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FEDERAL REGISTER

THE NATIONAL ARCHIVES — LITTERA SCRIPTA MANET — OF THE UNITED STATES — 1934

VOLUME 28 NUMBER 70

Washington, Wednesday, April 10, 1963

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Codification Guide

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

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

FEDERAL REGISTER

Telephone WOrth 3–3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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Rules and Regulations

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 999—SPECIALTY CROPS; IMPORT REGULATIONS

Importation of Dates

Notice was published in the February 19, 1963 issue of the FEDERAL REGISTER (28 F.R. 1552) regarding a proposal, by the Department, to amend § 999.1 regulation governing the importation of dates (7 CFR 999.1) pursuant to the requirements of section 8e (7 U.S.C. 608e–1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. Comments were received within the prescribed time from one importer and a governmental agency. The former expressed approval of the regulation but requested a modification be made so that Date Form No. 2 would not require "Lot or Chop Marks" to be reported. It is concluded that the information to be covered by "lot or chop mark" is not necessary for this regulation and its elimination from Date Form No. 2 is reflected in the regulation. The latter requested a modification be made in the reclassification provision so as to make it inapplicable to dates which were falsely classified at time of importation. Appropriate changes are adopted in this provision setting forth the inapplicability.

After consideration of all relevant matters presented, including the contents of the notice, the written data, views, or arguments submitted pursuant to the notice and other available information, it is hereby found that to amend the regulation governing the importation of dates as hereinafter set forth will tend to effectuate the declared policy of the act.

Therefore, the importation of dates into the United States shall be subject to, and in accordance with, the requirements of § 999.1 of this part (7 CFR 999.1) as hereby amended to read as follows:

§ 999.1 Regulation governing the importation of dates.

(a) *Definitions.* (1) "Dates in retail packages" means whole or pitted dates, other than dates prepared or preserved, wrapped or packaged for sale at retail.

(2) "Dates for packaging" means whole or pitted dates in bulk containers which are to be repacked, in whole or part, in the United States as dates in retail packages.

(3) "Bulk container" means any container of dates which, together with the dates therein, weighs more than ten pounds.

(4) "Dates for processing" means any dates for use in a bakery, confectionery, or other product and includes dates coated with a substance materially altering their color.

(5) "Dates prepared or preserved" means dates processed into a confection or other product, dates coated with a substance materially altering their color, or dates prepared for incorporation into a product by chopping, slicing, or other processing which materially alters their form.

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

(7) "Fruit and Vegetable Division" means the Fruit and Vegetable Division of the Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C.

(8) "USDA inspector" means an inspector of the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division or any other duly authorized employee of the USDA.

(9) "Inspection certificate" means a written statement or memorandum report issued by a USDA inspector setting forth in addition to appropriate descriptive information the quality and condition of the product inspected, and in the case of imported dates, a statement of meeting or failing, as applicable, the U.S. import requirements under section 8e of the AMA Act of 1937.

(10) "Importation" means release from custody of United States Bureau of Customs.

(b) *Grade requirements.* (1) Except as provided in paragraph (d) of this section, dates for packaging and dates in retail packages shall not be imported into the United States unless they meet the following grade requirements, which requirements are determined to be comparable to those imposed upon domestic dates handled pursuant to Order No. 987, as amended (Part 987 of this chapter; 27 F.R. 6818): The whole or pitted dates shall be of one variety, possess a fairly good color, be fairly uniform in size, be fairly free from defects, possess a fairly good character, and score not less than 70 points when scored in accordance with the scoring system applicable to U.S. Grade C Dates: *Provided,* That, in determining such grade the dates shall not be scored as damaged because of the longitudinal slit caused in removing the pit or the mashing resulting therefrom unless the flesh is seriously torn or mangled, and the dates shall be wholesome and unadulterated.

(2) Compliance with the grade requirements shall be determined on the basis of an inspection and certification by a USDA inspector.

(c) *Inspection and certification requirements*—(1) *Inspection.* Inspection shall be performed by USDA inspectors in accordance with the Regulations Governing the Inspection and Certification of Processed Fruits and Vegetables and Related Products (Part 52 of this title). The cost of each such inspection and related certification shall be borne by the applicant. Applications for inspection shall be made at least 10 days in advance and be accompanied by, or there shall be submitted promptly thereafter, either an onboard bill of lading designating the lots to be inspected by USDA inspectors and those to be entered as dates for processing, or a list of such lots and their identifying marks.

(2) *Certification.* Each lot of dates inspected in accordance with subparagraph (1) of this paragraph shall be covered by an inspection certificate. Each such certificate shall set forth, among other things, the following:

(i) The date and place of inspection.

(ii) The name of the applicant.

(iii) The variety, quantity, and identifying marks of the lot inspected.

(iv) The statement, if applicable: "Meets U.S. import requirements under section 8e of the AMA Act of 1937".

(v) If the lot fails to meet the import requirements, a statement to that effect and the reasons therefor.

(d) *Minimum quantity.* Notwithstanding any other provision of this section any lot of dates for importation which, in the aggregate, does not exceed 70 pounds is exempt from the provisions of this section.

(e) *Importation.* No person may import dates into the United States unless he first files with the Collector of Customs at the port at which the customs entry is filed, as a condition of each such importation, either an inspection certificate or an executed "Dates—Section 8e Entry Declaration," prescribed in subparagraph (2) of this paragraph as Date Form No. 1.

(1) *Dates for packaging and dates in retail packages.* No person may import any lot of dates for packaging or dates in retail packages unless the dates are covered by an inspection certificate containing the statement as to meeting the requirements set forth in paragraph (c) (2) (iv) of this section.

(2) *Dates for processing and dates prepared or preserved—importation.* Any person may import dates for processing and dates prepared or preserved exempt from the grade, inspection, and certification requirements of this section if the importer first files as a condition of such importation an executed Date Form No. 1 "Dates—Section 8e Entry Declaration." The importer shall promptly transmit a copy of the executed Date Form No. 1 to the Fruit and Vegetable Division. The following is prescribed as Date Form No. 1:

DATE FORM NO. 1

Dates—Section 8e Entry Declaration

I hereby certify to the U.S. Department of Agriculture and the Bureau of Customs that

the dates covered by this declaration are being imported and are identified as indicated on this form and that none of the dates are dates for packaging or dates in retail packages:

1. Name of vessel: _____
2. Origin of dates: _____
3. Date of arrival: _____
4. City: _____
5. Unlading pier: _____
6. Entered as dates for processing—

Lot or chop mark	*Number of containers*	*Total net weight*
_____	_____	_____ lbs.
_____	_____	_____ lbs.
_____	_____	_____ lbs.
_____	_____	_____ lbs.

(List additional lots on added page)

7. Entered as dates prepared or preserved—

Lot or chop mark	*Number of containers*	*Total net weight*
_____	_____	_____ lbs.
_____	_____	_____ lbs.

I agree to obtain from each person to whom any of the dates listed under item 6 are delivered, an executed Date Form No. 2 "Dates for Processing—Section 8e Certification of Processor or Reseller" and to file the same with the Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the fifth day of the month following the month in which the dates were delivered.

Dated: _____
Name of firm _____
Address _____
Signature _____
Title _____

Distribution

Original—Collector of Customs.
Copy—Fruit and Vegetable Division.
Copy—Food and Drug Administration.

(3) *Dates for processing—Sale by importer.* No importer or other person may import, sell, or use any dates for processing other than for use as set forth in paragraph (a)(4) of this section or as otherwise permitted by this section. Each importer of dates for processing shall obtain from each purchaser, no later than the time of delivery to such purchaser, and file with the Fruit and Vegetable Division not later than the fifth day of the month following the month in which the dates were delivered, an executed "Dates for Processing—Section 8e Certification of Processor or Reseller," prescribed in this paragraph as Date Form No. 2, which form is as follows:

DATE FORM NO. 2

Dates for Processing—Section 8e Certification of Processor or Reseller

I hereby certify to the U.S. Department of Agriculture that I have acquired the dates covered by this certification; that I will use or sell them for use only in bakery, confectionery, or other products as permitted by the Regulation Governing Importation of Dates (7 CFR 999.1); and that I am: (check one)

_____ processor (user of dates for processing)
_____ reseller (dealer in dates for processing)

1. Date of purchase _____
2. Place of purchase _____
3. Name and address of importer or seller _____
4. Dates acquired:

Number of containers	*Total net weight*
_____	_____ lbs.
_____	_____ lbs.
_____	_____ lbs.
_____	_____ lbs.

Dated: _____
Name of firm _____
Address _____
Signature _____
Title _____

Distribution

Original—Fruit and Vegetable Division.
Copy—Purchaser.

(4) *Dates for processing—sale by other than importer.* Each wholesaler or other reseller of dates for processing should, for his protection, obtain from each purchaser and hold in his files a Date Form No. 2 certification covering each sale or all sales of a calendar year.

(f) *Filing and retention of certificates.* The executed Date Form No. 2 "Dates for Processing—Section 8e Certification of Processor or Reseller" required to be filed pursuant to this section shall be executed in not less than three copies, of which one shall be filed with the Fruit and Vegetable Division not later than the fifth day of the month immediately following the month of delivery of the dates covered thereby, one shall be retained by the importer and one shall be retained by the person accepting delivery.

(g) *Reclassification.* Any dates submitted for importation as dates for packaging or dates in retail packages that fail to meet the import requirements of this section may, upon execution of Date Form No. 1 "Dates—Section 8e Entry Declaration," be resubmitted for importation as dates for processing subject to the limitations of paragraph (j) of this section. Subsequent to importation, (1) any dates for processing other than dates that were resubmitted for importation in accordance with the preceding sentence and (2) any dates for packaging which through unintentional error were submitted for importation as dates for processing, either category having been covered by an executed Date Form No. 1, may if still held by the importer and if certified by a USDA inspector as meeting the requirements of this section for dates for packaging, be so reclassified and used. The reclassification to dates for packaging shall not be applicable to any dates that were falsely classified, other than through unintentional error, as dates for processing and submitted as such for importation.

(h) *Reconditioning.* Nothing contained in this section shall preclude the reconditioning of failing lots of dates, prior to importation, so that such dates may be made eligible to meet the grade requirements prescribed in paragraph (b) of this section.

(i) *Books and records.* Each person subject to this section shall maintain true and complete records of his transactions with respect to imported dates. Such records and copies of executed forms shall be retained for not less than two years subsequent to the calendar year of acquisition. The Secretary, through his duly authorized representatives, shall have access to any such person's premises during regular business hours and shall be permitted at any such times to inspect such records and any dates held by such person.

(j) *Other restrictions.* The provisions of this section do not supersede any restrictions or prohibitions on the importation of dates under the Plant Quarantine Act of 1912, the Federal Food, Drug and Cosmetic Act, or any other applicable laws or regulations or the need to comply with applicable food and sanitary regulations of city, county, State, or Federal agencies.

(k) *Compliance.* Any person who violates any provision of this section shall be subject to a forfeiture in the amount prescribed in section 8a(5) of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), or, upon conviction, a penalty in the amount prescribed in section 8c(14) of said act, or to both such forfeiture and penalty. False representations to an agency of the United States on any matter within its jurisdiction, knowing it to be false, is a violation of 18 U.S.C. 1001 which provides for a fine or imprisonment or both.

It is hereby found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) and for making the provisions hereof effective 10 days after publication in the FEDERAL REGISTER in that: (1) Interested persons have been aware of the proposal regarding the amendments and have submitted written data, views, and arguments with respect thereto, a reasonable time is afforded for operations in accordance with this regulation as amended, and they need no additional advance notice to comply therewith; (2) the amendments do not make any changes in the minimum quality standards; and (3) the reclassification provision relieves restrictions on the importation of dates, and importers have expressed interest in utilizing this provision as soon as practical.

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

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

Dated: April 4, 1963; to become effective 10 days after publication in the FEDERAL REGISTER.

FLOYD F. HEDLUND,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-3721; Filed, Apr. 9, 1963; 8:48 a.m.]

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 39]

PART 1039—MILK IN THE MILWAUKEE, WISCONSIN MARKETING AREA

Order Amending Order

§ 1039.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Milwaukee, Wisconsin, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

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

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

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1963. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary was issued February 19, 1963, and the decision of the Under Secretary, containing all amendment provisions of this order, was issued March 21, 1963. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1963, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER (sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as herein amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

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

1. Section 1039.12 is revised to read as follows:

§ 1039.12 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of a pool plant, or

(b) Any person in his capacity as the operator of a distributing plant which is a nonpool plant.

2. Section 1039.14 is revised to read as follows:

§ 1039.14 Producer milk.

"Producer milk" means skim milk and butterfat contained in Grade A milk received at a pool plant directly from a dairy farmer: *Provided,* That:

(a) Milk diverted from a pool plant to nonpool plants which are not subject to the classification and pricing provisions of another order issued pursuant to the Act shall be deemed to have been received by the diverting handler at the location of the plant from which diverted; and

(b) Milk diverted from a pool plant to another pool plant shall be deemed to have been received by the diverting handler at the location of the plant to which diverted.

3. Section 1039.41(b)(6) is revised to read as follows:

§ 1039.41 Classes of utilization.

* * * * *

(b) * * *

(6) Skim milk and butterfat in shrinkage of producer milk and other source milk in bulk but not in excess of:

(i) 2.0 percent of the skim milk and butterfat, respectively, in such receipts;

(ii) Plus 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products received by transfer or diversion from pool plants; and

(iii) Less 1.5 percent of the skim milk and butterfat, respectively, in bulk fluid milk products transferred or diverted to other plants.

4. Section 1039.42(b)(1) is revised to read as follows:

§ 1039.42 Shrinkage.

* * * * *

(b) * * *

(1) Producer milk plus bulk fluid milk products received by transfer or diversion from other pool plants, and less transfers and diversions of bulk fluid milk products to other plants.

5. Section 1039.44(a) is revised to read as follows:

§ 1039.44 Transfers.

* * * * *

(a) As Class I milk if transferred or diverted in the form of a fluid milk product to another pool plant unless utilization as Class II milk is claimed for both plants in the reports submitted for the month to the market administrator pursuant to § 1039.30: *Provided,* That the skim milk or butterfat so assigned to Class II milk shall be limited to the amount thereof remaining in Class II milk in the transferee plant after the subtraction of other source milk pursuant to § 1039.46 and any additional amounts of such skim milk or butterfat shall be classified as Class I milk: *And provided further,* That if other source milk was received at either or both plants, the skim milk or butterfat so transferred or diverted shall be classified at both plants so as to allocate the greatest possible Class I utilization to the producer milk at both plants.

6. Section 1039.46(a)(2) is revised to read as follows:

§ 1039.46 Allocation of skim milk and butterfat classified.

* * * * *

(a) * * *

(2) Subtract from the total pounds of skim milk in Class I milk the pounds of skim milk received in the form of packaged fluid milk products not larger than six gallons capacity, subject to the pricing and pooling provisions of another order issued pursuant to the Act and disposed of as Class I in the same package as received.

7. In § 1039.62, redesignate paragraphs (e), (f), (g) and (h) as paragraphs (f), (g), (h) and (i), respectively, and add a new paragraph (e) as follows:

§ 1039.62 Computation of uniform prices for base milk and excess milk.

* * * * *

(e) Add or subtract for each one-tenth percent that the average butterfat content of producer milk received by such handler is less or more, respectively, than 3.5 percent an amount computed by multiplying such difference by the butterfat differential to producers computed pursuant to § 1039.71 and multiplying the result by the hundredweight of such producer milk.

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

Effective date: May 1, 1963.

Signed at Washington, D.C., on April 4, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63–3738; Filed, Apr. 9, 1963; 8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 16,980]

PART 545—OPERATIONS

Housing Facilities for Aging

APRIL 3, 1963.

Resolved that, notice and public procedure having been duly afforded (27 F.R. 11466), and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) by the addition of a new section as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends Part 545 as follows, effective May 13, 1963:

§ 545.6–16 Housing facilities for the aging.

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

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

(c) *Limitations on specific loans.* (1) The principal obligation of each such loan shall be specified in the security instrument with respect to such loan and shall not exceed (i) 90 percent of the value of such real estate security therefor, if the loan is not an insured loan as defined in § 541.15 of this chapter, or (ii) the maximum percentage of the value of such real estate security acceptable to the insuring agency, if such loan is an insured loan as so defined. Each such loan shall be repayable monthly within 30 years or, if an insured loan, within the period acceptable to the insuring agency.

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

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

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

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

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 63–3743; Filed, Apr. 9, 1963; 8:50 a.m.]

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC–1,564]

PART 563—OPERATIONS

Management, Financial Policies, Examinations, Audits, Appraisals, and Records of Insured Institutions

APRIL 3, 1963.

Resolved that, notice and public procedure having been duly afforded (27 F.R. 12745, 12839), and all relevant matter presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of

the advisability of amendment of Part 563 of the rules and regulations for Insurance of Accounts (12 CFR Part 563) as hereinafter set forth, and for the purpose of effecting such amendment to require establishment and maintenance of certain records by insured institutions and to provide for handling of real estate appraisals in connection with examinations of insured institutions, hereby amends said Part 563 as follows, effective May 13, 1963:

1. Section 563.17 of said Part 563 is hereby amended to read as follows:

§ 563.17 Management and financial policies.

For the protection of its insured members and other insured institutions, each insured institution shall maintain safe and sound management and shall pursue financial policies that are safe and consistent with economical home financing and the purposes of insurance of accounts.

2. Said Part 563 is hereby amended by adding thereto, immediately after § 563.17, the following new section:

§ 563.17–1 Examinations and audits; appraisals; establishment and maintenance of records.

(a) *Examinations and audits.* Each insured institution shall be examined periodically by the Corporation, with appraisals when deemed advisable, in accordance with general policies from time to time established by resolution of the Board; and shall be audited periodically by auditors and in a manner satisfactory to the Corporation, and may be audited at any time by the Corporation. If an insured institution has neither been so audited by independent auditors within the 12-month period immediately preceding the date of any examination of such institution made pursuant to the provisions of this paragraph or within the period that has elapsed since the examination of such institution next preceding such date, whichever period is greater, nor adopted and maintained an internal audit program acceptable to the Corporation, the examination of such institution by the Corporation shall include an audit. An insured institution shall promptly file with the Corporation, through the Chief Examiner of the Federal Home Loan Bank District in which the institution is located, a copy of the report of each audit other than audits made by the Corporation. The cost, as computed by the Corporation, of any examination or audit, or both, made by the Corporation, including office analysis thereof, overhead, per diem, and travel expense, shall be paid by the institution examined or audited.

(b) *Appraisals.* Unless otherwise ordered by the Board, the appraiser or appraisers who make appraisal of real estate in connection with any examination of an insured institution made pursuant to paragraph (a) of this section shall be selected by the Board's Chief Examiner of the Federal Home Loan Bank District in which such institution is located, and the cost of such appraisal shall promptly be paid by such insured institution direct to such appraiser or appraisers upon receipt by the institution of a statement of such cost as approved by such Chief Examiner. Copies of appraisals made pursuant to the provisions of the first sentence of this paragraph shall be furnished to the insured institution within a reasonable time, not to exceed 90 days, following the completion of such appraisals and the filing of a report thereof by the appraiser or appraisers with such Chief Examiner. The Corporation may obtain at any time, at its expense, such appraisals of any of the assets, including the security therefor, of an insured institution as the Corporation deems appropriate.

(c) *Establishment and maintenance of records.* To enable the Corporation to examine and audit insured institutions pursuant to the provisions of paragraph (a) of this section, each insured institution shall establish and maintain such accounting and other records as will provide an accurate and complete record of all business transacted by it, and the documents, files and other material or property comprising said records shall at all times be available for such examination and audit, wherever any of said records, documents, files, material or property may be. Without any limitation on the generality of the foregoing sentence and without modification of any other requirement with respect to the establishment and maintenance of records to which such institution is subject, each insured institution shall establish and maintain the following records:

(1) *Records with respect to loans on the security of real estate.* The records of an insured institution with respect to each loan which such institution makes on the security of real estate shall include:

(i) An application for the loan, signed by the applicant borrower or his agent, in such form and containing such information as will disclose the purpose for which the loan is sought (construction, purchase, refinancing, other) and the identity of the security property;

(ii) If any such loan is made for the purpose of financing the purchase of the real estate security for the loan, a signed statement by the borrower or his agent, as a part of or as an attachment to the application for the loan, disclosing the price at which such real estate security is being purchased by the borrower;

(iii) One or more written appraisal reports, prepared and signed, prior to the approval of such application, by a person or persons duly appointed and qualified as appraiser or appraisers by the board of directors of such institution, disclosing the fair market value of the security offered by the applicant and containing sufficient information and data concerning the appraised property to substantiate the fair market value of the security described in such report;

(iv) A financial statement of the applicant signed by such applicant or a written credit report prepared by such institution, or by others at the special instance and request of such institution, disclosing the financial ability of the applicant;

(v) Documentation showing when and by whom such loan was approved and the terms and conditions of such approval;

(vi) Documentation showing the date, amount, purpose, and recipient of every disbursement of the proceeds of such loan, whether such disbursements are made directly by such institution or through escrows or other persons or concerns;

(vii) An opinion signed by such institution's attorney-at-law, a title insurance policy, or other documentary evidence customarily used in the jurisdiction in which such real estate security is located, affirming the quality and validity of such institution's lien on the real estate security for such loan;

(viii) Documentation showing that such institution, upon the closing of the loan, furnished to the borrower a loan settlement statement setting forth in detail the charges or fees such borrower has paid or obligated himself to pay to such institution or to any other concern or person in connection with such loan, which documentation shall include a copy of such loan settlement statement;

(ix) A record showing the status of taxes, assessments, insurance premiums, and other charges on the security for such loan;

(x) Documentation covering all modifications of the original mortgage contract, showing appropriate approval of each such modification; and

(xi) Documentation covering all releases of any portion of the collateral supporting the loan, showing the part of the premises involved, the consideration, if any, to such institution, and a record of appropriate approval of each such release.

(2) *Records with respect to property purchased subject to, or with assumption by a third party of, an institution's loan.* When a property on which an insured institution has a lien securing an unpaid loan is sold to a third party and a release of the original borrower from such indebtedness is given by an insured institution, the records of such institution shall contain such documentation and records, with respect to such third party and such transaction, as are required by subdivisions (ii), (iv), (v), (x) and (xi) of subparagraph (1) of this paragraph.

(3) *Records with respect to loans sold.* The records of an insured institution with respect to each sale of loans by it, whether such loans are sold in whole or in part, shall include a signed opinion by such institution's attorney-at-law stating whether or not such sale is without recourse.

(4) *Records with respect to the acquisition of mortgaged security.* Each insured institution shall maintain a record which discloses every instance where such institution commences action to acquire the real estate security for a loan, by foreclosure or otherwise, and the ultimate disposition of such action; such record shall include identification of such real estate security and loan, shall itemize all fees and charges incurred in such action, shall name the recipient or recipients to whom any such fees and charges were paid, and shall show who acquired title to such real estate as a result of such action.

(5) *Records with respect to insured accounts.* The records of an insured institution with respect to each withdrawable or repurchasable share, investment certificate, deposit, or savings account issued by such institution shall include the signature of the owner of such account or his duly authorized representative, together with a record reflecting the balance in such account.

(6) *Other records.* Each insured institution shall establish and maintain such other records as are required by statute or by any other regulation to which such institution is subject.

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

By the Federal Home Loan Bank Board.

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

[F.R. Doc. 63-3744; Filed, Apr. 9, 1963; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER A—CIVIL AIR REGULATIONS

[Reg. Docket No. 873; Amdt. 40-39, Supp. No. 38]

PART 40—SCHEDULED INTERSTATE AIR CARRIER CERTIFICATION AND OPERATION RULES

Minimum Standards for Approval of Airplane Simulators

This amendment to Part 40 sets forth the standards which must be met for approval of airplane simulators to be used in training programs which are substituted alternately for pilot proficiency checks.

The Federal Aviation Agency published as a notice of proposed rule making (26 F.R. 8461) and circulated as Civil Air Regulations Draft Release No. 61-17 on August 31, 1961, a proposal to amend Parts 40, 41, and 42 of the Civil Air Regulations to prescribe standards for the approval of aircraft simulators, for training courses in aircraft simulators, and for the use of synthetic trainers for proficiency flight check maneuvers.

In addition to the proposals contained in Draft Release 61-17, the Agency published on March 10, 1962, a separate notice of proposed rule making (27 F.R. 2319), circulated as Civil Air Regulations Draft Release No. 62-9, which concerns the proposed overall training standards to be used in approving an air carrier's training program. Therefore, all comments received in response to Draft Release 61-17 which concern training programs and standards will be considered in conjunction with the comments received on Draft Release 62-9. All other comments received which concern the minimum standards for the approval of airplane simulators have been considered in connection with this amendment.

Some of the comments received in response to Draft Release 61-17 indicated a basic assumption with respect to simulators which is not essentially correct. It was contended that simulator requirements should not be specified except in those areas directly related to maneuvers which the pilot is required to perform, in an airplane, during the course of a proficiency flight check. This reasoning assumes that the simulator is only used as a substitute for an airplane in the conduct of proficiency flight checks. When the regulations were amended to allow substitution of an airplane simulator training course for each alternative proficiency flight check in an airplane, the added contribution to safety which is derived from the full simulator training courses was considered as a justification for the amendment. Accordingly, if the simulator is to be used it should perform to the degree required to accomplish such a training course. Thus, the standards and tolerances contained in this amendment as Appendix C to Part 40 are those which must be met prior to approval of an airplane simulator for use in a simulator training course which is to be used as a substitute for alternative pilot proficiency flight checks as provided by §§ 40.302(b)(3) and 40.305(b). To make this clear, the term "airplane simulator which meets the standards set forth in Appendix C" has been substituted in § 40.302(b)(3) of this amendment for the words "aircraft simulator," and the requirements in present § 40.302(b)(3) for approval of an airplane simulator have been incorporated in the Appendix.

In consideration of the many comments received in response to Draft Release 61-17, the standards contained in Appendix C for approval of the simulator differ somewhat from those proposed in the draft release. For example, the phraseology "* * * minimum and maximum limits of the systems * * * as shown in the approved Airplane Flight Manual and/or the maintenance section of the air carrier's manual" contained in section 1(a) of the proposal is being deleted for clarity. Industry objection to this terminology was based on the misunderstanding that it was applicable to flight characteristics, when in fact it applies only to airplane systems. To clarify this requirement this section has been changed by specifying the items of the systems which the simulator is required to simulate for approval.

The proposed section 1(c)(1) has been renumbered as section 1(b)(1) and revised to permit any adequate airplane data obtained from sources other than the approved Airplane Flight Manual, Type Inspection Report, or other flight test data provided by the airplane manufacturers, to be used for comparison purposes. As a determination by the Agency of the adequacy of such data cannot always be made immediately, this amendment requires the submission of these data by the carrier sufficiently in advance of the date set for the simulator evaluation to permit the Agency to investigate their adequacy.

Section 1(b)(2) provides for the acquisition of airplane data by flight tests conducted in the air carrier's airplane. This section clearly indicates that the procedures and methods to be followed in obtaining data must be coordinated with the FAA representative participating in the flight test program conducted to obtain these data. As such coordination, when accomplished, would require the concurrence of the participating FAA representative with the flight test methods and procedures to be utilized to obtain the data, the proposed reference to Part 4b of the Civil Air Regulations with respect to such flight tests is unnecessary and is deleted in this amendment. This section has also been changed to expressly provide that an Agency representative may permit the carrier to conduct such portions of the flight test program as he deems appropriate without participation by the representative.

The air carriers objected to the proposed requirements for airplane simulator maintenance. These objections indicated a need for rephrasing the requirements as proposed, without substantive change, to reflect more clearly the intent of the requirements. As a result, they have been rewritten and placed in § 40.302(b)(3). As rewritten, the requirements provide:

(1) That the air carrier is responsible for maintaining the simulator to the same standards as required for initial approval;

(2) That simulator flight training and/or proficiency flight check activities must not be started with a "cold" simulator; however, in order not to hinder the carrier's flexibility in scheduling the use of a simulator, the functional preflight check of the simulator is required to be conducted only once each day that the simulator is to be used for training or the conduct of proficiency flight checks, and at any convenient time prior to commencing daily simulator operations;

(3) That a daily discrepancy log must be maintained;

(4) That the simulator be modified, if appropriate, when a modification is made to the airplane; and

(5) That procedures for the continued use of the simulator with certain inoperative instruments or equipment may be established.

The Air Transport Association objected to proposed paragraph (x) of section 3 on the ground that it would "give blanket authority to the FAA to require additional systems" not specifically required by regulations. As it is intended that all standards for the approval of airplane simulators will be promulgated with opportunity for the industry to participate in the rule making, paragraph (x) has been deleted.

In order to indicate more specifically the tolerances applicable in each area of performance, the format of section 4(a) has also been revised.

With respect to rate-of-climb tolerances, Appendix C, while specifying a tolerance of ±50 feet per minute or 10 percent for propeller airplane simulators, allows ±100 feet per minute or 10 percent for jet airplane simulators in view of the much higher rates of climb encountered in the operation of jet airplanes.

A new item, section 4(a)(6), "Minimum control speed," has been inserted. As pointed out by industry comment, no airspeed tolerances had been proposed for V_{MC}.

Considerable objection was raised by the air carriers to the proposed requirement pertaining to stall speeds. As a result of consideration of comments received, these standards provide more flexibility with respect to the range between initial buffet and stall, and give recognition to the relatively greater importance of accurate simulation of stall warning (initial buffet). These standards also clarify the stall requirements by specifically listing the applicable configurations in which stall and stall warning speeds must be checked.

With respect to the standards applicable to simulator flight characteristics, as proposed in section 4(b), several changes have been made as a result of industry comment. These do not constitute substantive changes in the intent of the proposed standards but do more clearly state the applicable requirements. These changes are as follows:

(1) In lieu of the proposed reference to force reversal, these standards require that, with respect to static longitudinal stability, the slope of the stick force curve of the simulator shall be positive.

(2) The standards have been rewritten to preclude any interpretation which would permit an individual inspector to prescribe specific standards other than those contained in Appendix C. As the prescription of specific limitations in certain areas is not feasible, the FAA personnel who evaluate an airplane simulator will adjudge the adequacy of simulation in these areas.

(3) The requirement contained in the proposed section 4(b)(1) that the simulator return to trim speed within ±5 knots was unintentional. Comment received called attention to the fact that the airplane, during certification, is required to return to within 10 percent of trim speed. The standards contained in Appendix C require that the simulator return to trim within ±5 knots of the speed at which the airplane returned during certification tests.

(4) The proposed sections 4(b)(3) and 4(b)(4) are being deleted as redundant in view of the fact that it is intended only to measure these forces in determining adequate simulation of minimum control speed as required in the proposed section 4(b)(5).

(5) Appendix C permits the authorized representative of the Administrator, in the event data pertaining to stick force versus "g", rudder and aileron forces at V_{MC}, or roll rates are not available in the Type Inspection Report, to use judgment in determining the adequacy of simulation in these areas.

(6) The proposed section 4(b)(11) has been deleted as the standards contained herein are complete. Should additional standards be considered necessary in the future, they will be included in Appendix C only after due notice of proposed rule making and a thorough consideration of industry views thereon.

