosh, Pittsburg, Pushmataha, Sequoyah.

OREGON

Counties of:

Area I—Baker, Crook, Deschutes, Gilliam, Grant, Harney, Hood River, Jefferson, Klamath, Lake, Malheur, Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, Wheeler.
 Area II—Benton, Clackamas, Clatsop, Columbia, Coos, Curry, Douglas, Jackson, Josephine, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington, Yamhill.

PENNSYLVANIA

Counties of:

Area I—Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington, Westmoreland.
 Area II—Adams, Berks, Bradford, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Cumberland, Dauphin, Delaware, Franklin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Perry, Philadelphia, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, York.

RHODE ISLAND

Counties of:

Area I—Bristol, Kent, Newport, Providence, Washington.

SOUTH CAROLINA

Counties of:

Area I—Abeville, Anderson, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg.
 Area II—Aiken, Edgefield, Fairfield, Lexington, McCormick, Newberry, Saluda.
 Area III—Bamberg, Barnwell, Calhoun, Clarendon, Orangeburg, Richland, Sumter.
 Area IV—Allendale, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper.
 Area V—Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro, Williamsburg.
 Area VI—Cherokee, Chester, Chesterfield, Kershaw, Lancaster, Lee, Union, York.

SOUTH DAKOTA

Counties of:

Area I—Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins, Ziebach.
 Area II—Bennett, Custer, Fall River, Haakon, Jackson, Jones, Mellette, Pennington, Shannon, Todd, Washabaugh.
 Area III—Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Douglas, Gregory, Lyman, Tripp, Yankton.
 Area IV—Clay, Davison, Hanson, Hutchinson, Lincoln, McCook, Moody, Minnehaha, Turner, Union.
 Area V—Brookings, Clark, Codrington, Day, Deuel, Grant, Hamlin, Marshall, Roberts.

Area VI—Beadle, Hand, Hyde, Jerauld, Kingsbury, Lake, Miner, Sanborn, Spink.

Area VII—Brown, Campbell, Edmunds, Faulk, Hughes, McPherson, Potter, Stanley, Sully, Walworth.

TENNESSEE

Counties of:

Area I—Carter, Cocke, Greene, Hamblen, Hawkins, Jefferson, Johnson, Sullivan, Union, Washington.
 Area II—Anderson, Blount, Campbell, Claiborne, Grainger, Hancock, Knox, Scott, Sevier, Union.
 Area III—Bradley, Hamilton, Loudon, McMinn, Meigs, Monroe, Morgan, Polk, Rhea, Roane.
 Area IV—Bledsoe, Cumberland, DeKalb, Fentress, Overton, Pickett, Putnam, Van Buren, Warren, White.
 Area V—Bedford, Cannon, Coffee, Franklin, Grundy, Lincoln, Marion, Moore, Rutherford, Sequatchie.
 Area VI—Clay, Davidson, Jackson, Macon, Robertson, Smith, Sumner, Trousdale, Wilson.
 Area VII—Giles, Hickman, Lawrence, Lewis, Marshall, Maury, Perry, Wayne, Williamson.
 Area VIII—Benton, Cheatham, Decatur, Dickson, Henry, Houston, Humphreys, Montgomery, Stewart.
 Area IX—Chester, Fayette, Hardeman, Hardin, Haywood, McNairy, Madison, Shelby, Tipton.
 Area X—Carroll, Crockett, Dyer, Gibson, Henderson, Lake, Lauderdale, Obion, Weakley.

UTAH

Area—Entire State.

VERMONT

None.

VIRGINIA

Counties of:

Area I—Accomack, Amelia, Brunswick, Chesterfield, Dinwiddie, Greensville, Isle of Wight, Nansemond, Norfolk, Northampton, Nottoway, Powhatan, Prince George, Princess Anne, Southampton, Surry, Sussex.
 Area II—Amherst, Appomattox, Bedford, Botetourt, Buckingham, Campbell, Charlotte, Craig, Cumberland, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nelson, Patrick, Pittsylvania, Prince Edward, Roanoke.
 Area III—Bland, Buchanan, Carroll, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe.
 Area IV—Carolina, Charles City, Essex, Fluvanna, Gloucester, Goochland, Hampton, Hanover, Henrico, James City, King & Queen, King George, King William, Lancaster, Louisa, Mathews, Middlesex, New Kent, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland, Newport News, York.
 Area V—Albemarle, Alleghany, Augusta, Bath, Clarke, Culpeper, Fairfax, Frederick, Greene, Highland, Loudoun, Madison, Orange, Page, Prince William, Rappahannock, Rockbridge, Rockingham, Shenandoah, Warren, Fauquier.

WASHINGTON

Counties of:

Area I—Asotin, Benton, Columbia, Franklin, Garfield, Walla Walla, Whitman.
 Area II—Lincoln, Okanogan, Pend Oreille, Douglas, Ferry, Spokane, Stevens.
 Area III—Adams, Chelan, Grant, Kittitas, Klickitat, Yakima.

WEST VIRGINIA

Counties of:

Area I—Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Preston.
 Area II—Barbour, Braxton, Calhoun, Gilmer, Lewis, Pocahontas, Randolph, Taylor, Tucker, Upshur, Webster.

Area III—Brooke, Doddridge, Hancock, Harrison, Marion, Marshall, Monongalia, Ohio, Pleasants, Ritchie, Tyler, Wetzel.

Area IV—Cabell, Jackson, Lincoln, Mason, Mingo, Putnam, Roane, Wayne, Wirt, Wood.
Area V—Boone, Clay, Fayette, Greenbrier, Kanawha, Logan, McDowell, Mercer, Monroe, Nicholas, Raleigh, Summers, Wyoming.

WISCONSIN

Counties of:

Area I—Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau, Washburn.

Area II—Brown, Door, Florence, Forest, Kewaunee, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Portage, Shawano, Vilas, Waupaca, Wood.

Area III—Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Juneau, La Crosse, Lafayette, Monroe, Richland, Rock, Sauk, Vernon.

Area IV—Adams, Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Marinette, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Waushara, Winnebago.

WYOMING

Counties of:

Area I—Laramie, Goshen, Platte, Converse, Niobrara.

Area II—Campbell, Crook, Johnson, Sheridan, Weston.

Area III—Albany, Carbon, Lincoln, Natrona, Teton, Sweetwater, Uinta, Sublette.

Area IV—Big Horn, Fremont, Hot Springs, Park, Washakie.

PUERTO RICO

Counties of:

Area I—North Area.

(Sec. 3, 60 Stat. 238; 5 U.S.C. 1002; Sec. 363, 52 Stat. 63, as amended; 7 U.S.C. 1363)

Effective date: January 1, 1963.

Signed at Washington, D.C., on January 3rd, 1963.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 63-178; Filed, Jan. 8, 1963; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SURVEY OF DISTRIBUTORS STOCKS OF CANNED FOODS

Notice of Determination

In conformity with the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225, and due Notice of Consideration having been published November 21, 1962 (27 F.R. 11469), pursuant to said act, I have determined that year-end data on stocks of 29 canned and bottled products, including vegetables, fruits, juices, and fish, are needed to aid the efficient performance of essential governmental functions, and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other governmental sources. This is a contin-

uation of the survey conducted in previous years.

All respondents will be required to submit information covering their December 31, 1962 inventories of 29 canned and bottled vegetables, fruits, juices, and fish. Reports will not be required from all firms but will be limited to a scientifically selected sample of wholesalers and retail multiunit organizations handling canned foods, in order to provide year-end inventories of the specified canned food items with measured 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."

Report forms will be furnished to firms covered by the survey. Additional copies of the forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

Reports are due 8 days after receipt of the report forms.

I have therefore directed that this annual survey be conducted for the purpose of collecting these data.

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

[F.R. Doc. 63-186; Filed, Jan. 8, 1963; 8:47 a.m.]

RETAILERS' INVENTORIES, SALES-INVENTORY RATIOS, NUMBER OF STORES

Notice of Determination to Continue Survey

Pursuant to the Act of Congress approved August 31, 1954, 13 U.S.C. 181, 224, and 225, and due Notice of Consideration having been published November 28, 1962 (27 F.R. 11711), I have determined that certain 1962 annual data for retail establishments are needed to provide a sound statistical basis for the formation of policy by various government agencies and are also applicable to a variety of public and business needs. The survey is part of a continuing Census series on retail trade, and for 1962 will cover year-end inventories, annual sales and number of retail stores operated as of the end of the year. The data are not publicly available from non-governmental or other governmental sources.

Reports will be required only from a selected sample of retail establishments in the United States. The sample will provide, with measurable reliability, estimates of inventories and sales-inventory ratios. Reports will be requested from sampled stores on the basis of their sales size and/or location in Census Sample Areas. A group of the larger firms will be requested to report their sales and number of stores by county; but those firms which are participating monthly in the Bureau's geographic area survey will be asked to report in total only.

Report forms will be furnished to the firms covered by the survey and will be due 15 days after receipt. Additional copies of the forms are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have therefore directed that an annual survey be conducted for the purpose of collecting these data.

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

[F.R. Doc. 63-187; Filed, Jan. 8, 1963; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 70-666]

COMMONWEALTH EDISON CO.

Notice of Issuance of License for Shipment of Irradiated Fuel Elements

By application dated May 24, 1962, as amended May 31, 1962, Commonwealth Edison Company, Chicago, Illinois, applied for a Special Nuclear Material License which would authorize transportation of irradiated fuel elements, in a specified type of cask, from the Dresden Nuclear Power Station in Grundy County, Illinois, to the Commission's Savannah River Separations Plant, Aiken, South Carolina.

The Commission has completed an evaluation of the shipping cask design and related transportation procedures submitted by Stanray Corporation, the cask supplier, filed as Docket No. 70-587 and incorporated by reference in the applicant's submittal, and has found that, based on the information and data submitted, the applicant's proposed equipment, facilities, and operating procedures meet the requirements of the Act and the regulations of the Commission, and are adequate to protect health and minimize danger to life or property during the proposed transportation of irradiated fuel elements of the type described. The Commission has also found that Commonwealth Edison Company is technically qualified to perform the proposed activities, based on the information submitted by Commonwealth Edison Company in support of the application for the Company's Dresden Facility license filed as docket 50-10. In making its evaluation the Commission used the criteria contained in 10 CFR Part 72 (proposed September 23, 1961) "Regulations to Protect Against Radiation in the Shipment of Irradiated Fuel Elements." These proposed regulations include requirements which cover general packaging, structural integrity, materials and methods of cask construction, shielding, criticality, heat removal, and operational testing.

Notice is hereby given that the Atomic Energy Commission on December 1962, issued License SNM-638 to authorize the Commonwealth Edison Company to ship irradiated Dresden fuel elements from the Company's Dresden Nuclear Power Station site to the Commission's Savannah River Separations Plant in the type of cask and in accordance with the procedures described in the Company's application and amendment and supplements thereto identified above, subject to certain conditions.

In accordance with the Commission's rules of practice (10 CFR Part 2) the

Commission will issue a notice of hearing or an appropriate order upon receipt from the applicant of a request for a hearing, or upon receipt of a petition for leave to intervene from any person whose interest may be affected by the issuance of this license. Requests for a formal hearing or petitions for leave to intervene shall be filed within thirty days from the date of publication of this notice in the FEDERAL REGISTER, by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street NW., Washington, D.C. For further details see (1) the application for license dated May 24, 1962, and supplement thereto identified above, submitted by Commonwealth Edison Company, and (2) a safety analysis dated April 24, 1962, by the Process Evaluation Branch as supplemented on December 19, 1962, by the Fuels Processing Branch of the Division of Licensing and Regulation (see Docket No. 70-587), both on file at the AEC's Public Document Room. The safety analysis by the Process Evaluation Branch is available upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 28th day of December 1962.

For the Atomic Energy Commission.

E. R. PRICE,
Acting Director, Division of
Licensing and Regulation.

[F.R. Doc. 63-162; Filed, Jan. 8, 1963;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

FEDERAL REPUBLIC OF CAMEROON

Notice of Finding Regarding Foreign Social Insurance and Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence

relating to the social insurance or pension system of the Federal Republic of Cameroon from which evidence it appears that the Federal Republic of Cameroon does not have a social insurance or pension system of general application which pays benefits on account of old age, retirement, or death.

Accordingly, it is hereby determined and found that the Federal Republic of Cameroon does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

Dated: December 20, 1962.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved January 3, 1963.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education,
and Welfare.

[F.R. Doc. 63-174; Filed, Jan. 8, 1963;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14700, 14701; FCC 62M-1704]

CABRILLO BROADCASTING CO. AND HELIX BROADCASTING CO.

Order Continuing Hearing

In re applications of Riley Jackson and Allen Richardson Hubbard d/b as Cabrillo Broadcasting Co., San Diego, California, Docket No. 14700, File No. BP-13423, Cliff Gill, Ira Laufer, Daniel Russell, David S. Drubeck, Dennis Fagerhult, Jack Bell, Martha Aspegren, Louis B. Minter, Robert S. Feder and Alan C. Lisser, d/b as Helix Broadcasting Co., La Mesa, California, Docket No. 14701, File No. BP-14406; for construction permits.

The Hearing Examiner having under consideration a petition for continuance filed on December 27, 1962, by Helix Broadcasting Company;

It appearing that on December 21, 1962, the applicants in this proceeding entered into an agreement pursuant to which a joint petition is being prepared and will be filed requesting dismissal of the Cabrillo Broadcasting Company application; and

It further appearing that pending the resolution of this matter it would be pointless to go forward with the currently scheduled date for hearing of January 7, 1963; and

It further appearing that all parties have consented to immediate consideration and grant of the instant request;

It is ordered, This 28th day of December 1962, that the petition is granted and the hearing is continued to February 7, 1963.

Released: December 31, 1962.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-199; Filed, Jan. 8, 1963;
8:49 a.m.]

[Docket Nos. 14799, 14800; FCC 63M-7]

GRIFFITH BROADCASTING CORP. AND PARKWAY BROADCASTING CO.

Order Regarding Procedural Dates

In re applications of Griffith Broadcasting Corporation, Lynchburg, Virginia, Docket No. 14799, File No. BP-14340; M. Condon Bowers, Jr., and Richard A. Moran, d/b as Parkway Broadcasting Company, Buena Vista, Virginia, Docket No. 14800, File No. BP-14356; for construction permits.

The Hearing Examiner having under consideration an unopposed "Petition for Postponement of Procedural Dates and Request for Further Prehearing Conference," filed in the above-entitled proceeding on December 21, 1962, by applicant Parkway;

It appearing that the petition evinces "good cause" for granting all the relief requested and that petitioner recites that all parties have advised they have no objection to grant;

It is ordered, This 2d day of January 1963, that Parkway's petition is hereby granted; that the procedural dates prescribed heretofore are cancelled; that the commencement of the hearing is hereby postponed until a date to be determined during a further prehearing conference; and that the parties are hereby directed to appear in person or by counsel at a prehearing conference to be held at 9 a.m., Monday, January 21, 1963, at the Commission's offices, Washington, D.C.

