



FEDERAL REGISTER

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Announcing first
5-year Cumulation

**UNITED STATES
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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11110¹

AMENDMENT OF EXECUTIVE ORDER NO. 10289, AS AMENDED, RELATING TO THE PERFORMANCE OF CERTAIN FUNCTIONS AFFECTING THE DEPARTMENT OF THE TREASURY

By virtue of the authority vested in me by section 301 of title 3 of the United States Code, it is ordered as follows:

SECTION 1. Executive Order No. 10289 of September 19, 1951, as amended, is hereby further amended—

(a) By adding at the end of paragraph 1 thereof the following subparagraph (j):

“(j) The authority vested in the President by paragraph (b) of section 43 of the Act of May 12, 1933, as amended (31 U.S.C. 821(b)), to issue silver certificates against any silver bullion, silver, or standard silver dollars in the Treasury not then held for redemption of any outstanding silver certificates, to prescribe the denominations of such silver certificates, and to coin standard silver dollars and subsidiary silver currency for their redemption,” and

(b) By revoking subparagraphs (b) and (c) of paragraph 2 thereof.

SEC. 2. The amendments made by this Order shall not affect any act done, or any right accruing or accrued or any suit or proceeding had or commenced in any civil or criminal cause prior to the date of this Order but all such liabilities shall continue and may be enforced as if said amendments had not been made.

JOHN F. KENNEDY

THE WHITE HOUSE,
June 4, 1963.

[F.R. Doc. 63-6061; Filed, June 5, 1963; 3:25 p.m.]

¹ 3 CFR, 1949-1953 Comp., p. 787; 16 F.R. 9499.

Rules and Regulations

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Potatoes for Processing

On August 16, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 8179) regarding the issuance of United States Standards for Grades of Potatoes for Processing.

Statement of considerations leading to the issuance of the grade standards. Following the publication of the proposed grade standards they were studied and used as the basis of purchase specifications by several processors in Idaho. Grade composition of growers' lots of potatoes delivered to processors was determined by Federal-State inspectors. As a result of these studies and use of the proposed standards a number of changes were recommended by members of the Idaho potato processing industry.

Representatives of growers, processors and manufacturers of potato chips in New York State also recommended certain changes. This group specifically requested that additional measures for determining chipping and frying quality be included. Tests were subsequently conducted to develop practical methods for fried color determination under field conditions.

On the basis of the recommendations, and the tests which were undertaken, the following changes are made in the proposal as it first appeared in the FEDERAL REGISTER under notice of proposed rule making:

NOTE: Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

1. In §§ 51.3410 and 51.3411 an optional fried color requirement is added in conjunction with a commercially available color reference;
2. Section 51.3414 is reworded to eliminate unnecessary detail;
3. Section 51.3414(b) is amended to provide that in determining compliance with the glucose limitation, not more than 5 percent of the area of the test tape in contact with the cut tuber may indicate the presence of more than one-tenth of 1 percent glucose;
4. Section 51.3414(c) is added to include an optional fry test procedure to determine compliance with contract specifications for fried color of potatoes

in conjunction with a color reference which is available commercially;

5. In § 51.3415 a two percent tolerance for sprouts is added;

6. In § 51.3415 the tolerance for defects permitted in the U.S. No. 2 grade is increased from 10 percent to 15 percent. This increase was recommended by processors who believed that the 10 percent tolerance was too restrictive to be practical;

7. In § 51.3422 definitions for damage by clipped ends and for shriveling are added; and,

8. In § 51.3423 the definition of usable piece is revised and expanded to include several specific interpretations in order to create a clearer and more precise understanding of this requirement.

Certain other minor changes are made in the interest of clarity and to promote more uniform application of the standards.

The grade standards have been proven satisfactory by practical testing under commercial grading and processing conditions and should be useful and beneficial to potato growers, processors and manufacturers of potato chips.

The standards may be applied at any point from the time of harvest to the start of the processing operation. The tolerances are applicable when determining whether a lot meets a specific grade. They are not applicable when determining the percentages of U.S. No. 1 and U.S. No. 2 potatoes in a lot.

Further observations will be made of the application of the standards under commercial conditions so that modifications may be made as needed to keep them useful to the potato industry.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Potatoes for Processing are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624).