The air carriers objected to the requirements proposed in section 5 regarding the standards of tolerance for simulator navigational recorders on the basis that the recorder should be treated as nonrequired auxiliary equipment. There is merit to their contention that a check pilot can judge a pilot's performance without reference to the recorder. However, in order for a simulator to fulfill completely its training objectives, it must, in addition to being able to simulate indications of position with respect to radio navigational facilities, provide a record of the track and altitude flown. In order to do so realistically, its track, distance traveled, and, in the case of an ILS approach, its descent path in still air, must correspond with heading, true airspeed, and, during ILS approaches, glide path, altitude, airspeed, and rate-of-descent indications. In addition, the path of flight must be recorded in such a manner as to be available to the trainee and to the instructor or check pilot for evaluation after completion of a flight. As the recorder unit, of which the recorder indicators are in integral part, is essential to the navigational ability of most simulators presently in general use, the proposal specified simulator navigational accuracy in terms of recorder accuracy. In order to indicate more clearly the intent of these standards with respect to simulator navigational ability, they have been rewritten to specify tolerances pertaining to the navigational accuracy of the simulator. With respect to the tolerances themselves, the tolerances for an ILS glide path have been liberalized in accordance with comment received.

Finally, section 6 of the proposal has been rewritten, in accordance with industry suggestions, to indicate more clearly that, while failure to maintain a simulator to prescribed standards and tolerances shall be cause for cancelling approval for its use in accordance with the provisions of § 40.302(b)(3) and § 40.305(b), training may be continued with certain instruments or equipment inoperative. Further, this provision has been placed in § 40.302(b)(3) instead of in the Appendix.

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 8461), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 40 of the Civil Air Regulations (14 CFR Part 40, as amended), is hereby amended as follows, effective June 10, 1963:

1. By amending § 40.302(b)(3) to read as follows:

§ 40.302 Pilot checks.

* * * * *

(b) *Proficiency check.*

* * * * *

(3) Subsequent to the initial pilot proficiency check, an approved course of training conducted in an approved airplane simulator, if satisfactorily completed, may be substituted at alternate 6-month intervals for the proficiency checks required by subparagraph (1) of this paragraph if the simulator meets the minimum standards set forth in Appendix C and:

(i) The simulator is maintained at the same level as required for initial approval;

(ii) A functional preflight check of the simulator is performed each day prior to commencing simulator flight training or proficiency checks;

(iii) A daily discrepancy log is maintained and an entry of each discrepancy is made by the simulator instructor or check airman before termination of each training or check flight; and

(iv) If a modification is made to the airplane, a corresponding modification is made to the simulator if necessary for flight crew training or proficiency checks.

The simulator may be used with inoperative instruments or equipment, if they are not applicable to the particular phase of training being given.

2. By deleting § 40.302–5.

3. By adding a new Appendix C, "Minimum Standards for the Approval of Airplane Simulators," to read as hereinafter set forth.

(Secs. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424, 1425)

Issued in Washington, D.C., on April 4, 1963.

N. E. HALABY,
Administrator.

APPENDIX C

MINIMUM STANDARDS FOR THE APPROVAL OF AIRPLANE SIMULATORS

1. *Application for approval.* An application for approval of an airplane simulator is submitted, in triplicate, to the authorized representative of the Administrator. The application must include the following:

(a) Information sufficient to show that the simulator adequately simulates the type of airplane with respect to the items and systems listed in section 3 of this appendix.

(b) Comparative data sheets showing that the performance and flight characteristics of the airplane simulator have been flight checked and found to be within the limits prescribed for the items listed in section 4 of this appendix. The airplane data used for comparison purposes must be applicable to the currently certificated airplanes. Such data may be obtained:

(1) From the approved Airplane Flight Manual, Type Inspection Reports, or other flight test data provided by the airplane manufacturer. Other sources of airplane data may be used if approved by the authorized representative of the Administrator. Such data must be submitted so as to allow sufficient time for investigation of their adequacy.

(2) By flight tests conducted in the air carrier's own airplane. If this procedure is used, performance and flight characteristics data for the center of gravity limits and weights used during training will be satisfactory. Before starting these flights, an outline of the tests to be conducted in the airplane must be prepared and coordinated by the air carrier with the authorizated representative of the Administrator. This outline must contain procedures to be followed and data to be obtained during each phase of the flight testing program. The authorized representative of the Administrator may observe and participate in the flight test program to the extent he considers necessary and appropriate. Any data so obtained will be acceptable for use by other air carriers using the same type of airplane if appropriate arrangements are made with the air carrier originating the data.

2. *General requirements.* (a) The effect of changes on the basic forces and moments

must be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration must be included.

(b) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane must be entirely automatic in character unless otherwise specified.

(c) The rate of change of simulator instrument readings and of control forces must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration.

(d) Control forces and degree of actuating control travel must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to that which would occur in the airplane under actual flight conditions.

(e) Through the medium of instrument indication, it must be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, takeoff, landing, normal flight, unusual attitudes, navigation problems and instrument approach procedures. In addition, the simulator must be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(f) Suitable course and altitude recorders must be provided.

(g) Communication and navigation aids of the applicable airplane must be simulated for on-the-ground and in-flight operations.

3. *Minimum standards for simulation of airplane systems.* The simulator shall simulate at least the following items and systems which are appropriate to the airplane being simulated:

(a) All normal cockpit noise related to engine or aerodynamic noise (adjustable volume is permissible);
(b) All flight controls;
(c) Gust locks;
(d) Trim tabs;
(e) Landing gear operation;
(f) Wheel brakes;
(g) Steering mechanisms used on the ground;
(h) Wing flaps and spoilers;
(i) Powerplant operations;
(j) Propeller controls and circuitry;
(k) Antidetonation injection systems;
(l) Fuel and oil systems;
(m) Cockpit—the simulator shall represent a full scale mockup, including normal flight crew stations and accommodations for the instructor or check airman, and shall be representative of a typical fleet airplane;
(n) Circuit breaker stations manageable by the flight crew in the flight compartment (those not related to essential flight equipment or systems need not be operative);
(o) Hydraulic systems;
(p) Fire detection and extinguishing systems;
(q) Pneumatic systems (including emergency airbrakes);
(r) Electrical systems;
(s) Interior cockpit lights;
(t) Exterior light controls;
(u) Pressurization and air-conditioning systems (instrument indication and warning signals);
(v) De-icing and anti-icing systems;
(w) Supplemental breathing systems (the systems may be charged with or vented to air); and,

4. *Minimum standards of tolerance for performance and flight characteristics.* The simulator shall simulate the performance and flight characteristics of the particular type of airplane being simulated within the tolerance limits specified in paragraphs (a) and (b) of this section. If alternate tolerance limits are given, whichever is the greater shall apply.

(a) *Performance characteristics.* (Airplane weight and center of gravity optional.)
(1) Propeller feathering time, ±3 seconds.
(2) Landing gear operating time, ±3 seconds.
(3) Wing flap operating time, ±3 seconds.
(4) Takeoff acceleration time, ±10 percent.
(5) Calibration of gyrocompass and turn-and-bank indicator in standard rate turns and 30-degree banked turns, through a range of 180 degrees. Average rate of turn shall be within ±10 percent.
(6) Minimum control speed (in flight), ±5 knots.
(7) Stall speeds and stall warning speeds (wings level), as follows:
(i) Stall warning speed (initial buffet) in the takeoff, approach, and landing configuration, ±3 knots.
(ii) Stall speeds in the takeoff, approach, and landing configuration, ±5 knots.
(iii) The difference between stall warning (initial buffet) and stall speed shall be within ±5 knots of that for the appropriate airplane, but in no case should the stall occur before the stall warning.
(8) Engine power (thrust) calibration at takeoff and maximum continuous ratings over an altitude range, as follows:
(i) Reciprocating engines: MP, for a given BMEP and RPM, ±1 inch.
(ii) Turbine engines: N_1 and N_2, for a given EPR, ±2 percent.
(iii) Critical altitude, piston engine simulators only, ±800 feet or ±10 percent.
(9) Speed versus power in level flight at cruise altitude, ±5 knots, or 3 percent, or 0.03 Mach.
(10) Rates of climb versus altitude in the following configurations (propeller airplane simulators, ±50 feet or 10 percent; jet airplane simulators, ±100 feet or 10 percent):
(i) Takeoff gear down (one engine inoperative),
(ii) Takeoff gear up (one engine inoperative),
(iii) Final takeoff (one engine inoperative),
(iv) All engines en route,
(v) One-engine-inoperative en route climb,
(vi) Two-engine-inoperative en route climb (for airplanes with four or more engines),
(vii) Approach (one engine inoperative), and
(viii) Landing.

NOTE: At least two airplane weights must be included in at least one configuration, and at least two outside air temperatures must be included in at least one other configuration.

(11) Rates of climb versus airspeed for one takeoff, and one en route configuration (propeller airplane simulators ±50 feet or ±10 percent; jet airplane simulators ±100 feet or ±10 percent).
(12) In determining compliance with subparagraphs (9), (10), and (11) of this paragraph, MP/BMEP/RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(i), and EPR/Compressor RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(ii) of this paragraph.

(b) *Flight characteristics.* (Airplane weight and center of gravity optional.)
(1) Static longitudinal control stability: In the landing, approach, cruise (high and low altitude), and climb configurations, return to trim, when the simulator speed is caused to depart 15 percent from trim speed, shall be within ±5 knots of approved airplane data. The slope of the stick force curve shall be positive. One of these configurations shall cover a center of gravity range.
(2) Control forces: Simulator control forces in the following areas shall be within ±8 pounds or ±25 percent of the forces encountered in the airplane as indicated by the required data; except that, in regard to rudder forces, the tolerance shall be ±10 pounds or ±20 percent:
(i) Longitudinal control forces during flap retraction (power off and power on), flap extension, power or thrust application, go-around following a balked landing.
(ii) Minimum control speed (in flight), rudder and aileron forces.
(iii) Stick force per "g."
(3) The roll rate of the simulator shall be within ±2 seconds or ±25 percent, whichever is greater, of that of the airplane.

NOTE: If data for items in subparagraphs (2)(ii), (2)(iii) and (3) of this paragraph are not contained in the Type Inspection Report, the authorized representative of the Administrator may adjudge the adequacy of simulation.

(4) In the following areas, specified tolerance limitations are not set forth in these standards. In these areas of flight characteristics, when appropriate to the type of airplane being simulated, the adequacy of simulation shall be subject to the approval of the authorized representative of the Administrator:
(i) Compressibility trim change.
(ii) Approaches to stall in the takeoff, approach, and landing configuration (wings level), from initial buffet to stall; except that at least one approach to a stall must be done in a 20-degree bank turn.
(iii) Buffet at high Mach numbers up to design Mach limits.
(iv) Dutch roll.
(v) Emergency descents.

5. *Minimum standards of tolerance for simulator navigational accuracy.* At any altitude, on any heading, and at any airspeed, the navigational accuracy of the simulator must be as follows:
(a) The distance traveled with zero wind in a particular time interval must be equivalent to ±5 percent of the horizontal component of the true airspeed multiplied by the time interval.
(b) The track of the simulator with no wind must agree with the true heading of the simulator within ±3 degrees which shall include allowances for instrument error. (This shall apply when the simulator is turning as well as flying a straight course.)
(c) During simulated ILS approaches with zero wind, the descent path of the simulator, as indicated by airspeed, altitude, and rate of descent, must agree with the descent path as indicated by the flight instrument indicating glide path deviation, within ±20 feet from 0 to 200 feet, ±10 percent of the height above the runway, from 200 to 1,000 feet, and ±100 feet from 1,000 to 5,000 feet above the airport elevation.

[F.R. Doc. 63-3722; Filed, Apr. 9, 1963; 8:50 a.m.]

[Reg. Docket No. 873; Amdt. 41-4]

Part 41—CERTIFICATION AND OPERATION RULES FOR CERTIFICATED ROUTE AIR CARRIERS ENGAGING IN OVERSEAS AND FOREIGN AIR TRANSPORTATION AND AIR TRANSPORTATION WITHIN HAWAII AND ALASKA

Minimum Standards for Approval of Airplane Simulators

This amendment to Revised Part 41 sets forth the standards which must be

met for approval of airplane simulators to be used in training programs which are substituted alternately for pilot proficiency checks.

The Federal Aviation Agency published as a notice of proposed rule making (26 F.R. 8461) and circulated as Civil Air Regulations Draft Release No. 61–17 on August 31, 1961, a proposal to amend Parts 40, 41, and 42 of the Civil Air Regulations to prescribe standards for the approval of aircraft simulators, for training courses in aircraft simulators, and for the use of synthetic trainers for proficiency flight check maneuvers.

In addition to the proposals contained in Draft Release 61–17, the Agency published on March 10, 1962, a separate notice of proposed rule making (27 F.R. 2319), circulated as Civil Air Regulations Draft Release No. 62–9, which concerns the proposed overall training standards to be used in approving an air carrier's training program. Therefore, all comments received in response to Draft Release 61–17 which concern training programs and standards will be considered in conjunction with the comments received on Draft Release 62–9. All other comments received which concern the minimum standards for the approval of airplane simulators have been considered in connection with this amendment.

Some of the comments received in response to Draft Release 61–17 indicated a basic assumption with respect to simulators which is not essentially correct. It was contended that simulator requirements should not be specified except in those areas directly related to maneuvers which the pilot is required to perform, in an airplane, during the course of a proficiency flight check. This reasoning assumes that the simulator is only used as a substitute for an airplane in the conduct of proficiency flight checks. When the regulations were amended to allow substitution of an airplane simulator training course for each alternative proficiency flight check in an airplane, the added contribution to safety which is derived from the full simulator training courses was considered as a justification for the amendment. Accordingly, if the simulator is to be used it should perform to the degree required to accomplish such a training course. Thus, the standards and tolerances contained in this amendment as Appendix B to Part 1 are those which must be met prior to approval of an airplane simulator for use in a simulator training course which is to be used as a substitute for alternate pilot proficiency flight checks as provided by §§ 41.302(b)(3) and 41.305(c). To make this clear, the term "airplane simulator which meets the standards set forth in Appendix B" has been substituted in § 41.302(b)(3) of this amendment for the words "aircraft simulator," and the requirements in present § 41.302 (b)(3) for approval of an airplane simulator have been incorporated in the Appendix.

In consideration of the many comments received in response to Draft Release 61–17, the standards contained in Appendix B for approval of the simulator differ somewhat from those proposed in the draft release. For example, the phraseology "* * * minimum and maximum limits of the systems * * * as shown in the approved Airplane Flight Manual and/or the maintenance section of the air carrier's manual" contained in section 1(a) of the proposal is being deleted for clarity. Industry objection to this terminology was based on the misunderstanding that it was applicable to flight characteristics, when in fact it applies only to airplane systems. To clarify this requirement this section has been changed by specifying the items of the systems which the simulator is required to simulate for approval.

The proposed section 1(c)(1) has been renumbered as section 1(b)(1) and revised to permit any adequate airplane data obtained from sources other than the approved Airplane Flight Manual, Type Inspection Report, or other flight test data provided by the airplane manufacturers, to be used for comparison purposes. As a determination by the Agency of the adequacy of such data cannot always be made immediately, this amendment requires the submission of these data by the carrier sufficiently in advance of the date set for the simulator evaluation to permit the Agency to investigate their adequacy.

Section 1(b)(2) provides for the acquisition of airplane data by flight tests conducted in the air carrier's airplane. This section clearly indicates that the procedures and methods to be followed in obtaining data must be coordinated with the FAA representative participating in the flight test program conducted to obtain these data. As such coordination, when accomplished, would require the concurrence of the participating FAA representative with the flight test methods and procedures to be utilized to obtain the data, the proposed reference to Part 4b of the Civil Air Regulations with respect to such flight tests is unnecessary and is deleted in this amendment. This section has also been changed to expressly provide that an Agency representative may permit the carrier to conduct such portions of the flight test program as he deems appropriate without participation by the representative.

The air carriers objected to the proposed requirements for airplane simulator maintenance. These objections indicated a need for rephrasing the requirements as proposed, without substantive change, to reflect more clearly the intent of the requirements. As a result, they have been rewritten and placed in § 41.302(b)(3). As rewritten, the requirements provide:

(1) That the air carrier is responsible for maintaining the simulator to the same standards as required for initial approval;

(2) That simulator flight training and/or proficiency flight check activities must not be started with a "cold" simulator; however, in order not to hinder the carrier's flexibility in scheduling the use of a simulator, the functional preflight check of the simulator is required to be conducted only once each day that the simulator is to be used for training or the conduct of proficiency flight checks, and at any convenient time prior to commencing daily simulator operations;

(3) That a daily discrepancy log must be maintained;

(4) That the simulator be modified, if appropriate, when a modification is made to the airplane; and

(5) That procedures for the continued use of the simulator with certain inoperative instruments or equipment may be established.

The Air Transport Association objected to proposed paragraph (x) of section 3 on the ground that it would "give blanket authority to the FAA to require additional systems" not specifically required by regulations. As it is intended that all standards for the approval of airplane simulators will be promulgated with opportunity for the industry to participate in the rule making, paragraph (x) has been deleted.

In order to indicate more specifically the tolerances applicable in each area of performance, the format of section 4(a) has also been revised.

With respect to rate-of-climb tolerances, Appendix C, while specifying a tolerance of ±50 feet per minute or 10 percent for propeller airplane simulators, allows ±100 feet per minute or 10 percent for jet airplane simulators in view of the much higher rates of climb encountered in the operation of jet airplanes.

A new item, section 4(a)(6), "Minimum control speed," has been inserted. As pointed out by industry comment, no airspeed tolerances had been proposed for V_{MC}.

Considerable objection was raised by the air carriers to the proposed requirement pertaining to stall speeds. As a result of consideration of comments received, these standards provide more flexibility with respect to the range between initial buffet and stall, and give recognition to the relatively greater importance of accurate simulation of stall warning (initial buffet). These standards also clarify the stall requirements by specifically listing the applicable configurations in which stall and stall warning speeds must be checked.

With respect to the standards applicable to simulator flight characteristics, as proposed in section 4(b), several changes have been made as a result of industry comment. These do not constitute substantive changes in the intent of the proposed standards but do more clearly state the applicable requirements. These changes are as follows:

(1) In lieu of the proposed reference to force reversal, these standards require that, with respect to static longitudinal stability, the slope of the stick force curve of the simulator shall be positive.

(2) The standards have been rewritten to preclude any interpretation which would permit an individual inspector to prescribe specific standards other than those contained in Appendix B. As the prescription of specific limitations in certain areas is not feasible, the FAA personnel who evaluate an airplane simulator will adjudge the adequacy of simulation in these areas.

(3) The requirement contained in the proposed section 4(b)(1) that the simulator return to trim speed within ±5 knots was unintentional. Comment re-

ceived called attention to the fact that the airplane, during certification, is required to return to within 10 percent of trim speed. The standards contained in Appendix B require that the simulator return to trim within ±5 knots of the speed at which the airplane returned during certification tests.

(4) The proposed sections 4(b)(3) and 4(b)(4) are being deleted as redundant in view of the fact that it is intended only to measure these forces in determining adequate simulation of minimum control speed as required in the proposed section 4(b)(5).

(5) Appendix B permits the authorized representative of the Administrator, in the event data pertaining to stick force versus "g," rudder and aileron forces at V_{MC}, or roll rates are not available in the Type Inspection Report, to use judgment in determining the adequacy of simulation in these areas.

(6) The proposed section 4(b)(11) has been deleted as the standards contained herein are complete. Should additional standards be considered necessary in the future, they will be included in Appendix B only after due notice of proposed rule making and a thorough consideration of industry views thereon.

The air carriers objected to the requirements proposed in section 5 regarding the standards of tolerance for simulator navigational recorders on the basis that the recorder should be treated as nonrequired auxiliary equipment. There is merit to their contention that a check pilot can judge a pilot's performance without reference to the recorder. However, in order for a simulator to fulfill completely its training objectives, it must, in addition to being able to simulate indications of position with respect to radio navigational facilities, provide a record of the track and altitude flown. In order to do so realistically, its track, distance traveled, and, in the case of an ILS approach, its descent path, in still air, must correspond with heading, true airspeed, and, during ILS approaches, glide path, altitude, airspeed, and rate-of-descent indications. In addition, the path of flight must be recorded in such a manner as to be available to the trainee and to the instructor or check pilot for evaluation after completion of a flight. As the recorder unit, of which the recorder indicators are an integral part, is essential to the navigational ability of most simulators presently in general use, the proposal specified simulator navigational accuracy in terms of recorder accuracy. In order to indicate more clearly the intent of these standards with respect to simulator navigational ability, they have been rewritten to specify tolerances pertaining to the navigational accuracy of the simulator. With respect to the tolerances themselves, the tolerances for an ILS glide path have been liberalized in accordance with comment received.

Finally, section 6 of the proposal has been rewritten, in accordance with industry suggestions, to indicate more clearly that, while failure to maintain a simulator to prescribed standards and tolerances shall be cause for cancelling approval for its use in accordance with the provisions of § 41.302(b)(3) and § 41.305(b), training may be continued with certain instruments or equipment inoperative. Further, this provision has been placed in § 41.302(b)(3) instead of in the Appendix.

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 8461), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 41 of the Civil Air Regulations (14 CFR Part 41, revised), is hereby amended as follows, effective June 10, 1963:

1. By amending § 41.302(b)(3) to read as follows:

§ 41.302 Pilot checks.

* * * * *

(b) *Proficiency check.*

* * * * *

(3) Subsequent to the initial pilot proficiency check, an approved course of training conducted in an approved airplane simulator, if satisfactorily completed, may be substituted at alternate 6-month intervals for the proficiency checks required by subparagraph (1) of this paragraph if the simulator meets the minimum standards set forth in Appendix B and:

(i) The simulator is maintained at the same level as required for initial approval;

(ii) A functional preflight check of the simulator is performed each day prior to commencing simulator flight training or proficiency checks;

(iii) A daily discrepancy log is maintained and an entry of each discrepancy is made by the simulator instructor or check airman before termination of each training or check flight; and

(iv) If a modification is made to the airplane, a corresponding modification is made to the simulator if necessary for flight crew training or proficiency checks.

The simulator may be used with inoperative instruments or equipment, if they are not applicable to the particular phase of training being given.

2. By adding a new Appendix B, "Minimum Standards for the Approval of Airplane Simulators," to read as hereinafter set forth.

(Secs. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424, 1425)

Issued in Washington, D.C., on April 4, 1963.

N. E. HALABY,
Administrator.

APPENDIX B

MINIMUM STANDARDS FOR THE APPROVAL OF AIRPLANE SIMULATORS

1. *Application for approval.* An application for approval of an airplane simulator is submitted, in triplicate, to the authorized representative of the Administrator. The application must include the following:

(a) Information sufficient to show that the simulator adequately simulates the type of airplane with respect to the items and systems listed in section 3 of this appendix.

(b) Comparative data sheets showing that the performance and flight characteristics of the airplane simulator have been flight checked and found to be within the limits prescribed for the items listed in section 4 of this appendix. The airplane data used for comparison purposes must be applicable to the currently certificated airplanes. Such data may be obtained:

(1) From the approved Airplane Flight Manual, Type Inspection Reports, or other flight test data provided by the airplane manufacturer. Other sources of airplane data may be used if approved by the authorized representative of the Administrator. Such data must be submitted so as to allow sufficient time for investigation of their adequacy.

(2) By flight tests conducted in the air carrier's own airplane. If this procedure is used, performance and flight characteristics data for the center of gravity limits and weights used during training will be satisfactory. Before starting these flights, an outline of the tests to be conducted in the airplane must be prepared and coordinated by the air carrier with the authorized representative of the Administrator. This outline must contain procedures to be followed and data to be obtained during each phase of the flight testing program. The authorized representative of the Administrator may observe and participate in the flight test program to the extent he considers necessary and appropriate. Any data so obtained will be acceptable for use by other air carriers using the same type of airplane if appropriate arrangements are made with the air carrier originating the data.

2. *General requirements.* (a) The effect of changes on the basic forces and moments must be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration must be included.

(b) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane must be entirely automatic in character unless otherwise specified.

(c) The rate of change of simulator instrument readings and of control forces must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration.

(d) Control forces and degree of actuating control travel must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to that which would occur in the airplane under actual flight conditions.

(e) Through the medium of instrument indication, it must be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, takeoff, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. in addition, the simulator must be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(f) Suitable course and altitude recorders must be provided.

(g) Communication and navigation aids of the applicable airplane must be simulated for on-the-ground and in-flight operations.

3. *Minimum standards for simulation of airplane systems.* The simulator shall simulate at least the following items and systems which are appropriate to the airplane being simulated:

(a) All normal cockpit noise related to engine or aerodynamic noise (adjustable volume is permissible);

(b) All flight controls;
(c) Gust locks;
(d) Trim tabs;
(e) Landing gear operation;
(f) Wheel brakes;
(g) Steering mechanisms used on the ground;
(h) Wing flaps and spoilers;
(i) Powerplant operations;
(j) Propeller controls and circuitry;
(k) Antidetonation injection systems;
(l) Fuel and oil systems;
(m) Cockpit—the simulator shall represent a full scale mockup, including normal flight crew stations and accommodations for the instructor or check airman, and shall be representative of a typical fleet airplane;
(n) Circuit breaker stations manageable by the flight crew in the flight compartment (those not related to essential flight equipment or systems need not be operative);
(o) Hydraulic systems;
(p) Fire detection and extinguishing systems;
(q) Pneumatic systems (including emergency airbrakes);
(r) Electrical systems;
(s) Interior cockpit lights;
(t) Exterior light controls;
(u) Pressurization and air-conditioning systems (instrument indication and warning signals);
(v) Deicing and anti-icing systems;
(w) Supplemental breathing systems (the systems may be charged with or vented to air); and,

4. *Minimum standards of tolerance for performance and flight characteristics.* The simulator shall simulate the performance and flight characteristics of the particular type of airplane being simulated within the tolerance limits specified in paragraphs (a) and (b) of this section. If alternate tolerance limits are given, whichever is the greater shall apply.

(a) *Performance characteristics.* (Airplane weight and center of gravity optional.)
(1) Propeller feathering time, ±3 seconds.
(2) Landing gear operating time, ±3 seconds.
(3) Wing flap operating time, ± 3 seconds.
(4) Takeoff acceleration time, ±10 percent.
(5) Calibration of gyrocompass and turn-and-bank indicator in standard rate turns and 30-degree banked turns, through a range of 180 degrees. Average rate of turn shall be within ±10 percent.
(6) Minimum control speed (in flight), ±5 knots.
(7) Stall speeds and stall warning speeds (wings level), as follows:
(i) Stall warning speed (initial buffet) in the takeoff, approach, and landing configuration, ±3 knots.
(ii) Stall speeds in the takeoff, approach, and landing configuration, ±5 knots.
(iii) The difference between stall warning (initial buffet) and stall speed shall be within ±5 knots of that for the appropriate airplane, but in no case should the stall occur before the stall warning.
(8) Engine power (thrust) calibration at takeoff and maximum continuous ratings over an altitude range, as follows:
(i) Reciprocating engines: MP, for a given BMEP and RPM, ±1 inch.
(ii) Turbine engines: N_1 and N_2, for a given EPR, ±2 percent.
(iii) Critical altitude, piston engine simulators only, ±800 feet or ±10 percent.
(9) Speed versus power in level flight at cruise altitude, ±5 knots, or 3 percent, or 0.03 Mach.
(10) Rates of climb versus altitude in the following configurations (propeller airplane simulators, ±50 feet or 10 percent; jet airplane simulators, ±100 feet or 10 percent):
(i) Takeoff gear down (one engine inoperative),
(ii) Takeoff gear up (one engine inoperative),
(iii) Final takeoff (one engine inoperative),
(iv) All engines en route,
(v) One-engine-inoperative en route climb,
(vi) Two-engine-inoperative en route climb (for airplanes with four or more engines),
(vii) Approach (one engine inoperative), and
(viii) Landing.

NOTE: At least two airplane weights must be included in at least one configuration, and at least two outside air temperatures must be included in at least one other configuration.

(11) Rates of climb versus airspeed for one takeoff, and one en route configuration (propeller airplane simulators ±50 feet or ±10 percent; jet airplane simulators ±100 feet or ±10 percent).
(12) In determining compliance with subparagraphs (9), (10), and (11) of this paragraph, MP/BMEP/RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(i), and EPR/Compressor RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(ii) of this paragraph.

(b) *Flight characteristics.* (Airplane weight and center of gravity optional.)
(1) Static longitudinal control stability: In the landing, approach, cruise (high and low altitude), and climb configurations, return to trim, when the simulator speed is caused to depart 15 percent from trim speed, shall be within ±5 knots of approved airplane data. The slope of the stick force curve shall be positive. One of these configurations shall cover a center of gravity range.
(2) Control forces: Simulator control forces in the following areas shall be within ±8 pounds or ±25 percent of the forces encountered in the airplane as indicated by the required data; except that, in regard to rudder forces, the tolerance shall be ±10 pounds or ±20 percent:
(i) Longitudinal control forces during flap retraction (power off and power on), flap extension, power or thrust application, go-around following a balked landing.
(ii) Minimum control speed (in flight), rudder and aileron forces.
(iii) Stick force per "g."
(3) The roll rate of the simulator shall be within ±2 seconds or ±25 percent, whichever is greater, of that of the airplane.

NOTE: If data for items in subparagraphs (2)(ii), (2)(iii) and (3) of this paragraph are not contained in the Type Inspection Report, the authorized representative of the Administrator may adjudge the adequacy of simulation.

(4) In the following areas, specified tolerance limitations are not set forth in these standards. In these areas of flight characteristics, when appropriate to the type of airplane being simulated, the adequacy of simulation shall be subject to the approval of the authorized representative of the Administrator:
(i) Compressibility trim change.
(ii) Approaches to stall in the takeoff, approach, and landing configuration (wings level), from initial buffet to stall; except that at least one approach to a stall must be done in a 20-degree bank turn.
(iii) Buffet at high Mach numbers up to design Mach limits.
(iv) Dutch roll.
(v) Emergency descents.

5. *Minimum standards of tolerance for simulator navigational accuracy.* At any altitude, on any heading, and at any airspeed, the navigational accuracy of the simulator must be as follows:

(a) The distance traveled with zero wind in a particular time interval must be equivalent to ±5 percent of the horizontal component of the true airspeed multiplied by the time interval.
(b) The track of the simulator with no wind must agree with the true heading of the simulator within ±3 degrees which shall include allowances for instrument error. (This shall apply when the simulator is turning as well as flying a straight course.)
(c) During simulated ILS approaches with zero wind, the descent path of the simulator, as indicated by airspeed, altitude, and rate of descent, must agree with the descent path as indicated by the flight instrument indicating glide path deviation, within ±20 feet from 0 to 200 feet, ±10 percent of the height above the runway, from 200 to 1,000 feet, and ±100 feet from 1,000 to 5,000 feet above the airport elevation.

[F.R. Doc. 63-3723; Filed, Apr. 9, 1963; 8:51 a.m.]

[Reg. Docket No. 873; Amdt. 42-45, Supp. No. 47]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

Minimum Standards for Approval of Airplane Simulators

This amendment to Part 42 sets forth the standards which must be met for approval of airplane simulators to be used in training programs which are substituted alternately for pilot proficiency checks.

The Federal Aviation Agency published as a notice of proposed rule making (26 F.R. 8461) and circulated as Civil Air Regulations Draft Release No. 61-17 on August 31, 1961, a proposal to amend Parts 40, 41, and 42 of the Civil Air Regulations to prescribe standards for the approval of aircraft simulators, for training courses in aircraft simulators, and for the use of synthetic trainers for proficiency flight check maneuvers.

In addition to the proposals contained in Draft Release 61-17, the Agency published on March 10, 1962, a separate notice of proposed rule making (27 F.R. 2319), circulated as Civil Air Regulations Draft Release No. 62-9, which concerns the proposed overall training standards to be used in approving an air carrier's training program. Therefore, all comments received in response to Draft Release 61-17 which concern training programs and standards will be considered in conjunction with the comments received on Draft Release 62-9. All other comments received which concern the minimum standards for the approval of airplane simulators have been considered in connection with this amendment.