Released: January 3, 1963.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-200; Filed, Jan. 8, 1963;
8:49 a.m.]

[Docket No. 14728; FCC 63M-4]

ROBERT W. SELTZER

Order Scheduling Hearing

In the matter of the application of Robert W. Seltzer, Docket No. 14728, File No. 2913-C2-P-62; for a construction permit to establish a new station for one-way signaling communications in the Domestic Public Land Mobile Radio Service at Hartford, Connecticut.

On the Hearing Examiner's own motion: It is ordered, This 2d day of January 1963, that the date for commencement of hearing herein is scheduled for January 11, 1963, at 10:00 a.m.

Released: January 3, 1963.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 63-202; Filed, Jan. 8, 1963;
8:49 a.m.]

[Docket Nos. 14755-14757; FCC 63M-6]

JUPITER ASSOCIATES, INC., ET AL.

Order Continuing Hearing

In re applications of Jupiter Associates, Inc., Matawan, New Jersey, Docket

No. 14755, File No. BP-14178; William S. Halpern and Louis N. Seltzer, d/b as Somerset County Broadcasting Company, Somerville, New Jersey, Docket No. 14756, File No. BP-14234; Radio Elizabeth, Inc., Elizabeth, New Jersey, Docket No. 14757, File No. BP-14812, for construction permits.

The Hearing Examiner having under consideration joint petition filed December 20, 1962, on behalf of Radio Elizabeth, Inc., and Jupiter Associates, Inc., applicants herein, requesting that certain procedural dates heretofore established be modified;

It appearing that the petitioners' request that the hearing herein now scheduled for January 28, 1963, be continued to February 25, 1963;

It further appearing that the Hearing Examiner presently has scheduled hearing in another proceeding for February 25, 1963;

It further appearing that good cause exists why there should be a modification to the procedural dates heretofore established and the other parties to the preceding interpose no objection thereto;

Accordingly, it is ordered, This 2d day of January 1963, that the instant petition is granted in part and denied in part, and that the hearing herein now scheduled for January 28, 1963, be and the same is hereby continued to March 4, 1963, 10:00 a.m., in the Commission's Offices, Washington, D.C.;

It is further ordered, That the exchange of written exhibits herein shall be accomplished on or before February 4, 1963, and the notification of witnesses desired for cross examination shall be accomplished on or before February 11, 1963.

Released: January 3, 1963.

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

[F. R. Doc. 63-201; Filed, Jan. 8, 1963;
8:49 a.m.]

[Docket Nos. 14857-14862; FCC 63M-8]

WELLERSBURG TV, INC., AND PEOPLE'S COMMUNITY TELEVISION ASSOCIATION, INC.

Order Scheduling Prehearing Conference

In re application of Wellersburg TV, Inc., Wellersburg, Pennsylvania: Docket No. 14857, File No. BPTTV-1174; Docket No. 14858, File No. BPTTV-1175; Docket No. 14859, File No. BPTTV-1176; People's Community Television Association, Inc., LaVale, Maryland: Docket No. 14860, File No. BPTTV-1177; Docket No. 14861, File No. BPTTV-1178; Docket No. 14862, File No. BPTTV-1179; for construction permits for VHF translator stations.

On the Examiner's own motion: It is ordered, This 2d day of January 1963, that a further prehearing conference in

the above-entitled matter, be, and the same is, hereby scheduled for 9:00 a.m., January 15, 1963, in the Offices of the Commission, Washington, D.C.

Released: January 3, 1963.

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

[F.R. Doc. 63-203; Filed, Jan. 8, 1963;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13487 etc.]

SLICK CORP. ET AL.

Directional Charter Rates; Notice of Hearing

In the matter of directional charter rates of The Slick Corporation, The Flying Tiger Line Inc., and World Airways, Inc.:

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a further public hearing in the above-entitled proceeding is assigned to be held on February 12, 1963, at 10:00 a.m. (Hawaiian time), in the Auditorium, Hilo Electric Light Company, Hilo, Hawaii, before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to Board Order E-18138, dated March 22, 1962, Board Order E-18999, dated November 13, 1962, and Board Order E-19083, dated December 10, 1962; the Prehearing Conference Reports served May 18, 1962, and December 6, 1962; and all other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 3, 1963.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 63-197; Filed, Jan. 8, 1963;
8:48 a.m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DELEGATION OF FINAL AUTHORITY

Section II, Delegation of Final Authority, is amended as follows:

Paragraph E6 is amended by deleting the name "Kenneth M. Stone" therefrom and adding in lieu thereof the name "Clarence J. Stenzel."

Approved: December 28, 1962.

MARIE C. MCGUIRE,
Commissioner.

[F.R. Doc. 63-166; Filed, Jan. 8, 1963;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 500]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 4, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m. local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 16682 (Sub-No. 59), filed October 21, 1962, Applicant: MURAL TRANSPORT, INC., 2900 Review Avenue, Long Island City 1, N.Y. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Uncrated fixtures and equipment* (except office machines) and *uncrated new furniture*, of the type used by stores, offices, homes, hotels, and other institutions, from points in Los Angeles and Orange Counties, Calif., to points in the United States (except Hawaii).

NOTE: Applicant states it does not seek to duplicate the authority it now holds in MC-16682.

HEARING: February 7, 1963, at the Federal Building, Los Angeles, Calif., before Examiner Henry A. Cockrum.

No. MC 42261 (Sub-No. 72), filed December 6, 1962. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry plastic materials*, in bulk, from the plant site of Avisun Corporation, at or near New Castle, Del., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: February 12, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 52709 (Sub-No. 195), filed December 13, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Authority

sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Animal and vegetable oils and fats, and blends and products of any of the foregoing*, and (2) *fatty alcohols, fatty acids, glycerins, and amides*, in bulk, in tank vehicles, from Sacramento and Long Beach, Calif., to points in Texas, Kansas, Missouri, Illinois, Iowa, Ohio, Massachusetts, New York, Maryland, and Georgia.

NOTE: Common control may be involved.

HEARING: February 5, 1963, at the Federal Building, Los Angeles, Calif., before Examiner Henry A. Cockrum.

No. MC 52869 (Sub-No. 70), filed December 10, 1962. Applicant: NORTHERN TANK LINE, 511 Pleasant Street, Miles City, Mont. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Water*, in bulk, in tank vehicles, between points in North Dakota, South Dakota, and Montana.

HEARING: February 6, 1963, at the U.S. Court Rooms, Bismarck, N. Dak., before Joint Board No. 124.

No. MC 57315 (Sub-No. 3), filed December 17, 1962. Applicant: TRI-STATE TRANSPORT, INC., 450 D Street, Boston 10, Mass. Applicant's attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Road (at South Shore Plaza), Braintree 34, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packing-house products, and commodities used by packinghouses as defined by the Commission* (restricted against the transportation of such commodities in bulk, in tank vehicles), from Southboro, Mass., to points in Fairfield and New Haven Counties, Conn.

HEARING: January 14, 1963, at the Hotel Essex, Boston, Mass., before Joint Board No. 22, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 64994 (Sub-No. 52), filed December 14, 1962. Applicant: HENNIS FREIGHT LINES, INC., P.O. Box 612, Winston-Salem, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, in cartons, from points in Virginia on and within a line beginning at the North Carolina-Virginia State line and extending north along Virginia Highway 16 to the West Virginia State line, thence along the West Virginia-Virginia State line to junction U.S. Highway 460, at or near Rich Creek, Va., thence along U.S. Highway 460 to Lynchburg, Va., thence along U.S. Highway 29 to the North Carolina-Virginia State line to the point of beginning, to points in the Chicago, Ill., commercial zone, points in Ohio, points in Indiana on and north of U.S. Highway 40 and points in Michigan on and south of U.S. Highway 21.

NOTE: Applicant states the proposed operation will be through Charleston, W. Va., as

a gateway, with no service at Charleston except as otherwise authorized. Also, common control may be involved.

HEARING: February 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner John B. Mealy.

No. MC 95540 (Sub-No. 486), filed December 14, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chewing gum, candy, confectionery, chocolate, chocolate coating, advertising matter, signs and racks when shipped with other commodities named*, in mechanically refrigerated equipment, from New York City, N.Y., and points in its commercial zone, and points in Pennsylvania and New Jersey, to points in the United States (except Alaska and Hawaii).

HEARING: February 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James O'D. Moran.

No. MC 102616 (Sub-No. 711), filed December 10, 1962. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastic materials*, in bulk, from the plant site of the Avisun Corporation, at or near New Castle, Del., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: February 12, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 104896 (Sub-No. 10), filed December 10, 1962. Applicant: WOMELDORF, INC., P.O. Box 232, Lewistown, Pa. Applicant's attorney: V. Baker Smith, 2107 Fidelity-Philadelphia Trust Building, Philadelphia 9, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Caps, covers and tops for bottles, and jars*, from points in Fayette County, Pa., to points in Orleans, Monroe, and Genesee Counties, N.Y., and (2) *pallets, and returned, refused and rejected shipments of empty containers, caps, covers and tops for bottles, and jars*, from points in Orleans, Monroe, and Genesee Counties, N.Y., to points in Fayette County, Pa.

HEARING: February 15, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William A. Royall.

No. MC 106965 (Sub-No. 199), filed December 26, 1962. Applicant: M. I. O'BOYLE & SON, INC., doing business as O'BOYLE TANK LINES, 1825 Jefferson Place NW., Washington 6, D.C. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Kyanite*,

dry, in bulk, from points in Prince Edward and Buckingham Counties, Va., to points in Delaware, Maryland, New Jersey (except points in Cumberland, Salem, Gloucester, Cape May, Atlantic, Camden, and Burlington Counties, N.J.), New York, North Carolina, Ohio, and West Virginia.

NOTE: Common control may be involved.

HEARING: February 11, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo A. Riegel.

No. MC 107107 (Sub-No. 249), filed December 13, 1962. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic fittings, plastic pellets, plastic scrap, and bonding cement* (except commodities, in bulk), from High Springs, Fla., to points in Alabama, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

HEARING: February 13, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 107403 (Sub-No. 443) (AMENDMENT), filed November 15, 1962, published FEDERAL REGISTER issue of December 12, 1962, amended December 14, 1962, and republished, as amended this issue. 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: *Petroleum products*, from Haverhill, Ohio, and points within five (5) miles thereof, to points in Connecticut, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin.

NOTE: The purpose of this republication is to substitute "petroleum products" in lieu of "chemicals" in the commodity description, to substitute the destination territory above in lieu of "points in the United States," as previously published, and also to advance the hearing date.

HEARING: January 21, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 107403 (Sub-No. 446), filed December 5, 1962. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastic materials*, in bulk, from the plant site of the Avisun Corporation, located near New Castle, Del., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: February 12, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 107403 (Sub-No. 47), filed December 14, 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: *Lime*, from Columbiana County, Ohio, to points in Maryland, Pennsylvania and West Virginia.

NOTE: Common control may be involved.

HEARING: February 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Joseph A. Reilly.

No. MC 109136 (Sub-No. 25), filed December 20, 1962. Applicant: ORIOLE CHEMICAL CARRIERS, INC., 9290 Pulaski Highway, Baltimore, Md. Applicant's attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied chlorine*, in containers, from the site of the Army Chemical Center located near Edgewood, Md., to Occoquan, Va., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, on return.

NOTE: Applicant states the proposed operation is to be performed under a continuing contract or contracts with Diamond Alkali Co., of Cleveland, Ohio.

HEARING: February 13, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 68.

No. MC 109708 (Sub-No. 25), filed December 19, 1962. Applicant: ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 401 Highland Street, Frederick, Md. Applicant's attorney: Wilmer B. Hill, 216 Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcohol, other than denatured, wine, and rum*, in bulk, in tank vehicles, from Lake Alfred, Fla., to points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, Michigan, Illinois, Indiana, Wisconsin, Minnesota, Kentucky, and Georgia.

HEARING: February 8, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles J. Murphy.

No. MC 110525 (Sub-No. 542), filed December 2, 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: *Plastic materials*, in bulk, from the site of the Avisum Corporation plant, at or near New Castle, Del., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia,

West Virginia, and the District of Columbia.

HEARING: February 12, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Frank J. Mahoney.

No. MC 110525 (Sub-No. 544), filed December 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: *Petroleum products*, in bulk, in tank vehicles, from Haverhill, Ohio, and points within five (5) miles thereof, to points in Connecticut, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Mississippi, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and Wisconsin.

HEARING: January 21, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 110698 (Sub-No. 236), filed December 20, 1962. Applicant: Ryder Tank Line, Inc., Winston Salem Road, P.O. Box 457, Greensboro, N.C. Applicant's attorney: Francis A. McNerny, 1000 16th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from points in Greenville County, S.C., to points in North Carolina, Tennessee, Alabama, and Georgia.

HEARING: February 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Dallas B. Russell.

No. MC 115331 (Sub-No. 39), filed December 28, 1962. Applicant: TRUCK TRANSPORT, INC., 719 Buder Building, 707 Market Street, St. Louis 1, Mo. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate, fertilizers, fertilizer compounds, fertilizer ingredients and urea*, dry, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *exempt commodities*, between Louisiana (Pike County), Mo., and points within 15 miles thereof, on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Missouri, Ohio, Oklahoma, Tennessee, and Wisconsin.

HEARING: February 7, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Parks M. Low.

No. MC 117508 (Sub-No. 5), filed December 6, 1962. Applicant: PET-TAPIECE CARTAGE, LIMITED, 39 Oak Street, West Leamington, Ontario, Canada. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Dry commodities*, in bulk (except salt and calcium chloride), from points in Michigan, to ports of entry on the International Boundary line between the United States and Canada at Detroit and Port Huron, Mich.

HEARING: February 13, 1963, at the Federal Building, Lansing, Mich., before Joint Board No. 163.