GRADES	
Sec. 51.3410	U.S. No. 1 potatoes for processing.
51.3411	U.S. No. 2 potatoes for processing.
UNUSABLE MATERIAL	
51.3412	Unusable material.
SIZE	
51.3413	Size.
TEST PROCEDURES	
51.3414	Test procedures.
TOLERANCES	
51.3415	Tolerances.
DEFINITIONS	
51.3416	Similar varietal characteristics.
51.3417	Fairly well shaped.
51.3418	Fairly smooth.
51.3419	Soft rot or wet breakdown.
51.3420	Sprouts.
51.3421	Foreign material.

Sec.	
51.3422	Damage.
51.3423	Usable piece.
51.3424	Serious damage.

AUTHORITY: §§ 51.3410 to 51.3424 issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

GRADES

§ 51.3410 U.S. No. 1 Potatoes for Processing.

"U.S. No. 1 Potatoes for Processing" consists of potatoes of one variety or similar varietal characteristics which are fairly well shaped and fairly smooth, which are not frozen, and are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, soft rot, wet breakdown, sprouts, foreign material, and free from damage by any other cause, and which meet a size specification as provided in § 51.3413. Unless otherwise specified the potatoes have a specific gravity of not less than 1.070 and a glucose content of not more than one-tenth of 1 percent or fry to a medium brown¹ or lighter color as determined in accordance with the procedures set forth in § 51.3414. (See § 51.3415).

§ 51.3411 U.S. No. 2 Potatoes for Processing.

"U.S. No. 2 Potatoes for Processing" consists of potatoes or usable pieces of potatoes of one variety or similar varietal characteristics which are not frozen, and are free from freezing injury, blackheart, late blight, southern bacterial wilt, ring rot, soft rot, wet breakdown, sprouts, foreign material, and free from serious damage by any other cause, and which meet a size specification as provided in § 51.3413. Unless otherwise specified the potatoes or usable pieces of potatoes have a specific gravity of not less than 1.070 and a glucose content of not more than one-tenth of 1 percent or fry to a medium brown¹ or lighter color as determined in accordance with the procedures set forth in § 51.3414. (See § 51.3415).

UNUSUAL MATERIAL

§ 51.3412 Unusable material.

"Unusable material" consists of the defective portions of potatoes in excess of that permitted in U.S. No. 2 Potatoes for Processing, and potatoes which are frozen, affected by freezing injury, soft rot, wet breakdown, blackheart, late blight, southern bacterial wilt, or ring rot, or which are seriously damaged by internal sprouts, internal discoloration, hollow heart or which are otherwise defective and cannot be trimmed in preparation for processing to form usable pieces.

¹The color referred to is illustrated by plate 10.0 YR 7/8 in the Munsell Book of Color. Individual matte finish plates of this and lighter colors may be purchased from the Munsell Color Co., 2441 North Calvert St., Baltimore 18, Md.

SIZE

§ 51.3413 Size.

(a) The minimum size, maximum size, or range in size shall be specified in connection with the grade in terms of

diameter or weight of the potato or usable piece, or in accordance with one of the size classifications given in the following table: *Provided*, That if no size is specified the diameter shall be not less than 1½ inches. (See § 51.3415.)

TABLE I

Size classification	Round or intermediate varieties ¹		Long varieties ²	
	Minimum	Maximum	Minimum	Maximum
Extra Large	4 inches	4 inches	16 ounces	16 ounces
Large	3 inches	4 inches	10 ounces	16 ounces
Medium	2¾ inches	3¾ inches	4 ounces	10 ounces
Size B	1½ inches	2¼ inches	1½ inches	2¼ inches
Size C	1 inch	1½ inches	1 inch	1½ inches
Creamers	¾ inch	1½ inches	¾ inch	1½ inches
Size A	1½ inch minimum with 60 percent or more 2¼ inches and larger.		1½ inch minimum with 40 percent or more 6 ounces or larger.	

¹ Irish Cobbler, Katahdin, Sebago, Kennebec, Pontiac, Red McClure, Pungo, or other similar varieties are considered round or intermediate shaped varieties.
² Russet Burbank, Early Gem, White Rose, or other similar varieties are considered long varieties.

(b) Diameter means the size designation in terms of inches or eighths of an inch indicating the greatest crosswise dimension at right angles to the longitudinal axis of a potato or usable piece that will pass lengthwise through a round opening. A potato having a designation of 2 inches is one which will not pass through a round opening 2 inches in diameter but will pass through a round opening 2½ inches in diameter.

(c) Weight means the size designation in terms of whole ounces indicating the weight of the potato or usable piece. A potato having a designation of 10 ounces is one which weighs at least 10 ounces but less than 11 ounces.

TEST PROCEDURES

§ 51.3414 Test procedures.