Some of the comments received in response to Draft Release 61-17 indicated a basic assumption with respect to simulators which is not essentially correct. It was contended that simulator requirements should not be specified except in those areas directly related to maneuvers which the pilot is required to perform, in an airplane, during the course of a proficiency flight check. This reasoning assumes that the simulator is only used as a substitute for an airplane in the conduct of proficiency flight checks. When the regulations were amended to

allow substitution of an airplane simulator training course for each alternative proficiency flight check in an airplane, the added contribution to safety which is derived from the full simulator training courses was considered as a justification for the amendment. Accordingly, if the simulator is to be used it should perform to the degree required to accomplish such a training course. Thus, the standards and tolerances contained in this amendment as Appendix C to Part 42 are those which must be met prior to approval of an airplane simulator for use in a simulator training course which is to be used as a substitute for alternate pilot proficiency flight checks as provided by §§ 42.44(a)(3)(ii) and 42.44(a)(4). To make this clear, the term "airplane simulator which meets the standards set forth in Appendix C" has been substituted in § 42.44(a)(4) of this amendment for the words "aircraft simulator," and the requirements in present § 42.44(a)(4) for approval of an airplane simulator have been incorporated in the Appendix.

In consideration of the many comments received in response to Draft Release 61–17, the standards contained in Appendix C for approval of the simulator differ somewhat from those proposed in the draft release. For example, the phraseology "* * * minimum and maximum limits of the systems * * * as shown in the approved Airplane Flight Manual and/or the maintenance section of the air carrier's manual" contained in section 1(a) of the proposal is being deleted for clarity. Industry objection to this terminology was based on the misunderstanding that it was applicable to flight characteristics, when in fact it applies only to airplane systems. To clarify this requirement this section has been changed by specifying the items of the systems which the simulator is required to simulate for approval.

The proposed section 1(c)(1) has been renumbered as section 1(b)(1) and revised to permit any adequate airplane data obtained from sources other than the approved Airplane Flight Manual, Type Inspection Report, or other flight test data provided by the airplane manufacturers, to be used for comparison purposes. As a determination by the Agency of the adequacy of such data cannot always be made immediately, this amendment requires the submission of these data by the carrier sufficiently in advance of the date set for the simulator evaluation to permit the Agency to investigate their adequacy.

Section 1(b)(2) provides for the acquisition of airplane data by flight tests conducted in the air carrier's airplane. This section clearly indicates that the procedures and methods to be followed in obtaining data must be coordinated with the FAA representative participating in the flight test program conducted to obtain these data. As such coordination, when accomplished, would require the concurrence of the participating FAA representative with the flight test methods and procedures to be utilized to obtain the data, the proposed reference to Part 4b of the Civil Air Regulations with respect to such flight tests is unnecessary and is deleted in this amendment. This section has also been changed to expressly provide that an Agency representative may permit the carrier to conduct such portions of the flight test program as he deems appropriate without participation by the representative.

The air carriers objected to the proposed requirements for airplane simulator maintenance. These objections indicated a need for rephrasing the requirements as proposed, without substantive change, to reflect more clearly the intent of the requirements. As a result, they have been rewritten and placed in § 42.44(a)(4). As rewritten, the requirements provide:

(1) That the air carrier is responsible for maintaining the simulator to the same standards as required for initial approval;

(2) That simulator flight training and/or proficiency flight check activities must not be started with a "cold" simulator; however, in order not to hinder the carrier's flexibility in scheduling the use of a simulator, the functional preflight check of the simulator is required to be conducted only once each day that the simulator is to be used for training or the conduct of proficiency flight checks, and at any convenient time prior to commencing daily simulator operations;

(3) That a daily discrepancy log must be maintained;

(4) That the simulator be modified, if appropriate, when a modification is made to the airplane; and

(5) That procedures for the continued use of the simulator with certain inoperative instruments or equipment may be established.

The Air Transport Association objected to proposed paragraph (x) of section 3 on the ground that is would "give blanket authority to the FAA to require additional systems" not specifically required by regulations. As it is intended that all standards for the approval of airplane simulators will be promulgated with opportunity for the industry to participate in the rule making, paragraph (x) has been deleted.

In order to indicate more specifically the tolerances applicable in each area of performance, the format of section 4(a) has also been revised.

With respect to rate-of-climb tolerances, Appendix C, while specifying a tolerance of ±50 feet per minute or 10 percent for propeller airplane simulators, allows ±100 feet per minute or 10 percent for jet airplane simulators in view of the much higher rates of climb encountered in the operation of jet airplanes.

A new item, section 4(a)(6), "Minimum control speed," has been inserted. As pointed out by industry comment, no airspeed tolerances had been proposed for V_{MC}.

Considerable objection was raised by the air carriers to the proposed requirement pertaining to stall speeds. As a result of consideration of comments received, these standards provide more flexibility with respect to the range between initial buffet and stall, and give recognition to the relatively greater importance of accurate simulation of stall warning (initial buffet). These standards also clarify the stall requirements by specifically listing the applicable configurations in which stall and stall warning speeds must be checked.

With respect to the standards applicable to simulator flight characteristics, as proposed in section 4(b), several changes have been made as a result of industry comment. These do not constitute substantive changes in the intent of the proposed standards but do more clearly state the applicable requirements. These changes are as follows:

(1) In lieu of the proposed reference to force reversal, these standards require that, with respect to static longitudinal stability, the slope of the stick force curve of the simulator shall be positive.

(2) The standards have been rewritten to preclude any interpretation which would permit an individual inspector to prescribe specific standards other than those contained in Appendix C. As the prescription of specific limitations in certain areas is not feasible, the FAA personnel who evaluate an airplane simulator will adjudge the adequacy of simulation in these areas.

(3) The requirement contained in the proposed section 4(b)(1) that the simulator return to trim speed within ±5 knots was unintentional. Comment received called attention to the fact that the airplane, during certification, is required to return to within 10 percent of trim speed. The standards contained in Appendix C require that the simulator return to trim within ±5 knots of the speed at which the airplane returned during certification tests.

(4) The proposed sections 4(b)(3) and 4(b)(4) are being deleted as redundant in view of the fact that it is intended only to measure these forces in determining adequate simulation of minimum control speed as required in the proposed section 4(b)(5).

(5) Appendix C permits the authorized representative of the Administrator, in the event data pertaining to stick force versus "g," rudder and aileron forces at V_{MC}, or roll rates are not available in the Type Inspection Report, to use judgment in determining the adequacy of simulation in these areas.

(6) The proposed section 4(b)(11) has been deleted as the standards contained herein are complete. Should additional standards be considered necessary in the future, they will be included in Appendix C only after due notice of proposed rule making and a thorough consideration of industry views thereon.

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In order to do so realistically, its track, distance traveled, and, in the case of an ILS approach, its descent path, in still air, must correspond with heading, true airspeed, and, during ILS approaches, glide path, altitude, airspeed, and rate-of-descent indications. In addition, the path of flight must be recorded in such a manner as to be available to the trainee and to the instructor or check pilot for evaluation after completion of a flight. As the recorder unit, of which the recorder indicators are an integral part, is essential to the navigational ability of most simulators presently in general use, the proposal specified simulator navigational accuracy in terms of recorder accuracy. In order to indicate more clearly the intent of these standards with respect to simulator navigational ability, they have been rewritten to specify tolerances pertaining to the navigational accuracy of the simulator. With respect to the tolerances themselves, the tolerances for an ILS glide path have been liberalized in accordance with comment received.

Finally, section 6 of the proposal has been rewritten, in accordance with industry suggestions, to indicate more clearly that, while failure to maintain a simulator to prescribed standards and tolerances shall be cause for cancelling approval for its use in accordance with the provisions of § 42.44(a)(3)(ii) and § 42.44(a)(4), training may be continued with certain instruments or equipment inoperative. Further, this provision has been placed in § 42.44(a)(4) instead of in the Appendix.

Interested persons have been afforded an opportunity to participate in the making of this regulation (26 F.R. 8461), and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, Part 42 of the Civil Air Regulations (14 CFR Part 42, as amended), is hereby amended as follows, effective June 10, 1963:

1. By amending § 42.44(a)(4) to read as follows:

§ 42.44 Recent flight experience requirements for flight crewmembers.

* * * * *

(a) *Pilots.*

* * * * *

(4) Subsequent to the initial pilot proficiency check, an approved course of training conducted in an approved airplane simulator, if satisfactorily completed, may be substituted at alternate 6-month intervals for the proficiency checks required by subparagraph (2) of this paragraph if the simulator meets the minimum standards set forth in Appendix C and:

(i) The simulator is maintained at the same level as required for initial approval;

(ii) A functional preflight check of the simulator is performed each day prior to commencing simulator flight training or proficiency checks;

(iii) A daily discrepancy log is maintained and an entry of each discrepancy is made by the simulator instructor or check airman before termination of each training or check flight; and

(iv) If a modification is made to the airplane, a corresponding modification is made to the simulator if necessary for flight crew training or proficiency checks.

The simulator may be used with inoperative instruments or equipment, if they are not applicable to the particular phase of training being given.

2. By deleting § 42.44–8.

3. By adding a new Appendix C, "Minimum Standards for the Approval of Airplane Simulators," to read as hereinafter set forth.

(Secs. 313(a), 601, 604, 605; 72 Stat. 752, 775, 778; 49 U.S.C. 1354, 1421, 1424, 1425)

Issued in Washington, D.C., on April 4, 1963.

N. E. HALABY,
Administrator.

APPENDIX C

MINIMUM STANDARDS FOR THE APPROVAL OF AIRPLANE SIMULATORS

1. *Application for approval.* An application for approval of an airplane simulator is submitted, in triplicate, to the authorized representative of the Administrator. The application must include the following:

(a) Information sufficient to show that the simulator adequately simulates the type of airplane with respect to the items and systems listed in section 3 of this appendix.

(b) Comparative data sheets showing that the performance and flight characteristics of the airplane simulator have been flight checked and found to be within the limits prescribed for the items listed in section 4 of this appendix. The airplane data used for comparison purposes must be applicable to the currently certificated airplanes. Such data may be obtained:

(1) From the approved Airplane Flight Manual, Type Inspection Reports, or other flight test data provided by the airplane manufacturer. Other sources of airplane data may be used if approved by the authorized representative of the Administrator. Such data must be submitted so as to allow sufficient time for investigation of their adequacy.

(2) By flight tests conducted in the air carrier's own airplane. If this procedure is used, performance and flight characteristics data for the center of gravity limits and weights used during training will be satisfactory. Before starting these flights, an outline of the tests to be conducted in the airplane must be prepared and coordinated by the air carrier with the authorized representative of the Administrator. This outline must contain procedures to be followed and data to be obtained during each phase of the flight testing program. The authorized representative of the Administrator may observe and participate in the flight test program to the extent he considers necessary and appropriate. Any data so obtained will be acceptable for use by other air carriers using the same type of airplane if appropriate arrangements are made with the air carrier originating the data.

2. *General requirements.* (a) The effect of changes on the basic forces and moments must be introduced for all combinations of drag and thrust normally encountered in flight. The effect of changes in airplane attitude, power, drag, altitude, temperature, gross weight, center of gravity location, and configuration must be included.

(b) In response to control movement by a flight crew member, all instrument indications involved in the simulation of the applicable airplane must be entirely automatic in character unless otherwise specified.

(c) The rate of change of simulator instrument readings and of control forces must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to the rate of change which would occur on the applicable airplane under actual flight conditions, for any given change in the applied load on the controls, in the applied power or in aircraft configuration.

(d) Control forces and degree of actuating control travel must, unless specific tolerances are otherwise specified in this Appendix, reasonably correspond to that which would occur in the airplane under actual flight conditions.

(e) Through the medium of instrument indication, it must be possible to use the simulator for the training and checking of a pilot in the operational use of controls and instruments on the applicable airplane model during the simulated execution of ground operation, takeoff, landing, normal flight, unusual attitudes, navigation problems, and instrument approach procedures. In addition, the simulator must be designed so that malfunction of aircraft engines, propellers, and primary systems may be presented and corrective action taken by the crew to cope with such emergencies.

(f) Suitable course and altitude recorders must be provided.

(g) Communication and navigation aids of the applicable airplane must be simulated for on-the-ground and in-flight operations.

3. *Minimum standards for simulation of airplane systems.* The simulator shall simulate at least the following items and systems which are appropriate to the airplane being simulated:

(a) All normal cockpit noise related to engine or aerodynamic noise (adjustable volume is permissible);
(b) All flight controls;
(c) Gust locks;
(d) Trim tabs;
(e) Landing gear operation;
(f) Wheel brakes;
(g) Steering mechanisms used on the ground;
(h) Wing flaps and spoilers;
(i) Powerplant operations;
(j) Propeller controls and circuitry;
(k) Antidetonation injection systems;
(l) Fuel and oil systems;
(m) Cockpit—the simulator shall represent a full scale mockup, including normal flight crew stations and accommodations for the instructor or check airman, and shall be representative of a typical fleet airplane;
(n) Circuit breaker stations manageable by the flight crew in the flight compartment (those not related to essential flight equipment or systems need not be operative);
(o) Hydraulic systems;
(p) Fire detection and extinguishing systems;
(q) Pneumatic systems (including emergency airbrakes);
(r) Electrical systems;
(s) Interior cockpit lights;
(t) Exterior light controls;
(u) Pressurization and air-conditioning systems (instrument indication and warning signals);
(v) Deicing and anti-icing systems;
(w) Supplemental breathing systems (the systems may be charged with or vented to air); and,

4. *Minimum standards of tolerance for performance and flight characteristics.* The simulator shall simulate the performance and flight characteristics of the particular type of airplane being simulated within the tolerance limits specified in paragraphs (a) and (b) of this section. If alternate tolerance limits are given, whichever is the greater shall apply.

(a) *Performance characteristics.* (Airplane weight and center of gravity optional.)

(1) Propeller feathering time, ±3 seconds.

(2) Landing gear operating time, ±3 seconds.

(3) Wing flap operating time, ±3 seconds.
(4) Takeoff acceleration time, ±10 percent.
(5) Calibration of gyrocompass and turn-and-bank indicator in standard rate turns and 30-degree banked turns, through a range of 180 degrees. Average rate of turn shall be within ±10 percent.
(6) Minimum control speed (in flight), ±5 knots.
(7) Stall speeds and stall warning speeds (wing level), as follows:
(i) Stall warning speed (initial buffet) in the takeoff, approach, and landing configuration; ±3 knots.
(ii) Stall speeds in the takeoff, approach, and landing configuration, ±5 knots.
(iii) The difference between stall warning (initial buffet) and stall speed shall be within ±5 knots of that for the appropriate airplane, but in no case should the stall occur before the stall warning.
(8) Engine power (thrust) calibration at takeoff and maximum continuous ratings over an altitude range, as follows:
(i) Reciprocating engines: MP, for a given BMEP and RPM, ±1 inch.
(ii) Turbine engines: N_1 and N_2, for a given EPR, ±2 percent.
(iii) Critical altitude, piston engine simulators only, ±800 feet or ±10 percent.
(9) Speed versus power in level flight at cruise altitude, ±5 knots, or 3 percent, or 0.03 Mach.
(10) Rates of climb versus altitude in the following configurations (propeller airplane simulators, ±50 feet or 10 percent; jet airplane simulators, ±100 feet or 10 percent):
(i) Takeoff gear down (one engine inoperative),
(ii) Takeoff gear up (one engine inoperative),
(iii) Final takeoff (one engine inoperative),
(iv) All engines en route,
(v) One-engine-inoperative en route climb,
(vi) Two-engine-inoperative en route climb (for airplanes with four or more engines),
(vii) Approach (one engine inoperative), and
(viii) Landing.

NOTE: At least two airplane weights must be included in at least one configuration, and at least two outside air temperatures must be included in at least one other configuration.

(11) Rates of climb versus airspeed for one takeoff, and one en route configuration (propeller airplane simulators ±50 feet or ±10 percent; jet airplane simulators ±100 feet or ±10 percent).
(12) In determining compliance with subparagraphs (9), (10), and (11) of this paragraph, MP/BMEP/RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(i), and EPR/Compressor RPM relationships shall conform to airplane data within the tolerance specified in subparagraph (8)(ii) of this paragraph.
(b) *Flight characteristics.* (Airplane weight and center of gravity optional.)
(1) Static longitudinal control stability: In the landing, approach, cruise (high and low altitude), and climb configurations, return to trim, when the simulator speed is caused to depart 15 percent from trim speed, shall be within ±5 knots of approved airplane data. The slope of the stick force curve shall be positive. One of these configurations shall cover a center of gravity range.
(2) Control forces: Simulator control forces in the following areas shall be within ±8 pounds or ±25 percent of the forces encountered in the airplane as indicated by the required data; except that, in regard to rudder forces, the tolerance shall be ±10 pounds or ±20 percent:
(i) Longitudinal control forces during flap retraction (power off and power on), flap extension, power or thrust application, go-around following a balked landing.
(ii) Minimum control speed (in flight), rudder and aileron forces.
(iii) Stick force per "g."
(3) The roll rate of the simulator shall be within ±2 seconds or ±25 percent, whichever is greater, of that of the airplane.

NOTE: If data for items in subparagraphs (2)(ii), (2)(iii) and (3) of this paragraph are not contained in the Type Inspection Report, the authorized representative of the Administrator may adjudge the adequacy of simulation.

(4) In the following areas, specified tolerance limitations are not set forth in these standards. In these areas of flight characteristics, when appropriate to the type of airplane being simulated, the adequacy of simulation shall be subject to the approval of the authorized representative of the Administrator:
(i) Compressibility trim change.
(ii) Approaches to stall in the takeoff, approach, and landing configuration (wings level), from initial buffet to stall; except that at least one approach to a stall must be done in a 20-degree bank turn.
(iii) Buffet at high Mach numbers up to design Mach limits.
(iv) Dutch roll.
(v) Emergency descents.

5. *Minimum standards of tolerance for simulator navigational accuracy.* At any altitude, on any heading, and at any airspeed, the navigational accurancy of the simulator must be as follows:
(a) The distance traveled with zero wind in a particular time interval must be equivalent to ±5 percent of the horizontal component of the true airspeed multiplied by the time interval.
(b) The track of the simulator with no wind must agree with the true heading of the simulator within ±3 degrees which shall include allowances for instrument error. (This shall apply when the simulator is turning as well as flying a straight course.)
(c) During simulated ILS approaches with zero wind, the descent path of the simulator, as indicated by airspeed, altitude, and rate of descent, must agree with the descent path as indicated by the flight instrument indicating glide path deviation, within ±20 feet from 0 to 200 feet, ±10 percent of the height above the runway, from 200 to 1,000 feet, and ±100 feet from 1,000 to 5,000 feet above the airport elevation.

[F.R. Doc. 63-3724; Filed, Apr. 9, 1963; 8:51 a.m.]

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 61-SW-109]

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

Alteration of Federal Airways and Associated Control Areas

On January 24, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 647) stating that the Federal Aviation Agency proposed to alter the Federal airway structure in the St. Petersburg, Fla., Miami, Fla., and Key West, Fla., terminal areas.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted and no adverse comments were received. A comment on the notice, suggested that use of V-35 west alternate as described in paragraph 1a, below, be unrestricted until R-2920 is activated by NOTAM. The restriction on V-35 west alternate accomplishes this purpose, since by regulation, operation through R-2920 via this airway may be conducted without prior approval until the restricted area is activated by NOTAM. The status of the restricted area may be determined by referring to current NOTAMS.

The substance of the proposed amendments having been published, therefore, for the reasons stated in the notice, the following actions are taken:

1. Section 71.123 (27 F.R. 220-6, November 10, 1962, 27 F.R. 11939), is amended as follows:

a. In V-35 "St. Petersburg, Fla.; Cross City, Fla., including an E alternate from INT of St. Petersburg 151° radial and Tampa, Fla., International Airport ILS localizer S course to Cross City via Tampa International Airport ILS localizer, INT of Tampa International Airport ILS localizer N course and Gainesville, Fla., 189° radial, Gainesville," is deleted and "St. Petersburg, Fla., including a W alternate; Cross City, Fla., including an E alternate via Gainesville, Fla.," is substituted therefor. At the end of the text the following is added: The airspace within R-2920 shall be used only after obtaining prior approval from appropriate authority.

b. In V-97 "including an E alternate from INT of St. Petersburg 335°" is deleted and "including E alternates from INT of Lakeland, Fla., 175° and La Belle 313° radials to INT of St. Petersburg 335° and Lakeland 307° radials via Lakeland, and from INT of St. Petersburg 335°" is substituted therefor.

c. In V-152 "including an N alternate via INT of St. Petersburg 039°" is deleted and "including an N alternate via INT of St. Petersburg 040°" is substituted therefor.

d. In V-159 "West Palm Beach;" is deleted and "West Palm Beach, including an E alternate from Miami direct to West Palm Beach," is substituted therefor; and "Orlando 284° and Ocala 152°" is deleted and "Orlando 283° and Ocala 156°" is substituted therefor.

e. In V-225 "Fort Myers, Fla." is deleted and "Fort Myers, Fla., including an E alternate; is substituted therefor.

f. In V-267 "From Miami, Fla., via Pahokee, Fla.;" is deleted and "From Biscayne Bay, Fla., via Miami; Pahokee, Fla., including an E alternate from Biscayne Bay to Pahokee via INT of Biscayne Bay 346° and Pahokee 143° radials;" is substituted therefor.

g. In V-295 "INT of Orlando 284°" is deleted and "INT of Orlando 283°" is substituted therefor.

h. V-441 is amended to read:

V-441 From St. Petersburg, Fla., via INT of St. Petersburg 010° and Ocala, Fla., 213° radials to Ocala, including an E alternate via INT of St. Petersburg 040° and Ocala 171° radials.

i. In V-819 "From Miami, Fla., via La Belle, Fla.;" is deleted and "From Miami, Fla., via Fort Myers, Fla.;" is substituted therefor.

j. In V-839 "From Miami, Fla., via La Belle, Fla.;" is deleted and "From Miami,

Fla., via Fort Myers, Fla.;" is substituted therefor.

k. In V–843 all after Lakeland, Fla., is deleted and "La Belle, Fla.; to Miami, Fla." is substituted therefor.

l. In V–881 all after Lakeland, Fla.; is deleted and "La Belle, Fla.; to Miami, Fla." is substituted therefor.

These amendments shall become effective 0001, e.s.t., May 30, 1963.

(Secs. 307(a), and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on April 3, 1963.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 63–3699; Filed, Apr. 9, 1963; 8:46 a.m.]

[Airspace Docket No. 63–EA–12]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area/ Military Climb Corridor

The purpose of this amendment to § 73.66 of the Federal Aviation Regulations is to change the using agency and designate a controlling agency for the Hampton Roads, Va. (Langley AFB) Restricted Area/Military Climb Corridor, R–6610.

In the case of R–6610 which does not have a designated controlling agency, "Langley AFB Approach Control," the current using agency, has granted permission for transit through this area and, therefore, has served in a capacity similar to that of a "controlling agency".

On January 1, 1963, approach control authority was withdrawn from Langley AFB and returned to the Federal Aviation Agency Norfolk ARTC Center/ Tower. As a result the designation of the Restricted Area/Military Climb Corridor requires modification to reflect this change in control jurisdiction. Therefore, such action is taken herein.

Since this change imposes no additional burden on any person, notice and public procedures are unnecessary.

In consideration of the foregoing, the following action is taken:

1. Section 73.66 (28 F.R. 19–45, January 26, 1963), is amended as follows:

In the R–6610 Hampton Roads, Va. (Langley AFB), Restricted Area/Military Climb Corridor. "Controlling agency. Federal Aviation Agency, Norfolk ARTC Center/Tower" is added. "Using agency. Langley AFB Approach Control." is deleted and "Using agency. Commander, Langley AFB, Va." is substituted therefor.

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

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

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63–3700; Filed, Apr. 9, 1963; 8:46 a.m.]

[Airspace Docket No. 62–WA–141]

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

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Prohibited Area, Designation of Restricted Area and Alteration of Control Zone and Control Area Extensions

The purpose of these amendments is to revoke the airspace reservation, hereinafter referred to as Prohibited Area P–378, established over the Savannah River Plant of the Atomic Energy Commission; to amend Part 73 of the Federal Aviation Regulations by designating the Savannah River Plant, S.C., Restricted Area R–6004; to alter the description of the Augusta, Ga., control zone by eliminating the reference to P–378 contained therein; and to alter the description of the Augusta, Ga., and Columbia, S.C., control area extensions by deleting the reference to P–378 and substituting R–6004.

The Savannah River Prohibited Area P–378 was established by Presidential Executive Order 10291 dated September 25, 1951 (16 F.R. 9843) for national defense and other governmental purposes. The prohibited area is in effect continuously from the surface to an unlimited altitude and encompasses the area beginning at latitude 33°22′45″ N., longitude 81°24′30″ W.; to latitude 33°14′30″ N., longitude 81°24′00″ W.; to latitude 33°08′30″ N., longitude 81°22′36″ W.; to latitude 33°05′00″ N., longitude 81°32′-00″ W.; to latitude 33°02′40″ N., longitude 81°42′48″ W.; thence northwest along the old Savannah-Augusta Highway to latitude 33°05′18″ N., longitude 81°48′48″ W.; to latitude 33°25′00″ N., longitude 81°53′30″ W.; to latitude 33°-27′30″ N., longitude 81°48′55″ W.; to latitude 33°27′30″ N., longitude 81°33′-55″ W.; to the point of beginning.

The Atomic Energy Commission concurs with the Federal Aviation Agency that Prohibited Area P–378 can be reduced in size and redesignated as a restricted area. Safety reasons and national defense interests preclude returning the entire area to public domain. In addition, no alterations to the altitudes or the time of use can be made because of national defense interests. Therefore, action is taken herein to revoke Prohibited Area P–378 and to designate a portion of this area as a restricted area with an unlimited ceiling on a continuous basis in the interest of national defense and for the purpose of protecting aircraft from possible exposure to harmful radiation.

Further, since the reduction in the size of this area will eliminate the impingement upon the Augusta, Ga., control zone, action is taken herein to delete the reference to P–378 from the control zone description. In addition, action is taken herein to alter the description of the Augusta, Ga., and Columbia, S.C., control area extensions by deleting the reference to P–378 and substituting R–6004.

Since the changes effected by these amendments are less restrictive in nature than the present requirements, and impose no additional burden on any person, notice and public procedure thereon are unnecessary and they may be made effective immediately.

In consideration of the foregoing, the following action is taken:

1. Executive Order 10291 (16 F.R. 9843) establishing the Savannah River Plant Prohibited Area P–378 is revoked.

2. In § 73.60 South Carolina (28 F.R. 19–40 January 26, 1963) the following is added:

R–6004 Savannah River Plant, S.C.

Boundaries. Beginning at latitude 33°-23′30″ N., longitude 81°41′00″ W.; to latitude 33°23′15″ N., longitude 81°29′00″ W.; to latitude 33°20′35″ N., longitude 81°-24′00″ W.; to latitude 33°15′00″ N., longitude 81°25′10″ W.; to latitude 33°08′45″ N., longitude 81°22′40 W.; to latitude 33°-04′50″ N., longitude 81°32′00″ W.; to latitude 33°02′45″ N., longitude 81°42′50″ W.; to latitude 33°05′20″ N., longitude 81°49′-00″ W.; to latitude 33°16′25″ N., longitude 81°50′55″ W.; to the point of beginning.

Designated altitudes. Unlimited.

Time of designation. Continuous.

Using agency. Manager, Atomic Energy Commission, Savannah River Plant, Aiken, S.C.

3. In the text of § 71.171 (27 F.R. 220–91 November 10, 1962) Augusta, Ga., "VOR, excluding the portion within P–378." is deleted, and "VOR." is substituted therefor.

4. In the text of § 71.165 (27 F.R. 220–59 November 10, 1962) Augusta, Ga., "R–3003, R–3004 and P–378." is deleted and "R–3003, R–3004 and R–6004." is substituted therefor.

5. In the text of § 71.165 (27 F.R. 220–59 November 10, 1962) Columbia, S.C., "P–378" is deleted and "R–6004" is substituted therefor.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 1501(a), 72 Stat. 749, 809; 49 U.S.C. 1348, 1301 note)

Issued in Washington, D.C., on April 4, 1963.

N. E. HALABY,
Administrator.

[F.R. Doc. 63–3702; Filed, Apr. 9, 1963; 8:46 a.m.]

[Airspace Docket No. 62–WA–81]

PART 75—ESTABLISHMENT OF JET ROUTES [NEW]

Designation of Jet Route and Jet Advisory Area

On December 15, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 12450) stating that the Federal Aviation Agency (FAA) proposed to designate a jet route and associated jet advisory area from Phoenix, Ariz., to Farmington, N. Mex.

The notice stated that the jet route would be designated from the Phoenix VORTAC via the intersection of the Phoenix VORTAC 029° and the Farm-

ington VOR 233° True radials to the Farmington VOR. The intersection, as described, overlies the Winslow, Ariz., VORTAC. However, flight inspection of the proposed route showed a minimum reception altitude of flight level 300 which is unacceptable from an air traffic control position. Therefore, the FAA is designating the route from the Phoenix VORTAC via the Winslow VORTAC to the Farmington VOR, which will permit the use of the additional flight levels from flight level 240 to 290 inclusive.

The National Business Aircraft Association objected to the use of the term "civil air carrier turbojet aircraft" in connection with the designation of the above route and its associated radar advisory area as such language implies that the radar advisory service is unavailable to other users. Special Civil Air Regulation No. 444 (26 F.R. 292) provided for the establishment of radar advisory areas "for the purpose of providing additional traffic advisory service for U.S. and foreign scheduled air carrier aircraft". However, this service has been extended to other civil users and in FAA Draft Release No. 63–3 (28 F.R. 1004), in which Special Civil Air Regulation No. 444 is proposed to be recodified in Part 91 (New) of the Federal Aviation Regulations, the reference to U.S. and foreign scheduled air carrier aircraft would be deleted.

The Air Transport Association of America, while not objecting to the proposal, desired to remain on record as still having a requirement for a direct route between Phoenix and Farmington. No other comments were received.

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

The substance of the proposed amendments having been published, and for the reasons stated herein and in the notice, the following changes are made:

1. In § 75.100 (28 F.R. 19–50, January 26, 1963, 28 F.R. 178) the following is added:

Jet Route No. 44 (Phoenix, Ariz., to Farmington, N. Mex.).

From Phoenix, Ariz., via Winslow, Ariz., to Farmington, N. Mex.

2. In § 75.200 (28 F.R. 19–60, January 26, 1963) the following is added:

Jet Route No. 44 jet advisory area. Radar—Phoenix, Ariz., to Farmington, N. Mex.

These amendments shall become effective 0001, e.s.t., May 30, 1963.

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

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63–3701; Filed, Apr. 9, 1963; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Regulation No. PR–74]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Subpart H—Rules Applicable to Compromise of Civil Penalties

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

Public Law 87–528, enacted July 10, 1962 (76 Stat. 143), amended section 901(a)(1), the civil penalty provisions of the Federal Aviation Act of 1958, so as to impose civil penalties for violations of Title IV, or any rule, regulation or order issued thereunder, or under section 1002(i), or any term, condition, or limitation of any permit or certificate issued under Title IV. Section 901(a)(2) was also amended to allow the Board to compromise these civil penalties. The Board's power to compromise civil penalties for violations of Title VII is continued by the statute. Section 385.22 of the Organization Regulations presently delegates authority to the Director of the Bureau of Enforcement, subject to Board review, to compromise civil penalties for violations under Title VII when the penalty does not exceed $100.