No. MC 121414 (Sub-No. 1) (AMENDMENT), filed September 14, 1962, published in FEDERAL REGISTER issue of December 28, 1962, amended December 21, 1962 and republished as amended this issue. Applicant: RED ARROW DELIVERY, INC., 525 West Short Street, Lexington, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (no exceptions). Routes 1 through 25 were published in FEDERAL REGISTER issue of December 28, 1962. The amendment adds routes 26 through 74. Also this amendment changes the restriction found after route 25 in the original application. All paragraphs following the route description in application should be stricken and the restrictive paragraphs which will be found at the end of this amendment should be substituted. (26) Between Stanford, Ky., and junction of U.S. Highway 27 with the Kentucky-Tennessee State line, from Stanford, Ky., over U.S. Highway 27 to its junction with the Kentucky-Tennessee State line and return over the same route; (27) between Berea, Ky., and Corbin, Ky., from Berea, Ky., over U.S. Highway 25 to Corbin, Ky., and return over the same route; (28) between Corbin, Ky., and Jellico, Ky., from Corbin, Ky., over U.S. Highway 25W to Jellico, Ky., and return over the same route; (29) between Corbin, Ky., and Cumberland Gap, Ky., from Corbin, Ky., over U.S. Highway 25E to Cumberland Gap and return over the same route; (30) between Mount Sterling, Ky., and junction of U.S. Highway 460 with Kentucky-Virginia State line, from Mount Sterling, Ky., over U.S. Highway 460 to its junction with the Kentucky-Virginia State line and return over the same route; (31) between Richmond, Ky., and junction of U.S. Highway 421 with the Kentucky-Virginia State line, from Richmond, Ky., over U.S. Highway 421 to its junction with the Kentucky-Virginia State line and return over the same route; (32) between Danville, Ky., and Static, Ky., from Danville, Ky., over U.S. Highway 127 to Static, Ky., and return over the same route; (33) between Russell Springs, Ky., and junction of Kentucky Highway 80 with Kentucky-Virginia State line, from Russell Springs, Ky., over Kentucky Highway 80 to its junction with the Kentucky-Virginia State line and return over the same route; (34) between Wasioto, Ky., and junction of U.S. Highway 119 with the Kentucky-West Virginia State line (near Toler, Ky.), from Wasioto, Ky., over U.S. Highway 119 to its junction with the Kentucky-West Virginia State line and return over the the same route; (35) be-

tween Stanton, Ky., and Whitesburg, Ky., from Stanton, Ky., over Kentucky Highway 15 to Whitesburg, Ky., and return over the same route; (36) between Pine Ridge, Ky., and Gausdale, Ky., from Pine Ridge, Ky., over Kentucky Highway 11 to Gausdale, Ky., and return over the same route; (37) between Albany, Ky., and junction of Kentucky Highway 90 with U.S. Highway 27, from Albany, Ky., over Kentucky Highway 90 to its intersection with U.S. Highway 27 and return over the same route; (38) between Monticello, Ky., and junction of Kentucky Highway 92 with U.S. Highway 25E, from Monticello, Ky., over Kentucky Highway 92 to its intersection with U.S. Highway 25E and return over the same route; (39) between Stanford, Ky., and Somerset, Ky., from Stanford, Ky., over U.S. Highway 150 to its junction with Kentucky Highway 461; thence over Kentucky Highway 461 to Somerset, Ky., and return over the same route; (40) between Irvine, Ky., and Jackson, Ky., from Irvine, Ky., over Kentucky Highway 52 to Jackson, Ky., and return over the same route; (41) between East Bernstadt, Ky., and Salyersville, Ky., from East Bernstadt, Ky., over Kentucky Highway 30 to Salyersville, Ky., and return over the same route; (42) between Mount Sterling, Ky., and Ashland, Ky., from Mount Sterling, Ky., over U.S. Highway 60 to Ashland, Ky., and return over the same route; (43) between Paintsville, Ky., and junction of U.S. Highway 23 with Kentucky-Ohio State line (near Portsmouth, Ohio), from Paintsville, Ky., over U.S. Highway 23 to its junction with the Kentucky-Ohio State line and return over the same route; (44) between Fullerton, Ky., and junction of Kentucky Highway 7 with Kentucky Highway 15 (near Hazard, Ky.), from Fullerton, Ky., over Kentucky Highway 7 to its intersection with Kentucky Highway 15 (near Hazard, Ky.) and return over the same route; (45) between Paintsville, Ky., and Warfield, Ky., from Paintsville, Ky., over Kentucky Highway 40 to Warfield, Ky., and return over the same route; (46) between Cannonsburg, Ky., and Inez, Ky., from Cannonsburg, Ky., over Kentucky Highway 3 to Inez, Ky., and return over the same route; (47) between Alexandria, Ky., and Fullerton, Ky., from Alexandria, Ky., over Kentucky Highway 10 to Fullerton, Ky., and return over the same route; (48) between Carlisle, Ky., and Louisa, Ky., from Carlisle, Ky., over Kentucky Highway 32 to Louisa, Ky., and return over the same route; (49) between Sharpsburg, Ky., and Maysville, Ky., from Sharpsburg, Ky., over Kentucky Highway 11 to Maysville, Ky., and return over the same route; (50) between Vanceburg, Ky., and Olive Hill, Ky., from Vanceburg, Ky., over Kentucky Highway 59 to Olive Hill, Ky., and return over the same route; (51) between Cincinnati, Ohio, and Corinth, Ky., from Cincinnati, Ohio, over U.S. Highway 42 to its intersection with Interstate Highway 75; thence over Interstate Highway 75 to its intersection with Kentucky Highway 36; thence over Kentucky Highway 36 to its intersection with U.S. Highway 25; thence over U.S. Highway 25 to Corinth and return over the

same route; (52) between Cincinnati, Ohio, and Cynthiana, Ky., from Cincinnati, Ohio, over U.S. Highway 27 to Cynthiana, Ky., and return over the same route; (53) between Cynthiana, Ky., and Maysville, Ky., from Cynthiana, Ky., over U.S. Highway 62 to Maysville, Ky., and return over the same route; (54) between Williamstown, Ky., and Willow, Ky., from Williamstown, Ky., over Kentucky Highway 22 to Willow, Ky., and return over the same route; (55) between Millersburg, Ky., and Maysville, Ky., from Millersburg, Ky., over U.S. Highway 68 to Maysville, Ky., and return over the same route; (56) between Covington, Ky., and Falmouth, Ky., from Covington, Ky., over Kentucky Highway 17 to Falmouth, Ky., and return over the same route; (57) between Fort Thomas, Ky., and Vanceburg, Ky., from Fort Thomas, Ky., over Kentucky Highway 8 to Vanceburg, Ky., and return over the same route; (58) between Covington, Ky., and Butler, Ky., from Covington, Ky., over Kentucky Highway 177 to Butler, Ky., and return over the same route; (59) between Augusta, Ky., and Claysville, Ky., from Augusta, Ky., over Kentucky Highway 19 to Claysville, Ky., and return over the same route; (60) between Cynthiana, Ky., and Cherry Grove, Ky., from Cynthiana, Ky., over Kentucky Highway 36 to Cherry Grove, Ky., and return over the same route; (61) between Booneville, Ky., and Hazard, Ky., from Booneville, Ky., over Kentucky Highway 28 to Hazard, Ky., and return over the same route; (62) between Owingsville, Ky., and Frenchburg, Ky., from Owingsville, Ky., over Kentucky Highway 36 to Frenchburg, Ky., and return over the same route; (63) between Mayslick, Ky., and junction of Kentucky Highway 24 with Kentucky Highway 7, from Mayslick, Ky., over Kentucky Highway 24 to its intersection with Kentucky Highway 7 (near Carter City, Ky.) and return over the same route; (64) between junction of Kentucky Highways 377 and 24 (near Kinniconick, Ky.) and junction of Kentucky Highways 377 and 32 (near Morehead, Ky.), from junction of Kentucky Highways 377 and 24 over Kentucky Highway 377 to its intersection with Kentucky Highway 32 and return over the same route; (65) between Lancaster, Ky., and Somerset, Ky., from Lancaster, Ky., over Kentucky Highway 39 to Somerset, Ky., and return over the same route; (66) between Liberty, Ky., and junction of Kentucky Highway 70 with U.S. Highway 150 (near Brodhead, Ky.), from Liberty, Ky., over Kentucky Highway 70 to its intersection with U.S. Highway 150 and return over the same route; (67) between Somerset, Ky., and London, Ky., from Somerset, Ky., over Kentucky Highway 192 to London, Ky., and return over the same route; (68) between Salyersville, Ky., and Prestonsburg, Ky., from Salyersville, Ky., over Kentucky Highway 114 to Prestonsburg, Ky., and return over the same route; (69) between West Liberty, Ky., and junction of Kentucky Highway 172 with U.S. Highway 460 (near Staffordsville, Ky.), from West Liberty, Ky., over Kentucky Highway 172 to its intersection with U.S. Highway 460 and return over the same

route; (70) between Grassy Creek, Ky., and Wilhurst, Ky., from Grassy Creek, Ky., over Kentucky Highway 205 to Wilhurst, Ky., and return over the same route; (71) between Shelby Gap, Ky., and Elkhorn City, Ky., from Shelby Gap, Ky., over Kentucky Highway 197 to Elkhorn City, Ky., and return over the same route; (72) between Grayson, Ky., and junction of Kentucky Highways 1 and 3, from Grayson, Ky., over Kentucky Highway 1 to its intersection with Kentucky Highway 3 and return over the same route; (73) between Irvine, Ky., and Bradshaw, Ky., from Irvine, Ky., over Kentucky Highway 89 to Bradshaw, Ky., and return over the same route; (74) between Parkers Lake and junction of Kentucky Highway 90 with U.S. Highway 25W, from Parkers Lake over Kentucky Highway 90 to its intersection with U.S. Highway 25W and return over the same route. Serving all intermediate points and off-route points within five (5) miles of the above described routes. Any duplication of routes stated is intended to confer only a single operating right. RESTRICTION: No service shall be rendered over the above routes in the transportation of any package or article weighing more than seventy (70) pounds or exceeding One Hundred and Eight (108) inches in length and girth combined, each package or article to be considered as a separate and distinct shipment.

HEARING: Remains as assigned February 4, 1962, at the Kentucky Hotel, Louisville, Ky., before Joint Board No. 105.

No. MC 124163 (REPUBLICATION), filed January 22, 1962, published FEDERAL REGISTER, issue of April 25, 1962, and republished this issue. Applicant: RAYMOND L. BURT, doing business as BURT DISTRIBUTING COMPANY, 935 Florida, SE., Albuquerque, N. Mex. Applicant's attorney: Russell Rager, 914 Bank of New Mexico Building, P.O. Box 1031, Albuquerque, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packing houses*, as described in subsections A, B, and C of Appendix 1, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with temperature control devices. (A) From Santa Fe, N. Mex., to Albuquerque, N. Mex., serving no intermediate points: From Santa Fe over U.S. Highway 85 to junction New Mexico Highway 422, thence over New Mexico Highway 422 to Albuquerque, and return over the same route with no transportation for compensation except as otherwise authorized. (B) From Albuquerque, N. Mex., to Las Vegas, N. Mex., serving all intermediate points for delivery only: From Albuquerque over U.S. Highway 85 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to junction New Mexico Highway 422, thence over New Mexico Highway 422 to junction U.S. Highway 85, and thence over U.S. Highway 85 via Santa Fe, N. Mex., to Las Vegas, and return over the same route with no transportation for compensation

except as otherwise authorized. (C) From Albuquerque, N. Mex., to Taos, N. Mex., serving all intermediate points, and the off-route points of Espanola and Los Alamos, N. Mex., for delivery only: From Albuquerque over U.S. Highway 85 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to junction New Mexico Highway 422, thence over New Mexico Highway 422 to junction U.S. Highway 85, thence over U.S. Highway 85 to Santa Fe, N. Mex., thence over U.S. Highway 64 to Taos, and return over the same route with no transportation for compensation except as otherwise authorized. (D) From Albuquerque, N. Mex., to Los Alamos, N. Mex., serving all intermediate points for delivery only: From Albuquerque over U.S. Highway 85 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to junction New Mexico Highway 422, thence over New Mexico Highway 422 to junction U.S. Highway 85, thence over U.S. Highway 85 to Santa Fe, N. Mex., thence over U.S. Highway 285 to Espanola, N. Mex., thence over unnumbered highway to junction New Mexico Highway 4, thence over New Mexico Highway 4 to junction unnumbered highway, and thence over unnumbered highway to Los Alamos, and return over the same route with no transportation for compensation except as otherwise authorized. (E) From and to Albuquerque, N. Mex., serving all intermediate points for delivery only, over a circular route: From Albuquerque over U.S. Highway 85 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to Aztec, N. Mex., thence over U.S. Highway 550 to Shiprock, N. Mex., thence over U.S. Highway 666 to Gallup, N. Mex., and thence over U.S. Highway 66 to Albuquerque. (F) From Albuquerque, N. Mex., to Gallup, N. Mex., serving all intermediate points for delivery only: From Albuquerque over U.S. Highway 66 to Gallup, and return over the same route with no transportation for compensation except as otherwise authorized. Restriction: The authority in A through F outlined above is restricted to traffic originating outside New Mexico.

NOTE: The purpose of this application is to convert its contract carrier authority in Permits MC 119219 (Sub-No. 3) and MC 119219 (Sub-No. 5) to common carrier operations. It is agreeable to the revocation of the contract carrier authority if and when the subject application is granted. The application also proposes operations over an additional route listed as follows, which it presently operates as a contract carrier by virtue of temporary authority in No. MC 119219 (Sub-No. 6 TA):

(G) From Albuquerque, N. Mex., over U.S. Highway 66 to Gallup, N. Mex., thence over U.S. Highway 666 to junction New Mexico Highway 63, thence over New Mexico Highway 63 to the Arizona-New Mexico State line, thence over unnumbered Arizona Highway westerly through St. Michael's and Ganado, Ariz., to junction unnumbered Arizona Highway, thence over said unnumbered Arizona Highway northerly to Chinle, Ariz., serving all intermediate points, and serving the off-route points of Window

Rock and Fort Defiance, Ariz., restricted to delivery only.

CONTINUED HEARING: February 14, 1963, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 129.

No. MC 124163 (Sub-No. 1), filed August 3, 1962. Applicant: RAYMOND L. BURT, doing business as BURT DISTRIBUTING COMPANY, 935 Florida, SE., Albuquerque, N. Mex. Applicant's attorney: Russell Rager, 914 Bank of New Mexico Building, P.O. Box 1031, Albuquerque, N. Mex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products and dairy products*, as described in sub-sections A and B of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, as modified in 61 M.C.C. 766, in vehicles equipped with temperature control devices, on traffic originating outside New Mexico, (1) from Albuquerque, N. Mex., to points in New Mexico within an area bounded as follows: Beginning at the point where U.S. Highway 84 intersects the New Mexico-Texas state line, thence westerly and northerly along said U.S. Highway 84 to its junction with U.S. Highway 66, at or near Santa Rosa, N. Mex., thence westerly along said U.S. Highway 66 to its junction with U.S. Highway 85, at Albuquerque, N. Mex., thence southerly along said U.S. Highway 85 to its junction with U.S. Highway 380, at San Antonio, N. Mex., thence easterly and southerly along said U.S. Highway 380 to its junction with U.S. Highway 54, at Carrizozo, N. Mex., thence southerly along said U.S. Highway 54 to its junction with New Mexico State Highway 83, thence easterly along said New Mexico State Highway 83 to its intersection with the New Mexico-Texas state line, serving all points on said boundary line so defined, and all points within the said area; and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return, (2) between Albuquerque, N. Mex., and Alamogordo, N. Mex., and (3) between Albuquerque, N. Mex., and Hobbs, N. Mex.