Tests to determine specific gravity, glucose content and fried color shall be made in accordance with the procedures set forth in this section. The potatoes

used shall be taken at random from a composite sample drawn from containers throughout a load, or a comparable sample from a bulk load or storage bin.

(a) *Specific gravity.* Specific gravity shall be determined by either the hydrometer ² method, or by calculation from the weights of the sample in air and in water, with equipment which has been tested and calibrated to give accurate results. The reading obtained from each specific gravity test shall be corrected for temperature variations as prescribed by Table II of this section. The specific gravity for any lot of potatoes shall be the average of at least 3 such corrected readings on separate tests from the composite sample.

(1) *Temperature correction.* The pulp temperature of the potatoes and the temperature of the water shall be recorded immediately before testing and the specific gravity reading corrected as indicated in the following table:

TABLE II—CORRECTION FACTORS FOR SPECIFIC GRAVITY OF POTATOES ¹
 (Corrected to Zero Base of 50° Tuber Temperature and 50° Water Temperature)
 Water Temperature (Degrees Fahrenheit)

Tuber temperature	38°	40°	45°	50°	55°	60°	65°	70°	75°	80°
38°	-.0021	-.0020	-.0018	-.0018	-.0020	-.0023	-.0029	-.0038	-.0047	-.0056
40°	-.0017	-.0016	-.0014	-.0014	-.0016	-.0019	-.0025	-.0034	-.0043	-.0052
45°	-.0009	-.0008	-.0006	-.0006	-.0008	-.0011	-.0017	-.0026	-.0035	-.0044
50°	-.0003	-.0002	0.0000	0.0000	-.0002	-.0005	-.0011	-.0020	-.0029	-.0038
55°	+.0001	+.0002	+.0004	+.0004	+.0002	-.0001	-.0007	-.0016	-.0025	-.0034
60°	+.0004	+.0005	+.0007	+.0007	+.0005	+.0002	-.0004	-.0013	-.0022	-.0031
65°	+.0005	+.0006	+.0008	+.0008	+.0006	+.0003	-.0003	-.0012	-.0021	-.0030
70°	+.0006	+.0007	+.0009	+.0009	+.0007	+.0004	-.0002	-.0011	-.0020	-.0029
75°	+.0007	+.0008	+.0010	+.0010	+.0008	+.0005	-.0001	-.0010	-.0019	-.0028
80°	+.0008	+.0009	+.0011	+.0011	+.0009	+.0006	0.0000	-.0009	-.0018	-.0027
85°	+.0009	+.0010	+.0012	+.0012	+.0010	+.0007	+.0001	-.0008	-.0017	-.0026
90°	+.0010	+.0011	+.0013	+.0013	+.0011	+.0008	+.0002	-.0007	-.0016	-.0025
95°	+.0011	+.0012	+.0014	+.0014	+.0012	+.0009	+.0003	-.0006	-.0015	-.0024
100°	+.0012	+.0013	+.0015	+.0015	+.0013	+.0010	+.0004	-.0005	-.0014	-.0023

¹ To apply correction factor, change actual specific gravity reading by adding or subtracting the appropriate factor according to the plus or minus sign.

(b) *Glucose content.* The glucose content is determined by a test based on enzyme reaction as indicated by color changes in a specifically prepared tape ²

applied to the cut surfaces of potatoes in a sample. In determining the glucose content not more than 5 percent of the test tape in contact with the cut tuber may indicate the presence of more than one-tenth of 1 percent glucose.

² A hydrometer designed specifically for determining the specific gravity of potatoes, and the Chip Color Tester, a tape specifically designed for making glucose tests, are available from Potato Chip Institute International, 946 Hanna Building, Cleveland 15, Ohio.

(c) *Fried color determination.* The test to determine compliance with fried color requirements is made by frying slices from sample potatoes in deep fat having a temperature of 350 degrees

Fahrenheit at start of frying, and no less than 300 degrees Fahrenheit during the remainder of the frying process. A lot of potatoes meets the specified fried color requirement when not more than 5 percent of the area of any fried slice is distinctly darker than the specified color.

TOLERANCES

§ 51.3415 Tolerances.

(a) For the purpose of determining compliance with one of the foregoing grades or of other specifications the following tolerances, by weight, are provided in order to allow for variations incident to proper grading and handling:

(1) Defects:

(i) U.S. No. 1 Potatoes for Processing: 10 percent for potatoes which fail to meet the requirements of this grade but not more than one-half of this tolerance, or 5 percent, for unusable material, including therein not more than 1 percent for potatoes which are frozen or affected by soft rot or wet breakdown.