In view of the new power of the Board to compromise civil penalties in the case of economic violations, the Board has decided to promulgate a new Subpart H of Part 302 of the Procedural Regulations setting forth procedures to be followed for the compromise of civil penalties for economic violations. Simultaneously herewith, the Board is amending § 385.22 to delegate authority to the Director of the Bureau of Enforcement to compromise any civil penalties for economic violations. It should be noted that while final acceptance of an offer of compromise will constitute a full settlement of civil penalties for all violations charged, it will not preclude other proceedings by the Board in regard to such violations under any provision of law other than section 901.

The new procedures provide that the Director of the Bureau of Enforcement may serve an initial notice upon an alleged violator informing him of the charges, and affording him an opportunity to submit an answer which may contain evidence in refutation, mitigation or explanation. After consideration of any materials submitted, the Board may send the respondent a notice of willingness to compromise the civil penalties, including a proposal as to a specific amount which might be acceptable as a compromise. If the respondent wishes to compromise the civil penalties on the basis proposed, he may submit an offer, accompanied by a check, in the full amount proposed in the notice. There is no obligation on the part of the respondent to submit any offer of compromise.

An offer of compromise by the respondent shall not act as a compromise of the civil penalties until finally accepted, and may be withdrawn by the respondent at any time prior to final acceptance. The Board may proceed to collect the statutory civil penalties by court action pursuant to section 903(b) of the Act, at any time prior to such final acceptance, without being limited by any previous proposal of the Board or offer of the respondent.

The Board regards the compromise of civil penalties as being a matter solely betwen the Board and the alleged violator. Third persons would not be deemed to have an interest in the settlement procedures established herein. Accordingly, the rule does not provide for service of any documents on persons other than the alleged violator.

Since this regulation is procedural in nature, notice and public procedure thereon are not required and the regulation may be made effective on less than 30 days' notice. However, comments (10 copies) of interested persons on this regulation, submitted to the Docket Section, Civil Aeronautics Board, Washington 25, D.C., on or before May 10, 1963, will be considered by the Board and the regulation may be amended in light of such comments. Accordingly, the Board hereby adopts, effective April 10, 1963, new Subpart H of Part 302 of its regulations, 14 CFR Part 302, to read as follows:

Sec.
302.800 Applicability of this subpart.
302.801 Initial proposal to companies.
302.802 Contents of notice of alleged violation.
302.803 Answer to notice of alleged violation.
302.804 Contents and suscription of answer.
302.805 Action upon receipt of answer.
302.806 Contents of notice of willingness to compromise.
302.807 Acceptance of an offer to compromise.

AUTHORITY: §§ 302.800 to 302.807 issued under sec. 204(a), 72 Stat. 743; U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481; sec. 901, 76 Stat. 143; 49 U.S.C. 1471; sec. 903, 72 Stat. 786; 49 U.S.C. 1473.

§ 302.800 Applicability of this subpart.

This subpart sets forth the special rules applicable to procedures pursuant to section 901(b) of the Federal Aviation Act of 1958, as amended, for the compromise of civil penalties provided for in section 901(a), for the violation of any provision of Title IV (Air Carrier Economic Regulation) of the Act, or any rule, regulation or order issued thereunder; under section 1002(i) (Power to Establish Through Air Transportation Service); or any term, condition or limitation of any permit or certificate issued under Title IV.

§ 302.801 Initial proposal to compromise.

Whenever the Director of the Bureau of Enforcement has information as to a possible violation for which the imposition and compromise of civil penalties is authorized by section 901 of the Federal Aviation Act of 1958, as amended, he may propose compromise of the civil penalties that might be imposed for such violation by serving upon the alleged

violator (hereinafter called "the respondent"), by registered or certified mail, a notice containing the information specified in § 302.802.

§ 302.802 Contents of notice of alleged violation.

A notice served pursuant to § 302.801 shall state:

(a) The provisions of the Act, rule, regulation, order, or term, condition or limitation of the permit or certificate deemed violated, and a statement of the acts or omissions deemed to constitute such violations;

(b) The provisions of sections 901 and 903 of the Federal Aviation Act of 1958, as amended;

(c) The maximum civil penalities for which the violator may be liable pursuant to section 901 in accordance with the information that the Director then has; and

(d) The time within which an answer to the notice may be filed. A copy of this subpart (Subpart H) shall also be furnished with the notice.

§ 302.803 Answer to notice of alleged violation.

(a) An answer may be filed by submitting or mailing it to the Director, Bureau of Enforcement, Civil Aeronautics Board, Washington 25, D.C., within 15 days of receipt of the notice, or within such different time as may be specified in the notice or permitted by the Director upon a request for extension of time to file the answer. Answers shall be deemed filed only upon actual receipt by the Board.

(b) If an answer is not timely filed, the Board may refer the matter to the United States Attorney for institution of a civil action to collect the statutory civil penalty in accordance with the provisions of section 903 of the Act, or take such other or additional action as it may deem desirable.

§ 302.804 Contents and subscription of answer.

(a) The answer should contain all relevant facts, data, or arguments which the respondent wishes to submit in order to demonstrate that he has not committed the violations charged, or that such violations took place under mitigating circumstances. The respondent may also submit any other pertinent matter in explanation.

(b) The answer shall be signed by the party filing the same or by a duly authorized officer or the attorney-at-law of record of such party. The signature of the person signing the answer constitutes a certification that he has read the answer; that to the best of his knowledge, information and belief every statement contained therein is true; and that no such statements are misleading.

§ 302.805 Action upon receipt of answer.

The Board will consider all material timely submitted in accordance with §§ 302.803 and 302.804, and will take appropriate action as follows:

(a) If the Board determines that the alleged violations have not been committed or that the nature of the alleged violations does not warrant the imposition of civil penalties, it may close the case, without prejudice to the institution of new or other proceedings, and if appropriate the Board may issue a letter of reprimand.

(b) If the Board determines that civil penalties should be imposed, and that it would be appropriate to compromise such civil penalties, it may issue a notice of willingness to compromise in accordance with § 302.806.

§ 302.806 Contents of notice of willingness to compromise.

A notice of willingness to compromise shall advise the respondent:

(a) That the Board has determined on the basis of the materials submitted and other informtaion that violations appear to have been committed, and shall specify such violations.

(b) That the Board has determined that the commission of such violations warrants the imposition of civil penalties pursuant to section 901(a) of the Federal Aviation Act of 1958, as amended, and shall indicate the extent of the penalties to which the respondent may be liable under that section for such violations.

(c) That the Board in accordance with section 901(b) is willing to compromise such civil penalties, and that it is proposed that a specified amount may be acceptable as compromise of such penalties.

(d) That if the respondent is willing to compromise the civil penalties on the basis of the proposed amount, he should within 15 days make an offer of compromise in writing, accompanied by a check made payable to the Treasurer of te United States, addressed or submitted to the Director of the Bureau of Enforcement, and that if the offer is accepted, it would be in full settlement of the civil penalties for the violations charged.

(e) That the respondent is not required to make an offer of compromise.

(f) That if the civil penalties are not compromised, the Board may take steps to collect the statutory civil penalty by court action pursuant to section 903(b) of the Act.

§ 302.807 Acceptance of an offer of compromise.

Upon receipt of a written offer of compromise of civil penalties from a respondent, accompanied by a check in the full amount proposed in the notice of willingness to compromise, the Board may accept such offer as full settlement of civil penalties for the violations set forth in the notice of willingness to compromise. An offer of compromise may be withdrawn by the respondent at any time prior to its final acceptance; and any proposal for compromise shall not preclude the Board from suggesting a different or higher basis of compromise, or of seeking the collection of the maximum statutory civil penalties by court action, at any time prior to such final acceptance. The respondent will be promptly notified of the acceptance of his offer of compromise, and that such acceptance shall constitute full satisfaction of the civil penalties for the violations set forth in the notice of willingness to compromise. If the offer of compromise is not accepted by the Board, the check shall be promptly returned to the respondent, together with a notification of the action taken.

NOTE: In § 385.22(b), the Board has delegated authority to the Director of the Bureau of Enforcement to compromise civil penalties imposed for economic violations.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-3742; Filed, Apr. 9, 1963; 8:50 a.m.]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Regulation No. OR-3]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NON-HEARING MATTERS

Subpart B—Delegation of Functions to Staff Members

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

Public Law 87-528, effective July 10, 1962, amended section 901 of the Federal Aviation Act of 1958 to authorize the imposition of civil penalties for economic violations and to empower the Board to compromise such civil penalties. By concurrent action, the Board has this date adopted a new Subpart H of Part 302 of its Procedural Regulations, setting forth rules of procedure for the compromise of such civil penalties. The Board is herewith amending Part 385 by adding a new subsection (b) to § 385.22, delegating authority to the Director of the Bureau of Enforcement to compromise any civil penalties imposed for economic violations.

Since this amendment is a rule of internal agency organization, notice and public procedure thereon are not required, and the rule may be made effective on less than 30 days' notice.

Accordingly, the Civil Aeronautics Board hereby amends Part 385 of the Organization Regulations (14 CFR Part 385) effective April 10, 1963:

1. By adding a new paragraph (b) to § 385.22 thereof to read as follows:

(b) Compromise any civil penalties being imposed for economic violations.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481, and Reorganization Plan No. 3 of 1961, 26 F.R. 5989)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-3741; Filed, Apr. 9, 1963; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-322]

PART 13—PROHIBITED TRADE PRACTICES

High Voltage Engineering Corp.

Subpart—Acquiring stock or assets of competitor: § 13.5 *Acquiring stock or assets of competitor.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Order of divestiture, High Voltage Engineering Corporation, Burlington, Mass., Docket C-322, Mar. 26, 1963]

Consent order requiring absolute divestiture as a going concern, to a purchaser approved by the Commission, of the assets of the second largest domestic producer acquired in June 1960 by the largest—resulting in concentrating 90% of total dollar sales in one concern—in the particle accelerator industry engaged in the research, development, and production of particle accelerator machines for the synthetic production of radiation energy and used for (1) research by universities, public and private research organizations, and government agencies; (2) industrial radiation processing by plastic, drug, and electronic manufacturers, among others; (3) radiography by manufacturers of large metal castings and weldments; and (4) medical therapy by hospitals and clinics.

The order of divestiture, including further order requiring report of compliance therewith, is as follows:

I. *It is ordered,* That the respondent, HVEC, through its officers, directors, agents, representatives and employees, shall, by December 1, 1964, divest itself absolutely, in good faith, of all of the ARCO assets as a going concern to a purchaser approved by the Federal Trade Commission.

II. *Provided, however,* That, during the first twelve (12) months immediately following the date of service of this Order, HVEC shall make good faith efforts to divest itself of the ARCO assets and may effectuate said divestiture upon the following conditions:

1. That the buyer will complete all contracts existing as of the time of sale for the development and manufacture and testing and installation of linear particle accelerators or components thereof;

2. That the buyer will complete all subcontracts between HVEC and third parties in connection with HVEC's contracts for the manufacture of linear particle accelerators; and

3. That the buyer will accept responsibility for warranties and servicing of any linear particle accelerator contracted for by HVEC prior to the divestiture, but manufactured, completed, or in the process of completion by ARCO: *Provided, however,* That if the buyer does not accept responsibility for future warranties and servicing, the buyer will sell to HVEC parts and supplies at reasonable prices, not higher than those charged to others, in order to enable HVEC to meet warranties and servicing obligations on any linear particle accelerator contracted for by HVEC prior to the divestiture.

III. *Provided, further, however,* That, if after the expiration of twelve (12) months following the date of service of this Order, no divestiture has been made in accordance with the conditions set forth in section II above, HVEC shall, in any event, divest itself absolutely, in good faith, of all of the ARCO assets by December 1, 1964.

IV. *Provided, further, however,* That if the ARCO assets cannot be sold or disposed of entirely for cash, nothing herein contained shall be deemed to prohibit HVEC from retaining, accepting and enforcing a bona fide lien, mortgage, deed of trust, or other form of security on the ARCO assets for the purpose of securing to HVEC full payment of the price at which said assets are disposed of or sold: *Provided, however,* That if, after bona fide disposal pursuant to the divestiture order, HVEC, by enforcing a bona fide lien, mortgage, deed of trust or other form of security regains ownership or control of the ARCO assets disposed of, HVEC shall, subject to the provisions of this Order, divest itself of said assets within twelve (12) months from the time of said reacquisition.

V. *It is further ordered,* That the ARCO assets shall not be sold or transferred directly or indirectly to anyone who, at the time of divestiture is a stockholder, officer, director, employee or agent of, or otherwise directly, or indirectly connected with or under the control or influence of HVEC or any of HVEC's subsidiaries or affiliated companies.

VI. *It is further ordered,* That for a period of ten (10) years from the date of service of this Order by the Federal Trade Commission, HVEC shall cease and desist from acquiring, directly or indirectly, through subsidiaries or otherwise the assets, stock or any equity in any particle accelerator manufacturer in the United States.

VII. *It is further ordered,* That HVEC shall, within sixty (60) days after service upon them of this Order, file with the Federal Trade Commission a report in writing setting forth in detail the manner and form in which they propose to comply with this Order.

Thereafter, respondent shall submit reports to the Commission each ninety (90) days, describing the action that has been taken and the efforts that have been made to sell the ARCO assets. Such reports shall indicate the methods and means employed to effectuate a sale, the results of such actions and efforts and shall set forth the name and address of each person or company contacted, or who has indicated any interest in acquiring said assets, together with copies of all correspondence and summaries of all oral communications with such persons or companies.

VIII. Jurisdiction is retained so that respondent may at any time hereinafter petition the Commission for construction or modification of this Order which the Commission will consider and, upon proper showing by respondent, allow to the extent it finds such construction or modification to be warranted and consistent with section 7 of the amended Clayton Act.

Issued: March 26, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-3706; Filed, Apr. 9, 1963; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 9—Atomic Energy Commission

PART 9-16—PROCUREMENT FORMS

Miscellaneous Amendments

Section 9-16.5002-5 *Outline of a cost-plus-a-fixed-fee-architect-engineer contract,* is amended by deleting Article XX—Patents and substituting therefore the following:

Article XX—Patents. Insert contract clause set forth in AECPR 9-9.5003.

NOTE: The patent clause should not be departed from except upon the advice of the Field Patent Group or in the absence of such group on the advice of the Headquarters Office of the Assistant General Counsel for Patents. In each case it will be necessary to determine whether or not it will be appropriate to add the indemnity clause with or without modifications. The Patent Indemnity Clause is Clause 15 of Standard Form 23A. For modifications to indemnity clause see Note "A" under Article XIX, Patent Indemnity, AECPR 9-16.5002-4.

Section 9-16.5002-6 *Outline of a lump-sum architect-engineer contract (with cost reimbursement features),* is amended by deleting Article XIII—Patents and substituting therefore the following:

Article XIII—Patents. Insert contract clause set forth in AECPR 9-9.5003.

NOTE: The patent clause should not be departed from except on the advice of the Field Patent Group, or in the absence of such Group, on the advice of the Office of the Assistant General Counsel for Patents. In each case it will be necessary to determine whether or not it will be appropriate to add the indemnity clause, with or without modifications. NOTE: The Patent Indemity Clause is Clause 15 of Standard Form 23A. For modifications to this indemnity clause see Note "A" under Article XIX, Patent Indemnity, AECPR 9-16.5002-4.

Effective date. These regulations shall become effective 45 days following the date of publication in the FEDERAL REGISTER, but may be observed earlier.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486)

Dated at Germantown, Md., this 2d day of April 1963.

For the U.S. Atomic Energy Commission.

JOHN V. VINCIGUERRA, *Director, Division of Contracts.*

[F.R. Doc. 63-3694; Filed, Apr. 9, 1963; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 44]

WAGERING TAX REGULATIONS

Change of Address

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

In order to require the registration of a change of address by each person engaged in the business of accepting wagers before conducting any wagering activity at the new address, paragraph (a) of § 44.4905–2 of the Wagering Tax Regulations (26 CFR Part 44) is amended to read as follows:

§ 44.4905–2 **Change of address.**

(a) *Procedure by taxpayer*—(1) *After June 30, 1963.* Whenever, after June 30, 1963, a taxpayer changes his business or residence address to a location other than that specified in his last return on Form 11–C, he shall register the change with the district director from whom the special tax stamp was purchased by filing a new return, Form 11–C, designated "Supplemental Return", setting forth the new address and the date of change. He shall so register the change of address before—

(i) He engages in any wagering activity at the new address, or

(ii) The termination of a 30-day period which begins on the day after the date of such change,

whichever occurs first. The taxpayer's special tax stamp shall accompany the supplemental return for proper notation by the district director. As to liability in case of failure to register a change of address, see § 44.4905–3.

(2) *Before July 1, 1963.* Whenever, before July 1, 1963, a taxpayer changes his business or residence address to a location other than that specified in his last return on Form 11–C, he shall, within 30 days after the date of such change, register the change with the district director from whom the special tax stamp was purchased by filing a new return, Form 11–C, designated "Supplemental Return", setting forth the new address and the date of change. The taxpayer's special tax stamp shall accompany the supplemental return for proper notation by the district director. As to liability in case of failure to register a change of address, see § 44.4905–3.

[F.R. Doc. 63–3737; Filed, Apr. 9, 1963; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1061]

[Docket No. AO–327–A3]

MILK IN ST. JOSEPH, MISSOURI, MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the St. Joseph, Missouri, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., not later than the close of business the third day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at St. Joseph, Missouri, on March 7, 1963, pursuant to notice thereof which was issued February 14, 1963 (28 F.R. 1554).

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

1. Producer definition; and
2. Class I price.

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

1. *Producer definition.* The definition of a "producer" should be revised to exclude any person with respect to milk which is "producer milk" under the terms of another Federal order.

A plant qualified as a pool plant under the St. Joseph order receives milk for manufacturing which is pooled under the Greater Kansas City milk order. The St. Joseph pool plant is the only milk manufacturing plant in the vicinity of the Kansas counties from which milk moves to the Kansas City marketing area. The plant is near the Nebraska-Kansas border and it is anticipated that during the flush production season some milk from that market may move to this plant for manufacture. Representatives of producers in each of these markets asked that the St. Joseph order be amended to permit the exclusion from producer status of milk which is diverted as producer milk from other order markets.

Milk moved from these other markets has not been accepted by the St. Joseph pool plant unless such milk was first commingled with nonpool milk and then transferred to the pool plant. By this method the milk lost its identity as dairy farmer milk and became "other source" milk. The present inefficient handling avoids pooling this excess milk of the Kansas City and Nebraska-Iowa markets in the St. Joseph marketwide pool. The milk is not available to the St. Joseph market except when it is not required for fluid uses in these other markets. Hence, the milk should not be pooled as producer milk under the St. Joseph order.

The extra handling to avoid pooling is costly and is not necessary to identify producers with the respective market which represents their normal sales outlet. If a handler regulated under another order diverts milk to a pool plant under the St. Joseph order and such milk is qualified as producer milk under such other order, the milk should not be regarded as "producer milk" under the St. Joseph order.

2. *Class I price.* The Class I price should be continued at a level 10 cents per hundredweight less than the Class I price under the Greater Kansas City order.

Producers supplying the St. Joseph milk market reside in 21 counties close to St. Joseph, Missouri, and Sabetha, Kansas, where plants regulated by the St. Joseph milk order are located. In 12 of these counties there are also farmers who supply milk to the Greater Kansas City market. The milk supply area for Greater Kansas City surrounds the area of milk supply for the St. Joseph

market except on the northwestern edge which extends into Nebraska and Western Iowa.

Since the milk supply for these two markets is intermingled to a large extent, the availability of an adequate supply for the smaller St. Joseph market is dependent largely on its price relative to that paid by Kansas City handlers. The farm to plant hauling rates in the Kansas counties where the two milksheds overlap are identical in most instances. In the Missouri and Iowa counties, hauling rates to the St. Joseph market are generally lower than rates to Kansas City plants by five to fifteen cents per hundredweight.

The Class I price established by the St. Joseph milk order which became effective October 1, 1961, was set at 10 cents under the Class I price established each month under the Greater Kansas City order. This pricing formula was adopted on a trial basis for 18 months and was due to expire March 31, 1963. (See Suspension Order, 28 F.R. 2979.)

The Class I price under the Kansas City milk order is determined by adding $1.10 during the months April–July and $1.40 in other months to the average price paid for milk delivered in the previous month to milk manufacturing plants in Minnesota and Wisconsin. This price is then modified up or down by a supply-demand adjustor which reflects the milk supply—Class I sales ratio in recent months compared to a standard or normal ratio. The Class I sales-milk supply comparison is made with respect to the combined receipts and sales for the Greater Kansas City and the St. Joseph markets. The Class I sales in each of these markets increased relative to receipts from producers during the October 1962–January 1963 period compared to a year earlier. The Class I percentage was six units higher this year in the Kansas City market and three units higher in the St. Joseph market. The higher utilization had the effect of increasing the price through the supply-demand adjustor by 23 cents for the period. Most of the increase was offset by the lower price level this year for manufacturing grade milk. The price for manufacturing grade milk dropped on April 1, 1962, when Government purchase prices for butter, nonfat dry milk, and cheese were reduced. The average net increase in price for the four-month period was four cents per hundredweight.

The percentage of Class I use in the St. Joseph market has been higher than the Class I use in the Kansas City market by from 10 to 15 percentage units. With this higher Class I utilization in the St. Joseph market, blend prices have exceeded the Kansas City blend price even though the Class I price was 10 cents lower. Milk has been imported at times for Class I sales. During the period February 1962–January 1963, the St. Joseph Milk Producers Association purchased about one and one-fourth million pounds of milk to supplement local supplies. However, supplemental milk was readily available from nearby markets at the St. Joseph Class I price or less.

The experience during the period October 1961 through January 1963 demonstrates that the Class I price set at 10 cents under the Kansas City Class I price has maintained an edaquate supply of milk for the St. Joseph marketing area. Hence, the price should be continued at this level.

One witness proposed that the St. Joseph Class I price be set at a level which would support a blend price to producers of at least $5.35 per hundredweight, the current parity price for all milk sold wholesale in the United States. In support of his proposal he called another witness who described computations of milk production costs in 12 midwestern states using first a pasture system and then based on a drylot feeding system. The data offered reflected costs per hundredweight for July 1962, far in excess of the prevailing prices paid for Grade A milk in the region. The simple average of prices paid for milk eligible for fluid consumption in the 12 states was $3.79 in July 1962. Official notice is taken of such prices as published by the United States Department of Agriculture in "Agricultural Prices."

The St. Joseph Class I price averaged $4.31 in 1962, and was $4.42 in January 1963, and $4.40 in both February and March. The averaged blend price in the St. Joseph market was $4.12 in 1962, and in January 1963, was $4.27. As heretofore stated, an adequate supply of milk was available for the market at these prices. Hence, the request to increase the Class I price is denied.

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

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

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

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

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

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the St. Joseph, Missouri, marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Section 1061.7 is revised as follows:

§ 1061.7 Producer.

"Producer" means any person, other than a producer-handler or a person who is a producer for the same milk under the terms of another order issued pursuant to the Act, who produces milk in compliance with the Grade A inspection requirements of a duly constituted health authority and whose milk is:

(a) Received at a pool plant, or

(b) Diverted as producer milk pursuant to section 1061.14.

§ 1061.51 [Amendment]

2. In § 1061.51(a) the following words are revoked: "for the first eighteen months beginning with the effective date of this section".

Signed at Washington, D.C., on April 8, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-3798; Filed, Apr. 9, 1963; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

WRAPPED FISH FILLETS

Proposed Exemption From Certain Labeling Requirements

Following publication in the FEDERAL REGISTER of December 4, 1962 (27 F.R. 11943), of the policy statement § 3.204 *Net weight statement on foods in package form that may be weighed at time of retail sale,* representatives of the fishery industry supplied additional data about past and current trade practices in the marketing of certain types of frozen fish

fillets. Acting on this and other information, the Commissioner of Food and Drugs has concluded that a special exempting provision should be added to the regulations implementing section 405 of the Federal Food, Drug, and Cosmetic Act.

Therefore, the Commissioner, under the authority provided in the Federal Food, Drug, and Cosmetic Act (secs. 403(e)(2), 405, 701(a), 52 Stat. 1046 as amended, 1049, 1055; 21 U.S.C. 343(e)(2), 345, 371(a)), and delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), proposes to amend § 1.13 *Food; exemptions from labeling requirements* by adding a new paragraph (g), as follows:

§ 1.13 **Food; exemptions from labeling requirements.**

* * * * *

(g) Wrapped fish fillets of nonuniform weight intended to be unpacked and marked with the correct net weight at the point of retail sale at an establishment other than where originally packed, shall be exempt from the requirements of section 403(e)(2) of the act during introduction and movement in interstate commerce and while held for sale prior to weighing and marking, if the outside container bears a label declaration of the total net weight, the individual packages bear a conspicuous statement "To be weighed at time of sale," and it is the practice in the retail establishment to weigh and mark the individual packages with a net-weight statement at the time of sale. The act of delivering the wrapped fish fillets at time of retail sale without the correct net-weight statement shall be deemed an act which results in the product being misbranded while held for sale.

Any interested person may, within 30 days from the publication of this notice in the FEDERAL REGISTER, submit written views and comments on this proposal. Such comments should be submitted in triplicate and addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C.

Dated: April 4, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-3725; Filed, Apr. 9, 1963; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 62-CE-90]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency is considering the designation of a part-time control zone at Dubuque, Iowa. This control zone would be designated within a 5-mile radius of the Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'32" W.) from 0600 to 2100 hours, local time, daily. This would provide protection for aircraft executing prescribed instrument approach and departure procedures during the hours of operation of the weather reporting service provided by the United States Weather Bureau at Dubuque. Communications would be provided by the Cedar City, Iowa, Flight Service Station, through remote facilities associated with the Dubuque VOR.

The Dubuque transition area is presently designated as that airspace extending upward from 1,200 feet above the surface, within 10 miles northeast and 7 miles southwest of the Dubuque VOR 159° and 339° True radials, extending from 20 miles southeast to 9 miles northwest of the VOR, excluding the airspace within Federal airways.

To complete the implementation of CAR Amendments 60-21/60-29 in the Dubuque terminal area, the Federal Aviation Agency is considering the alteration of the Dubuque transition area, by redesignating it as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Dubuque Municipal Airport, and within 8 miles northeast and 5 miles southwest of the Dubuque VOR 159° and 339° True radials, extending from 6 miles northwest to 14 miles southeast of the VOR. This would provide protection for aircraft executing the portions of the prescribed instrument approach procedure conducted beyond the limits of the proposed control zone and for arrival and departure procedures conducted during the daily period of time that the control zone would not be effective. The southeast boundary of the proposed transition area extends 2 miles longer than normally required, so as to eliminate the necessity for a relatively small 1,200-foot floor transition area, with its consequent charting problems.

The alteration of the Dubuque transition area as proposed herein would reduce the lateral extent of the area, since there is no longer a requirement for holding aircraft at high speed at the higher altitudes. However, the floor of the remaining portion would be lowered to permit aircraft to conduct instrument approaches from the holding pattern without executing a procedure turn. In addition, the present exclusion of the airspace within Federal airways in the description of the Dubuque transition area would no longer be required with the action proposed herein and would be deleted.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63-3697; Filed, Apr. 9, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 62-SW-72]

FEDERAL AIRWAYS DESIGNATION OF REPORTING POINT

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

VOR Federal airway No. 94 is designated in part from Salt Flat, Tex., to Hobbs, N. Mex., and from Abilene, Tex., to Britton, Tex.; VOR Federal airway No. 76 is designated in part from Big Spring, Tex., to San Angelo, Tex.; VOR Federal airway No. 16 south alternate is designated in part from Big Spring to Abilene, and from Abilene to Mineral Wells, Tex., as a standard south alternate; VOR Federal airway No. 17 is designated in part from Waco, Tex., to Bridgeport, Tex., via Mineral Wells; VOR Federal airway No. 102 is designated in part from Rosewell, N. Mex., to Lubbock, Tex.; VOR Federal airway No. 66 is designated in part from Midland, Tex., to Abilene; VOR Federal airway No. 163 is designated in part from Mineral Wells to Bridgeport; VOR Federal airway No. 15 west alternate is designated in part from Waco, via Joshua Intersection to Waxie Intersection; VOR Federal airway No. 1622 is designated in part from Abilene to Britton; and VOR Federal airway No. 1630 is designated in part from Big Spring to San Angelo.

The Federal Aviation Agency is considering the following actions:

1. Redesignate Victor 94 in part from Salt Flat via Wink, Tex.; Midland; a VOR to be installed approximately June 15, 1963, near Hyman, Tex., at latitude 32°08'43" N., longitude 101°07'19" W.; Dyess, Tex.; to Britton (14 miles wide

from 45 nautical miles from Dyess to 45 nautical miles from Britton).

2. Realign Victor 76 from Big Spring via Hyman to San Angelo.

3. Redesignate Victor 16 south alternate from Big Spring via Hyman; intersection of Hyman 085° and Abilene 249° True radials; Abilene; intersection of Abilene 100° and Mineral Wells 243° True radials to Mineral Wells.

4. Realign Victor 17 from Waco via the intersection of Waco 316° and Mineral Wells 197° True radials; Mineral Wells; direct to Bridgeport.

5. Redesignate Victor 102 from Lubbock via Hobbs; Carlsbad, N. Mex.; to Salt Flat.

6. Realign Victor 66 from Midland via Hyman; the intersection of Hyman 085° and Abilene 249° True radials; to Abilene.

7. Realign Victor 163 from Mineral Wells direct to Bridgeport.

8. Realign Victor 15 west alternate from Waco via the intersection of Waco 353° and Britton 265° True radials; Britton; to the intersection of Britton 091° and Dallas, Tex., 202° True radials.

9. Realign Victor 1622 from Abilene via the intersection of Abilene 100° and Britton 265° True radials; to Britton.

10. Realign Victor 1630 from Big Spring via the intersection of Big Spring 127° and San Angelo 324° True radials; to San Angelo.

11. Designate the Dyess VOR as a low altitude reporting point.

The proposed redesignation of Victor 94 together with Victor 66 and Victor 16 would provide a dual airway structure between the El Paso terminal area and the Fort Worth/Dallas terminal area. The proposed increase in the width of this airway would provide additional protection for aircraft while operating at more than 45 nautical miles from the Dyess and Britton VORs. The redesignation of Victor 94 would also result in the revocation of an airway segment between Salt Flat and Hobbs. There is a requirement for an airway between these points. Accordingly, the proposed redesignation of Victor 102 from Lubbock via Hobbs and Carlsbad to Salt Flat would fulfill this requirement. The proposed realignment of Victor 76 via Hyman would improve en route navigational guidance by providing an additional navigational aid between Big Spring and San Angelo. The proposed alignment of Victor 66 via the Hyman VOR would improve en route navigational guidance by providing an additional navigational aid between Midland and Abilene. The proposed realignment of Victor 16 south alternate would provide for transition between Victors 16 and 94. The proposed alignment of this airway between Big Spring and Abilene via Victor 76, Hyman and Victor 66 would facilitate air traffic service and reduce chart clutter. The proposed realignment of Victors 17 and 163 between Mineral Wells and Bridgeport would reduce the route mileage between these locations. The realignment of Victor 17 between Waco and Mineral Wells, and Victor 15 west alternate between Waco and Britton would be necessary to form common intersections with realigned Victor 94 in the vicinity of Mills and Joshua Intersections respectively. The proposed alignment of Victor 1622 between Abilene and Britton would coincide with realigned Victor 16 south alternate and Victor 94 and provide for transition between the low and intermediate altitude airway structure. The proposed alignment of Victor 1630 would coincide with the proposed alignment of Victor 76 between Big Spring and San Angelo and provide for transition between the low and intermediate altitude airway structure. The Dyess VOR would be designated a low altitude reporting point for air traffic control purposes. The Abilene control area extension is bounded in part by Victors 66 and 94. The Fort Worth, Tex., control area extension is bounded in part by Victor 94. Since the alterations of Victors 66 and 94 are minor, no action regarding alteration of the Abilene and Fort Worth control area extensions would be necessary as the boundaries would automatically move with the altered airways.