HEARING: February 14, 1963, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87.

No. MC 124163 (Sub-No. 2), filed August 8, 1962. Applicant: RAYMOND L. BURT, doing business as, BURT DISTRIBUTING COMPANY, 935 Florida SE., Albuquerque, N. Mex. Applicant's attorney: R. Russell Rager, 914 Bank of New Mexico Building, P.O. Box 1031, Albuquerque, N. Mex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (A) *Meats, meat products, and meat by-products, dairy products, and articles distributed by meat packing houses*, as described in sub-sections A, B, and C of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, as modified in 61 M.C.C. 766, in vehicles equipped with temperature control devices, on traffic originating outside New Mexico, (1) from and to Albuquerque, N. Mex., as follows: from Albuquerque, N. Mex.,

over U.S. Highway 85 to junction New Mexico Highway 44, thence over New Mexico Highway 44 to Aztec, N. Mex., thence over U.S. Highway 550 to Shiprock, N. Mex., thence over U.S. Highway 666 to Gallup, N. Mex., thence over U.S. Highway 66 to Albuquerque, N. Mex., serving the off-route points of St. Michael's, Fort Defiance, Window Rock, Ganado and Chinle, Ariz., and (2) from Albuquerque, N. Mex., over U.S. Highway 66 to Gallup, N. Mex., thence over U.S. Highway 666 to junction New Mexico Highway 63, thence over New Mexico Highway 63 to Arizona-New Mexico State line, thence over unnumbered Arizona Highway westerly through St. Michael's and Ganado, Ariz., to junction unnumbered Arizona Highway, thence over said unnumbered Arizona Highway northerly to Chinle, Ariz., serving the off-route points of Window Rock and Fort Defiance, Ariz., over unnumbered Arizona Highway, and serving all intermediate points on the above-described routes for delivery only, and (B) *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

NOTE: Applicant holds contract carrier authority in MC 119219 and Subs thereunder, therefore dual operations may be involved.

HEARING: February 14, 1963, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 129.

No. MC 124374 (Sub-No. 1) (AMENDMENT), filed November 26, 1962, published in FEDERAL REGISTER, issue of December 12, 1962, amended December 18, 1962, and republished as amended this issue. Applicant: GRIFFIN'S BAKERY DELIVERY, INC., 4411 W. Market Street, Greensboro, N.C. Applicant's attorney: John W. Hardy, Greensboro, N.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Perishable solid bakery products*, from Statesville and Greensboro, N.C., and Richmond, Va., to points in North Carolina, South Carolina, Virginia, Maryland, and the District of Columbia, and *empty cartons or other such incidental facilities*, on return, and (2) *salads, sandwich spreads, including cheese spreads, mayonnaise and salad dressings, and empty cartons or other such incidental facilities used in transporting the named commodities*, between Charlotte, N.C., and points in North Carolina, South Carolina, Virginia, Maryland and the District of Columbia for the account of Griffin Foods, Inc., of Charlotte, N.C. The purpose of this republication is to add Statesville, N.C., as an origin point, and substitute the commodity descriptions as set forth in (1) and (2) above for those previously published.

HEARING: Remains as assigned January 15, 1963, at the Heart of Raleigh Motel, 227 West Edenton Street, Raleigh, N.C., before Examiner Leo A. Riegel.

No. MC 124494 (Sub-No. 1), filed November 16, 1962. Applicant: C. E. MCNIEL AND WARD ALFRED SHERMAN, a partnership, doing business as BALBOA TRANSFER CO., 1925 Harbor

Boulevard, Costa Mesa, Calif. Applicant's attorney: Arthur H. Glanz, 629 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats requiring the use of low bed boat semi-trailer equipment*, between points in California and the Port of Entry on the International Boundary line between the United States and Mexico located at Calexico, Calif.

NOTE: Applicant states the proposed operation is for movement to and from points in Mexico.

HEARING: February 6, 1963, at the Federal Building, Los Angeles, Calif., before Joint Board No. 304, or, if the Joint Board waives its right to participate before Examiner Henry A. Cockrum.

No. MC 124783 (AMENDMENT), filed September 14, 1962, published in FEDERAL REGISTER issue of December 28, 1962, amended December 21, 1962 and republished as amended this issue. Applicant: MALVERNE H. BELL, doing business as DIXIE PARCEL SERVICE, Grade Lane at Fern Valley Road, Louisville, Ky. Applicant's attorney: Robert M. Pearce, 221½ St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment and those injurious or contaminating to other lading). Routes 1 through 267 were published in FEDERAL REGISTER issue of December 28, 1962. The amendment adds routes 268 through 334. Also this amendment changes the restriction found after route 267 in the original application, and all paragraphs following the route description in application should be stricken and the restrictive paragraphs which will be found at the end of this amendment should be substituted.

(268) Between Beaver Dam, Ky., and Wickliffe, Ky., from Beaver Dam over U.S. Highway 62 to Wickliffe and return over the same route; (269) between Owensboro, Ky., and Junction of U.S. Highway 431 with Kentucky-Tennessee state line and return over the same route, from Owensboro over U.S. Highway 431 to its junction with Kentucky-Tennessee state line and return over the same route; (270) between Bowling Green, Ky. and Paducah, Ky., from Bowling Green over U.S. Highway 68 to Paducah and return over the same route; (271) between Owensboro, Ky. and Wickliffe, Ky., from Owensboro over U.S. Highway 60 to Wickliffe and return over the same route; (272) between Kentucky-Indiana state line (near Evansville, Ind.) and Kentucky-Tennessee state line (at Guthrie, Ky.), from Kentucky-Indiana state line over U.S. Highway 41 to Kentucky-Tennessee state line and return over the same route; (273) between Paducah, Ky., and Fulton, Ky., from Paducah over U.S. Highway 45 to Fulton and return over the same route; (274) between Bardwell, Ky., and Fulton, Ky., from Bardwell over U.S. Highway 51 to Fulton and return over the same

route; (275) between junction of Kentucky Highway 105 with U.S. Highway 231 (near Morgantown, Ky.) and Russellville, Ky., from junction of Kentucky Highway 105 with U.S. Highway 231 over Kentucky Highway 105 to Russellville and return over the same route; (276) between Russellville, Ky., and junction of U.S. Highway 79 with Kentucky-Tennessee state line (near Guthrie, Ky.), from Russellville over U.S. Highway 79 to its junction with the Kentucky-Tennessee state line and return over the same route; (277) between Bowling Green, Ky. and junction of U.S. Highway 31W with Kentucky-Tennessee state line, from Bowling Green over U.S. Highway 31W to its junction with the Kentucky-Tennessee state line and return over the same route; (278) between Morgantown, Ky., and Smithland, Ky., from Morgantown over Kentucky Highway 70 to Smithland and return over the same route; (279) between Owensboro, Ky. and South Carrollton, Ky., from Owensboro over Kentucky Highway 81 to South Carrollton and return over the same route; (280) between Owensboro, Ky., and Henderson, Ky., from Owensboro over Kentucky Highway 54 to Henderson and return over the same route;

(281) between Sorgho, Ky., and junction of Kentucky Highway 56 with Ohio River (west of Morganfield, Ky.), from Sorgho over Kentucky Highway 56 to its junction with Ohio River and return over the same route; (282) between junction of Kentucky Highway 136 (near Henderson, Ky.) with U.S. Highway 60 and Uniontown, Ky., from junction of Kentucky Highway 136 with U.S. Highway 60 over Kentucky Highway 136 to Smith Mills, thence over Kentucky Highway 359 to Uniontown and return over the same route; (283) between Uniontown, Ky., and Morganfield, Ky., from Uniontown over Kentucky Highway 130 to Morganfield and return over the same route; (284) between Madisonville, Ky., and Henderson, Ky., from Madisonville over U.S. Highway 41A to Henderson and return over the same route; (285) between Calhoun, Ky. and Slaughters, Ky., from Calhoun over Kentucky Highway 138 to Slaughters and return over the same route; (286) between Hopkinsville, Ky., and junction of Kentucky Highway 109 with Kentucky Highway 56 (near Morganfield, Ky.), from Hopkinsville over Kentucky Highway 109 to its junction with Kentucky Highway 56 and return over the same route; (287) between Hopkinsville, Ky., and junction of Kentucky Highway 91 with Ohio River (north of Marion, Ky.), from Hopkinsville, Ky. over Kentucky Highway 91 to its junction with the Ohio River and return over the same route; (288) between Hopkinsville, Ky., and junction of U.S. Highway 41A with Kentucky-Tennessee state line (near Edgote, Ky.), from Hopkinsville over U.S. Highway 41A to its junction with the Kentucky-Tennessee state line and return over the same route; (289) between Greenville, Ky., and junction of Kentucky Highway 181 with U.S. Highway 41 (near Guthrie, Ky.), from Greenville over Kentucky Highway 181 to its junction with U.S. Highway 41 and return over the same route; (290) between

Greenville, Ky., and Hopkinsville, Ky., from Greenville over Kentucky Highway 171 to Kirkmansville; thence over Kentucky Highway 107 to Hopkinsville and return over the same route;

(291) between Aurora, Ky., and Columbus, Ky., from Aurora over Kentucky Highway 80 to Columbus and return over the same route; (292) between junction of Kentucky Highway 139 with Kentucky-Tennessee state line and Marion, Ky., from junction of Kentucky Highway 139 with Kentucky-Tennessee state line over Kentucky Highway 139 to its junction with Kentucky Highway 120; thence over Kentucky Highway 120 to Marion and return over the same route; (293) between junction of Kentucky Highway 94 with U.S. Highway 68 (at Ken Lake State Park) and Hickman, Ky., from junction of Kentucky Highway 94 with U.S. Highway 68 over Kentucky Highway 94 to Hickman and return over the same route; (294) between Hazel, Ky., and Fredonia, Ky., from Hazel over U.S. Highway 641 to Fredonia and return over the same route; (295) between Hopkinsville, Ky., and LaFayette, Ky., from Hopkinsville over Kentucky Highway 107 to LaFayette and return over the same route; (296) between Beaver Dam, Ky. and Rochester, Ky., from Beaver Dam over Kentucky Highway 369 to Rochester and return over the same route; (297) between Rochester, Ky., and junction of Kentucky Highway 106 with Kentucky Highway 181, from Rochester over Kentucky Highway 106 to its junction with Kentucky Highway 181 and return over the same route; (298) between Murray, Ky., and Mayfield, Ky., from Murray over Kentucky Highway 121 to Mayfield and return over the same route; (299) between Mayfield and junction of Kentucky Highway 121 with U.S. Highway 62, from Mayfield over Kentucky Highway 121 to its junction with U.S. Highway 62 and return over the same route; (300) between Benton, Ky., and Woodlawn, Ky., from Benton over Kentucky Highway 343 to Symsonia; thence over Kentucky Highway 450 to Woodlawn and return over the same route;

(301) between Symsonia, Ky., and junction of Kentucky Highway 131 with Kentucky Highway 80, from Symsonia, Ky., over Kentucky Highway 131 to its junction with Kentucky Highway 80 and return over the same route; (302) between Fulton, Ky., and junction of Kentucky Highway 307 with U.S. Highway 62, from Fulton over Kentucky Highway 307 to its junction with U.S. Highway 62 and return over the same route; (303) between junction of Kentucky Highway 303 with Kentucky Highway 94 and Mayfield, Ky., from junction of Kentucky Highway 303 with Kentucky Highway 94 over Kentucky Highway 303 to Mayfield and return over the same route; (304) between Smithland, Ky., and junction of Kentucky Highway 93 with Kentucky Highway 139, from Smithland over Kentucky Highway 93 to its junction with Kentucky Highway 139 and return over the same route; (305) between junction of Kentucky Highway 453 with Kentucky-Tennessee state line and junction of Kentucky Highway 453 with Kentucky Highway 93 (near Smithland, Ky.), from junction of Kentucky

Highway 453 with Kentucky-Tennessee state line over Kentucky Highway 453 to its junction with Kentucky Highway 93 and return over the same route; (306) between Hopkinsville, Ky., and junction of Kentucky Highway 272 with U.S. Highway 68 (near Cadiz, Ky.), from Hopkinsville over Kentucky Highway 272 to its junction with U.S. Highway 68 and return over the same route; (307) between Center, Ky., and Bandana, Ky., from Center over Kentucky Highway 358 to Bandana and return over the same route; (308) between junction of Kentucky Highway 189 with U.S. Highway 62 (near Greenville, Ky.) and junction of Kentucky Highway 189 with Kentucky Highway 107 (near Fruithill, Ky.), from junction of Kentucky Highway 189 with U.S. Highway 62 over Kentucky Highway 189 to its junction with Kentucky Highway 107 and return over the same route; (309) between Russellville, Ky., and Keysburg, Ky., from Russellville over Kentucky Highway 96 to Keysburg and return over the same route; (310) between Russellville, Ky., and Albany, Ky., from Russellville over Kentucky Highway 100 to its junction with Kentucky Highway 90 (near Burkesville, Ky.); thence over Kentucky Highway 90 to Albany and return over the same route;

(311) between Glasgow, Ky., and Adolphus, Ky., from Glasgow over U.S. Highway 31E to Adolphus and return over the same route; (312) between Bowling Green, Ky., and Scottsville, Ky., from Bowling Green over U.S. Highway 231 to Scottsville and return over the same route; (313) between Allen Springs, Ky., and Petros, Ky., from Allen Springs over Kentucky Highway 240 to Petros and return over the same route; (314) between Bowling Green, Ky., and Scottsville, Ky., from Bowling Green over Kentucky Highway 234 to its junction with Kentucky Highway 101; thence over Kentucky Highway 101 to Scottsville and return over the same route; (315) between Glasgow, Ky., and Flippin, Ky., from Glasgow over Kentucky Highway 249 to Flippin and return over the same route; (316) between Glasgow, Ky., and Tompkinsville, Ky., from Glasgow over Kentucky Highway 63 to Tompkinsville and return over the same route; (317) between Glasgow, Ky., and junction of Kentucky Highway 90 with Kentucky Highway 100 (near Burkesville, Ky.), from Glasgow over Kentucky Highway 90 to its junction with Kentucky Highway 100 and return over the same route; (318) between Edmonton, Ky., and Tompkinsville, Ky., from Edmonton over Kentucky Highway 163 to Tompkinsville and return over the same route; (319) between Columbia, Ky., and junction of Kentucky Highway 61 with Kentucky-Tennessee state line, from Columbia over Kentucky Highway 61 to its junction with the Kentucky-Tennessee state line and return over the same route; (320) between Columbia, Ky., and Russell Springs, Ky., from Columbia over Kentucky Highway 80 to Russell Springs, and return over the same route;