(ii) U.S. No. 2 Potatoes for Processing: 15 percent for potatoes which fail to meet the requirements of this grade but not more than one-third of this tolerance or 5 percent for potatoes which are frozen or affected by soft rot or wet breakdown or are seriously damaged by internal defects, including therein not more than 1 percent for potatoes which are frozen or affected by soft rot or wet breakdown.

(2) For off-size:

(i) Undersize: 3 percent when the size specified is less than 2¼ inches in diameter or less than 6 ounces in weight; and, 5 percent when the size specified is 2¼ inches or more in diameter or 6 ounces or more in weight.

(ii) Oversize: 10 percent.

(3) For foreign material, other than sprouts, 2 percent.

(4) For sprouts, 2 percent.

(b) In the application of these standards to determine the percentages of potatoes in any lot which meet the requirements of the respective grades or size categories no tolerances apply.

DEFINITIONS

§ 51.3416 Similar varietal characteristics.

"Similar varietal characteristics" means that the potatoes in any lot have the same general shape, color and character of skin, and color of flesh. Round or intermediate types are not mixed with long types, red skinned with white skinned varieties, smooth skinned with russet varieties, and potatoes with yellowish flesh are not mixed with white-fleshed varieties.

§ 51.3417 Fairly well-shaped.

"Fairly well shaped" means that the potato is fairly regular in shape for the variety and is not materially affected by second growth, and is not materially pointed, dumbbell-shaped or otherwise materially ill-formed.

§ 51.3418 Fairly smooth.

"Fairly smooth" means that the potato is not deeply indented at the eyes or elsewhere, or materially ridged, folded or lumpy.

§ 51.3419 Soft rot or wet breakdown.

"Soft rot or wet breakdown" means any soft, mushy or leaky condition of the tissue such as slimy soft rot, leak, advanced jelly-end rot, wet type fusarium tuber rot, or wet breakdown following freezing injury or heat injury.

§ 51.3420 Sprouts.

"Sprouts" means sprouts more than three-fourths inch in length which are attached to the tuber and detached sprouts of any length.

§ 51.3421 Foreign material.

"Foreign material" means stems, vines, adhering dirt, loose dirt, stones, trash and other extraneous substances other than sprouts.

§ 51.3422 Damage.

"Damage" means any specific defect defined in this section, or an equally objectionable variation of any one of these defects, any other defect or any combination of defects, which materially detracts from the processing quality of the potato, or which cannot be removed without a loss of more than 5 percent of the total weight of the potato, including peel covering the defective area, or which requires cuts in more than 2 places to remove the major defective portion in preparation for processing. The following specific defects are considered as damage:

(a) Clipped ends, when potatoes of a long variety have one or both ends clipped prior to trimming to remove defects at time of preparation for processing.

(b) Shriveling when the potato is more than moderately shriveled, spongy or flabby to the extent that it cannot be properly peeled in preparation for processing.

§ 51.3423 Usable piece.

"Usable piece" means the portion remaining after trimming a potato as it occurs in the sample, or at time of processing, which has more unusable material than permitted in U.S. No. 2 Potatoes for Processing: *Provided*, That the remaining portion meets the following requirements:

(a) Shall have not more than 10 percent unusable material;

(b) Meets the specified size requirements;

(c) In the case of round or intermediate varieties represents not less than three-fourths of the untrimmed potato; and,

(d) In the case of long varieties:

(1) Weighs at least 4 ounces.

(2) If ends are clipped, cuts shall be approximately at right angles to the longitudinal axis of the portion of tuber.

(3) When one end is clipped, not more than an additional 25 percent of the surface may be smoothly trimmed in removing other defects, and the greatest diameter of the clipped end may not exceed the length of the remaining portion.

(4) When both ends are clipped, in addition to the area of the larger clipped end, not more than 25 percent of the

surface may be smoothly trimmed in removing other defects, including the area of the smaller clipped end.

(5) When both ends are clipped, the length of the remaining portion shall be at least two-thirds of the combined greatest diameters of the two clipped ends.

(6) Slab or digger cuts shall be approximately parallel to the longitudinal axis of the potato and shall not expose more than 25 percent of the surface area of the potato.

§ 51.3424 Serious damage.

"Serious damage" means any defect, or any combination of defects, which seriously detracts from the processing quality of the potato, or which cannot be removed without a loss of more than 10 percent of the total weight of the potato, including peel covering the defective area.

The United States Standards for Grades of Potatoes for Processing contained in this subpart shall become effective July 10, 1963.