The control areas associated with these low altitude airway segments would extend upward from 700 feet above the surface to the base of the continental control area. Separate actions will be initiated to implement on an area basis Amendment 60–21 to Part 60 of the Civil Air Regulations.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63–3696; Filed, Apr. 9, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 62–WA–26]

ALTERATION OF FEDERAL AIRWAYS

Withdrawal of Notice of Proposed Rule Making

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 62–WA–26 on March 23, 1962 (27 F.R. 2736), it was stated that the Federal Aviation Agency (FAA) proposed to extend intermediate altitude VOR Federal airway No. 1761 from the intersection of the Gila Bend, Ariz., VOR 346° and the Phoenix, Ariz., VOR 272° True radials (Buckeye, Ariz.) as a 16-mile wide airway via the Parker, Calif., VOR to the intersection of the Parker VOR 303° and the Hector, Calif., VOR 091° True radials; thence as a 10-mile wide airway to the Hector VOR.

The Department of the Air Force objected to a direct alignment of the segment of the proposed airway from Buckeye to the Parker VOR. It was contended that such an alignment would reduce the off-airway airspace west of Phoenix which is currently utilized as a training area by Luke Air Force Base.

In an attempt to resolve the conflict between the proposed route and the off-airway Air Force training area, a counter proposal was considered to relocate the airway segment southwest of the proposed alignment. A flight inspection of the counter proposal conducted by the FAA revealed that an excessive high Minimum Reception Altitude precluded use of the most frequently utilized altitudes in the intermediate airway structure. Accordingly, the FAA has determined that a further study of the en route traffic and training activities conducted in the area west of Phoenix is desirable prior to taking further action on the proposed airway. In the event the findings of the study sustain a requirement for such a route, it will be reissued as a notice of proposed rule making with opportunity for comment by interested persons.

In consideration of the foregoing, the FAA is withdrawing the proposal contained in Airspace Docket 62–WA–26.

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63–3698; Filed, Apr. 9, 1963; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 62–WE–105]

CONTROL ZONE

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Seattle, Wash. (NAS Seattle), control zone is presently designated

within a 5-mile radius of NAS Seattle (latitude 47°40'50'' N., longitude 122° 15'10'' W.) and within 1.5 miles either side of a 341° True bearing from the airport, extending from the 5-mile radius zone to 7 miles northwest of the airport, excluding the portion west of a line connecting latitude 47°44'00'' N., longitude 122°20'10'' W., and latitude 47°37'00'' N., longitude 122°19'10'' W.

The Federal Aviation Agency has under consideration the following alterations of the NAS Seattle control zone:

1. Revoke the control zone extension based on the 341° True bearing from the NAS Seattle. With the revision of the Navy TACAN approach procedures this extension will no longer be required for air traffic control purposes.

2. Alter the 5-mile radius zone to include the airspace within a 1-mile radius of Kenmore Air Harbor, Seattle, Wash. The Kenmore Air Harbor seaplane base is located adjacent to the northern edge of the present NAS Seattle control zone. Due to prevailing wind conditions, the aircraft at Kenmore utilize west and southwest departures the majority of the time and must operate within the NAS Seattle control zone after take-off. In addition, the approach procedures based on the NAS Seattle radio beacon and TACAN and three of the departure procedures at NAS Seattle specify flight over or near the Kenmore Air Harbor traffic pattern. Therefore, inclusion of the Kenmore Air Harbor seaplane base within the NAS Seattle control zone would provide a basis for the observance of uniform rules of flight at the two bases in accordance with the reported weather conditions at NAS Seattle. Communications service at Kenmore Air Harbor will be furnished by the NAS Seattle control tower.

If this action is taken, the NAS Seattle control zone would be designated to comprise that airspace within a 5-mile radius of NAS Seattle (latitude 47°40'50'' N., longitude 122°15'10'' W.); within a 1-mile radius of Kenmore Air Harbor, Seattle, Wash. (latitude 47°45'25'' N., longitude 122°15'25'' W.); excluding the portion west of longitude 122°19'30'' W.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue N.W., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63–3695; Filed, Apr. 9, 1963; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

[Revision 3]

SMALL BUSINESS SIZE STANDARDS

Notice Concerning Definition of Small Business for the Truck Trailers Industry

On November 1, 1962, there was published in the FEDERAL REGISTER (27 F.R. 10658) a notice of hearing to be held for the truck trailers industry for the purpose of Government procurement and SBA business loans.

Interested persons were invited to participate at the hearing or to file written statements of facts, opinions, or arguments concerning the appropriate definition of a small business for the truck trailers industry. On December 4, 1962, such hearing was held and testimony received.

After consideration of all such relevant matters as were presented by interested parties at the hearing and in written statements and after consideration of past Government procurements for the products of this industry, it has been determined that the present definition of small business for the truck trailers industry for the purpose of Government procurement and SBA business loans should not be changed.

Dated: April 2, 1963.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 63–3712; Filed, Apr. 9, 1963; 8:47 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property

GERTRUDE BENDHEIM HALSTEAD ET AL.

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Gertrude Bendheim Halstead, 128 Locust Drive, Rosemont, Pa., $766.97 in the Treasury of the United States.

Reinhard Ernst Bendheim, Bensheim (Hessen), Vogelsbergstrasse 4, Germany, $766.97 in the Treasury of the United States.

Willy Cohn, 42–54 Judge Street, Elmhurst, Long Island, N.Y., $1,533.64 in the Treasury of the United States.

Bella Laura Bendheim, 11 Adamson Road, London NW. 3, England, $766.97 in the Treasury of the United States.

Erna Stern Bing, 4 Highbridge Road, Larchmont, N.Y., $63.91 in the Treasury of the United States.

Walter Stern, 19 Avenue Close, London NW. 8, England, $63.91 in the Treasury of the United States.

Ellen Stern Overton, 1349 28th Street NW., Washington, D.C., $31.95 in the Treasury of the United States.

Harold Peter Stern, 1700 K Street NW., Washington, D.C., $31.95 in the Treasury of the United States.

Grete Sonneborn Falkenstein, 11 Deep Dale, London SW. 19, England, $63.91 in the Treasury of the United States.

Ernesto L. Gans, B 6514 Cottage, Huntington Park, Calif., $191.74 in the Treasury of the United States.

Janine Bader, 219 Rue St. Honore, Paris, France, $63.91 in the Treasury of the United States.

Marianne Landau, 29 Blvd. Jules Sandeau, Paris, France, $63.91 in the Treasury of the United States.

Nicole Mercon, 45 Rue Michelangelo, Paris, France, $63.91 in the Treasury of the United States.

Ludwig F. Ries, 111–56 76th Drive, Forest Hills, Long Island, N.Y., $766.96 in the Treasury of the United States.

Miriam Shalvi, Emek Beth Sham, Tirat Zwei, Israel, $191.74 in the Treasury of the United States.

Henry H. Kahn, 132–61 Sanford Avenue, Flushing, Long Island, N.Y., Claim No. 42158, Vesting Order No. 937, $191.74 in the Treasury of the United States.

Executed at Washington, D.C., on April 3, 1963.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 63–3710; Filed, Apr. 9, 1963; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

CERTAIN COMMODITIES

April Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

These prices at which Commodity Credit Corporation commodity holdings are available for sale during April 1963 were announced today by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar cheese, nonfat dry milk, cotton (upland and extra long staple), wheat, corn, oats, barley, flax, rye, grain sorghum, soybeans, peanuts (farmers' stock), and gum turpentine.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

Flaxseed has been added to the list for April and cottonseed oil has been dropped. The following changes have been made in the domestic-unrestricted use prices of dairy products: Butter, down 3.75 cents per pound, dried milk down 1.0 cent per pound, cheese up 1.0 cent per pound. This reduces the present wide spreads between CCC's buying prices and sales prices for butter and nonfat dry milk.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington 25, D.C.

All commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks, are available for export sale under the CCC Export Credit Sales Program. The following commodities are currently available for barter: Nonfat dry milk, butter, cheddar cheese, tobacco, wheat, corn, rye, barley, and grain sorghum. This list is subject to change from time to time.

Interest rates per annum under the CCC Export Credit Sales Program for April 1963 are 3½ percent for periods up to 12 months, and 4 percent for periods from over 12 months up to a maximum of 36 months.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington 25, D.C., with respect to all commodities or—for specified commodities—with the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

If CCC does not have adequate information as to the financial responsibility of a prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the ASCS office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are

offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

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

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves $10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR §§ 371.4 and 371.8) against sales or resale for reexport of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirements for obtaining the signed acknowledgment from the foreign purchaser.

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

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

Commodity	Sales price or method of sale
Dairy products	Sales are in carlots only in store at storage location of products. Submission of offers: Submit offers to the Minneapolis ASCS Commodity Office.
Butter	Domestic, unrestricted use: Announced prices, under LD-29 as amended: 62.00 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 61.25 cents per pound—Washington, Oregon, and California. All other States 61.00 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under LD-35: When sales are made under LD-33, as amended, above, any butter offered but not sold under the invitation to bid will be offered for sale through the following Wednesday at prices announced in Washington each Thursday.
Nonfat dry milk	Domestic, unrestricted use: Announced prices, under LD-29, as amended: Spray process, U.S. Extra Grade, 16.40 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under LD-35: When sales are made under LD-33, as amended, above, any nonfat dry milk offered but not sold under the invitation to bid will be offered for sale through the following Monday at prices announced in Washington each Tuesday. Under both LD-33, as amended, and LD-35, CCC will offer nonfat dry milk in redemption of payment-in-kind certificates earned under SM-7.
Cheddar cheese (standard moisture basis).	Domestic, unrestricted use: Announced prices under LD-29, as amended: 40.75 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 39.75 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under LD-35: When sales are made under LD-33, as amended, above, any cheese offered but not sold under the invitation to bid will be offered for sale through the following Wednesday at prices announced in Washington each Thursday.
Cotton, upland	Domestic, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-16, as amended (sale of Upland Cotton for unrestricted use). Under this Announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges or (b) the market price for such cotton as determined by CCC. Export, CCC Export Sales: Competitive bid under the terms and conditions of Announcements CN-EX-16 (1962-63 Cotton Export Program—Sales) and NO-C-19 (sale of Upland Cotton, Cotton Export Program—1962-63 Marketing Year).
Cotton, extra long staple	Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-6 (revised July 22, 1960), as amended and NO-C-10, as amended. Under these announcements extra long staple cotton will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.
Catalogs	Catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans ASCS Commodity Office.
Wheat, bulk	Domestic, unrestricted use: Market price basis in store,[1] but not less than 105 percent of the applicable 1962 support price [2] for the class, grade, and quality of the wheat plus the amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added.

Unit	Received by—		Examples of minimum prices (exrail or barge)		
	Truck	Rail or barge	Terminal	Class and grade	Price
	Cents	*Cents*			
Wheat: Bushel	15	9	Chicago	No. 1 RW	$2.49
			Minneapolis	No. 1 DNS	2.56
			Kansas City	No. 1 HW	2.49
			Portland	No. 1 SW	2.38

Available: At bin sites through ASCS county offices. At other locations through the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices.

Export:

(1) Under Announcement GR-345 (revised July 13, 1962), as amended, for redemption of certificates under export payment-in-kind program, (2) under Announcement GR-212 (revision 2, Jan. 9, 1961), for specified offerings as announced and (3) as wheat under Announcement GR-261 (revision 2, Jan. 9, 1961) or as flour under Announcement GR-262 (revision 2, Jan. 9, 1961), for application under arrangements for barter which permits exportation of wheat as flour and approved CCC credit sales only at prices determined daily. Sales under the above announcements are made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales.

Available: Evanston, Kansas City, Minneapolis, and Portland ASCS Offices. (At Portland ASCS Office hard red winter wheat with 12.0 percent or less protein will be available for barter or Title I, Public Law 480 transactions for export to Korea, Okinawa and Formosa only.)

See footnotes at end of table.

Commodity	Sales price or method of sale
Rye, bulk	Domestic, unrestricted use: Storable: Market price basis in store,[1] but not less than 105 percent of the applicable 1962 support price [3] for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to the above.

Unit	Received by—		Examples of minimum prices (exrail or barge)		
	Truck	Rail or barge	Terminal	Class and grade	Price
	Cents	*Cents*			
Rye: Bushel	15	9	Minneapolis	No. 2 or better (or No. 3 on TW only).	$1.38

Available: At bin sites through ASCS county offices. At other locations through the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices.
Nonstorable (as available): At not less than market price as determined by CCC through the ASCS grain offices listed below under Soybeans.
Export:
(1) Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and emergency sales. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales.
Available: Evanston, Kansas City, and Portland ASCS Offices, also Minneapolis ASCS Office for rye stored in terminals in Minneapolis.

Barley, bulk	Domestic and export: Storable: A. Redemption of Feed Grain Program Certificates: [4] Such CCC dispositions of storable barley as may be designated by CCC, will be in redemption of certificates or rights represented by pooled certificates under a Feed Grain Program. Redemptions will be made at applicable market prices at point of delivery, as determined by CCC, except for redemptions of 1963 producer certificates. Redemptions of 1963 producer certificates during the month will be made at market price, as determined by CCC, but not less than the applicable 1962 support price for class, grade and quality of the barley. CCC reserves the right to determine the time of delivery, and the class, grade, quality, and quantity of barley that will be made available for redemption. CCC also reserves the right to restrict the availability of barley at any location whenever such action is deemed necessary. For information on the availability of such barley from bin sites, contact the ASCS State or county offices. For information on the availability of such barley from other locations, contact the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices. B. General Sales: [4] Market price in store,[1] but not less than 105 percent of the applicable 1962 support price [5] for the class, grade, and quality of the barley plus the amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.

Unit	Received by—		Examples of minimum prices (exrail or barge)		
	Truck	Rail or barge	Terminal	Class and grade	Price
	Cents	*Cents*			
Barley: Bushel	14	9	Minneapolis	No. 2 or better	$1.27

Available: For information on the availability of such grain from bin sites, contact ASCS State or county offices. For information on the availability of such grain from other locations, contact the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices.
Nonstorable (as available): At not less than market price as determined by CCC. At bin sites through ASCS county offices. At other locations through the ASCS grain offices listed below under Soybeans.

Commodity	Sales price or method of sale
Barley, bulk (continued)	Export announcement sales: (1) Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program, except for Public Law 480 Title I and Title IV transactions. (2) Under Announcement GR-212 (revision 2, Jan. 9, 1961), for application to approved CCC barter, credit and emergency sales. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for the sales under these announcements. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable support price plus the adjustments referred to in subparagraph B above. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales. Available: Evanston and Kansas City ASCS Offices. Stocks at West Coast seaboard terminals and stocks at Duluth or Minneapolis will be available through the Portland and Minneapolis ASCS Offices, respectively.
Corn, bulk	Domestic and export: Storable: A. Redemption of Feed Grain Program Certificates: [4] Such CCC dispositions of storable corn as may be designated by CCC, will be in redemption of certificates or rights represented by pooled certificates under a Feed Grain Program. Redemptions will be made at applicable market price at point of delivery, as determined by CCC, except for redemptions of 1963 producer certificates. Redemptions of 1963 producer certificates during the month will be made at market price, as determined by CCC, but not less than the applicable 1962 support price for class, grade, and quality of the corn. CCC reserves the right to determine the time of delivery, and the class, grade, and quality and quantity of corn that will be made available for redemption. CCC also reserves the right to restrict the availability of corn at any location whenever such action is deemed necessary. For information on the availability of such grain from bin sites, contact ASCS State or county offices. For information on the availability of such grain from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS Offices. B. General sales: [4] Market price basis in store,[1] but not less than 105 percent of the applicable 1962 support price,[5] for the class, grade, and quality of the corn plus the amount shown below applicable to the storage point involved. For corn in store at other than the point of production the freight from point of production to the present point of storage will also be added.

Unit	In store at—		Examples of minimum prices		
	Point of production	Other point	Terminal	Class and grade	Price
	Cents	*Cents*			
Corn: Bushel	6	9	Chicago [6]	No. 2 YC (13% moisture 2% foreign material or better).	$1.55¾

Available: For information on the availability of such corn from bin sites, contact ASCS State or county offices. For information on the availability of such corn from other locations, contact the Evanston, Kansas City, Minneapolis and Portland ASCS Offices.
Nonstorable (as available): At not less than market price as determined by CCC. At bin sites through ASCS county offices. At other locations through the ASCS grain offices listed below under Soybeans.
Export announcement sales:
(1) Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and emergency sales. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for sale under the above announcements. CCC stocks of corn at West Coast seaboard terminals are available for sale under these export announcements, except such corn shall not be eligible to Title I, Public Law 480 purchase authorizations or for barter. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is the 105 percent of the applicable support price plus the adjustments referred to in subparagraph B (above.) Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales.
Available: Evanston, Kansas City, Minneapolis, and Portland ASCS Offices.

See footnotes at end of table.

Commodity	Sales price or method of sale
Oats, bulk	Domestic and export: Storable: A. Redemption of Feed Grain Program Certificates: [4] Such CCC dispositions of storable oats as may be designated by CCC, will be in redemption of certificates or rights represented by pooled certificates under a Feed Grain Program. Redemptions will be made at applicable market price at point of delivery, as determined by CCC, except for redemptions of 1963 producer certificates. Redemptions of 1963 producer certificates during the month will be made at market price, as determined by CCC, but not less than the applicable 1962 support price for class, grade and quality of the oats. CCC reserves the right to determine the time of delivery, and the class, grade, quality, and quantity of oats that will be made available for redemption. CCC also reserves the right to restrict the availability of oats at any location whenever such action is deemed necessary. For information on the availability of such oats from bin sites, contact ASCS State or county offices. For information on the availability of such oats from other locations contact the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices. B. General Sales: [4] Market price basis in store,[1] but not less than 105 percent of the applicable 1962 support price [5] for the class, grade, and quality of the oats plus the amount shown below applicable to the storage point involved. For oats in store at other than the point of production the freight from point of production to the present point of storage will also be added.

Unit	In store at—		Examples of minimum prices		
	Point of production	Other point	Terminal	Class and grade	Price
Oats — Bushel	*Cents* 9	*Cents* 12	Chicago [6]	No. 2 or better	$0.90½

Available: For information on the availability of such oats from bin sites, contact ASCS State or county offices. For information on the availability of such oats from other locations, contact the Evanston, Kansas City, Minneapolis, or Portland ASCS Offices.
Nonstorable (as available): At not less than the market price as determined by CCC. At bin sites through ASCS county offices. At other locations through the ASCS grain offices listed below under Soybeans.
Export announcement sales:
(1) Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind programs. (2) Under Announcement GR-212 (revision 2, Jan. 9, 1961) for application to approved CCC credit and emergency sales. Oats will not be sold for application to Title I, Public Law 480 purchase authorizations or for barter. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable support price plus the adjustments referred to in subparagraph B above. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales.
Available: Evanston, Kansas City, Minneapolis and Portland ASCS Offices.

Commodity	Sales price or method of sale
Grain sorghums, bulk	Domestic and export: Storable: A. Redemption of Feed Grain Program Certificates: [7] Such CCC dispositions of storable sorghums as may be designated by CCC, will be in redemption of certificates or rights represented by pooled certificates under a Feed Grain Program. Redemptions will be made at applicable market price at point of delivery, as determined by CCC, except for redemptions of 1963 producer certificates. Redemptions of 1963 producer certificates during the month will be made at market price, as determined by CCC, but not less than the applicable 1962 support price for class, grade, and quality of the grain sorghums. CCC reserves the right to determine the time of delivery, and the class, grade, quality, and quantity of grain sorghums that will be made available for redemption. CCC also reserves the right to restrict the availability of grain sorghums at any location whenever such action is deemed necessary. For information on the availability of such grain sorghums from bin sites, contact ASCS State or county offices. For information on the availability of such grain sorghums from other locations, contact the Evanston, Kansas City, Minneapolis, and Portland ASCS Offices. B. General sales: [7] Market prices in store,[1] but not less than 105 percent of the applicable 1962 support price [3] for the class, grade, and quality of the grain sorghums plus the amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.

Unit	Received by—		Examples of minimum prices (exrail or barge)		
	Truck	Rail or barge	Terminal	Class and grade	Price
Grain sorghums — Hundredweight	*Cents* 29	*Cents* 18	Kansas City	No. 2 or better	$2.58

Available: For information on the availability of such grain sorghums from bin sites, contact ASCS State or county offices. For information on the availability of such grain sorghums from other locations, contact the Evanston, Kansas City, Minneapolis and Portland ASCS Offices.
Nonstorable (as available): At not less than market price as determined by CCC. At bin sites through ASCS county offices. At other locations through the ASCS grain offices listed below under Soybeans.
Export announcement sales:
(1) Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (revision 2, Jan. 9, 1961), for application to arrangements for barter, approved CCC credit and emergency sales. CCC stocks of grain sorghums held in California export terminals are the only grain sorghums stored in California available for sale under these export announcements, except that such sorghums shall not be eligible for application to Title I, Public Law 480 purchase authorizations or for barter. CCC reserves the right to determine the class, grade, quality and quantity to be made available for sale under the announcements. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable support price plus the adjustments referred to in subparagraph B above. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales.
Available: Evanston, Kansas City, Minneapolis, and Portland ASCS Offices.

Commodity	Sales price or method of sale
Flaxseed, bulk	Domestic, unrestricted use: Storable: Market price basis in store, but not less than 105 percent [3] of the applicable 1962 support price for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to the above.

Unit	Received by—		Examples of minimum prices (exrail or barge)		
	Truck	Rail or barge	Terminal	Class and grade	Price
Flaxseed — Bushel	*Cents* 17	*Cents* 9	Minneapolis	No. 1	$3.38

Available through the Minneapolis (Grain Merchandising) ASCS Office.
Nonstorable, (as available): At not less than market price as determined by CCC through the Minneapolis (Grain Merchandising) ASCS office.

Commodity	Sales price or method of sale
Soybeans, bulk (as available)	Domestic or export: Market price basis in store,[1] but not less than the 1962 basic loan rate for No. 2 grade, basis point of production plus 19 cents per bushel. Market discounts for quality factors will be applied to the basic price to determine the actual minimum sales prices. If delivery is outside the area of production applicable freight and out-elevation charges at county loading point and in-elevation charges at subterminal or terminal storage point will be added to the above price. Available: At bin sites through ASCS county offices. At other locations through the Evanston, Kansas City, and Minneapolis ASCS Offices.
Peanuts, shelled or unshelled (farmers' stock as available).	Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1 (revised Jan. 4, 1962), as amended.

See footnotes at end of table.

Commodity	Sale price or method of sale
Gum turpentine	Domestic, unrestricted use: Competitive offers for unrestricted use, bulk in storage tanks, subject to Announcement TB-21-61 and supplements thereto. Available through Naval Stores Branch, Farmer Programs Division, ASCS, U.S. Department of Agriculture.

[1] On bin site sales such delivery basis shall be f.o.b. buyer's conveyance at the bin site.
[2] To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight for grain stored outside the area of production. Such support price shall include the loan bulletin premium for applicable sedimentation value, if the wheat is sold on a sedimentation basis. If it is not sold on a sedimentation basis such support price shall be increased by market premiums for applicable protein content, but not in excess of 25 cents per bushel.
[3] To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight for grain stored outside the area of production.
[4] Such dispositions shall be for domestic unrestricted use or for export.
[5] To compute, multiply applicable support prices by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight.
[6] Woodford County, Illinois, origin.
[7] Such dispositions shall be for domestic restricted use or for export.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Evanston ASCS Commodity Office, 2201 Howard Street, Evanston, Ill. Telephone: Long distance—University 9-0600 (Evanston exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).
Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.
Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis 15, Minn. Telephone: 334-2051.
Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.
Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205) Kansas City 41, Mo. Telephone: Emerson 1-0860.
Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming.
Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland 5, Oreg. Telephone: Capitol 6-3361.
Alaska, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington, Arizona, and California (export sales only).
Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley 4, Calif. Telephone: Thornwall 1-5121.
Arizona and California (domestic sales only).

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue, South Minneapolis 10, Minn. Telephone: Walnut 7-7311.

COTTON OFFICES (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans 16, La. Telephone: 529-2411.
Cotton Products and Export Operations Office, 80 Lafayette Street, New York 13, N.Y. Telephone: Rector 2-8000.
Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York 13, N.Y. Telephone: Rector 2-8000.
Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Balboa Building, 593 Market Street, San Francisco 4, Calif. Telephone: Sutter 1-3179.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; 7 U.S.C. 1427)

Signed at Washington, D.C., on April 3, 1963.

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

[F.R. Doc. 63-3666; Filed, Apr. 9, 1963; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

CITIZENS BAUGHMAN NATIONAL BANK OF SIDNEY AND SHELBY COUNTY BANK

Notice of Decision Granting Application To Merge

On January 28, 1962, The $13 million Citizens Baughman National Bank of Sidney, Sidney, Ohio, and $1.8 million Shelby County Bank, Botkins, Ohio, applied to the Comptroller of the Currency for permission to merge under the charter of the former, with the title "The Citizens Baughman National Bank".

On March 28, 1963, the Comptroller of the Currency granted this application, effective on or after April 4, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: April 4, 1963.

[SEAL] A. J. FAULSTICH,
Administrative Assistant to the Comptroller of the Currency.

[F.R. Doc. 63-3733; Filed, Apr. 9, 1963; 8:49 a.m.]

FARMERS BANK OF DINWIDDIE AND BANK OF VIRGINIA

Notice of Report on Competitive Factors Involved in Merger Application

On February 26, 1963, the Board of Governors of the Federal Reserve System, pursuant to 12 U.S.C. 1828(c), requested that the Comptroller of the Currency report on the competitive factors involved in the proposed merger of The Farmers Bank of Dinwiddie, Dinwiddie, Virginia, into The Bank of Virginia, Richmond, Virginia, under the charter and title of the latter.

On March 27, 1963, the Comptroller of the Currency reported that the competitive effects of the proposed merger would not be unfavorable since the addition of the resources of The Farmers Bank will not work any notable change in The Bank of Virginia's competitive posture and the entry of The Bank of Virginia into the town of Dinwiddie will not adversely affect the small out-county banks there.

Copies of this report are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: April 4, 1963.

[SEAL] A. J. FAULSTICH,
Administrative Assistant to the Comptroller of the Currency.

[F.R. Doc. 63-3734; Filed, Apr. 9, 1963; 8:49 a.m.]

FIRST NATIONAL EXCHANGE BANK OF VIRGINIA AND FIRST NATIONAL FARMERS BANK OF WYTHEVILLE

Notice of Decision Granting Application To Merge

On February 11, 1963, The First National Exchange Bank of Virginia, Roanoke, Virginia, and The First National Farmers Bank of Wytheville, Wytheville, Virginia, applied to the Comptroller of the Currency for permission to merge under the charter and title of the former.

On March 28, 1963, The Comptroller of the Currency granted this application, effective on or after March 29, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: April 4, 1963.

[SEAL] A. J. FAULSTICH,
Administrative Assistant to the Comptroller of the Currency.

[F.R. Doc. 63-3735; Filed, Apr. 9, 1963; 8:49 a.m.]

LITCHFIELD STATE SAVINGS BANK AND FIRST STATE BANK OF CAMDEN

Notice of Report on Competitive Factors Involved in Consolidation Application

On February 19, 1963, the Board of Directors of the Federal Deposit Insurance Corporation, pursuant to 12 U.S.C. 1828(c), requested that the Comptroller of the Currency report on the competitive factors involved in the proposed consolidation of the Litchfield State Savings Bank, Litchfield, Michigan, and The First State Bank of Camden, Camden, Michigan, under the charter and title of the former.

On March 29, 1963, the Comptroller of the Currency reported that competition between the two banks has been minimal, and the consolidation will place the new bank in a position to become a more effective element in the county's competitive structure. He concluded that the competitive factors involved in the

proposed consolidation are not unfavorable.

Copies of this report are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: April 4, 1963.

[SEAL] A. J. FAULSTICH,
Administrative Assistant to the Comptroller of the Currency.

[F.R. Doc. 63-3736; Filed, Apr. 9, 1963; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 3, 1963.

The Federal Aviation Agency has filed an application, Serial Number A-058833 for the withdrawal of about 425 acres of land in the sections and township described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws.

The applicant desires the land for an extensive air navigation VORTAC facility project.

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, Cordova Building, Anchorage, Alaska.

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:

SEWARD MERIDIAN

T. 14 N., R. 4 W. (partially surveyed), Secs. 10, 11, 12, and 15.

GEORGE R. SCHMIDT,
Chief, Branch of Lands and Minerals Operation.

[F.R. Doc. 63-3707; Filed, Apr. 9, 1963; 8:46 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

APRIL 3, 1963.

The Bureau of Reclamation of the Department of the Interior has filed an application, Serial No. Colorado 0105316, for the withdrawal from public entry, under the public land laws, including the mining laws but not the mineral leasing laws, subject to existing valid claims, under the first form of withdrawal, as provided by section 3 of the Act of June 17, 1902 (32 Stat. 388), certain public lands in the sections and townships described below.

The applicant desires the land for reclamation purposes in connection with the Dolores Project.

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 Land Office Manager of the Bureau of Land Management, Department of the Interior, Colorado Land Office, Gas and Electric Building, 910-15th Street, Denver 2, Colorado.

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

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

The lands affected are:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

T. 38 N., R. 15 W.,
In secs. 6, 18, 19.
T. 38 N., R. 16 W.,
In secs. 1, 12.

Lands proposed to be withdrawn in the above designated area aggregate approximately 744 acres.

EVERETT K. WEEDIN,
Acting Land Office Manager.

[F.R. Doc. 63-3708; Filed, Apr. 9, 1963; 8:47 a.m.]

UTAH

Notice of Termination of Proposed Withdrawal and Reservation of Lands

APRIL 2, 1963.

Notice of an application Serial No. Utah 031296, for withdrawal and reservation of lands was published as Federal Register Document No. 59-4385 on page 4217 of the issue for May 26, 1959. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on April 15, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

SALT LAKE MERIDIAN, UTAH

T. 42 S., R. 1 W.,
Sec. 7: SE¼SE¼;
Sec. 8: SW¼SW¼;
Sec. 18: Lots 3, 4, NE¼, SE¼NW¼, E½SW¼, N½SE¼, SW¼SE¼;
Sec. 19: Lot 1, NE¼NW¼;
Sec. 21: NE¼, N½SE¼;
Sec. 22: S½;
Sec. 23: Lots 4, 5, 6, 7;
Sec. 25: S½NW¼, S½;
Sec. 26: N½, NE¼SW¼, SE¼;
Sec. 27: NE¼, N½NW¼.
T. 42 S., R. 2 W.,
Sec. 13: E½SE¼;
Sec. 24: NE¼NE¼.

The above area aggregates 2,641.29 acres.

R. D. NIELSON,
State Director.

[F.R. Doc. 63-3709; Filed, Apr. 9, 1963; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-34]

WESTINGHOUSE ELECTRIC CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 11, set forth below, to Facility License No. CX-6. The license authorizes Westinghouse Electric Corporation to possess and operate the critical experiment (CRX) facility which is located near Waltz Mill in Westmoreland County, Pennsylvania. The amendment, as requested by the licensee's application for license amendment dated January 18, 1963, provides for the substitution of a number of revised pages in WCAP-1316, "Safety Report for the Critical Experiment Facility", which is a part of the hazards summary report and also a part of the technical specifications for the CRX facility.