(321) between Columbia, Ky., and junction of Kentucky Highway 704 with Kentucky Highway 61, from Columbia

over Kentucky Highway 704 to its junction with Kentucky Highway 61 and return over the same route; (322) between Columbia, Ky., and junction of Kentucky Highway 55 with U.S. Highway 127, from Columbia over Kentucky Highway 55 to its junction with U.S. Highway 127 and return over the same route; (323) between Campbellsville, Ky., and Dunnville, Ky., from Campbellsville over Kentucky Highway 76 to Dunnville and return over the same route; (324) between Liberty, Ky. and Elk Horn, Ky., from Liberty over Kentucky Highway 70 to Elk Horn and return over the same route; (325) between Gravel Switch, Ky. and Mannsville, Ky., from Gravel Switch over Kentucky Highway 337 to Mannsville and return over the same route; (326) between Danville, Ky., and Lebanon, Ky., from Danville over Kentucky Highway 34 to Brumfield; thence over U.S. Highway 68 to Lebanon, and return over the same route; (327) between Lebanon, Ky., and Liberty, Ky., from Lebanon over Kentucky Highway 49 to Liberty and return over the same route; (328) between Hustonville, Ky., and Gravel Switch, Ky., from Hustonville over Kentucky Highway 78 to its junction with Kentucky Highway 243; thence over Kentucky Highway 243 to Gravel Switch and return over the same route; (329) between Columbia, Ky., and Eunice, Ky., from Columbia over Kentucky Highway 206 to Eunice and return over the same route; (330) between Owenton, Ky., and Dry Ridge, Ky., from Owenton over Kentucky Highway 22 to Dry Ridge and return over the same route;

(331) between Monterey, Ky., and Corinth, Ky., from Monterey over Kentucky Highway 607 to Corinth and return over the same route; (332) between Carrollton, Ky., and Cincinnati, Ohio, from Carrollton over U.S. Highway 42 to Cincinnati, and return over the same route; (333) between junction of U.S. Highway 127 with U.S. Highway 227 and junction of U.S. Highway 127 with U.S. Highway 42, from junction of U.S. Highway 127 with U.S. Highway 227 over U.S. Highway 127 to its junction with U.S. Highway 42 and return over the same route; (334) between Williamstown, Ky., and Carrollton, Ky., from Williamstown over Kentucky Highway 36 to Carrollton and return over the same route, serving all intermediate points and off route points within five (5) miles of the above described routes. Any duplication of routes stated is intended to confer only a single operating right. **RESTRICTION:** No service shall be rendered over the above routes in the transportation of any package or article weighing more than seventy (70) pounds or exceeding one hundred and eight (108) inches in length and girth combined, each package or article to be considered as a separate and distinct shipment.

HEARING: Remains as assigned February 4, 1963, at the Kentucky Hotel, Louisville, Ky., before Joint Board No. 155.

No. MC 124825 (CORRECTION), filed October 1, 1962, published in FEDERAL REGISTER issue of December 12, 1962, republished as corrected January 3, 1963,

and further republished, as corrected, this issue. Applicant: CHAMBLAY TRANSPORT, INC., 234 Devonshire Road, Greenfield Park, Province of Quebec, Canada. Applicant's attorney: Clifton G. Parker, Fleetwood Building, Morrisville, Vt. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, between Ports of Entry on the International Boundary line between the United States and Canada and points in the United States (except Alaska and Hawaii).

NOTE: The purpose of this republication is to correct the MC number.

HEARING: Remains as assigned January 24, 1963, at the Washington County Court House, Montpelier, Vt., before Examiner Richard H. Roberts.

APPLICATION IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 63417 (Sub-No. 22), filed December 21, 1962. Applicant: BLUE RIDGE TRANSFER COMPANY, INCORPORATED, P.O. Box 5176, Roanoke, Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Damaged, defective, and returned shipments of new furniture*, from points in Illinois, Michigan, Ohio, Indiana, Kentucky, West Virginia, Pennsylvania, New York, New Jersey, Delaware, the District of Columbia, Maryland, Virginia, North Carolina, South Carolina, Georgia, Alabama, and Tennessee to Roanoke, Galax, and Stanlytown, Va., and Sumter, S.C.

No. MC 103378 (Sub-No. 250), filed December 21, 1962. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Charleston, S.C., to points in Alabama.

No. MC 103378 (Sub-No. 251), filed December 26, 1962. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from points in Polk County, Fla., to points in Georgia.

No. MC 115162 (Sub-No. 85), filed December 17, 1962. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Evergreen, Ala. Applicant's attorney: Hugh R. Williams, 3029 West Fairview Avenue, Montgomery 6, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden crates*, knocked down, from Beatrice, Ala., to Toledo, Ohio.

No. MC 119892 (Sub-No. 3), filed December 10, 1962. Applicant: PAPER HAULERS, INC., 804 Jewell Street, P.O. Box 891, West Monroe, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Paper articles*, from the site of Olin Mathieson Chemical Corporation, Forest Products Operations' mills located in West Monroe, La., to Vicksburg, Miss., for barge movement beyond, and (b) *wood chips, sawdust, wood flour, shavings, planer mill, saw mill, and lumber mill refuse or waste*, in bulk, from the site of Olin Mathieson Chemical Corporation, Forest Products Operations' mills located in Huttig, Ark., to the site of Olin Mathieson Chemical Corporation, Forest Products Operations' paper mill in West Monroe, La.

NOTE: The proposed operation will be for the account of Olin Mathieson Chemical Corporation, Forest Products Operations, West Monroe, La.

MOTOR CARRIERS OF PASSENGERS

No. MC 106517 (Sub-No. 1), filed December 20, 1962. Applicant: LOCKPORT BUS LINES, INC., 20 Lock Street, Lockport, N.Y. Applicant's representative: Floyd B. Piper, Crosby Building, Franklin Street at Mohawk, Buffalo 2, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail, and newspapers*, in the same vehicle with passengers, (1) between Buffalo, N.Y., and Medina, N.Y., from Buffalo over U.S. Highway 62 to junction N.Y. Highway 263, thence over N.Y. Highway 263 to Millersport, thence over N.Y. Highway 78 to Lockport, thence over N.Y. Highway 31 to Gasport, thence over Telegraph Road to junction N.Y. Highway 31, thence over N.Y. Highway 31 to Middleport, thence over N.Y. Highway 31E to Medina, and return over the same route, serving all intermediate points, (2) between junction of N.Y. Highways 263 and 324, and junction of N.Y. Highways 263 and 78 at Millersport, N.Y., from junction N.Y. Highways 263 and 324 over N.Y. Highway 324 to junction N.Y. Highway 78, thence over N.Y. Highway 78 to Millersport, and return over the same route, serving all intermediate points, and (3) between junction of N.Y. Highways 31 and 77, and junction of N.Y. Highway 31 and Gasport Road at Gasport, N.Y., from junction N.Y. Highways 31 and 77 over N.Y. Highway 77 to McNalls, thence over Gasport Road to junction N.Y. Highway 31 at Gasport, and return over the same route, serving all intermediate points.

NOTICE OF FILING OF PETITIONS

No. MC 43657 (Sub-No. 22), PETITION FOR WAIVER OF RULE 1.101 (e), filed December 3, 1962, and PETITION FOR RECONSIDERATION, dated December 3, 1962. Petitioner: DE TAR DISTRIBUTING COMPANY, INC., 4905 Capital Hill Station, Oklahoma City, Okla. Petitioner's attorneys: Clarence D. Todd and Dale C. Dillon, 1825 Jefferson Place NW., Washington 6, D.C. On August 22, 1957, and prior thereto, petitioner was authorized to operate in

MC 43657, MC 43657 (Sub-No. 2), and MC 43657 (Sub-No. 19), as a contract carrier, by motor vehicle, transporting explosives from, to, or between specified points or territories in the States of Kansas, Oklahoma, Arkansas, Texas, Louisiana, Missouri, New Mexico, and Mississippi. Petitioner, on October 21, 1957, filed an application, MC 43657 (Sub-No. 22), requesting that its authority be converted to that of a common carrier pursuant to the provisions of section 212(c) of the Act. A report and Recommended Order, served March 10, 1960, found this conversion was not justified and should be denied. Exceptions to this Report and Recommended Order were not filed, and it became effective. Petitioner requests that the provisions of Rule 1.101(e) of the general rules of practice be waived and that the conversion proceeding in MC 43657 (Sub-No. 22) be reopened for reconsideration, and upon reconsideration, that the Commission find that the operations of petitioner on August 22, 1957, did not, and presently do not, conform with the definition of a contract carrier in section 203(a) (15) of the Act; that such operations are those of a common carrier by motor vehicle and are otherwise lawful; and that by reason thereof petitioner is entitled to a Certificate authorizing the same operations that are contained in its Permits. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

No. MC 102323 (PETITION FOR RECONSIDERATION OF RESTRICTION IN CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY DATED JULY 10, 1942), dated December 19, 1962. Petitioner: JOSEPHINE BONO, doing business as GUS BONO, 454 East Airy Street, Norristown, Pa. Said Certificate in MC 102323 authorizes Petitioner to operate as a common carrier, by motor vehicle, transporting: Bituminous concrete, asphalt, crushed stone, sand, gravel, and brick, from points in Upper Merion Township, Montgomery County, Pa., and points within 10 miles thereof (except those having rail sidings), to points in New Jersey, Delaware, and Maryland, and ground limestone, from Norristown, Pa., and points in Chester and Delaware Counties, Pa., to points in Delaware and Maryland. This Certificate was issued to Gus Bono and, subsequently, was transferred to petitioner. By the instant petition, petitioner prays that the restriction, "except those having rail sidings," be removed from the Certificate. Any person or persons desiring to participate in this proceeding, may within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

No. MC 116497 (PETITION TO AMEND PERMIT), filed December 26, 1962. Petitioner: CLANCY BROS. TRANSPORTATION CO., INC., 70 Bengal Terrace, Rochester, N.Y. Petitioner's representative: Raymond A. Richards, 35 Curtice Park, Webster, N.Y. Petitioner is authorized in MC 116497 to operate as a contract carrier, by motor vehicle, transporting: Fresh meats, in

vehicles equipped with mechanical refrigeration, from Rochester, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New York, New Jersey, Rhode Island, Pennsylvania, Virginia, and the District of Columbia, under a continuing contract, or contracts, with Queen Packing Company, of Rochester, N.Y. By the instant petition Petitioner requests that Permit in MC 116497 be amended to include Triple A Boneless Beef Co. of Rochester, N.Y., and Empire Beef Co. of Rochester, N.Y., as authorized additional shippers. Any person or persons desiring to oppose the addition of the two above-named shippers, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 120314 (Sub-No. 3), filed December 21, 1962. Applicant: PALS TRANSFER, INCORPORATED, 322 Eighth Street SW., Orange City, Iowa. Applicant's attorney: Donald E. Leonard, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (1) between Sioux City and Orange City, Iowa, (2) from Sioux City and Orange City, Iowa, to Newkirk and Middleberg, Iowa, (3) between Sioux City, Alta, Alton, Archer, Aurelia, Calumet, Carnes, Cleghorn, Cornell, Gaza, Germantown, Granville, Greenville, Hinton, Hospers, Makes, LeMars, Linn Grove, Marcus, Meriden, Merrill, Oyens, Paulina, Peterson, Primghar, Rembrandt, Remsen, Rossie, Royal, Seney, Sutherland, Truesdale, Cherokee, Sioux Rapids, and Storm Lake, Iowa, (4) between Sioux City, Boyden, Everly, Hartly, Sanborn, Sheldon, and Spencer, Iowa, (5) between Des Moines, Fort Dodge, Dickens, Emmetsburg, Estherville, Graettinger, Ruthven, Spencer, Superior, Wallingford, Spirit Lake, Okoboji, Arnolds Park, Milford, and Fostoria, Iowa, (6) between Estherville, Terrill, Gruver, Maple Hill, Gridley, Armstrong, Swea City, Bancroft, Burt, Lone Rock, Fenton, Ringsted, Cylinder, Whittemore, Plover, Mallard, and Rolfe, Iowa, (7) from Ottumwa, Iowa to Agency and Eldon, Iowa, (8) between Marshalltown, Laurel and Newton, Iowa, (9) between Iowa Falls, Owasa, Eldora, Steamboat Rock, Eldora, Lawn Hill, New Providence, Gifford, Union, Liscomb, Albion, Marietta, and Marshalltown, Iowa, (10) between Waterloo, Washburn, LaPorte City, and Ventura, Iowa, (11) between Marshalltown, Conrad, Beaman, and Grundy Center, Iowa, (12) between Des Moines, Ankeny, Huxley, Midvale, Ames, Nevada, Colo, State Center, and Marshalltown, Iowa, (13) between Marshalltown, Green Mountain, Garwin, Reinbeck, and Waterloo, Iowa, (14) between Marshalltown, Montour, Tama, Gladstone, and Cedar Rapids, Iowa, (15) between Marshalltown, Montour, Tama, Luzerne, Van Horn, Watkins, Norway, Atkins, and Cedar Rapids, Iowa, (16) between Des Moines, Ankeny, and Colo,

Iowa, (17) between Colo and Zeoring, Iowa, (18) between Des Moines, Ankeny, Huxley, Ames, and Nevada, Iowa, (19) between Nevada and Colo, Iowa, (20) between Ottumwa, Agency, Batavia, Fairfield, Pleasant Plain, Brighton, and Washington, Iowa, (21) between Marshalltown, Gilmour, Grinnell, Malcom, Montezuma, Union Mills, New Sharon, Oskaloosa, Cedar, Fremont, and Ottumwa, Iowa, (22) between Marshalltown, State Center, Colo, Zeoring, Hubbard, Radcliff, Buckeye, Alden, and Iowa Falls, Iowa, (23) between Cedar Rapids, Mount Vernon, Lisbon, Mechanicsville, Stanwood, Tipton, Bennett, New Liberty, Plain View, Maysville, Davenport, and Bettendorf, Iowa, (24) between Cedar Rapids, Marion, Palo, Shellsburg, Vinton, Garrison, Dysart, Traer, Clutier, Vining, and Elberson, Iowa, (25) between Junction Iowa Highways 10 and 11 in Fayette County, Oelwein, Hazelton, Bryantberg, Independence, Walker, Center Point, and Cedar Rapids, Iowa, (26) between Cedar Rapids, Center Point, Walker, Rawley, Independence, Bryantberg, Hazelton, Oelwein, Maynard, Arlington, Strawberry Point, Edgewood, Greeley, Oneida, Delaware, Delhi, and Hopkington, Iowa, (27) between Marshalltown, Melbourn, Rhodes, Baxter, Ina, Mingo, Bondurant, and Des Moines, Iowa, and (28) between points in Scott County, Iowa.

NOTE: This application is directly related to MC-F-8319, published FEDERAL REGISTER, this issue.