The Commission has found that:

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

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor in accordance with the license, as amended, will not present any substantial change in the hazards to the health and safety of the public from those considered and evaluated in connection with the previously approved operation.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) the hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Licensing and Regulation and (2) the licensee's application for license amendment dated January 18, 1963, both of

which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 28th day of March 1963.

For the Atomic Energy Commission.

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

[Docket No. 50-34]

[License No. CX-6; Amendment No. 11]

AMENDMENT TO FACILITY LICENSE

License No. CX-6, as amended, which authorizes Westinghouse Electric Corporation to possess and operate the critical experiment (CRX) facility located near Waltz Mill in Westmoreland County, Pennsylvania, is hereby further amended in the following respects:

1. The introductory paragraph is amended to read as follows:

"The utilization facility authorized by Construction Permit No. CPCX-10, dated October 17, 1957, issued to Westinghouse Electric Corporation (hereinafter "Westinghouse") was constructed and has operated under License No. CX-6, issued November 25, 1957 and Amendments 1-10 thereto."

2. Wherever the words "and January 15, 1960" appear in the license, substitute therefor "January 15, 1960 and January 18, 1963."

3. Paragraph 4A(7) is amended by adding the following phrase to the last sentence: "and as amended by application amendment dated January 18, 1963."

Date of issuance: March 28, 1963.

For the Atomic Energy Commission.

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

[F.R. Doc. 63-3693; Filed, Apr. 9, 1963; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Agreement C.A.B. 16870 (R-86 and R-109), Docket No. 13777; Order E-19467]

TRAFFIC CONFERENCES OF INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Fare Matters

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 5th day of April 1963.

In Order E-19385, the Board made final its tentative action as announced in Order E-19294 with respect to certain fare resolutions adopted by the Traffic Conferences of the International Air Transport Association (IATA) at Chandler Conference meetings held in September and October 1962. Among other things, the Board approved various group fare resolutions, subject to conditions intended to lessen the harshness of refund rules and to forestall any narrowing of their availability. In conformity with the conditions attached to the approval of these resolutions, we are herein amending our approval of Resolution 088, relating to group fares to Israel, by the addition of a condition, inadvertently omitted, which limits the amount of forfeiture in the event of cancellation to 25 percent of the fare paid.

The Board additionally confirmed its proposed disapproval of Resolution 150a for application in air transportation other than within the Western Hemisphere. It appears that due to the manner in which Resolution 150a and related resolutions were established, the Board's disapproval may reach fares in areas other than air transportation as defined by the Act which it did not intend to disturb, particularly on the South Atlantic, between Conferences 2 and 3 and within Conference 3.

To overcome technical difficulties and to facilitate the closing of fares in areas in question, it is appropriate to amend the language of Order E-19385 without, however, modifying the intent and substance of that order. Stated differently, we intended in that order and still intend to disapprove the increased round-trip fares as well as the reduced round-trip discount insofar as they would apply to specified or constructed fares in air transportation to/from the United States.

Accordingly, pursuant to sections 102, 204(a), and 412 of the Federal Aviation Act of 1958; *It is ordered,* That:

1. Finding paragraph 1 in Order E-19385, which lists resolutions found to be adverse to the public interest, is amended by the deletion of the following resolution:

C.A.B. No., R-109; IATA No. 150a; Title, Round-Trip Discount; Application, Worldwide, except in the Western Hemisphere.

2. Finding paragraph 3 in Order E-19385, which lists resolutions which the Board does not find adverse to the public interest with approval subject to conditions specified with respect to each, is amended in the following manner:

a. R-109 is added as follows:

R-109 150a Round-Trip Discount Worldwide

Provided that other than within the Western Hemisphere the terms of the resolution shall not be used with respect to specified and constructed fares so as to result in increased round-trip fares in air transportation to and from the United States.

b. R-86, Resolution 088, Special Round-Trip Economy Class Group Fares is amended by the addition of condition (c) as follows: (c) The amount of the forfeiture to be imposed in the event of cancellation at any time for any reason by the group or member of the group shall not exceed 25 percent of the fare paid.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-3739; Filed, Apr. 9, 1963; 8:49 a.m.]

JOINT CONFERENCE 1-2 OF INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

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

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of Joint Conference 1-2 of the International Air Transport Association (IATA). The agreement was adopted by mail vote and has been assigned the above-designated C.A.B. Agreement number.

The agreement relates to specific commodity rates. Insofar as air transportation is concerned it names new points for service under rates currently in effect; lowers rates to certain points in Europe and beyond Rome in Traffic Conference 2; amends the description for one item by the inclusion of Hearing aids; cancels certain items and rates currently in limited effectiveness for points beyond Rome in Traffic Conference 2; and names a number of westbound rates under commodity descriptions not now in effect, mostly from points in the Middle East, and most having minimum weight requirements of over 100 kilograms.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that, on the basis of all the facts presently known Resolution JT12 (Mail 289) 590n, which is incorporated in Agreement C.A.B. 17006, R-1, does not affect air transportation within the meaning of the Act.

2. The Board does not find Resolutions JT12 (Mail 289) 590k and JT12 (Mail 289) 590m, which are incorporated in Agreement C.A.B. 17006, R-2 and R-3, to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, It is ordered, That:

1. Jurisdiction is disclaimed with respect to Agreement C.A.B. 17006, R-1; and

2. Agreement C.A.B. 17006, R-2 and R-3, is approved provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 63-3740; Filed, Apr. 9, 1963; 8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-3129]

ELK EXPLORATION, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

APRIL 4, 1963.

I. Elk Exploration, Inc. (issuer), 111 West Telegraph Street, Carson City, Nevada, a Nevada corporation, filed with the Commission on January 7, 1963, a notification and offering circular relating to an offering of 60,000 shares of its $5.00 par value common stock at $5.00 per share for an aggregate of $300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reason to believe that:

A. The offering circular filed with the notification does not meet the requirements of Regulation A in that it fails to comply with the requirements of Schedule I of Form 1-A as required by Rule 256(a) of the general rules and regulations and it omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, with regard to the oil and gas aspects of the filing, i.e., the location or legal description and area of issuer's properties (as required by Item 8B(a) of Schedule I), other properties in the vicinity of issuer's properties, their development and production (as required by Item 8B(b) of Schedule I), the geological reports and maps included in the circular and the speculative aspects of issuer's oil and gas properties.

B. The proposed offering, if made, would violate the provisions of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption under Regulation A be temporarily suspended:

It is ordered, Pursuant to Rule 261(a) (1) and (2) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interst in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63-3711; Filed, Apr. 9, 1963; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 518]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 5, 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., U.S. 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

SPECIAL RULES

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below.

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will at the time of offer, be subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 1641 (Sub-No. 55), filed March 10, 1963. Applicant: PEAKE TRANSPORT SERVICE, INC., Chester, Nebr. Applicant's attorney: Einar Viren, 904 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the loading terminal of Northern Gas Products Company, located at or near Plattsmouth, Nebr., to points in South Dakota, points in Iowa on and west of U.S. Highway 169, points in Missouri on and west of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 169 to St. Joseph, Mo., and points in Doniphan, Brown, Nemaha, Marshall, Washington, Republic, Cloud, Clay, Pottawatomie, Jackson, and Atchison Counties, Kans.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 2392 (Sub-No. 25), filed March 11, 1963. Applicant: WHEELER TRANSPORT SERVICE, INC., P.O. Box 432, Genoa, Nebr. Applicant's attorney: B. E. Powell, 1005-06 Terminal Building, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the loading terminal of Northern Gas Products Company, located at or near Plattsmouth, Nebr., to points in South Dakota, Iowa, on and west of U.S. Highway 169, Missouri, on and west of U.S. Highway 169 from the Iowa State line to St. Joseph, Mo., and to points in Doniphan, Brown, Nemaha, Marshall, Washington, Republic, Cloud, Clay, Pottawatomie, Jackson, and Atchison Counties, Kans., and *damaged and rejected shipments* of the commodities specified above, on return.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 22195 (Sub-No. 93), filed March 13, 1963. Applicant: DAN S. DUGAN, doing business as DUGAN OIL & TRANSPORT CO., P.O. Box 946, 41st Street and Grange Avenue, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from the site of the Northern Gas Products Co. Pipeline Terminal at or near Plattsmouth, Nebr., to points in

North Dakota, South Dakota, and Minnesota, including ports of entry in North Dakota and Minnesota on the International Boundary Line between the United States and Canada, (2) from the site of the Northern Gas Products Co. Pipeline Terminal at or near Clear Lake, Iowa, to points in Minnesota including ports of entry in Minnesota on the international boundary line between the United States and Canada, and (3) from the site of the Northern Gas Products Co. Pipeline Terminal at or near Rosemount, Minn., to points in South Dakota and North Dakota including ports of entry in North Dakota on the international boundary line between the United States and Canada, and *rejected and returned shipments of liquefied petroleum gas*, on return in (1), (2), and (3) above.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 28132 (Sub-No. 66), filed March 11, 1963. Applicant: HVIDSTEN TRANSPORT, INC., 2225 West County Road D, St. Paul, Minn. 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: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from the site of the pipeline terminal of the Northern Gas Products Company located at or near Plattsmouth, Nebr., to points in North Dakota and South Dakota, and (2) from the site of the pipeline terminal of the Northern Gas Products Company located at or near Rosemount, Minn., to points in North Dakota, South Dakota, Wisconsin, Michigan, and points in Minnesota, on, north and east of U.S. Highway 53.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 61396 (Sub-No. 93), filed March 13, 1963. Applicant: HERMAN BROS., INC., 2501 North 11th Street, Omaha 1, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from terminals of Northern Gas Products located at or near Plattsmouth, Nebr., to points in Kansas, Missouri, Iowa, South Dakota, Colorado, Wyoming, North Dakota, and Minnesota, (2) from terminals of Northern Gas Products located at or near Des Moines, Iowa City, and Clear Lake, Iowa, to points in Kansas, Missouri, South Dakota, North Dakota, Nebraska, Minnesota, Wisconsin, and Illinois, (3) from terminals of Northern Gas Products located at or near Rosemount, Minn., to points in Iowa, Illinois, Wisconsin, North Dakota, South Dakota, Nebraska, and Michigan, and (4) from terminals of Northern Gas Products located at or near Rockford, Ill., to points in Iowa, Minnesota, Wisconsin, Michigan, Indiana, Ohio, and Missouri.

NOTE: Applicant states it will transport *rejected and returned shipments*, of the commodities specified above, on return.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 103654 (Sub-No. 73), filed March 11, 1963. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul 16, Minn. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, from the terminal or terminals of the Northern Gas Products Pipeline at or near Rosemount, Minn., to points in Wisconsin, North Dakota, South Dakota, the Upper Peninsula of Michigan, and points in Minnesota on, north and east of U.S. Highway 53.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 103880 (Sub-No. 290), filed March 15, 1963. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the plant site of the Northern Gas Products Pipeline Terminal, located at Rockford, Ill., to points in Wisconsin, Iowa, Missouri, and Nebraska.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 105375 (Sub-No. 15), filed March 14, 1963. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul 4, Minn. 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: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the plant sites of the Northern Gas Products Terminals located at or near (1) Clear Lake, Iowa, to points in Minnesota, and (2) Iowa City, Iowa, to points in Illinois and Wisconsin.

NOTE: Applicant states, *rejected and returned shipments of the commodities specified* above, will be transported on return, also, that no duplicating authorization is sought. It is further noted that common control may be involved.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 105413 (Sub-No. 13), filed March 10, 1963. Applicant: PETROLEUM TRANSPORT SERVICE, INC., R.F.D. No. 1, Council Bluffs, Iowa. Applicant's attorney: Einar Viren, 904 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the loading terminal of Northern Gas Products Company, located at or near Plattsmouth, Nebr., to points in South Dakota, points in Iowa on and west of U.S. Highway 169, points in Missouri on and west of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 169 to St. Joseph, Mo., and points in Doniphan, Brown, Nemaha, Marshall, Washington, Republic, Cloud, Clay, Pottawatomie, Jackson, and Atchison Counties, Kans.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 107010 (Sub-No. 10), filed March 11, 1963. Applicant: RALPH E. DARLING, VIOLET M. DARLING, EXECUTRIX, NATIONAL BANK OF COMMERCE, TRUST & SAVINGS ASS'N., Co-executor, doing business as DARLING TRANSPORT SERVICE, Auburn, Nebr. Applicant's attorney: R. E. Powell, 1005–06 Terminal Building, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the loading terminal of Northern Gas Products Company located at or near Plattsmouth, Nebr., to points in South Dakota, points in Iowa on and west of U.S. Highway 169, points in Missouri on and west of U.S. Highway 169 from the Iowa State line to St. Joseph, Mo., and points in Doniphan, Brown, Nemaha, Marshall, Washington, Republic, Cloud, Clay, Pottowatomie, Jackson, and Atchison Counties, Kans., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, and *damaged and rejected shipments*, on return.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 108449 (Sub-No. 165), filed March 14, 1963. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C," St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, (1) from the site of the Northern Gas Products Pipe Line terminal at or near Rosemount, Minn., to points in Wisconsin, North Dakota, South Dakota, the Upper Peninsula of Michigan, and those points in Minnesota on, north and east of U.S. Highway 53, (2) from the site of the Northern Gas Products Pipe Line terminal at or near Clear Lake, Iowa, to points in Minnesota, (3) from the site of the Northern Gas Products Pipe Line terminal at or near Iowa City, Iowa, to points in Illinois and Wisconsin, and (4) from the site of the Northern Gas Products Pipe Line terminal at or near Rockford, Ill., to points in Wisconsin and the Upper Peninsula of Michigan.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 113410 (Sub-No. 42), filed March 14, 1963. Applicant: DAHLEN TRANSPORT, INC., 875 North Prior Avenue, St. Paul 4, Minn. 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: *Liquified petroleum gas*, in bulk, in tank vehicles, from the plant sites of the Northern Gas Products terminals, located at (1) near Rosemount, Minn., to points in Wisconsin, North Dakota, South Dakota, the Upper Peninsula of Michigan, and that part of Minnesota on north and east of U.S. Highway 53 and (2) near Rockford, Ill., to points in Wisconsin, and the Upper Peninsula of Michigan.

NOTE: Applicant states, *rejected and returned shipments of the commodities specified above*, will be transported on return; also, that no duplicating authorization is sought. It is further noted that common control may be involved.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner Frank R. Saltzman.

No. MC 114725 (Sub-No. 8), filed March 13, 1963. Applicant: WYNNE TRANSPORT SERVICE, INC., 1528 North 11th Street, Omaha, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum gas*, in bulk, in tank vehicles, from the Pipe Line Terminal of Northern Natural Gas Company, located at or near Plattsmouth, Nebr., to points in Iowa on and west of U.S. Highway 169, and *rejected and contaminated shipments*, on return.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Joint Board No. 138, or if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 119489 (Sub-No. 1), filed March 13, 1963. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, Box 596, Norfolk, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum gas*, in bulk, in tank vehicles, from Pipe Line Terminal of Northern Natural Gas Company, at or near Plattsmouth, Nebr., to points in South Dakota, and *rejected and contaminated shipments*, on return.

HEARING: May 27, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Joint Board No. 185, or if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 119767 (Sub-No. 2), filed April 1, 1963. Applicant: BEAVER TRANSPORT CO., a corporation, P.O. Box 339, Burlington, Wis. Applicant's attorney: Thomas F. Kilroy, Suite 1250, Federal Bar Building, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potatoes and potato products*, frozen and unfrozen, cooked, uncooked, and blanched, from Sioux City, Iowa, Albert Lea, Barnesville, Crookston, Duluth, East Grand Forks, Hopkins, Mankato, Minneapolis, and St. Paul, Minn., and Fargo, Grafton, Grand Forks, and Park Falls, N. Dak., to points in Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, North Dakota, Ohio, and Wisconsin.

NOTE: Common control may be involved.

HEARING: May 6, 1963, at the U. S. Court Rooms, Fargo, N. Dak., before Examiner William J. Cave.

By the Commission.

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

[F.R. Doc. 63-3727; Filed, Apr. 9, 1963; 8:48 a.m.]

[Notice 249]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 5, 1963.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 4963 (Deviation No. 7), JONES MOTOR CO., INC., Spring City, Pa., filed March 27, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Breezewood, Pa., over Pennsylvania Highway 126 to junction U.S. Highway 522, thence over U.S. Highway 522 to junction U.S. Highway 40, thence over U.S. Highway 40 to Baltimore, Md., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Hanover, Pa., over Pennsylvania Highway 116 to junction U.S. Highway 30 (5 miles west of York, Pa.), thence over U.S. Highway 30 to York, thence over U.S. Highway 111 to Harrisburg, Pa., thence over U.S. Highway 11 to Carlisle Toll Gate, thence over Pennsylvania Turnpike to Irwin Toll Gate, and thence over U.S. Highway 30 to Pittsburgh, Pa., from York over U.S. Highway 30 to Irwin, Pa., from Hanover, Pa. over Pennsylvania Highway 94 to Mount Holly Springs, Pa., thence over Pennsylvania Highway 34 to Carlisle Toll Gate, and from Baltimore, Md. over U.S. Highway 140 to Reisterstown, Md., thence over Maryland Highway 30 to the Maryland-Pennsylvania State line, thence over Pennsylvania Highway 94 to Hanover, thence over Pennsylvania Highway 116 to junction U.S. Highway 30, thence over U.S. Highway 30 to York, and return over the same routes.

No. MC-29988 (Deviation No. 11) (CORRECTION) DENVER CHICAGO TRUCKING COMPANY, INC., 45th and Jackson Streets, Denver, Colo., filed April 20, 1962. Attorney Edward G. Bazelon, 39 South LaSalle Street, Chicago, Ill. Previous notice published in the FEDERAL REGISTER, issue of May 9, 1962, contained a misleading phrase, "serving no intermediate points." Correctly set forth carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route between Denver, Colo., and St. Louis, Mo., over Interstate Highway 70, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Denver over U.S. Highway 40 to Limon, Colo., thence over U.S. Highway 24 to Halford, Kans., thence over U.S. Highway 83 to Oakley, Kans., thence over U.S. Highway 40 to Topeka, Kans., thence over U.S. Highway 24 to Kansas City, Mo.; also from Topeka over U.S. Highway 40 to Kansas City, thence over U.S. Highway 40 to St. Louis, and return over the same routes.

No. MC 40858 (Deviation No. 18), THE SILVER FLEET MOTOR EXPRESS, INC., Eastman Road, Kingsport, Tenn., filed August 9, 1962. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Louisville, Ky., over Interstate Highway 64 to junction Kentucky Highway 151 at or near Graefenburg, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Louisville, over U.S. Highway 60 to Graefenburg, thence over Kentucky Highway 151 to Alton Station, Ky., thence over Kentucky Highway 35 to Danville, Ky., thence over U.S. Highway 150 via Stanford, Ky., to Mount Vernon, Ky., thence over U.S. Highway 25 to junction Kentucky Highway 490 (formerly U.S. Highway 25) near Livingston, Ky., thence over Kentucky Highway 490 to junction U.S. Highway 25 near Pittsburg, Ky., thence over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25E to Tazewell, Tenn., thence over Tennessee Highway 33 to Knoxville, Tenn., thence over U.S. Highway 129 (formerly Tennessee Highway 33) via Maryville, Tenn., to junction U.S. Highway 411 (formerly Tennessee Highway 33), thence over U.S. Highway 411 to Madisonville, Tenn., thence over Tennessee Highway 68 to Sweetwater, Tenn., thence over U.S. Highway 11 to Chattanooga; and from Louisville to Stanford, as specified above, thence over U.S. Highway 27 to Chattanooga, and return over the same routes.

No. MC 42487 (Deviation No. 16), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif., filed March 29, 1963. Carrier proposes to operate as a *common carrier*, by motor

vehicle, of *general commodities* with certain exceptions, over a deviation route as follows: From Denver, Colo., over Interstate Highway 25 to junction U.S. Highway 87, thence over U.S. Highway 87 to junction Colorado Highway 14, thence over Colorado Highway 14 to Fort Collins, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Denver over U.S. Highway 287 to Laramie, Wyo. (also from Denver over U.S. Highway 85 to Cheyenne, Wyo., and thence over U.S. Highway 30 to Laramie), thence over U.S. Highway 30 to Little America, Wyo., thence over U.S. Highway 30S via Uintah, Utah, to Odgen, Utah, and thence over U.S. Highway 91 to Provo, Utah; and from Denver over the above-specified routes to Uintah, thence over U.S. Highway 89 to junction Alternate U.S. Highway 89 (near Farmington, Utah), thence over Alternate U.S. Highway 89 to junction U.S. Highway 91, thence over U.S. Highway 91 to Provo, and return over the same routes.

No. MC 52709 (Deviation No. 10), RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo., filed March 25, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Sacramento, Calif., over U.S. Highway 40 (and relocated U.S. Highway 40 bypassing Davis and Fairfield, Calif.) to San Francisco, Calif., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Sacramento to Davis, Calif., over U.S. Highway 40, thence over unnumbered highway (formerly U.S. Highway 40) to junction U.S. Highway 40, thence over U.S. Highway 40 to junction unnumbered highway (formerly U.S. Highway 40) near Fairfield, Calif., thence over unnumbered highway to Fairfield, thence over California Highway 12 (formerly U.S. Highway 40) to junction U.S. Highway 40, thence over U.S. Highway 40 via Cordelia, Calif., to San Francisco, and return over the same route.

MOTOR CARRIER OF PASSENGERS

No. MC 1501 (Deviation No. 121) (Cancelling Deviation No. 87), THE GREYHOUND CORPORATION (Southern Greyhound Lines Division), 5260 Peachtree Industrial Boulevard, Chamblee, Ga., filed March 26, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From junction U.S. Highway 25 and Interstate Highway 75 at or near Covington, Ky., over Interstate Highway 75 to junction U.S. Highway 62 near Georgetown, Ky., thence over U.S. Highway 62 as an access route to Georgetown, (B) from junction U.S. Highway 25 and Interstate Highway 75 at Clay's Ferry Bridge (Fayette-Madison County line), over Interstate Highway 75 to junction U.S. Highway 25 near Richmond, Ky., and (C) from junction U.S. Highway 25W and Interstate Highway 75 over Interstate Highway 75 (Jellico Bypass) to junction U.S. Highway 25W located east of Jellico, Tenn., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over pertinent service routes as follows: From Cincinnati, Ohio, over U.S. Highway 25 to Lexington, Ky. (also from Cincinnati across the Ohio River to Covington, Ky., thence over Kentucky Highway 17 to junction U.S. Highway 27, thence over U.S. Highway 27 to Lexington), and thence over U.S. Highway 27 to Chattanooga, Tenn.; and (B) From Lexington over U.S. Highway 25 through Livingston, Oakley and East Bernstadt, Ky., to Corbin, Ky., thence over U.S. Highway 25 to Knoxville, Tenn., and return over the same routes.

By the Commission.

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

[F.R. Doc. 63-3728; Filed, Apr. 9, 1963; 8:48 a.m.]

[Notice No. 781]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 5, 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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 65465. By order of April 2, 1963, Division 3, approved the transfer to Auto Haulers Co., a Texas corporation, Dallas, Tex., of the operating rights in Certificate No. MC 14698, issued by the Commission November 27, 1956, to Auto Haulers Co., a corporation, Tulsa, Okla., authorizing the transportation, over regular routes, of new automobiles, new trucks, new tractors, new trailers, new bodies, new chassis, and automobile parts and accessories, in initial movements, in truckaway service, from Detroit, Mich., and off-route points in Warren Township, Macomb County, Mich., to Tulsa, Okla., new automobiles, new trucks, new tractors, new trailers, new bodies, new chassis, and automobile parts and accessories, in secondary, or subsequent movements, in truckaway service, from St. Louis, Mo., and the intermediate points of Joplin, Mo., and Galena and Baxter Springs, Kans., to Tulsa, Okla., and new automobiles, automobile bodies, automobile chassis, and paraphernalia, in initial movements, in truckaway service, and farm and garden tractors and parts and accessories thereof moving in connection therewith, from Willow Run, Washtenaw County, Mich., to Tulsa, Okla. Reagan Sayers, 301 Century Life Building, Fort Worth 2, Tex., attorney for applicants.

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

[F.R. Doc. 63-3729; Filed, Apr. 9, 1963, 8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 5, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38249: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 467), for interested rail carriers. Rates on pipe or tubing, etc., in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other States not subject to the same conditions.

Tariff: Supplement 46 to Texas-Louisiana Freight Bureau, Agent, tariff I.C.C. 935.

FSA No. 38251: *Sugar, beet or cane, from Crockett, Calif.* Filed by Trans-Continental Freight Bureau, Agent (No. 406), for interested rail carriers. Rates on sugar, beet or cane, as described in the application, in carloads, from Crockett, Calif., to Bingham, East Grand Forks, and Wilds, Minn.

Grounds for relief: Carrier competition.

Tariff: Supplement 1 to Trans-Continental Freight Bureau, Agent, tariff I.C.C. 1684.

AGGREGATE-OF-INTERMEDIATES

FSA No. 38250: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 468), for interested rail carriers. Rates on tile, etc., pipe or tubing, etc., in carloads, from, to and between points in Texas, over interstate routes through adjoining States.

Grounds for relief: Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 46 to Texas-Louisiana Freight Bureau, Agent, tariff I.C.C. 935.

By the Commission.

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

[F.R. Doc. 63-3730; Filed, Apr. 9, 1963; 8:49 a.m.]

[Notice 24]

APPLICATIONS FOR LOAN GUARANTIES

APRIL 4, 1963.

Notice is hereby given of the filing of the following application under part V of the Interstate Commerce Act:

Finance Docket No. 22545, filed April 3, 1963, by Reading Company, Reading Terminal, Philadelphia 7, Pa., for guaranty by the Interstate Commerce Commission of a loan in amount not exceeding $30.0 million. Applicant's representative: H. Merle Mulloy, Vice President and General Counsel, Reading Company, 415 Reading Terminal, Philadelphia 7, Pa. Loan is for the following purposes: (a) Acquisition of 56 new diesel electric locomotives with a total estimated cost of $11,000,000, and (b) reimbursement of applicant's treasury in approximate amount of $19,000,000 for certain capital expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements.

By the Commission.

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

[F.R. Doc. 63-3731; Filed, Apr. 9, 1963; 8:49 a.m.]

[Notice 519]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 5, 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., U.S. 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 82 (Sub-No. 18), filed March 31, 1963. Applicant: BEST WAY OF INDIANA, INC., 10 Cherry Street, Terre Haute, Ind. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, inflammables, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plant site of the Harvey Aluminum Co., located at or near Lewisport, Ky., and Lewisport, as off-route points in connection with applicant's authorized regular route operations.

HEARING: May 2, 1963, at the Department of Motor Transportation, State Office Building, Frankfort, Ky., before Joint Board No. 155.

No. MC 1074 (Sub-No. 10), filed March 25, 1962. Applicant: ALLEGHENY FREIGHT LINES, INCORPORATED, P.O. Box 601, Winchester, Va. Applicant's attorney: James W. Lawson, 1000 16th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, livestock, commodities of a perishable nature, commodities in bulk, and those requiring special equipment), serving the dam construction site on the Stony River approximately 2½ miles northwest of Bismarck, W. Va., and 8 miles southwest of Mount Storm, W. Va., as an off-route point in connection with applicant's authorized regular route operations to and from Mount Storm.

HEARING: June 7, 1963, in Room 3202, U.S. Court House and Federal Office Building, 500 Quarrier Street, Charleston, W. Va., before Joint Board No. 118, or, if the Joint Board waives its right to participate, before Examiner Garland E. Taylor.

No. MC 1124 (Sub-No. 190), filed February 12, 1963. Applicant: HERRIN TRANSPORTATION COMPANY, a Corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission and those injurious or contaminating to other lading), serving the plant sites of (1) The U.S. Rubber Co. plant, (2) The Borden Company plant and (3) The Allied Chemical and Dye Company plant, located at or near Geismar, La., as off-route points in connection with applicant's authorized regular-route operations between Baton Rouge, La., and New Orleans, La.

HEARING: June 6, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 164, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 1968 (Sub-No. 77), filed January 14, 1963. Applicant: BRASWELL FREIGHT LINES, INC., 301 Raynolds (P.O. Box 9518), El Paso, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Natchez, Miss., and Clarence, La., from Natchez, over U.S. Highway 84 to Clarence, and return over the same route, serving no intermediate points, for operating convenience only, in connection with regular route operations between Shreveport, La., and Natchez, Miss.

NOTE: Common control may be involved.

HEARING: June 5, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 28, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 4428 (Sub-No. 16), filed December 7, 1962. Applicant: CAMELEUS F. SANGUIGNI, doing business as A. SANGUIGNI SONS COMPANY, 1107 Thompson Avenue, McKees Rocks, Pa. Applicant's attorney: Jerome Solomon, 1325 Grant Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro alloys*, in charger boxes, tote boxes and exothermic containers, and in bulk in dump vehicles, from points in Allegheny County, Pa., to points in Ohio, West Virginia, Pennsylvania and points in New York on and west of U.S. Highway 15.

HEARING: May 24, 1963, at the New Federal Building, Pittsburgh, Pa., before Examiner Garland E. Taylor.

No. MC 10761 (Sub-No. 134), filed February 19, 1963. Applicant: TRANS-AMERICAN LINES, INC., 1700 N. Waterman Avenue, Detroit 9, Mich. Applicant's attorney: Howell Ellis, Suite 616-618 Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and dairy products*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Rosenthal Packing Co., at Paris, Tex., to Tulsa, Okla., and *returned and rejected shipments*, on return.

HEARING: May 28, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 11207 (Sub-No. 211), filed December 20, 1962. Applicant: DEATON TRUCK LINE, INC., 3409 10th Avenue, North, Birmingham, Ala. Applicant's attorney: A. Alvis Layne, Pennsylvania Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt*, with or without filler, in packages, from Sandersville, Miss., to points in Louisiana.

HEARING: May 22, 1963, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 28, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 14552 (Sub-No. 18), filed March 5, 1963. Applicant: J. V. McNICHOLAS TRANSFER COMPANY, a corporation, 555 West Federal Street, Youngstown, Ohio. Applicant's attorney: Chester A. Zyblut, 1700 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Linoleum and asphalt tile, rugs, plastic tile* and *tile cement*, from the warehouse and retail outlets of the Rose Rug Company, at Youngstown, Ohio, to Erie, Pa., and Olean and James-

town, N.Y., (2) *rubber foam rug padding*, from the plant site of the General Tire & Rubber Company, at Jeannette, Pa., to the retail outlets of Rose Rug Company, at Youngstown, Warren, Ashtabula, and Canton, Ohio, and Jamestown and Olean, N.Y., and (3) *rejected shipments* of the commodities specified in (1) and (2) above, on return.

NOTE: Applicant has pending contract carrier applications in MC 123991 and Sub 3; therefore, dual operations may be involved.

HEARING: May 28, 1963, at the Old Post Office Building, Public Square & Superior Avenue, Cleveland, Ohio, before Examiner John L. York.

No. MC 29894 (Sub-No. 6), filed February 18, 1963. Applicant: JAMES B. BEARD, doing business as BEARD TRUCK LINE, P.O. Box 25, Sardis, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Sardis and Oakland, Miss., from Sardis, over U.S. Highway 51, to Oakland, and return over the same route, serving the intermediate points of Courtland, Pope, and Enid, Miss.