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-8319. Authority sought for purchase by PALS TRANSFER, INCORPORATED, 322 West College Avenue, Orange City, Iowa, of the operating rights and property of ALBERT L. MACHAMER, doing business as AL'S TRUCK LINE, 2608 Esplanade Avenue, Davenport, Iowa, and for acquisition by CORNELIUS PALS, CLIFFORD PALS, AND HAROLD E. PALS, all of Orange City, Iowa, of control of such rights and property through the purchase. Applicants' attorneys: J. Max Harding and Donald E. Leonard, Nelson, Harding & Ackie, Third Floor, NSEA Building, 14th and J Streets, Box 2028, Lincoln, Nebr. 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 Keithsburg, Ill., and Davenport, Iowa, serving all intermediate and certain off-route points. Vendee operates in interstate commerce in the State of Iowa as described in Form BMC-75 Statements, in Docket Nos. MC-120314 and Sub-1 and Sub-2. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-120314 Sub-3, is a matter directly related.

No. MC-F-8320. Authority sought for purchase by SECURITY TRANSPORTATION CO., Pier 32, San Francisco, Calif., of the operating rights of SECURITY TRUCK LINE, 1600 South First Street, San Jose, Calif., and for acquisition by THOMAS B. CROWLEY, 34 Peninsula Road, Belvedere, Calif., of control of such rights through the purchase. Applicants' attorneys: Frank Loughran, 100 Bush Street, 21st Floor, San Francisco 4, Calif., and Marvin Handler, 625 Market Street, San Francisco 5, Calif. Operating rights sought to be transferred: *General commodities*, except Class A and B explosives, and except household goods as defined by the Commission, bulk liquids, and commodities requiring special equipment, as a *common carrier* over regular routes, between San Francisco, Calif., and Hollister, Calif., serving the intermediate points between San Jose, and Hollister, unrestricted; San Jose restricted to traffic moving to or from points south of San Jose; and off-route points within 10 miles of Hollister; *lumber and forest products*, over irregular routes, from San Francisco, Oakland, and Richmond, Calif., to points in Sonoma, Marin, San Francisco, Alameda, San Mateo, Santa Clara, Santa Cruz, San Benito, and Monterey Counties, Calif., and from Stockton, Calif., to Sacramento, Calif., and points San Joaquin, Stanislaus, Merced, Fresno, Kings, Tulare, Madera, Mariposa, Tuolumne, Amador, Eldorado, and Kern Counties, Calif.; *fresh and dried fruits and canned goods*, from San Jose, Calif., and points within 10 miles of San Jose, to San Francisco, Oakland, Alameda, and Berkeley, Calif.; *fresh berries*, from points within 5 miles of U.S. Highway 101 between Santa Clara and Gilroy, to San Jose, Calif.; *canned foods, and dried fruits*, from Sacramento, Gridley, Locke, Fresno, and Selma, Calif., to San Francisco, Oakland, and Alameda, Calif., and from Sunnyvale, Calif., to Sacramento, Fresno, Selma, Gridley, and Locke, Calif.; *canned foods, dried fruits, and cannery supplies*, between Sunnyvale, Calif., and points within 15 miles of Sunnyvale, on the one hand, and, on the other, San Francisco, Oakland, Alameda, and Berkeley, Calif.; *iron and steel products*, between Sunnyvale, Calif., and points within 15 miles of Sunnyvale, on the one hand, and, on the other, San Francisco, Oakland, and Alameda, Calif.; *alcoholic liquors, and winery and distillery supplies*, and equipment, in lots of not less than five tons, between points in California within 150 miles of San Jose, Calif.; *alcoholic liquors, winery and distillery supplies and equipment, dried and canned fruits and vegetables, canners' and driers' supplies and equipment, and dusting powders and other pest control supplies*, between points in Santa Clara and San Benito Counties, Calif., within 45 miles of San Jose, and between points in Santa Clara and San Benito Counties within 45 miles of San Jose, on the one hand, and on the other, San Francisco and Richmond, Calif., and points on San Francisco Bay south of San Francisco and Richmond, at which rail and water

terminals are located; *wallboard*, from San Francisco and Richmond, Calif., and points on San Francisco Bay south thereof to points in that portion of California lying north of the northern boundaries of Kern, San Bernardino, and San Luis Obispo Counties, Calif.; *RESTRICTION*: The service authorized herein is restricted to traffic moving from a territory or possession of the United States; and Form BMC-75 Statement, as more specifically described in Docket No. MC-109030 Sub-7, in the State of California. Vendee holds no authority from this Commission. However, its controlling stockholder is affiliated with BAY CITIES TRANSPORTATION COMPANY, Pier 5, San Francisco, Calif., which operates in the State of California, as described in a Form BMC-75 Statement, in Docket No. MC-85821. BAY CITIES TRANSPORTATION COMPANY holds authority as a water common carrier, certificate No. W-379. THOMAS B. CROWLEY is also affiliated with PUGET SOUND TUG & BARGE COMPANY, which holds authority as a water common carrier, certificate No. W-586. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8321. Authority sought for purchase by MURAL TRANSPORT, INC., 2900 Review Avenue, Long Island City 1, N.Y., of the operating rights of WEIDBERG DELIVERY SERVICE INC., 269 Freeman Street, Brooklyn, N.Y., and for acquisition by ALEXANDER SHAPIRO, 2900 Review Avenue, Long Island City 1, N.Y., of control of such rights through the purchase. Applicants' attorneys: S. S. Eisen, 140 Cedar Street, New York 6, N.Y., and Morris H. Cohen, 66 Court Street, Brooklyn, N.Y. Operating rights sought to be transferred: *Store and office fixtures*, and kitchen equipment, restricted so as not to include the transportation of gas ranges except when such gas ranges are a part of a shipment of store or office fixtures or kitchen equipment, as a *common carrier* over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia; and *store and office fixtures and kitchen equipment*, uncrated, between New York, N.Y., on the one hand, and, on the other, points in Virginia, West Virginia, Georgia, North Carolina, South Carolina, Florida, and Ohio. Vendee is authorized to operate as a *common carrier* in the 48 States, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8322. Authority sought for control by ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind., of LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis, Ind., and for acquisition by V. D. ECOFF, 303 West Ohio Street, Fortville, Ind., of control of LIQUID TRANSPORT CORP., through the acquisition by ECOFF TRUCKING, INC. Applicants' attorneys: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind., and Robert W. Loser, 409 Chamber of Commerce

Building, Indianapolis 4, Ind. Operating rights sought to be controlled: *Liquid sugar and blends thereof*, in liquid form, in tank trucks, as a common carrier over irregular routes, from Indianapolis, Ind., to points in Ohio, Michigan, Illinois, and Kentucky; *refused or rejected shipments* of liquid sugar or blends thereof, in liquid form, in tank trucks, from points in Ohio, Michigan, Illinois, and Kentucky to Indianapolis, Ind.; *corn syrup*, in tank trucks, from points in Ohio, Michigan, Illinois, Kentucky, to Indianapolis, Ind.; *lard, fats, tallow, oils and greases*, except petroleum oils and greases, in tank vehicles, between points in Indiana, on the one hand, and, on the other, points in Ohio, Illinois, Kentucky, and Michigan; *liquid chemicals*, in bulk, in tank vehicles, between the sites of the Commercial Solvents Corporation's plants at or near Terre Haute, Ind., and Peoria, Ill., on the one hand, and, on the other, points in Indiana, Illinois, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin; *coal tar products*, in bulk, in tank vehicles, from Indianapolis, Ind., to Akron, Ohio, and Baton Rouge, La.; *soybean oil*, from points in Illinois (except Decatur and Bloomington, Ill., and points within the Chicago, Ill., commercial zone, as defined by the Commission), to Louisville, Ky.; RESTRICTION: The separate authorities granted above shall not be tacked or joined one to another, directly or indirectly, for the purpose of performing any through service; *corn steepwater*, in bulk, in tank vehicles, from Clinton, Iowa, Argo and Pekin, Ill., and St. Louis, Mo., to Terre Haute, Ind.; *molasses*, in bulk, in tank vehicles, from Caro and Lansing, Mich., to Terre Haute, Ind.; *liquid chemicals*, in bulk, in tank vehicles, from Terre Haute, Ind., to Groton and New London, Conn., and Brooklyn, N.Y.; *grain fermentation residue*, in bulk, in tank vehicles, from Groton and New London, Conn., and Brooklyn, N.Y., to Terre Haute, Ind.; *petrolatum*, in bulk, in tank vehicles, from Karns City, Pa., to Indianapolis, Ind.; *lubricating oil*, in bulk, in tank vehicles, from Bradford, Pa., to points in Indiana, that part of Illinois on and south of U.S. Highway 24, and points in Daviess, Henderson, Hopkins, and Union Counties, Ky.; *lard, greases, and tallow*, in bulk, in tank vehicles, from Indianapolis, Ind., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, St. Louis, Mo., and Washington, D.C.; *inedible greases, and tallow*, in bulk, in tank vehicles, from points in Illinois and Indiana (except Indianapolis, Ind.), to points in Maryland, Massachusetts, New Jersey, New York, and Pennsylvania, and from points in Illinois, to points in Ohio; *dry sugar*, in bulk, in tank vehicles, from Baltimore, Md., Philadelphia, Pa., New York, N.Y., and Boston, and Charlestown, Mass., to points in Ohio, Michigan, and Indiana, and from New Orleans, La., to Henderson and Louisville, Ky., and points in that part of Illinois and Indiana on and south of U.S. Highway 36; *vinyl pyridine*, in bulk, in tank vehicles, from Indianapolis, Ind., to Champaign and Granite City,

Ill., Ann Arbor, Mich., Cleveland, Ohio, and Fairmount, W. Va.; *coal tar and coal tar pitch*, in bulk, in tank vehicles, from Granite City, Ill., Cleveland, Cincinnati, and Hamilton, Ohio, and Fairmount, W. Va., to Indianapolis, Ind.; *liquid lard*, in bulk, in tank vehicles, from Columbus, Ind., to points in Georgia, North Carolina, and Tennessee (except Memphis, Tenn.); *sugar*, in bulk, in tank or hopper-type vehicles, from Cincinnati, Ohio, to points in Kentucky, Indiana, and West Virginia; *lard*, in bulk, in tank vehicles, from Indianapolis, Ind., to points in North Carolina, Georgia, and Tennessee (except Memphis, Tenn.); *wine*, in bulk, in tank vehicles, from Canandaigua, Fredonia, and Highland, N.Y., and New Brunswick, N.J., to Indianapolis, Ind.; *fly ash*, in bulk, in tank, hopper, or specially built vehicles, from Indianapolis, Ind., and Louisville, Ky., to points in Illinois, Indiana, and Kentucky; *animal fats, oils and greases*, in bulk, in tank vehicles, from Owensboro, Ky., to Shelbyville, Tenn.; *varnishes and lacquers*, in bulk, in tank vehicles, from Indianapolis, Ind., to points in New York, New Jersey, Pennsylvania, Maryland, West Virginia, Missouri, Mississippi, Virginia, North Carolina, and Alabama; *animal fats, oils, and greases*, in bulk, in tank vehicles, from Owensboro, Ky., to Albertville, Ala.; *varnishes, lacquers, enamels, and finishing materials*, in bulk, in tank vehicles, from Indianapolis, Ind., to High Point, N.C., Templeton and Gardner, Mass., and Memphis, Tenn.; *edible and inedible oils* (except petroleum products), in bulk, in tank vehicles, from Columbus, Ohio, to points in Michigan, New York, Pennsylvania, Delaware, New Jersey, and Maryland; *liquid corn products*, in bulk, in tank vehicles, from Edinburg, Ind., to points in Illinois, Kentucky, and Ohio; *liquid toilet preparations*, in bulk, in tank vehicles, from St. Bernard, Ohio, to Danville, Ill.; *paints, varnishes, lacquers and thinners*, in bulk, in tank vehicles, from Indianapolis, Ind., to points in Arkansas; *inedible animal fats, grease, tallow, specially refined fats, lard oil, and tallow oil*, in bulk, in tank vehicles, from Pittsburgh, Pa., to points in Illinois, Indiana, Michigan, Ohio, and Kentucky; RESTRICTION: The authority granted above is restricted against the transportation of tallow, in bulk, in tank vehicles, from Pittsburgh, Pa., and points in the commercial zone thereof, as defined by the Commission, to Dover, Ohio; *lecithin*, in bulk, in tank vehicles, from Gibson City, Ill., to Carnegie, Pa.; *dry fertilizer, fertilizer compounds, and ingredients*, used as fertilizer or for fertilizer purposes, in bulk, in hopper-type vehicles, from Indianapolis, Ind., to points in Illinois and Ohio; *tallow oil and lard*, in bulk, in tank vehicles, from Columbus, Ind., to points in Delaware, Maryland, Virginia, and West Virginia, except those in West Virginia within 10 miles of the Ohio-West Virginia State line; *grain neutral spirits*, in bulk, in tank vehicles, from Muscatine, Iowa, to Detroit, Mich.; *lard*, in bulk, in tank vehicles, from Evansville, Ind., to points in Virginia, West Virginia, and Tennessee (except points in Hamil-

ton County, Tenn.); *chemicals* (except those derived from petroleum), in bulk, in tank vehicles, between St. Bernard, Ohio, on the one hand, and, on the other, Iowa City, Iowa and Kansas City, Kans., from Kansas City, Kans., to Chicago, Ill., and from Fernald, Ohio, to Iowa City, Iowa, and Kansas City, Kans.; *inedible animal greases and tallows*, in bulk, in tank vehicles, from St. Louis, Mo., to points in Indiana, and Ohio; *liquid sequestrants*, in bulk, in tank vehicles, from Waukegan, Ill., to points in Indiana, Ohio, and Wisconsin; *animal fats, animal oils, and vegetable oils, including products and blends of said commodities*, in bulk, in tank vehicles, from Bradley, Ill., to points in Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Pennsylvania, Tennessee (except points in Hamilton County), Wisconsin, and the District of Columbia; *animal fats, and animal oils*, in bulk, in tank vehicles, from Chicago and Peoria, Ill., Mason City and Sioux City, Iowa, Kansas City and Leavenworth, Kans., Fremont, and Omaha, Nebr., South St. Paul and Winona, Minn., and Madison, Wis., to Bradley, Ill.; *vegetable oils*, in bulk, in tank vehicles, from points in Illinois, Iowa, Missouri, Tennessee (except Knoxville and points in Hamilton County), and Wisconsin, to Bradley, Ill.; RESTRICTION: The service authorized herein is subject to the following conditions: Service to be performed shall not be tacked or joined directly or indirectly, with any other authority presently held by carrier for the purpose of performing a through service, service to be performed in any part herein may be tacked or joined with any other part or parts herein on intransit traffic only, service to be performed is restricted against foreign commerce originating at or destined to points in Canada, moving through ports of entry at or near Buffalo, N.Y., and Detroit and Huron, Mich., service to be performed is restricted against interlining at Bradley, Ill.; *lards, greases and fats* (except vegetable oils, and except hydrolyzed and stabilized fats), in bulk, in tank vehicles, from Louisville, Ky., to Memphis, Tenn., and points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia; RESTRICTION: The authority granted herein is restricted against tacking with any authority now held so as to permit the origination of any traffic at Jacksonville, Ill., or any point in the Jacksonville, Ill., Commercial Zone, as defined by the Commission; and *grain neutral spirits*, in bulk, in tank vehicles, from Lawrenceburg, Ind., to Chicago, Ill., and Detroit, Mich.; RESTRICTION: The authority granted herein is restricted against transportation of shipments destined to points in Canada. ECOFF TRUCKING, INC., is authorized to operate as a common carrier, in Indiana, Missouri, Illinois, Wis-

consin, Ohio, Kentucky, Michigan, Iowa, Alabama, Georgia, Tennessee, Pennsylvania, Florida, Mississippi, West Virginia, Louisiana, Minnesota, Delaware, New Jersey, New Hampshire, Nebraska, Arkansas, Kansas, Oklahoma, and South Carolina. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8323. Authority sought for purchase by KROBLIN REFRIGERATED XPRESS, INC., P.O. Box 218, Sumner, Iowa, of the operating rights and certain property of ARROW MOTOR FREIGHT LINE, INC., 1921 Hawthorne Street, Waterloo, Iowa, and for acquisition by ALLEN E. KROBLIN and MILDRED KROBLIN, both of 715 West Sixth Street, Sumner, Iowa, and LOYAL FRISCH, 206 South Maple Street, Sumner, Iowa, of control of such rights through the purchase. Applicants' attorneys: Stockton, Linville, Lewis & Mitchell, The 1650 Grant Street Building, Denver 3, Colo. 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 Waterloo and Oelwein, Iowa, on the one hand, and, on the other, Minneapolis and St. Paul, Minn., between St. Paul, Minn., on the one hand, and, on the other, South St. Paul and Newport, Minn., between Minneapolis, St. Paul, West St. Paul, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, McCarron's Lake, Fort Snelling, State Fair Ground, Fridley, Northern Pump Company's Plant, near Fridley, New Brighton, and the Twin Cities Ordnance Plant, Minn., from points in Black Hawk County, Iowa, to Waterloo, Iowa, and from Waterloo, Iowa, to points in that part of Iowa north of U.S. Highway 6 and east of a line beginning at Adel, Iowa, and extending along U.S. Highway 169 to junction Iowa Highway 91, thence along Iowa Highway 91 via Ledyard, Iowa, to junction U.S. Highway 169, and thence along U.S. Highway 169 to the Iowa-Minnesota State line, including points on the indicated portions of the highways specified: *malt beverages*, from Minneapolis, Minn., and La Crosse, Wis., to Waterloo, Mason City, and Marshalltown, Iowa; and *household goods*, as defined by the Commission, between points in Black Hawk, Buchanan, Fayette, and Bremer Counties, Iowa, on the one hand, and, on the other, points in Iowa, Illinois, Minnesota, and Wisconsin. Vendee is authorized to operate as a *common carrier* in Illinois, Iowa, Missouri, Michigan, Indiana, Oklahoma, Kansas, Colorado, Nebraska, Arkansas, Texas, Ohio, Pennsylvania, New York, Minnesota, South Dakota, Wisconsin, Florida, New Jersey, California, Virginia, Maryland, Massachusetts, South Carolina, Delaware, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, North Dakota, Alabama, Tennessee, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8324. Authority sought for purchase by ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street,

St. Johnsbury, Vt., of the operating rights and certain property of GEORGE E. WOODIN, an individual, doing business as GEORGE'S MOTOR FREIGHT, Railroad Avenue, Albany 5, N.Y., and for acquisition by HARRY D. ZABARSKY, 38 Main Street, St. Johnsbury, Vt., MILTON J. ZABARSKY and MAURICE ZABARSKY, both of 40 Erie Street, Cambridge, Mass., of control of such rights and property through the purchase. Applicants' attorneys: Francis E. Barrett and Francis P. Barrett, both of Professional Building, 25 Bryant Avenue, East Milton 86, Mass. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Albany, N.Y., and Gloversville, N.Y., between Watervliet, N.Y., and Glens Falls, N.Y., between Albany, N.Y., and Glens Falls, N.Y., between Watervliet, N.Y., and Pittsfield, Mass., between Troy, N.Y., and Williamstown, Mass., between Albany, N.Y., and Schenectady, N.Y., between Albany, N.Y., and Pittsfield, Mass., between Brainerd Station, N.Y., and Troy, N.Y., and between Saratoga Springs, N.Y., and Johnstown, N.Y., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in New York, Pennsylvania, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, Maryland, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8325. Authority sought for purchase by GENERAL HIGHWAY EXPRESS, INC., Vandemark Road, Sidney, Ohio, of the operating rights and property of RAYMOND B. WINNER, an individual, doing business as WINNER BROTHERS, 153 South Frankfort Street, Minster, Ohio, and for acquisition by PAUL LONG, P. O. Box 179, Sidney, Ohio, of control of such rights and property through the purchase. Applicants' attorney: Paul F. Beery, 44 East Broad Street, Columbus 15, Ohio. Operating rights sought to be transferred: Intrastate irregular route certificate No. 1615-I, granted by the Public Utilities Commission of Ohio as described in a Form BMC-75 Statement, in Docket No. MC-121400, authorizing the following transportation: Transportation service, on call of the public, in intrastate commerce, over irregular routes, property from and to Minster, Ohio; household goods, office furniture and fixtures, farm products, poultry, livestock, feed, milk, fertilizer, farm machinery and lumber, from and to all points in Van Buren, McLean, and Cynthian Townships in Shelby County, German and Jackson Twp., in Auglaize County and Franklin and Marion Townships in Mercer County, Ohio. RESTRICTED against the transportation of household goods, office furniture and fixtures to or from any point in Franklin and Marion Townships in Mercer County, Ohio, except when point of origin or destination is Minster, Ohio, RESTRICTED against furnishing the same kind and character of service being furnished by existing

railway lines or by motor transportation companies operating between fixed termini or over regular routes. Vendee operates in interstate commerce in Ohio as described in a Form BMC-75 Statement, in Docket Nos. MC-87841 and Sub-1, Sub-2, Sub-3, Sub-5, Sub-6, and Sub-7. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8327. Authority sought for control by ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich., of MARION TRUCKING COMPANY, INC., 1620 Factory Avenue, Marion, Ind., and for purchase by ASSOCIATED TRUCK LINES, INC., of the operating rights and property of MARION TRUCKING COMPANY, INC., and for acquisition by B. BYLENGA, JR., and J. H. FLES, both of 15 Andre Street SE., Grand Rapids, Mich., of control of such rights and property through the transaction. Applicants' attorney: Roland Rice, 618 Perpetual Building, Washington 4, D.C. Operating rights sought to be controlled and purchased: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Marion, Ind., and South Bend, Ind., between Marion, Ind., and Fort Wayne, Ind., between Marion, Ind., and Evansville, Ind., between Marion, Ind., and Richmond, Ind., between Marion, Ind., and Lafayette, Ind., between Marion, Ind., and Logansport, Ind., between Peru, Ind., and Wabash, Ind., between Marion, Ind., and Wabash, Ind., between Logansport, Ind., and Gary, Ind., serving all intermediate points, from Muncie, Ind., to Westfield, Ind., from Gas City, Ind., to Portland, Ind., from Marion, Ind., to Decatur, Ind., from Warren, Ind., to junction Indiana Highways 9 and 218, from Muncie, Ind., to junction Indiana Highways 3 and 18, from Portland, Ind., to junction U.S. Highway 27 and Indiana Highway 18, serving no intermediate points, between New Castle, Ind., and junction Indiana Highways 67 and 38, serving all intermediate points, between Terre Haute, Ind., and Turkey Run, Ind., serving North Terre Haute, Bloomingdale, Grange Corner, Kingman, Sylvania, Tangier, West Union, Sand Cut, Rosedale, Jessup, Catlin, Marshall, Guion, Waveland, Russellville, Milligan, Browns Valley, and Byron, Ind., provided that carrier shall not carry any property originating at Terre Haute, Ind., and destined to Rockville, Ind., or from Rockville, Ind., to Terre Haute, Ind., between Terre Haute, Ind., and Bellmore, Ind., serving all intermediate points, between Terre Haute, Ind., and Yeddo, Ind., serving no intermediate points, but serving certain off-route points, from Kingman, Ind., to Crawfordsville, Ind., serving all intermediate points, and the off-route point of Wallace, Ind., between Evansville, Ind., and the building site of the Southern Indiana Gas & Electric Company on the Ohio River near Newburgh, serving no intermediate points, between South Bend, Ind., and Indianapolis, Ind., between South Bend, Ind., and Muncie, Ind., between South Bend, Ind., and Auburn, Ind., between South

Bend, Ind., and Warsaw, Ind., between Grovertown, Ind., and Rochester, Ind., between junction U.S. Highway 421 and Indiana Highway 10, near San Pierre, Ind., and Argos, Ind., between Wina-mac, Ind., and junction U.S. High-ways 35 and 30, between Walkerton, Ind., and Ligonier, Ind., serving all intermediate points, between the site of the U.S. Gypsum Company in Mar-tin County, Ind., and Vincennes, Ind., serving no intermediate points, and with service at Vincennes for purposes of joinder only, between the site of the U.S. Gypsum Company in Martin County, Ind., and Indianapolis, Ind., between the site of the Aluminum Com-pany of America, located in Warrick County, Ind., and Evansville, Ind., serv-ing no intermediate points, between the site of the Aluminum Company of Amer-ica located in Warrick County, Ind., and Worthington, Ind., serving no inter-mediate points and serving Worthington for the purpose of joinder only, serving certain off-route points in Indiana in connection with the above-described regular routes, RESTRICTION: In serv-ing the respective commercial zones of the authorized points, carrier shall not serve such points as are in said zones but outside of Indiana; between Indianapolis, Ind., and Cincinnati, Ohio, serving all intermediate points, and certain off-route points; over seventeen alternate routes for operating convenience only; *glass bottles, glass containers, commer-cial feed, fertilizer, tankage, oil and grease products, petroleum and petro-leum products, in bulk, in tank vehicles, malt beverages, malt beverage advertis-ing material, empty malt beverage con-tainers, glass, paper, and paper prod-ucts, over irregular routes, between points in Indiana; and cattle, farm prod-ucts, feed, fertilizer, farm machinery, farm supplies, building materials, build-ing supplies, and machinery, between Cambridge City, and points within 15 miles thereof, on the one hand, and, on the other, points in Indiana bounded on the north by U.S. Highway 24, on the west by U.S. Highway 31, on the south by the Indiana-Kentucky State line and on the east by the Indiana-Ohio State line. Vendee is authorized to operate as a common carrier in Michigan, Ohio, Indiana, Illinois, and Kentucky. Appli-cation has been filed for temporary au-thority under section 210a(b).*

No. MC-F-8328. Authority sought for purchase by BLUE STREAK TRUCK-ING CO., 629 Henry Street, Elizabeth, N.J., of the operating rights of DOBEAR TRUCKING CORP. (JOSEPH J. CLAR-ICK, RECEIVER), 1143 E. Jersey Street, Elizabeth, N.J., and for acquisition by LAWRENCE BURG, 629 Henry Street, Elizabeth, N.J., of control of such rights through the purchase. Applicants' rep-resentative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Operating rights sought to be transferred: Operat-ing rights described in Permits Nos. MC-46005 and MC-46005 Sub-14, by order of the Temporary Authorities Board, dated November 23, 1962, to be revoked ex-tended to January 4, 1963. *Meats, meat products, and meat byproducts, as de-scribed in section A of Appendix I to the*

report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, except in bulk, in tank vehicles, as a *contract carrier*, over irregular routes, from Linden, N.J., and New York, N.Y., to points in Rock-land County, N.Y., and points in Fair-field, Hartford, and New Haven Counties, Conn., and from Linden, N.J., to Peekskill and Poughkeepsie, N.Y., RESTRIC-TION: The operations authorized above are limited to a transportation service to be performed under a continuing con-tract, or contracts, with Food Fair Stores, Inc., of Philadelphia, Pa.; *such commodities, as are classified as meats, meat products, and meat by-products in Appendix A to the report in Modification of Permits—Packing House Products*, 46 M.C.C. 23, from Elizabeth, N.J., to Balti-more, Catonville, and Lemoine, Md., and Harrisburg, Reading, York, Columbia, Allentown, Bethlehem, Lebanon, and Lancaster, Pa., RESTRICTION: The au-thority granted immediately above is limited to a service to be performed under special and individual contracts or agreements with persons (as defined 203 (a) of the Act) who operate meatpacking houses, for the transportation of the commodities indicated and in the man-ner specified immediately above; *the commodities classified as meats, meat products, and meat byproducts in section A of the appendix to the report in Modi-fication of Permits—Packing house prod-ucts*, 46 M.C.C. 23, from New York, N.Y., to points in Morris and Middlesex Counties, N.J., RESTRICTION: The author-ity granted immediately above is limited to service to be performed under special and individual contracts or agreements with persons (as defined in section 203 (a) of the Act) who operate retail stores the business of which is the sale of food, for the transportation of the commodi-ties indicated and in the manner spec-ified immediately above; *meats, meat products, and poultry, between New York, N.Y., on the one hand, and, on the other, points in Hudson, Essex, Union, Passaic, and Bergen Counties, N.J., and between New York, N.Y., on the one hand, and, on the other, Trenton, N.J., and Philadelphia, Pa.; fresh meats, from New York, N.Y., to Albany, N.Y.; meats, meat products, and meat byproducts, as described in Section A of Appendix I to the report in Descriptions in Motor Car-rier Certificates*, 61 M.C.C. 209, from Elizabeth, N.J., to Philadelphia, Pa., RE-STRIC-TION: The operations authorized herein are limited to a transportation service to be performed, under a contin-uing contract, or contracts, with the Food Fair Stores, Incorporated, of Philadel-phia, Pa. Vendee is authorized to op-erate as a *contract carrier* in New Jersey, New York, and Pennsylvania. Applica-tion has been filed for temporary author-ity under section 210a(b).