HEARING: May 23, 1963, at the Robert E. Lee Hotel, Jackson, Miss., before Joint Board No. 97, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 30605 (Sub-No. 131), filed September 19, 1962. Applicant: THE SANTA FE TRAIL TRANSPORTATION COMPANY, a Corporation, 433 East Waterman, Wichita, Kans. Applicant's attorney: Francis J. Steinbrecher, 80 East Jackson Boulevard, Chicago 4, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, and *general commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Canyon, Tex., and Farwell, Tex.; from Canyon over U.S. Highway 60 to Farwell, and return over the same route, serving all intermediate points. RESTRICTION: The service authorized herein is subject to the following conditions: (1) The service to be performed by carrier shall be limited to service which is auxiliary to, or supplemental of, rail service of The Atchison, Topeka and Santa Fe Railway Company, and its subsidiary, Panhandle and Santa Fe Railway Company, both hereinafter called the railroad. (2) Carrier shall not serve any point not a station on a rail line of the railroad. (3) No shipments shall be transported by carrier as a common carrier by motor vehicle between, or through or to or from more than one of the key-points presently applicable to carrier's routes in Texas. (4) All contractual arrangements between carrier and the railroad shall be reported to the Commission and shall be subject to revision if the Commission finds it to be necessary in order that such arrangement shall be fair and equitable to the parties. (5) Such further specific conditions as the Commission, in the future, may find it necessary to impose in order to insure that the service shall be auxiliary to, or supplemental of, rail service.

HEARING: May 20, 1963, at 1 o'clock p.m., at the Herring Hotel, Amarillo, Tex., before Joint Board No. 77, or, if the Joint Board waives its right to participate, before Examiner Theodore M. Tahan.

No. MC 30844 (Sub-No. 101), filed March 25, 1963. Applicant: KROBLIN REFRIGERATED XPRESS, INC., P.O. Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street, Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouse products*, as described by the Commission, in Appendix I, 61 M.C.C. 209, from Luverne, Minn., and Sioux City, Iowa, to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and Washington, D.C.

NOTE: Applicant states the "service at Sioux City, Iowa, restricted to the movement of traffic from the plant site of Sioux City Dressed Pork Company moving in mixed loads with traffic originating at Luverne, Minn."

HEARING: April 25, 1963, at the Sheraton-Warrior Hotel, Sioux City, Iowa, before Examiner J. Thomas Schneider.

No. MC 41309 (Sub-No. 20), filed March 4, 1963. Applicant: JEFFRIES-EAVES, INC., 333 Osuna Road NW., P.O. Box 1015, Albuquerque, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Helium gas*, in bulk, in shipper-owned or government-owned vehicles, from points in Moore, Potter, and Randall Counties, Tex., to points in New Mexico, (2) *empty shipper-owned or government-owned tank vehicles*, from points in New Mexico, to points in Moore, Potter, and Randall Counties, Tex.

HEARING: May 3, 1963, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 33, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 41635 (Sub-No. 41), filed March 13, 1963. Applicant: DEALERS TRANSPORT COMPANY, a corporation 1368 Riverside Boulevard, Memphis, Tenn. Applicant's attorney: Charles H. Hudson, Jr., 417 Stahlman Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Traction engines or tractors, steam or internal combustion, with or without attachments*, in secondary movements, in truckaway service, (1) from Memphis, Tenn., to points in Arkansas, Alabama, Kentucky, Mississippi, Missouri, Tennessee, and Louisiana, (2) from Jackson, Miss., to points in Arkansas, Alabama, Mississippi, and Louisiana, (3) from New Orleans, La., to points in Alabama, Arkansas, Louisiana, and Mississippi, (4) from Shreveport, La., to points in Arkansas, Louisiana, Mississippi, and Anderson, Angelina, Bowie, Camp, Cass, Cherokee, Delta, Franklin, Gregg, Hardin, Harrison, Henderson Hopkins, Houston, Jasper, Lamar, Marion, Morris, Nacogedoches, Newton, Orange, Panola, Polk, Rains, Red River, Rusk, Sabine, San Augustine, Shelby, Smith, Titus, Trinity, Tyler, Upshur, Van Zandt, and Wood Counties, Tex., and (5) from Louisville, Ky., to points in Kentucky, Indiana, Ohio, Tennessee, and West Virginia.

NOTE: Applicant states the authority requested herein shall be subject to the following restrictions, (a) all shipments shall be limited to those having a prior movement by rail, (b) all shipments shall be transported on automobile transporting type of trailers, and (c) all shipments shall be limited to the products of the Ford Motor Company.

HEARING: May 15, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Garland E. Taylor.

No. MC 42261 (Sub-No. 76), filed April 2, 1963. Applicant: LANGER TRANSPORT CORP., Route 1, Foot of Danforth Avenue, Jersey City, N.J. Applicant's representative: S. Sidney Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bicarbonate of soda*, dry, *and sodium carbonate*, monohydrated, dry, in bulk, in hopper and mechanical discharge type tank vehicles, from Syracuse, N.Y., to points in New York, New Jersey, Pennsylvania, Connecticut, Rhode Island, Massachusetts and Ports of Entry on the Canada-U.S. international boundary line located in New York.

HEARING: April 25, 1963, at the Governor Clinton Hotel, 31st and Seventh Avenue, New York, N.Y., before Examiner Gordon M. Callow.

No. MC 43654 (Sub-No. 55), filed March 21, 1963. Applicant: DIXIE OHIO EXPRESS, INC., P.O. Box 750, Akron 9, Ohio. Applicant's attorney: Harry McChesney, Jr., Box 127, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except perishables, livestock, petroleum and its products in tank trucks, coal, sand, gravel, grain, household goods as defined by the Commission, Classes A and B explosives, and those requiring special equipment), serving Conneautville, Pa., and points within 5 miles of Conneautville, as off-route points in connection with applicant's authorized regular route operations.

HEARING: May 29, 1963, at the Old Post Office Building, Public Square and Superior Avenue, Cleveland, Ohio, before Examiner John L. York.

No MC 59590 (Sub-No. 9) (AMENDMENT), filed February 8, 1963, published in FEDERAL REGISTER issue of March 27, 1963, amended April 1, 1963, and republished as amended this issue. Applicant: CLIPPER TRANSPORTATION COMPANY, a corporation, 142 Danforth Avenue, Jersey City, N.J. Applicant's representative: George A.

Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete forms, tools and supplies used in the erection of such forms*, (1) from the plant sites of the Concrete Plank Company, Inc., at North Arlington and Jersey City, N.J., to points in Connecticut, District of Columbia, Delaware, Maryland, Massachusetts, New York, Ohio, Pennsylvania, Rhode Island, Virginia, West Virginia, Maine, New Hampshire and Vermont, and (2) from the plant site of the Concrete Plank Company, Inc., Beltsville, Md., to Jersey City and North Arlington, N.J., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return in (1) and (2) above.

NOTE: Applicant states that any duplication of authority is to be cancelled. The proposed operations are to be under continuing contract with the Concrete Plank Company, Inc. The purpose of this republication is to add (2) above.

HEARING: Remains as assigned May 7, 1963, at 346 Broadway, New York, N.Y. before Examiner William J. O'Brien, Jr.

No. MC 65628 (Sub-No. 1) (CLARIFICATION), filed January 15, 1963, published FEDERAL REGISTER issue of March 6, 1963, clarified March 28, 1963, and republished, as clarified, this issue. Applicant: THOMPSON, INC., 10 North Woodland Avenue, East Brunswick, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum base oil*, in bulk, in tank vehicles, from Hanover (Morris County), N.J., to Chestertown, Md. and Bristol, Pa., and (2) *oil additive blends*, in bulk, in tank vehicles, from Bristol, Pa., to Hanover (Morris County), N.J.

NOTE: The purpose of this republication is to change the commodity description of "oil additives" to read "oil additive blends."

HEARING: Remains as assigned April 29, 1963, at 346 Broadway, New York, N.Y., before Examiner James I. Carr.

No. MC 77656 (Sub-No. 4) filed December 26, 1962. Applicant: JOHNSTOWN MOTOR FREIGHT, INC., 438 Belmont St., Johnstown, Pa. Applicant's attorney: S. Harrison Kahn, Investment Building, Suite 733, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Empty cans*, from Baltimore, Md., to Tipton, Pa., and (2) *groceries* from Baltimore, Md., to Tyrone, Altoona, Bedford, and Phillipsburg, Pa.

NOTE: Common control may be involved.

HEARING: May 23, 1963, at the New Federal Building, Pittsburgh, Pa., before Examiner Garland E. Taylor.

No. MC 94265 (Sub-No. 99), filed February 7, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products*, (a) from points in Indiana and Michigan, to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Louisiana, Mississippi, Alabama, Georgia, and Florida, and (b) from Murfreesboro, Tenn., to Baltimore, Md., Philadelphia, Pa., and New York, N.Y., and (2) *exempt commodities*, in *mixed shipments with items incidental to the transportation of meat, meat products, meat by-products, and articles distributed by meat packinghouses*, as defined by the Commission, from points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, District of Columbia, West Virginia, Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Louisiana, Mississippi, Alabama, Georgia, and Florida, to points in Ohio, Indiana, Illinois, Iowa, Michigan, and Wisconsin.

HEARING: June 11, 1963, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 95540 (Sub-No. 508), filed February 14, 1963. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Paris, Tex., to points in Florida, Georgia, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, and Virginia.

NOTE: Common control may be involved.

HEARING: May 28, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 103880 (Sub-No. 279), filed December 31, 1962. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities*, in bulk, in tank and hopper type vehicles, from Illiopolis, Ill., and points within 5 miles thereof, to points in Michigan, Indiana, Illinois, Iowa, Minnesota, Kentucky, Missouri, Ohio, New Jersey, Nebraska, Kansas, Wisconsin, and Pennsylvania.

HEARING: May 29, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Alvin H. Schutrumpf.

No. MC 105813 (Sub-No. 80), filed January 25, 1963. Applicant: BELFORD TRUCKING CO., INC., 1299 NW. 23d Street, Miami 42, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Frozen citrus products, frozen fruit juices, citrus products, not canned and not frozen, fresh fruits, fresh vegetables, frozen seafoods and frozen foods* in mixed shipments with canned citrus products, from points in Florida to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, and Pittsburgh, Pa.

HEARING: June 6, 1963, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner Lacy W. Hinely.

No. MC 105813 (Sub-No. 87), filed April 4, 1963. Applicant: BELFORD TRUCKING CO., INC., 1299 NW. 23d Street, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products*, and *articles distributed by meat packinghouses as* defined by the Commission from Dubuque, Ottumwa, Estherville, and Waterloo, Iowa, to points in Kentucky and Tennessee.

HEARING: April 26, 1963, at the Pick-Mark Twain Hotel, St. Louis, Mo., before Examiner Armin G. Clement.

No. MC 106223 (Sub-No. 63), filed March 6, 1963. Applicant: GREENLEAF MOTOR EXPRESS, INC., 4606 State Avenue, Ashtabula, Ohio. Applicant's attorney: Edwin C. Reminger, 905 The Leader Building, Cleveland 14, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Ashtabula, Ohio, to points in Pennsylvania on and north of a line beginning at the Ohio-Pennsylvania State line and extending east along U.S. Highway 422 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Pennsylvania-New York State line.

HEARING: May 28, 1963, at the Old Post Office Building, Public Square and Superior Avenue, Cleveland, Ohio, before Examiner John L. York.

No. MC 107107 (Sub-No. 238), filed October 3, 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: *Frozen bakery products and frozen foods*, from Natchez, Miss., to points in Alabama, Florida, Ohio, Georgia, Kentucky, North Carolina, New Jersey, New York, Delaware, Pennsylvania, South Carolina, Tennessee (except Memphis), Virginia, West Virginia, and District of Columbia.

HEARING: May 24, 1963, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner A. Lane Cricher.

No. MC 107107 (Sub-No. 251), filed January 9, 1963. 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: *Food products*, from points in Kent and Sussex Counties, Del., and Dorchester and Wicomico Counties, Md., to points in Florida.

HEARING: June 3, 1963, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner Lacy W. Hinely.

No. MC 107107 (Sub-No. 253), (CLARIFICATION), filed January 25, 1963, published FEDERAL REGISTER issue March 27, 1963, and republished as clarified this issue. 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: (1) *Foods, food ingredients, food materials, and food supplements* (except jams, jellies, pie fillers, cocoa, rice, flour, beans, mincemeat, macaroni, noodles, and spaghetti), from New York, N.Y., to Miami, Fla., and (2) the commodities described in (1) as italicized above (except meats, meat products, and meat byproducts, and dairy products, as described in sections A and B of Appendix I to the report in *Descriptions in Motor Carriers Certificates*, 61 M.C.C. 209 and 766, and frozen foods, processed fruits and vegetables, fish, seafood, nuts, condiments, spices, bakery supplies, bakery materials, bakery products, candy, confectionery, salad dressings, cocoa, coffee, pie filler, mincemeat, cereal, olives, flavoring compounds, syrups, extracts, edible and cooking oils, macaroni, spaghetti, and rice), from New York, N.Y., and points in New Jersey within 15 miles thereof (except points in Monmouth County, N.J.), to points in Florida, and (3) *advertising and promotional material when related to and moving with shipments of foods, food ingredients, food materials and food supplements*, from New York, N.Y., and points within 15 miles thereof, to points in Florida.

NOTE: The purpose of this republication is to change the language used in part (2) of previous publication which read "—as underlined above—" to read "—as italicized above—".

HEARING: Remains as assigned May 8, 1963, at 346 Broadway, New York, N.Y., before Examiner William J. O'Brien, Jr.

No. MC 107107 (Sub-No. 260), filed February 25, 1963. 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: *Meats, meat products and meat byproducts*, from Hereford, Tex., to points in Alabama, Tennessee (except Memphis), Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, the District of Columbia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Massachusetts, Maine, New Hampshire, Connecticut, Rhode Island, and Vermont.

HEARING: April 26, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Richard H. Roberts.

No. MC 107107 (Sub-No. 264), filed March 11, 1963. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, coconuts, and pineapples*, from points in Florida, to points in Arkansas, Connecticut, Iowa, Massachusetts, Mississippi, Nebraska, Oklahoma, Rhode Island, West Virginia, Wisconsin, and Florida.

HEARING: June 5, 1963, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner Lacy W. Hinely.

No. MC 107107 (Sub-No. 265), filed March 14, 1963. 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: *Foods, food ingredients, food materials and related advertising and promotional materials* (except candy and confectionery), from Atlanta, Ga., to Jacksonville, Fla.

HEARING: May 27, 1963 at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 107403 (Sub-No. 459), filed March 11, 1963. 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: *Cement*, between points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: Applicant states the commodity specified above is to be "restricted to shipments having prior movement by rail and/or water." It is further noted that common control may be involved.

HEARING: May 7, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 107515 (Sub-No. 433), filed February 28, 1963. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Paul M. Daniell, Suite 214–217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Peanuts, shelled, salted, or not salted, nuts, edible, shelled, salted, or not salted, peanuts, roasted in shell, liquid peanut oil, candy and confectionery, peanut butter and bakery products*, in vehicles equipped with mechanical refrigeration, from Suffolk, Va., to Dallas, Tex.

NOTE: Common control may be involved.

HEARING: May 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 107515 (Sub-No. 435), filed March 13, 1963. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Paul M. Daniell, Suite 214–217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, and *bananas in mixed shipments with coconuts and pineapples*, from Jacksonville, Fla., to points in the United States east of U.S. Highway 85 (except points in Maine, Vermont, and New Hampshire).

HEARING: May 31, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Lacy W. Hinely.

No. MC 108158 (Sub-No. 53), filed January 4, 1963. Applicant: MIDCONTINENT FREIGHT LINES, INC., 11 Oak Street SE., Minneapolis 14, Minn. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides, pelts, skins, switches and tails*, (1) from Dallas and Fort Worth, Tex., Wichita, Kans., and points in Oklahoma, to Red Wing, Minn., Fond du Lac, Sheboygan, Sheboygan Falls and Racine, Wis., and Waukegan, Ill., and (2) from Denison, Tex., to Kansas City and Wichita, Kans., Kansas City, Mo., Davenport, Iowa, Chicago, Joliet, Peoria, Rock Island, and Waukegan, Ill., Green Bay, LaCrosse, Manitowoc, Milwaukee, Fond du Lac, Sheboygan, Sheboygan Falls, and Racine, Wis., and Minneapolis, St. Paul, and Red Wing, Minn.

HEARING: June 12, 1963, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 108207 (Sub-No. 111), filed February 20, 1963. Applicant: FROZEN FOOD EXPRESS, a corporation, 318 Cadiz Street, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, in vehicles equipped with mechanical refrigeration, from New New Orleans, La., to points in Arkansas and Texas.

HEARING: May 27, 1963, at the Baker Hotel, Dallas, Tex., before Joint Board No. 153, or, if the Joint Board waives its right to participate, before Examiner Theodore M. Tahan.

No. MC 108375 (Sub-No. 22) (AMENDMENT), filed February 5, 1963, published in FEDERAL REGISTER issue of March 20, 1963, amended March 29, 1963, and republished as amended this issue. Applicant: LEROY L. WADE & SON, INC., 1615 Izard Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trucks, and automobiles* when full-mounted or towed in combination with trucks, all in secondary movements, in driveaway service, from Des Moines and Council Bluffs, Iowa, and Omaha, Nebr., to points in Iowa, Nebraska, South Dakota, North Dakota, Kansas, and points in that part of Missouri on and north of U.S. Highway 36 and on and west of U.S. Highway 65, and points in that part of Minnesota on and south of U.S. Highway 14 and on and west of U.S. Highway 59, and (2) *automobiles, trucks and tractors*, in initial and secondary movements, in truckaway and driveaway service, from the Ford Motor Company plant in Clay County, Mo., to points in North Dakota.

NOTE: Common control may be involved. The purpose of this republication is to amend (2) to include "tractors" and "initial movements."

HEARING: Remains as assigned April 24, 1963, at the Hotel Sheraton Fontenelle, Omaha, Nebr., before Examiner J. Thomas Schneider.

No. MC 110525 (Sub-No. 564), filed March 31, 1963. 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: *Bicarbonate of soda, dry, and sodium carbonate, monohydrated, dry*, in bulk, in hopper and mechanical discharge type tank vehicles, from Syracuse, N.Y., to points in New York, New Jersey, Pennsylvania, Connecticut, Rhode Island, Massachusetts, and ports of entry on the Canada-U.S. international boundary line located in New York.

HEARING: April 25, 1963, at the Governor Clinton Hotel, 31st and Seventh Avenue, New York, N.Y., before Examiner Gordon M. Callow.

No. MC 111045 (Sub-No. 30), filed January 11, 1963. Applicant: REDWING CARRIERS, INC., P.O. Box 426, Palm River Road, Tampa, Fla. 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: *Sulphuric acid*, in bulk, in tank vehicles, from points in Polk County, Fla., to points in Georgia.

HEARING: May 28, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or if the Joint Board waives its right to participate, before Examiner Lacy W. Hinely.

No. MC 112497 (Sub-No. 201), filed February 26, 1963. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Abbeville, La., to points in Arkansas, Mississippi and Texas.

HEARING: May 29, 1963, at the Federal Office Bldg., 701 Loyola Ave., New Orleans, La., before Examiner A. Lane Cricher.

No. MC 113267 (Sub-No. 77), filed September 17, 1962. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street., Caseyville, Ill. Applicant's representative: Frederick H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products and frozen foods*, from Natchez, Miss., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, South Carolina, and Tennessee.

NOTE: Common control may be involved.

HEARING: May 24, 1963, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner A. Lane Cricher.

No. MC 113514 (Sub-No. 86) (REPUBLICATION), filed September 7, 1962, published FEDERAL REGISTER issue of November 28, 1962, and republished this issue. Applicant: SMITH TRANSIT, INC., Third Floor Simons Building, Dallas 1, Tex. Applicant's attorney: W. D. White, 1900 Mercantile Dallas Building, Dallas 1, Tex. By application filed September 7, 1962, applicant seeks authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fly ash, in bulk, in tank and hopper type equipment, from Rockdale, Tex., to points in Louisiana. The application was referred to Joint Board No. 32 for hearing on January 31, 1963, at Baton Rouge, La. At the hearing the Joint Board allowed the origin point to be changed to Sandow, Tex. (within 10 miles of Rockdale, Tex.). A report and order, served January 28, 1963, which became effective February 28, 1963, finds the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *fly ash*, in bulk, in tank and hopper-type equipment, from Sandow, Tex. (near Rockdale, Tex.), to points in Louisiana, subject to republication in the FEDERAL REGISTER in order to give parties adversely affected, if any there be, 30 days notice to file objections to such recommendation.

No. MC 113514 (Sub-No. 89), filed February 26, 1963. Applicant: SMITH TRANSIT, INC., Third Floor Simons Building, Dallas 1, Tex. Applicant's attorney: W. D. White, 2420 Republic National Bank Building, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Catalyst*, in bulk, between points in Louisiana, Mississippi, Oklahoma, and Texas.

NOTE: Common control may be involved.

HEARING: May 31, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 113651 (Sub-No. 52), filed January 21, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Peoria, Ill., to points in Virginia, New York, Ohio, West Virginia, Maryland, Indiana, Pennsylvania, Delaware, Kentucky, District of Columbia and New Jersey, and (2) *exempt commodities and exempt commodities in mixed shipments with items incidental to the transportation of meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described by the Commission, from points in Virginia, New York, West Virginia, Maryland, Pennsylvania, Delaware, District of Columbia, and New Jersey, to points in Ohio, Indiana, Illinois, Iowa, Michigan, and Wisconsin.

HEARING: June 10, 1963, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 113651 (Sub-No. 53), filed February 10, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts, dairy products, articles distributed by meat packing houses*, as described in Sections A, B, and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Indianapolis, Ind. to points in Virginia, West Virginia, Delaware, Kentucky, Maryland, the District of Columbia, Pennsylvania, New York, New Jersey, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont, and Maine (except Portland) and (2) *exempt commodities, exempt commodities in mixed shipments with items incidental to the transportation of meat, meat products, meat byproducts and articles distributed by meat packing houses* as described by the Commission, from points in Virginia, West Virginia, Delaware, Kentucky, Maryland, the District of Columbia, Pennsylvania, New York, New Jersey, Rhode Island, Connecticut, Massachusetts, New Hampshire, Vermont, and Maine to points in Ohio, Indiana, Illinois, Michigan, Kentucky, and Wisconsin.

HEARING: May 20, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Alvin H. Schutrumpf.

No. MC 113678 (Sub-No. 27) (AMENDMENT), filed August 8, 1962, published in FEDERAL REGISTER issue of September 19, 1962, amended April 3, 1963, and republished as amended, this issue. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouse products* as described by the Commission in Appendix I, Sections A, B, and C, 61 M.C.C. 209 from Perry, Iowa, to points in Arizona, California, Colorado, Idaho, Kansas, Minnesota, Missouri, Montana, Nebraska, Neveda, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

NOTE: The purpose of this republication is to eliminate 31 destination states, and indicate new hearing date.

HEARING: April 24, 1963, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner Lawrence A. VanDyke, Jr.

No. MC 113843 (Sub-No. 60), filed December 23, 1962. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston 10, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and supplies used in conjunction with the dispensing and serving of frozen foods*, from points in Ohio to points in Dela-

ware, the District of Columbia, Maryland, and Virginia.

HEARING: May 27, 1963, at the Old Post Office Building, Public Square and Superior Avenue, Cleveland, Ohio, before Examiner John L. York.

No. MC 113855 (Sub-No. 77), filed December 26, 1962. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pulpboard and fibreboard*, from points in Washington and Oregon to points in Ohio, Indiana, Michigan, Nebraska, Iowa, Illinois, Wisconsin, and Minnesota.

HEARING: June 13, 1963, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 114045 (Sub-No. 107), filed February 23, 1963. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery products, peanut butter, processed peanuts and related products*, from Suffolk, Va., to points in Texas, New Mexico, Arizona, and California.

HEARING: May 24, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 114357 (Sub-No. 2), filed February 28, 1963. Applicant: ROY STOVER, doing business as STOVER LIVESTOCK COMPANY, Redfield, S. Dak. Authortiy sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Milled livestock and poultry feeds*, in bags and bulk, from Minneapolis and St. Paul, Minn., to points in Spink and Faulk Counties, S. Dak.

HEARING: May 14, 1963, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 26.

No. MC 114699 (Sub-No. 18), filed March 1, 1963. Applicant: TANK LINES INCORPORATED, P.O. Box 6415 North Dabney Road, Richmond, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lacquer solvents*, in bulk, in tank vehicles, from Hopewell, Va., to Atlanta, Ga., (2) *petroleum and petroleum products* (except asphalt and asphalt products) in bulk, in tank vehicles, from Wilmington, N.C., to points in Virginia, and (3) *rejected shipments only*, of commodities specified in (1) and (2) above.

HEARING: May 14, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Theodore M. Tahan.

No. MC 114939 (Sub-No. 25), filed December 17, 1962. Applicant: BULK CARRIERS LIMITED, Box 10, Cooksville, Ontario, Canada. Applicant's attorney: Walter N. Bieneman, Guardian Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry bulk commodities*, in dump, hopper, and tank type equipment, restricted to traffic originating in Canada, from ports of entry on the United States-Canada boundary line at or near Port Huron and Detroit, Mich., to points in Michigan, and (2) *liquid chemicals*, in bulk, in tank vehicles, restricted to traffic originating at or destined to points in Canada, between points in Michigan and ports of entry on the United States-Canada boundary line at or near Port Huron and Detroit, Mich.

HEARING: June 4, 1963, at the Federal Building, Lansing, Mich., before Joint Board No. 163, or, if the Joint Board waives its right to participate, before Examiner Alvin H. Schutrumpf.

No. MC 115523 (Sub-No. 99) (REPUBLICATION), filed March 26, 1962, published FEDERAL REGISTER issue of May 16, 1962, and republished this issue. Applicant: CLARK TANK LINES COMPANY, a corporation, 1450 Beck Street, Salt Lake City, Utah. Applicant's attorney: Marshall G. Berol, 100 Bush Street, San Francisco 4, Calif. By application filed March 26, 1962, applicant seeks authority to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Molasses, in bulk, (1) from points in California, Oregon, and Washington, to points in Idaho, Utah, Montana, Wyoming, Colorado, and Nevada, and (2) from points in Idaho and Utah, to points in Montana, Wyoming, Colorado, Nevada, and Oregon. The application was referred to Hearing Examiner Donald R. Sutherland for hearing on June 22, 1962, at Salt Lake City, Utah. At the hearing the examiner allowed an amendment which includes the following restrictions: (a) No service shall be performed from points in California to points in Clark County, Nev., and (b) no service shall be performed from points in California to Salt Lake City, Utah, and Craig, Colo., and points on U.S. Highway 40 between Salt Lake City, Utah, and Craig, Colo., and (c) no service shall be performed from Los Angeles, Calif., to Grand Junction, Colo. The examiner also allowed the addition of authority sought between points in Idaho, on the one hand, and, on the other, points in Utah. A Report and Order, served February 20, 1963, which became effective March 22, 1963, finds the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *molasses*, in bulk, in tank vehicles, (1) from the plant sites of Utah Sugar Company at or near Scalley and Toppenish, Wash., to points in Idaho and Montana, (2) from the plant sites of Utah Sugar Company at or near Idaho Falls, Idaho, and Garland, Gunnison, and West Jordan, Utah, to points in Montana, Nevada, and Wyoming, (3) from the plant site of Utah Sugar Company at or near Idaho Falls, Idaho, to points in Utah, (4) from the plant sites of Utah Sugar Company at or near Garland, Gunnison, and West Jordan, Utah, to points in Idaho, (5) from the plant site of Amalgamated Sugar Company at or near Nyssa, Oreg., to points in Idaho and Utah, (6) from the plant sites of Amalgamated Sugar Company at or near Nampa, Twin Falls, Rupert, and Preston, Idaho, and Lewiston, Utah, to points in Colorado and Oregon, (7) from the plant sites of Amalgamated Sugar Company at or near Nampa, Twin Falls, Rupert, and Preston, Idaho, to points in Utah, and (8) from the plant site of Amalgamated Sugar Company at or near Lewiston, Utah, to points in Idaho. Because parties may be prejudiced by lack of notice respecting the amendment of the application at the hearing to cover the authority sought between points in Idaho, on the one hand, and, on the other, points in Utah, the issuance of a certificate authorizing the operations will be withheld for 30 days from the date of republication in the FEDERAL REGISTER, during which period any interested party adversely affected may file an appropriate pleading with the Commission.

No. MC 115840 (Sub-No. 6), filed February 13, 1963. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from Anse LaButte, La., to points in Alabama, Kentucky, Georgia, Mississippi, and Tennessee.

HEARING: May 27, 1963, at the Federal Office Building, 701 Loyola Ave., New Orleans, La., before Examiner A. Lane Cricher.

No. MC 115841 (Sub-No. 126), filed February 13, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, P.O. Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Lindale, Tex., to points in Alabama, Arkansas, Georgia, Louisiana, Mississippi, and Tennessee.

HEARING: May 23, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 116063 (Sub-No. 30), filed February 25, 1963. Applicant: WESTERN TRANSPORT CO., INC., 2400 Cold Springs Road, P.O. Box 7346, Fort Worth, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed ingredients*, from points in Arkansas and Oklahoma to points in New Mexico and Texas (except Dallas, Fort Worth, and Houston), and *rejected and damaged shipments*, on return.

HEARING: May 29, 1963, at the Baker Hotel, Dallas, Tex., before Examiner Theodore M. Tahan.

No. MC 116077 (Sub-No. 144), filed March 15, 1963. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 401 Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in packages, from points in Iberia Parish, La., to points in Oklahoma, and *damaged, defective and refused shipments* of the above-specified commodities, on return.

HEARING: June 3, 1963, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner A. Lane Cricher.

No. MC 116906 (Sub-No. 2), filed January 30, 1963. Applicant: JULIUS C. TOPOLSKI, doing business as TOP'S SERVICE STATION, 3800 South Ashland Avenue, Chicago, Ill. Applicant's attorney: Alfred L. Roth, 188 West Randolph Street, Room 2014, Chicago 1, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Replacement automobiles, trucks, truck tractors and busses,* from Chicago, Ill., to points in Indiana, Michigan, Missouri, and Wisconsin.

HEARING: May 27, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Alvin H. Schutrumpf.

No. MC 117525 (Sub-No. 2), Filed March 18, 1963. Applicant: ORLO L. PRIOR, INC., Portersville, Pa. Applicant's attorney: Frederick L. Kiger, Grant Building, Pittsburgh, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Manufactured dairy products,* in containers, and *packaged oleomargarine,* from Farmdale, Ohio, to Erie, and Meadville, Pa., *and only empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified above, on return.

HEARING: May 15, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard A. White.

No. MC 117675 (Sub-No. 1), filed March 7, 1963. Applicant: FELTON METTS, doing business as METTS TRUCKING COMPANY, 5966 Jacks Road, Jacksonville, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bananas,* from Jacksonville, Fla., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee, and Chicago, Ill.

HEARING: May 29, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Lacy W. Hinely.

No. MC 118898 (Sub-No. 12), filed November 19, 1962. Applicant: T. P. TRUCKING COMPANY, INC., 1489 Grady Avenue, Yazoo City, Miss. Applicant's attorney: Donald B. Morrison, P.O. Box 961, Jackson, Miss. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Fiber roof deck,* from the plant site of Fireproof Products of Mississippi, Incorporated, near Terry, Miss., to points in Florida, Oklahoma, points in Tennessee on and east of the Tennessee River, and points in Texas on and west of U.S. Highway 69.