No. MC-F-8329. Authority sought for purchase by H. G. NELSEN, 1548 Locust Street, Avoca, Iowa, of the operating rights of NEBRASKA MOTOR TRANS-PORT, INC., 1121 Mason Street, Omaha, Nebr. Applicants' attorney: Joseph M. Scanlan, 111 West Washing-ton Street, Chicago 2, Ill. Operating rights sought to be transferred: *Butter, eggs (including frozen and dried eggs), and dressed poultry, as a common carrier*

over irregular routes, from Omaha, Nebr., to Chicago, Ill.; *returned or re-jected shipments of the above-specified commodities, from Chicago, Ill., to Omaha, Nebr., dairy products, dairy by-products, and manufactured or prepared food products and advertising material used in or incidental to, the sale thereof, from Chicago, Freeport, Libertyville, and Joliet, Ill., to Scottsbluff, Grand Island, Kearney, Hastings, North Platte, Fremont, Norfolk, Columbus, Crawford, Mc-Cook, Beatrice, Nebraska City, Omaha, and Lincoln, Nebr., and Sioux City, Iowa; returned or rejected shipments of the immediately above-specified commodi-ties, from the immediately above-spec-ified destination points, to Chicago, Free-port, Libertyville, and Joliet, Ill.; empty containers, from Scottsbluff, Grand Island, Kearney, Hastings, North Platte, Fremont, Norfolk, Columbus, Crawford, McCook, Beatrice, Nebraska City, Omaha, and Lincoln, Nebr., and Sioux City, Iowa, to Libertyville, Ill., RESTRIC-TION: The separately stated authorities specified above shall not be tacked or joined one to another for the purpose of performing any through transportation; *ice cream manufacturer's equipment and supplies, agricultural equipment and supplies, dairy products and dairy equip-ment and supplies, agricultural imple-ments and parts, and twine, except liquids in bulk, in tank vehicles, and except those commodities which because of size or weight require the use of special equipment, and dressed poultry, and eggs, in mixed shipments with the com-modities described above, between Alli-ance, Crete, Grand Island, Lincoln, Omaha, Seward, and Waverly, Nebr., Beloit, Chilton, Fond du Lac, Green Bay, Milwaukee, Plymouth, and Waupun, Wis., Chicago, Canton, Rock Island, Moline, East Moline, and Rock Falls, Ill., Council Bluffs, Davenport, Maple-ton, and Sioux City, Iowa, and Council Grove, Concordia, and Dodge City, Kans; and poultry byproducts, ice cream manu-facturer's materials, manufactured and prepared food products, and frozen food products, except liquids, in bulk, in tank vehicles, and except those commodities which because of size or weight require the use of special equipment, between Green Bay, Wis., and Omaha, Nebr., be-tween Chicago, Ill., and Omaha, Nebr., between Crete, Nebr., and Green Bay, Wis., from Milwaukee, Wis., and Chicago, Ill., to Crete, Nebr., and from Milwaukee, Wis., to Omaha, Nebr. Vendee is au-thorized to operate as a common carrier in Nebraska, Iowa, Illinois, and Indiana. Application has not been filed for tem-porary authority under section 210a(b).**

No. MC-F-8330. Authority sought for purchase by GROCERY EXPRESS, INC., 211 Plainfield St., Springfield, Mass., of the operating rights and property of ARTHUR A. FOGARTY, INC., 211 Plain-field Street, Springfield, Mass., and for acquisition by LAURENCE S. CARROLL, 175 Front Street, Brooklyn, N.Y., of con-trol of such rights and property through the purchase. Applicants' attorney: Paul F. Sullivan, 1903 N Street NW., Washington 6, D.C. Operating rights sought to be transferred: *Such merchan-dise as is dealt in by wholesale, retail,*

and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, as a *contract carrier* over irregular routes, between points within the territory bounded by a line beginning at Northfield, Vt., and extending south through Randolph, Bethel, West Bridgewater, Ludlow, and North Windham, to Wilmington, Vt., thence in a southwesterly direction to Pittsfield, Mass., thence south through Lenox, Lee, Stockbridge, Great Barrington, and Sheffield, Mass., to Lakeville, Conn., thence along the Connecticut-New York State Line to Wilton, Conn., thence in a southeasterly direction to Westport, Conn., thence in a northeasterly direction along Long Island Sound Coast to New London, Conn., thence north through Groton, Conn., to Leicester, Mass., thence in a northwesterly direction to Athol, Mass., thence north through Troy, N.H., Marlboro and Sunapee to Canaan, N.H., thence in a northwesterly direction through Oxford, N.H., to Fairlee, Vt., thence north along the West bank of the Connecticut River to Newbury, Vt., and thence in a northwesterly direction to Northfield, including the points named, and between points in the above-specified territory, on the one hand, and, on the other, Albany, N.Y., Providence, R.I., and Boston and Lawrence, Mass.; *fresh bakery products*, from Springfield, Mass., to Poughkeepsie, N.Y.; *rejected and salvaged bakery goods and empty containers*, from Poughkeepsie, N.Y., to Springfield, Mass.; *bakery products*, from Springfield, Mass., to Hudson and Kingston, N.Y.; and *salvaged bakery products and empty bakery products containers*, from Hudson and Kingston, N.Y., to Springfield, Mass. Vendee holds no authority from this Commission. However, its controlling stockholder LAURENCE S. CARROLL is affiliated with RED CIRCLE FREIGHT LINES, INC., 175 Front Street, Brooklyn, N.Y., which is authorized to operate as a *contract carrier* in Maryland, New York, New Jersey, and the District of Columbia. Application has been filed for temporary authority under section 210a (b).

No. MC-F-8331. Authority sought for purchase by WEISS TRUCKING COMPANY, INC., Mongo, Ind., of a portion of the operating rights of HIGHWAY TRANSPORTATION CORPORATION, Woodville, Ohio, and for acquisition by LEON WEISS and ALVIN WEISS, both of Mongo, Ind., of control of such rights through the purchase. Applicants' attorney: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Operating rights sought to be transferred: *Cement*, and *cement compounds*, as a *common carrier* over irregular routes, from points in that part of Michigan on and south of U.S. Highway 10, to points in that part of Ohio on and north of a line beginning at Sandusky and extending along U.S. Highway 6 through Fremont, Bowling Green, and Napoleon to junction Ohio Highway 34, thence along Ohio Highway 34 to Bryan, thence along Ohio Highway 2 to junction U.S. Highway 6, and thence along U.S. Highway 6

to the Ohio-Indiana State line, and from Toledo, Ohio, and points within 15 miles thereof, to points in that part of Michigan on and south of Michigan Highway 55; *empty cement containers and rejected and returnable cement*, from points in the immediately above-described Michigan and Ohio territories to Toledo, Ohio, and points within 15 miles of Toledo; *common, hydraulic, natural, or portland cement*, and *cement compounds*, in bulk, in tank vehicles, or in bags, from Detroit and Wyandotte, Mich., to points in that part of Ohio bounded by a line beginning at Sandusky and extending along U.S. Highway 6 to junction Ohio Highway 34, thence along Ohio Highway 34 to Bryan, thence along Ohio Highway 2 to junction U.S. Highway 6, thence along U.S. Highway 6 to the Ohio-Indiana State line, thence southward along the Ohio-Indiana State line, to junction U.S. Highway 36 to Marysville, and thence along Ohio Highway 4 to Sandusky, including points on the indicated portions of U.S. Highway 36 and Ohio Highway 4; and *used empty cement and cement compound containers*, from points in the Ohio territory described immediately above, to Detroit and Wyandotte, Mich. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Michigan, and Illinois. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-8326. Authority sought for purchase by EAGLE CHARTER BUS SERVICE, INC., 217 North Converse St., Spartanburg, S.C., of the operating rights and property of EAGLE BUS LINES, INC., 15-23 Academy Street, Greenville, S.C., and for acquisition by HAMISH TURNER and RUTH T. TURNER, both also of Spartanburg, S.C., of control of such rights and property through the purchase. Applicants' representative: Hamish Turner, 217 North Converse Street, Spartanburg, S.C. Operating rights sought to be transferred: *Passengers and their baggage*, restricted to traffic originating in the territory indicated, in charter operations, as a *common carrier* over irregular routes, from points in Georgia and South Carolina, and those in that part of North Carolina east of U.S. Highway 21, to Chicago, Ill., Memphis, Tenn., Indianapolis, Ind., Cincinnati, Ohio, New Orleans, La., and Meredith, N.H., and points in Florida, Georgia, New York, North Carolina, South Carolina, Virginia, and the District of Columbia. Vendee holds no authority from this Commission. However, HAMISH TURNER, is the principal stockholder of CAROLINA SCENIC STAGES, 217 North Converse St., Spartanburg, S.C., which is authorized to operate as a *common carrier* in Georgia, North Carolina, and South Carolina. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[P.R. Doc. 63-189; Filed, Jan. 8, 1963; 8:47 a.m.]

[Notice 734]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 4, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65484. By order of December 17, 1962, the Transfer Board approved the transfer to Charles Summerlin, Riverton, Wyo., of Certificate No. MC 114535, issued by the Commission June 9, 1954, to Robinson Transportation Company, Inc., authorizing the transportation of: *Passengers and their baggage*, and *express, newspapers, and mail* in the same vehicle with passengers, between Casper, Wyo., and Lander, Wyo., serving all intermediate points; between Lander, Wyo., and Pilot Butte Oil Field, Wyo., a point on U.S. Highway 26 approximately 5 miles east of junction U.S. Highways 287 and 26, serving all intermediate points; between Lander, Wyo., and Rock Springs, Wyo.; between Perrin, Wyo., and Rawlins, Wyo.; between Shoshoni, Wyo., and Thermopolis, Wyo. Arthur E. Oeland, Court House, Lander, Wyo., attorney for applicants.

No. MC-FC 65492. By order of December 17, 1962, the Transfer Board approved the transfer to James H. Record, doing business as Record Truck Line, Henderson, Tenn., of Certificates Nos. MC 102948, MC 102948 Sub-3, MC 102948 Sub-5, MC 102948 Sub-6, and MC 102948 Sub-7, issued January 26, 1943, December 31, 1959, May 31, 1949, April 12, 1951, and August 14, 1951, respectively to D. L. Baker, Warren, Ark., authorizing the transportation of: *Lumber*, over irregular routes, from Warren, Ark., to points in Mississippi, Missouri, Tennessee, Texas, and Oklahoma; parts of sawmill, dry-kiln, and planing-mill machinery, between points in Bradley County, Ark., on the one hand, and, on the other: points in Louisiana, Mississippi, Missouri, Oklahoma, Texas, and Tennessee; *lumber*, between points in Bradley County, Ark., on the one hand, and, on the other, points in Louisiana; and points in Bradley County, Ark., except Warren, to points in Mississippi, Tennessee, Missouri, Oklahoma, Texas, and Kansas; *lumber* from points in Ashley and Drew Counties, Ark., to points in Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Texas, and Tennessee; *lumber* from points in Pulaski, Cleveland, Dallas, Ouachita, Calhoun, and Union Counties, Ark., to points in Mississippi; and lum-

ber from Greenville, Miss., to points in Bradley County, Ark.

No. MC-FC 65493. By order of January 3, 1963, the Transfer Board approved the transfer to James H. Russell, Smithfield, R.I., of Certificate No. MC 119646, issued October 14, 1960, to Manuel Val, Jr., doing business as Val Motor Freight, Newark, N.J., authorizing the transportation of: General commodities, with the usual exceptions including household goods and commodities in bulk, between New York, N.Y., and points in Orange County, N.J., on the one hand, and, on the other, points in Essex County, N.J. Arthur M. Marshall, 145 State Street, Springfield 3, Mass., attorney for applicants.

No. MC-FC 65504. By order of December 18, 1962, the Transfer Board approved the transfer to C. C. Lounsbury, Inc., Willimantic, Conn., of Certificates Nos. MC 75835 and MC 75835 Sub-7, issued June 21, 1943 and December 13, 1954, respectively, to Clifford C. Lounsbury, Willimantic, Conn., authorizing the transportation of: Agricultural Commodities, building materials, forest products, cable, fish poles, meal, alfalfa meal, limestone, and paper, over irregular routes, between points in Connecticut, Massachusetts, and Rhode Island, and poles and materials used in the repair and maintenance of powerlines, between points in the above-named States, and lumber from specified points in Connecticut, all points in New Jersey, to points in New York, within 150 miles of New York, N.Y. Reubin Kaminsky, 410 Asylum Street, Hartford, Conn., attorney for transferee. Herbert A. Lane, 821 Main Street, Manchester, Conn., attorney for transferor.

No. MC-FC 65558. By order of December 28, 1962, the Transfer Board approved the transfer to Joseph A. Pellegrino and Anthony J. Pellegrino, doing business as D. Pellegrino, 866 Sumner Avenue, Springfield 8, Mass., of Certificate No. MC 94962, issued November 18, 1940, to Domenico Pellegrino, 866 Sumner Ave., Springfield 8, Mass., authorizing the transportation, over specified

regular routes, serving no intermediate points, of: Malt beverages, and empty malt beverage containers, between Cranston, R.I., and New Haven and Derby, Conn., and Springfield, Mass.

No. MC-FC 65564. By order of December 31, 1962, the Transfer Board approved the transfer to Maurice Gorman, Canton, South Dakota, of Certificate No. MC 101731, issued May 18, 1949, to Peter Sorenson, Canton, South Dakota, authorizing the transportation, over irregular routes, of: Livestock, grain, hay, and farm machinery, between points other than municipalities, within 15 miles of Canton, S. Dak., on the one hand, and, on the other, points in Iowa and S. Dak., within 15 miles of Canton, and from Sioux City, Iowa to points in South Dakota, within 15 miles of Canton.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-190; Filed, Jan. 8, 1963; 8:48 a.m.]

[Notice 501]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 4, 1963.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC-C-3930. PETITION FOR EXEMPTION. Petitioner: A B C TRUCK

CO., Marlette, Mich. Petitioner's attorney: William B. Elmer, 1800 Buhl Building, Detroit 26, Mich. Petitioner is engaged in the business of leasing motor vehicle equipment and, in connection with said business, has entered into a lease agreement with Marlette Coach Company, Marlette, Mich. Petitioner states that it has conducted its business in the opinion that it was exempt from the provisions of section 206 and section 209 of the Interstate Commerce Act; however, petitioner has been informed to the effect that its arrangements with Marlette Coach Company may not be exempt from the provisions of the Interstate Commerce Act. By the instant petition, petitioner prays that it be granted an exemption from the provisions of sections 206 and 209 of the Interstate Commerce Act, that this Commission find and hold that the lease arrangements entered into by the petitioner with Marlette Coach Company are bona fide private carriage and not subject to the provisions of sections 206 and 209 of the Interstate Commerce Act, and that this matter be considered under modified procedure without hearing and in accordance with the Commission's general rules of practice, §§ 1.45 through 1.54 inclusive. An order of the Commission, Division 1, entered December 7, 1962, orders that the subject petition be assigned for oral hearing at a time and place to be hereafter filed and that notice of the petition and of such action be published in the FEDERAL REGISTER.

Any person or persons desiring to participate in this proceeding may, within 30 days from the date of this publication of the notice of the acceptance of the petition for filing, file representations supporting or opposing the relief sought by petitioner.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-204; Filed, Jan. 8, 1963; 8:49 a.m.]

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