NOTE: Applicant states the above transportation is to be limited to a service performed under a continuing contract with Fireproof Products of Mississippi, Incorporated, Terry, Miss.

HEARING: May 22, 1963, at the Robert E. Lee Hotel, Jackson, Miss., before Examiner A. Lane Cricher.

No. MC 118959 (Sub-No. 16), filed February 24, 1963. Applicant: JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, Mo. Applicant's attorney: M. Craig Massey, 223 S. Florida Avenue, P.O. Box 586, Lakeland, Fla. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sugar,* from New Orleans, Gramercy, Houma, Matthews, Reserve, and Supreme, La., to points in Ohio, Illinois, Indiana, Missouri, Kentucky, Iowa, Minnesota, Kansas, Oklahoma, Arkansas, Mississippi, Tennessee, and Wisconsin, and *damaged and rejected shipments,* on return.

HEARING: May 28, 1963, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner A. Lane Cricher.

No. MC 119522 (Sub-No. 3), filed February 11, 1963. Applicant: McLAIN TRUCKING, INC., 1242 North Jefferson Street, Muncie, Ind. Applicant's attorney: Donald W. Smith, Suite 511, Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Marble and granite monuments,* from Muncie, Ind., to points in Indiana, points in Champaign, Clark, Clay, Coles, Crawford, Cumberland, DeWitt, Douglas, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Hamilton, Iroquois, Jasper, Jefferson, Lawrence, Livingston, McLean, Macon, Marion, Moultrie, Piatt, Richland, Saline, Shelby, Vermillion, Wabash, Wayne, White, and Williamson Counties, Ill., points in Darke, Preble, Mercer, and Van Wert Counties, Ohio, and Owensboro, Louisville, Elizabethtown, Glasgow, Frankfort, and Lexington, Ky.

HEARING: May 21, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Alvin H. Schutrumpf.

No. MC 119898 (Sub-No. 1), filed March 11, 1963. Applicant: W. G. McCARTY, 300 Locust Street, Truman, Ark. Applicant's attorney: James W. Wrape, Sterick Building, Memphis 3, Tenn. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Sewing machine desks, cabinets, carrying cases, tables and parts thereof, woodwork, stools and chairs,* from the site of the Poinsett Lumber and Manufacturing Co., located at Truman, Ark., to the site of the warehouse of Singer Sewing Machine Company, located at Momence, Ill., and to New Orleans, La., and (2) *returned shipments of the above-specified commodities,* from the warehouse of Singer Sewing Machine Company, located at Momence, Ill., to the plant site of the Poinsett Lumber and Manufacturing Company, located at Truman, Ark.

NOTE: Applicant states the proposed operation will be under contract with the Singer Sewing Machine Company of New York, N.Y.

HEARING: May 31, 1963, at the Federal Office Building, 701 Loyola Avenue, New Orleans, La., before Examiner A. Lane Cricher.

No. MC 123684 (Sub-No. 1), filed March 1, 1963. Applicant: THE H. R. LINE, INC., Box 447, Arcadia, Ind. Applicant's attorney: Thomas F. Quinn, Suite 715–716 First Federal Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *New furniture,* crated, (1) from the plant site of the Harris Pine Mills, Inc., located near Columbus, Wis., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, Tennessee, Virginia, and West Virginia, (2) from the plant site of the Harris Pine Mills, Inc., located near Cicero, Ind., to points in Maryland and New York, (3) from the plant site of the Harris Pine Mills, Inc., located near Hamburg, Pa., to points in Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, New York, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin, and (4) from the plant site of the Harris Pine Mills, Inc., located near Geneva, Ill., to points in Arkansas, Florida, Georgia, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Missouri, New York, Ohio, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin. RESTRICTION: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract or contracts, with Harris Pine Mills, Inc., of Pendleton, Oreg.

HEARING: May 22, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Alvin H. Schutrumpf.

No. MC 123922 (Sub-No. 5), filed April 2, 1963. Applicant: CONTINENTAL BULK SYSTEM INC., 72 St. Charles Street, Newark, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bicarbonate of soda,* dry, *and sodium carbonate,* monohydrated, dry, in hopper and mechanical discharge type tank vehicles, from Syracuse, N.Y., to points in New York, New Jersey, Pennsylvania, Connecticut, Rhode Island, Massachusetts, and Ports of Entry on the Canada-United States International Boundary Line located in New York.

HEARING: April 25, 1963, at the Governor Clinton Hotel, 31st and Seventh Avenue, New York, N.Y., before Examiner Gordon M. Callow.

No. MC 124048 (Sub-No. 10), filed February 3, 1963. Applicant: SCHWERMAN TRUCKING CO. OF INDIANA, INC., 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski, (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry cement,* in bulk, and in packages, from points in Greencastle Township, Putnam County, Ind., to points in Illinois, Ohio, and Kentucky within 250 miles of Greencastle, Ind.

NOTE: No duplication of authority is sought. Applicant holds contract authority in MC 113833; therefore, dual operations may be involved.

HEARING: May 23, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner Alvin H. Schutrumpf.

No. MC 124518 (AMENDMENT), filed June 6, 1962, published FEDERAL REGISTER issue August 15, 1962, amended January 7, 1963, republished as amended this issue. Applicant: FRANKLIN HAMMONS, doing business as HAMMONS FURNITURE DELIVERY, 214 East 14th Street, Cincinnati, Ohio. Applicant's attorney: Charles E. Hamilton, 1115 Second National Building, Ninth and Main Streets, Cincinnati 2, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new furniture, uncrated new household appliances, and uncrated new household furnishings*, from Cincinnati, Ohio, to points in Dearborn, Ripley, Jennings, Jefferson, Jackson, Washington, Scott, and Switzerland Counties, Ind., and points in Mason, Robertson, Harrison, Owen, Boone, Kenton, Campbell, Gallatin, Grant, Pendleton, Bracken, and Carroll Counties, Ky., *and uncrated used appliances and uncrated used furniture, rejected or returned merchandise and empty containers or other incidental facilities* (not specified), used in transporting the above merchandise on return.

NOTE: Applicant states that the transportation will be limited to shipments moving from the retail stores of United Furniture, Royal Furniture and Cincinnati Furniture.

HEARING: May 27, 1963, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 208, or, if the Joint Board waives its right to participate, before Examiner Garland E. Taylor.

No. MC 124648 (Sub-No. 2), filed December 3, 1962. Applicant: JESSIE'S INC., P.O. Box 924, Opelousas, La. Applicant's attorney: Thomas N. Lennox, 301 Security Homestead Building, New Orleans 12, La. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned, bottled, and otherwise packaged edible foodstuffs*, and (2) *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified in this application, between points in Acadia, Iberia, St. Landry, and St. Martin Parishes, La., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 4, 1963, at the Louisiana Public Service Commission, Baton Rouge, La., before Examiner A. Lane Cricher.

No. MC 124750, filed September 4, 1962. Applicant: FRANK L. BENDER AND H. HENDERSON, a partnership, doing business as BENDER CARTAGE, 2104 Walter Road, Westlake, Ohio. Applicant's attorney: Charles H. Ayres, 605 National City Bank Building, Cleveland 14, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wholesale grocery products*, between Cleveland, Ohio, on the one hand, and, on the other, points in Indiana, Michigan, Illinois, Pennsylvalia, New York, and West Virginia.

NOTE: Applicant states the proposed operations will be under a continuing contract or contracts with Consolidated Foods Corp.

HEARING: May 31, 1963, at the Old Post Office Building, Public Square and Superior Avenue, Cleveland, Ohio, before Examiner John L. York.

No. MC 124901, filed November 6, 1962. Applicant: W. L. PUFFINBURGER, JR., AND O. E. PUFFINBURGER, a partnership, doing business as PUFFINBURGER BROTHERS, Green Spring, W. Va. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Creosote treated timber products, namely cross ties, highway guard rail posts, lumber and fence posts*, from Green Spring (Hampshire County), W. Va., to (1) Watertown, Buffalo, Rochester, Syracuse, Elmira, Olean, Jamestown, and Auburn, N.Y., and (2) Allentown, Beaver, Bedford, Bellefonte, Bloomsburg, Brookville, Butler, Carlisle, Clarion, Clearfield, Coudersport, Danville, Doylestown, Easton, Ebensburg, Emporium, Erie, Franklin, Gettysburg, Greensburg, Harrisburg, Hollidaysburg, Honesdale, Huntingdon, Indiana, Jim Thorpe, Kittanning, Lancaster, Laporte, Lebanon, Lewisburg, Lock Haven, McConnellsburg, McKeesport, Meadville, Media, Mercer, Middleburg, Mifflintown, Milford, Montrose, New Castle, Norristown, Philadelphia, Pittsburgh, Pottsville, Reading, Ridgway, Scranton, Smethport, Somerset, Stroudsburg, Sunbury, Tionesta, Towanda, Tunkhannock, Uniontown, Warren, Washington, Waynesburg, Wellsboro, W. Chester, Wilkes-Barre, Williamport, York, Chambersburg, and Lewistown, Pa.

HEARING: June 3, 1963, in Room 3202, U.S. Court House and Federal Office Building, 500 Quarrier Street, Charleston, W. Va., before Examiner Garland E. Taylor.

No. MC 125032, filed January 17, 1963. Applicant: JOE BROWN, doing business as JOE BROWN TRUCKING, 225 Northern Avenue, Cincinnati 29, Ohio. Applicant's attorney: David A. Bradley, 18 East Fourth Street, Cincinnati 2, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bed springs, household beds, foam rubber and rags*, (1) from Cincinnati, Ohio, to Louisville, Ky., and New York, N.Y., and (2) between Cincinnati, Ohio and Chicago, Ill.

NOTE: Applicant proposes to transport empty containers, or other such incidental facilities (not specified), used in transporting the above described commodities, on return.

HEARING: May 29, 1963, at the Netherland Hilton, Cincinnati, Ohio, before Examiner Garland E. Taylor.

No. MC 125088, filed February 20, 1963. Applicant: JOE SEGELMAN, 102 North Main Street, Spring Valley, N.Y. Applicant's attorney: Donald Tirschwell, 54 North Main Street, Spring Valley, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cosmetics and allied products*, from Spring Valley, N.Y., to points in Rockland and Bergen Counties, N.J., and *returned or rejected merchandise*, on return.

HEARING: June 3, 1963, at 346 Broadway, New York, N.Y., before Examiner Henry A. Cockrum.

No. MC 125132, filed March 1, 1963. Applicant: HARLAND WILCOX, 150 West Main Street, Elsie, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and vegetables, and cherries, in sulphur-dioxide solutions*, from Elk Rapids and Traverse City, Mich., and points within 10 miles of Traverse City, to points in New York and New Jersey.

HEARING: June 3, 1963, at the Federal Building, Lansing, Mich., before Examiner Alvin H. Schutrumpf.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 1649 (Sub-No. 77), filed March 22, 1963. Applicant: RAILWAY EXPRESS MOTOR TRANSPORT, INCORPORATED, 101 Union Station, Indianapolis, Ind. Applicant's attorney: John H. Engel, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between French Lick, Ind., and Orleans, Ind.: From French Lick over Indiana Highway 56 to junction with U.S. Highway 150, thence over U.S. Highway 150 to junction with Indiana Highway 37, thence over Indiana Highway 37 to Orleans, and return over the same route, serving the intermediate point of Paoli, Ind. RESTRICTIONS: (1) The service to be performed by applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency. (2) Shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts covering, in addition to a motor-carrier movement by applicant, an immediately prior or an immediately subsequent movement in express service of the Railway Express Agency. (3) The authority granted, to the extent it authorizes the transportation of dangerous explosives, shall be limited, in point of time, to a period expiring 5 years from the date of the certificate. (4) Such further specific conditions as the Commission, in the future, may find necessary to impose in order to restrict applicant's operations to a service which is auxiliary to or supplemental of express service of the Railway Express Agency.

NOTE: Applicant states that it is a wholly owned subsidiary of Railway Express Agency, Incorporated.

No. MC 2202 (Sub-No. 248), filed March 28, 1963. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Akron 9, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Alma, Mich., and its commercial zone as an off-route point in connection with applicant's presently authorized regular route operations between Flint and Bay City, Mich.

NOTE: Common control may be involved.

No. MC 44605 (Sub-No. 23), filed March 18, 1963. Applicant: MILNE TRUCK LINES, INC., 2200 South Third West Street, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Cherokee Mine site of the San Francisco Chemical Company, located approximately 8 miles northeast of Randolph, Utah, as an off-route point in connection with applicant's regular route operations to and from Kemmerer, Wyo.

No. MC 49384 (Sub-No. 9), filed March 22, 1963. Applicant: JOHN VANDER POL, GUS VANDER POL, AND HENRY VANDER POL, a partnership, doing business as OAK HARBOR FREIGHT, 3414 Second Avenue South, Seattle, Wash. Applicant's attorney: Carl A. Joson, 400 Central Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except those of unusual value and except Classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between Seattle, Wash., on the one hand, and, on the other, points in Skagit County, Wash., on and west of U.S. Highway 99.

NOTE: Common control may be involved.

No. MC 59894 (Sub-No. 35), filed March 22, 1963. Applicant: TEXAS-ARIZONA MOTOR FREIGHT, INC., 1700 East Second Street, P.O. Box 1034, El Paso 99, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, commodities injurious or contaminating to other lading, and Classes A and B explosives, between San Angelo, Tex., and junction of Texas Highway 349 and U.S. Highway 67, from San Angelo, over U.S. Highway 67 to junction of Texas Highway 349 at a point approximately 4 miles west of Rankin, Tex., and return over the same route, as an alternate route for operating convenience only in connection with applicant's regular route operations between San Angelo, and McCamey, Tex., serving the junction of Texas Highway 349, and U.S. Highway 67 as a point of joinder only.

NOTE: Common control may be involved.

No. MC 109478 (Sub-No. 58), filed March 21, 1963. Applicant: WORSTER MOTOR LINES, INC., East Main Road, R.D. No. 1, North East, Pa. Applicant's attorney: William W. Knox, 23 West Tenth Street, Erie, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition fire kindling*, more commonly known as *fire starters*, when moving in mixed shipments with foodstuffs, from Rochester, N.Y., to points in that part of Maine on and south of a line beginning at the Maine-New Hampshire State line, near Gilead, Maine, and extending along U.S. Highway 2 to Bangor, Maine, thence along Alternate U.S. Highway 1 to Ellsworth, Maine, and thence along Maine Highway 3 to Bar Harbor, Maine, and to points in Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, the District of Columbia, West Virginia, Ohio, Indiana, Illinois, and the lower peninsula of Michigan.

NOTE: Common control may be involved.

No. MC 110525 (Sub-No. 560), filed March 22, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the plant site of the Allentown Portland Cement Company, located at or near Jersey City, N.J., to points in New London County, Conn.

No. MC 112750 (Sub-No. 131), filed March 22, 1963. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's attorney: J. K. Murphy (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charge sales tickets, cash sales tickets, charge credit sales tickets, refund slips, cash register tapes and accompany documents*, between Hyattsville, Md., on the one hand, and, on the other, Philadelphia, Pa.

NOTE: Applicant states that the proposed operation will be under continuing contract with Gem International, Inc.

No. MC 114194 (Sub-No. 44), filed March 29, 1963. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Finished mixtures of ethylene dibromide and methyl bromide*, in bulk, from Kansas City and Wichita, Kans., to Amarillo, Tex., and *rejected shipments*, on return.

No. MC 116886 (Sub-No. 19), filed March 27, 1963. Applicant: HOWELL'S MOTOR FREIGHT, INCORPORATED, 2210 Winston Avenue, SW., Roanoke, Va. Applicant's attorney: R. Roy Rush, Boxley Building, Roanoke, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products and articles distributed by meat packinghouses*, as defined by the Commission in sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C., 209, 766, in pool car and pool truck distribution service, in refrigerated trucks, and *empty containers or other such incidental facilities* (not specified), used in transporting the above described commodities, between points in North Carolina on and east of U.S. Highway 21, and points in Virginia on and south of U.S. Highway 460.

No. MC 124047 (Sub-No. 15), filed March 24, 1963. Applicant: SCHWERMAN TRUCKING CO. OF OHIO, 620 South 29 Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (Same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk and in packages, from Ironton, Ohio, to points in Hancock, Brooke, Ohio, Marshall, Wetzel, Monongalia, Marion, Taylor, Barbour, Randolph, and Pocahontas Counties, W. Va.

NOTE: Applicant states it presently holds contract carrier authority under Docket MC 111623 and subs thereto, and common carrier authority under Docket MC 124047 and subs thereto, although an application is pending before the Commission in Docket MC 124047, Sub 8, to convert its present permits to a common carrier certificate. Thus, dual operations may be involved.

No. MC 125000 (Sub-No. 2), filed March 26, 1963. Applicant: LEWIS G. HERRING, 2211 Hamilton, Pampa, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand, gravel, crushed stone, and related mineral, aggregates, including caliche and dirt*, between points in Hamilton, Kearny, Finney, Hodgeman, Ford, and Clark Counties, Kans., Harper, Woodward, Dewey, Custer, Washita, Kiowa, and Tillman Counties, Okla., Wilbarger, Foard, Cottle, Motley, Floyd, Hale, Lamb, and Bailey Counties, Tex., Roosevelt, Quay, San Miguel, Mora, and Colfax Counties, N. Mex., and Las Animas, Otero, and Bent Counties, Colo.

No. MC 125206, filed March 22, 1963. Applicant: OTTO S. WAGNER, R.D. 1 Box 373, Fombell, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes in seasonal operations between April 1 and October 15, inclusive of each year, transporting: *Racing pigeons*, from points in Beaver, Butler, and Lawrence Counties, Pa., to points in Columbiana, Carroll, Tuscarawas, and Coshocton Counties, Ohio, and *empty containers or other such incidental facilities* (not specified), used in transporting the above described commodities, on return.

No. MC 125211, filed March 22, 1963. Applicant: ERNEST ALLEN, Elm Street, Springvale, Maine. Applicant's attorney: Frederick T. McGonagle, 443 Congress Street, Room 414, Portland, Maine. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry lime and dry fertilizer*, in bulk, in hopper body vehicles equipped with spreaders, from Springvale, Maine, to points in Strafford, Rockingham, Merrimac, Belknap, Carroll, and Coos Counties, N.H., and (2) *coal*, from Somersworth, N.H., to points in York County, Maine.

MOTOR CARRIER OF PASSENGERS

No. MC 1501 (Sub-No. 293), filed March 25, 1963. Applicant: THE GREYHOUND CORPORATION (Western Division), 371 Market Street, San Francisco 4, Calif. Applicant's attorney: Earl A. Bagby (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, from Brigham City Junction, Utah, to Elwood Junction, Utah: Revise Route No. 5 to include segment of Interstate Highway 15, as follows: "5. between Ogden and the Utah-Idaho State line south of Strevell, Idaho: from Ogden over Utah Highway 204 to junction U.S. Highway 30S and Interstate Highway 15 (Brigham City Junction), thence over Interstate Highway 15 to junction U.S. Highway 30S (Elwood Junction), thence over U.S. Highway 30S to the Utah-Idaho State line. (Connects with Idaho route 16,)" serving all intermediate points.

NOTE: The proposed operating authority hereinabove shown and explained is proposed to be incorporated in the designated revised and added sheets to said Certificate No. MC 1501 (Sub-No. 138).

NOTICE OF FILING OF PETITIONS

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

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

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

The subject report provided: "All motor carriers holding certificates or permits authorizing the transportation in bulk, in tank vehicles, of 'liquid chemicals as defined in the Maxwell case', of acids and chemicals as described in the 'Descriptions case', or of liquid chemicals under any other commodity description, are hereby notified that petitions will be entertained requesting the modification of such authorities to reflect the revised commodity descriptions promulgated herein. Such petitions should refer to the specific authority which the carrier desires to have modified, and should contain a certification that there is in fact, traffic available for the transportation from and to the points it is authorized to serve, and that its operations are not dormant. The petitions should be filed in the proceedings in which the authority held was granted, these petitions will be published in the FEDERAL REGISTER, and if no objections are filed thereto, they will be disposed of without extended further proceedings. If protests are received, a hearing may be required for their disposition; but, in such event, every effort will be made to conclude the proceedings promptly." The following petition seeking modification of pertinent operating authorities has been received:

No. MC 50069 (Sub-No. 158 and Sub-No. 183), filed February 6, 1963. Petitioner: REFINERS TRANSPORT & TERMINAL CORPORATION, 111 West Jackson Boulevard, Chicago 4, Ill. Petitioner's attorneys: Arthur P. Boynton and Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. Any person or persons desiring to participate in this proceeding may file replies to said petition (original and fourteen (14) copies each) within 30 days from the date of this publication in the FEDERAL REGISTER. In the event it is deemed necessary or desirable, informal conferences between our staff members and the tank truck carriers, and any other persons who may have an interest in the matter, can be arranged for the purpose of implementing the matter. Persons responding to this publication should specifically advise whether an informal conference is desired.

No. MC 123075 (Sub-No. 3 and Sub-No. 5), (PETITION FOR MODIFICATION OF RESTRICTIONS IN PERMITS), filed March 4, 1963. Petitioners: HARVEY D. SHUPE AND HOWARD YOST, a partnership, doing business as SHUPE, & YOST, Greeley, Colo. Petitioners' attorney: Michael T. Corcoran, 1360 Locust Street, Denver 20, Colo. Petitioners are holders of Permits, issued December 14, 1961, and September 5, 1962, respectively, authorizing the following transportation: "Salt and salt products. From the plant site of the Solar Salt Company in Tooele County, Utah, to points in Colorado east of the Continental Divide, that part of Nebraska and South Dakota on the west of U.S. Highway 83, and points in Albany, Platte, Goshen, and Laramie Counties, Wyo., with no transportation for compensation on return except as otherwise authorized. From the plant site of the Solar Salt Company in Tooele County, Utah, to points in Wyoming (except points in Albany, Platte, Goshen, and Laramie Counties, Wyo.), with no transportation for compensation on return except as otherwise authorized. RESTRICTION: The operations authorized immediately above are limited to a transportation service to be performed, under a continuing contract, or contracts, with the Carey Salt Company of Hutchinson, Kans." By the instant petition, petitioners request that the restrictions in their Subs 3 and 5 Permits be modified by authorizing the performance of service, under a continuing contract, or contracts, with Solar Salt Co., of Salt Lake City, Utah, as well as with Carey Salt Company, of Hutchinson, Kans. Any person or persons opposing the addition of the above-named shipper, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5 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-8274 (FRENCH INTERSTATE TRANSPORTATION CO.—CONTROL AND MERGER—MORRIS MOTOR EXPRESS, INC.), published in the November 7, 1962, November 21, 1962, and February 27, 1963, issues of the FEDERAL REGISTER on pages 10879, 11481, and 1823, respectively. Third application filed March 29, 1963, for temporary authority under section 210a(b).

No. MC-F-8404. Authority sought for purchase by MIDWEST MOTOR EXPRESS, INC., 1205 Front Avenue, Bismarck, N. Dak., of a portion of the operating rights and certain property of ADVANCE-UNITED EXPRESSWAYS, INC., 2601 Broadway Road, NE., Minneapolis, Minn., and for acquisition by J. A. ROSWICK, 1205 Front Avenue, Bismarck, N. Dak., W. J. GREENSTEIN, 2778 North Cleveland Avenue, St. Paul, Minn., and JAMES GREENSTEIN, 112 East Sixth Street, St. Paul, Minn., of control of such rights and property through the purchase. Applicants' representative: E. J. Roswick, 1205 Front Avenue, Bismarck, N. Dak. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in

bulk, as a *common carrier* over regular routes, rights northerly of Fargo, N. Dak., and Moorhead, Minn., to Grand Forks, N. Dak., including the intermediate points of Detroit Lakes and Crookston, Minn., and the off-route points of Thief River Falls, Minn., and the site of the United States Air Force Base located approximately twenty (20) miles northwesterly of Grand Forks, N. Dak., and points within five (5) miles of said Air Force Base, but not including Fargo, N. Dak., or Moorhead, Minn.; *groceries*, between Duluth, Minn., and Grand Forks, N. Dak., serving the intermediate point of Fargo, N. Dak., over eight alternate routes for operating convenience only. Vendee is authorized to operate as a *common carrier* in Minnesota, North Dakota, South Dakota, Montana, and Wisconsin. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–8405. Authority sought for purchase by COAST DRAYAGE, 615 Cedar Street, Berkeley, Calif., of the operating rights and property of ARTHUR R. BENNETT, doing business as B–LINE EXPRESS, 5105 East Eighth Street, Oakland, Calif., and for acquisition by EDWIN R. ADAMS, SR., also of Berkeley, Calif., of control of such rights and property through the purchase. Applicants' attorneys: Marvin Handler and Daniel W. Baker, 625 Market Street, San Francisco, Calif., and Scott Elder, 200 Bush Street, San Francisco 4, Calif. Operating rights sought to be transferred: Under BMC–75 Statement, Decision No. 59294, as amended by Decision No. 59504, in Docket No. MC–99818, covering the transportation of general commodities with limited exceptions, between Richmond and San Leandro, Calif., and points intermediate thereto, on the one hand, and, on the other, points between Sausalito and Santa Rosa, on U.S. Highway 101, and certain off-route and all intermediate points. Vendee operates in California under BMC–75 Statement, supported by California Decision No. 60985, in Docket No. MC–120619 Sub-1. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8406. Authority sought for purchase by THUNDERBIRD FREIGHT LINES, INC., 2601 East 26th Street, Los Angeles, Calif., of the operating rights and property of SMITH-HEYWOOD LINES, 901 West Lincoln Street, Phoenix, Ariz. Applicants' attorneys: Warren N. Grossman, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif., and Earl H. Carroll, 365 North First Avenue, Phoenix 3, Ariz. 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 St. Johns, Ariz., and Sanders, Ariz., between Lupton, Ariz., and Gallup, N. Mex., serving all intermediate points, between Gallup, N. Mex., and Ganado, Ariz., serving all intermediate points, and off-route points in Arizona within 50 miles of Ganado, between junction unnumbered highways near St. Michaels, Ariz., and Fort Defiance, Ariz., serving all intermediate points, and serving the plant site of Southwest Forest Industries, Inc., approximately 15 miles west of Snowflake, Ariz., as an off-route point in connection with carrier's present regular route operations; *general commodities*, except liquids, in bulk, in tank vehicles, between points in Arizona, serving all intermediate points, and off-route points within 5 miles of the following described routes, except as otherwise indicated, from Phoenix over U.S. Highway 60, via Globe to Show Low, thence over Arizona Highway 77 to Holbrook, thence over U.S. Highway 66 to Flagstaff. RESTRICTION: Service is not authorized between Phoenix and Globe, or at intermediate points between Phoenix and Globe, or on traffic originating at Phoenix destined to Flagstaff, or that originating at Flagstaff destined to Phoenix; from Holbrook over U.S. Highway 66 via Navajo to Lupton, from Globe over U.S. Highway 70 to junction unnumbered highway near Cutter, thence over unnumbered highway to San Carlos, from Pinedale over Arizona Highway 160 (formerly unnumbered highway) to Show Low, thence over Arizona Highway 173, to McNary Junction, thence over Arizona Highway 73 to McNary, thence over Arizona Highway 73 to Fort Apache, from Holbrook over U.S. Highway 260 via Concho, St. Johns, and Springerville to Eager, from Show Low over U.S. Highway 60 to junction U.S. Highway 260, near Springerville, and from Concho over Arizona Highway 61 to junction U.S. Highway 60, near Pineyon; *livestock, emigrant movables*, and *household goods*, as defined by the Commission, over irregular routes, between points described under the commodity description next above, on the one hand, and, on the other, points in Arizona; *general commodities*, except liquids, in bulk, in tank vehicles, between Holbrook, Ariz., and points within 25 miles thereof; *coal, lumber, cement, groceries, bricks, fire clay, hardware, automobile parts and supplies, dry goods, hay, grain, cottonseed cakes*, and *fresh fruits, and vegetables*, from St. Johns, Ariz., to points within 75 miles thereof; *motion picture* studio materials, supplies, equipment, *and properties*, between points in Arizona, and New Mexico. Vendee is authorized to operate as a *common carrier* in California and Arizona. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC–F–8397. Authority sought for purchase by BI–STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS METROPOLITAN DISTRICT, 915 Olive Street, St. Louis 1, Mo., of (1) a portion of the operating rights and certain property of VANDALIA BUS LINES, INC., and the operating rights and certain property of (2) CASEYVILLE BUS LINE, INC., (3) INDUSTRIAL BUS LINES, INC., all of 312 West Morris, Caseyville, Ill., (4) BELLEVILLE-ST. LOUIS COACH COMPANY, 31 Public Square, Belleville, Ill., (5) COMMUNITY COACH COMPANY, 16th and Grand, Granite City, Ill., (6) FERGUSON-BROADWAY BUS LINES, INC., 10100 West Florissant Avenue, St. Louis, Mo., and (7) BROWN MOTOR LINES, 225 Wilson, Alton, Ill. Applicants' attorneys: Edward K. Wheeler, 704 Southern Building, Washington 5, D.C., and Thomas J. Guilfoil, 430 Paul Brown Building, St. Louis 1, Mo. Operating rights sought to be transferred: *Passengers and their baggage*, as *common carriers* as follows: (CASEYVILLE) over regular routes, between certain points in Illinois and Missouri; (INDUSTRIAL) over regular routes between St. Louis, Mo., and Centreville, Ill.; (BELLEVILLE-ST. LOUIS) over regular routes, between St. Louis, Mo., and Belleville, Ill., and betwen Belleville, Ill., and Swansea and Scott Field, Ill., and over irregular routes, in charter operations, from points in Illinois within 25 miles of St. Louis, Mo., to St. Louis, Mo.; (COMMUNITY) over regular routes, between Mitchell, Ill., and St. Louis, Mo., serving certain intermediate points; (FERGUSON) over irregular routes, restricted to traffic originating at the point and in the territory indicated, in charter operations, from St. Louis, Mo., and certain points in Illinois; and (BROWN) over regular routes, between Alton, Ill., and St. Louis, Mo., serving all intermediate points. The application is not clear in respect of the authority to be purchased from Vandalia Bus. Upon clarification, supplemental notice will be published. Certain of the intrastate rights of the companies above named, and the intrastate rights and physical property of St. Louis Public Service Co., St. Louis County Transit Co., East St. Louis City Lines, Inc., O'Fallon-Belleville Coach Co., Citizens Coach Co., Inc., Wood River and Alton Bus Lines, Inc., County Coach Co., and V–K Bus Lines, would also be purchased.

By the Commission.

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

[F.R. Doc. 63–3726; Filed, Apr. 9, 1963; 8:48 a.m.]

TARIFF COMMISSION

HOUSEHOLD CHINA TABLEWARE AND KITCHENWARE

Report to the President

APRIL 5, 1963.

The Tariff Commission today made public its report to the President on investigation No. 7–113 (TEA–I–1), completed under section 301(b) of the Trade Expansion Act of 1962. The investigation covered household china tableware and kitchenware classifiable under paragraph 212 of the Tariff Act of 1930, as modified, and subject to duty at various rates depending on type of article and the value thereof.

The Commission found unanimously that the chinaware covered by the investigation is not, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quanti-

ties as to cause, or threaten to cause, serious injury to the domestic industry producing like or directly competitive articles. This finding was based primarily on the determination that the increased imports of chinaware are not a result in major part of trade-agreement concessions.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Address requests to the Secretary, U.S. Tariff Commission, Eighth and E Streets NW., Washington 25, D.C.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 63-3717; Filed, Apr. 9, 1963; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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