Dated: June 4, 1963.

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

[F.R. Doc. 63-6016; Filed, June 6, 1963;
8:47 a.m.]

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

[Amdt. 5]

PART 722—COTTON

Subpart—Regulations Pertaining to Acreage Allotments for the 1963 Crop of Upland Cotton

TRANSFER OF FARM ALLOTMENTS IN DESIGNATED COUNTIES WHICH HAVE FLOODS OR EXCESSIVE RAINFALL

The purpose of this amendment is to implement Public Law 88-12, approved April 26, 1963 (77 Stat. 13) which amends section 344(a) of the act to provide for transfer of farm allotments in designated counties which have floods or excessive rainfall preventing the timely planting or replanting of a portion of the 1963 farm allotments. The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

In order that county committees may transfer farm allotments prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice and public procedure requirements and the 30-day effective date requirement of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with

the Director, Office of the Federal Register.

The regulations pertaining to acreage allotments for the 1963 crop of upland cotton, as amended (27 F.R. 10524, 11215, 12045, 12428; 28 F.R. 3573), are hereby further amended by addition of a new paragraph (j) to § 722.617 which reads as follows:

(j) *Transfer of farm allotments in designated counties affected by a natural disaster in 1963—(1) States affected by a natural disaster which may have prevented timely planting or replanting of a portion of 1963 farm allotments.* Upon a detailed survey of areas in the mid-south, it has been determined that a natural disaster consisting of flood or excessive rainfall has occurred in 1963 which may have prevented timely planting or replanting of a portion of 1963 farm allotments in one or more counties in the following States:

Arkansas	Missouri
Kentucky	Tennessee

(2) *Counties affected by flood or excessive rainfall which may have prevented timely planting or replanting of a portion of 1963 farm allotments.* The respective State committees of the States designated in subparagraph (1) of this paragraph have designated the following counties in which a natural disaster has occurred which may have prevented timely planting or replanting of a portion of the 1963 farm allotments:

ARKANSAS	
Crittenden	St. Francis
Cross	
KENTUCKY	
Ballard	Graves
Calloway	Hickman
Carlisle	McCracken
Fulton	Marshall
MISSOURI	
Butler	New Madrid
Mississippi	
TENNESSEE	
Dyer	Obion
Lake	Shelby
Lauderdale	Tipton

(3) *Transfer of farm allotments.* The owner or operator of a farm in a county designated under subparagraph (2) of this paragraph may file a written application with the county committee for transfer of all or part of the farm allotment from such farm to another farm in the same county or in an adjoining county in the same or another State if such allotment cannot be timely planted or replanted because of flood or excessive rainfall. The allotment to be transferred shall not exceed the smaller of the farm allotment less such acreage planted to cotton and not destroyed by flood or excessive rainfall or the allotment requested to be transferred. If the requested transfer involves an adjoining county, the county committee for the county in which the farm from which allotment is to be transferred is located shall take all necessary action and approve transfers after consulting with the county committee for such adjoining county. The county committee shall issue revised notices of farm allotment

upon approval of each transfer. The county committee of the county in which the farm from which allotment is to be transferred is located shall approve such transfer of farm allotment if it finds the following conditions have been met:

(1) All or part of the farm allotment for the farm from which the allotment is to be transferred could not be timely planted or replanted because of flood or excessive rainfall and planting was not prohibited by the lease in case of lands owned by the Federal government.

(ii) One or more producers of cotton on the farm from which the allotment is to be transferred will be a bona fide producer engaged in the production of cotton on the farm to which the allotment is to be transferred and will share in the crop or in the proceeds of the cotton. Such sharing shall be in the manner customary in the area in order to establish the status of such producer as a bona fide producer on the farm to which the allotment is to be transferred.

(4) *Closing date.* The closing date for approval of transfers by the county committee shall be June 10, 1963.

(5) *Cancellation of transfers of allotment.* If an allotment is transferred under this paragraph and it is later determined by the county committee, State committee or the Deputy Administrator that the conditions set forth in subparagraph (3) of this paragraph have not been met, the allotment for the farm receiving the transfer shall be reduced by the amount of the transfer and an appropriate revised notice of farm allotment shall be issued. Any action to revise allotments under this subparagraph by the county committee shall be subject to the approval of the State committee or its representative.

(6) *Acrae history credits and eligibility as an old cotton farm.* Any farm allotment transferred under this paragraph shall be deemed to be released acreage for purposes of acreage history credits under sections 344(f) (8), 344(m) (2) and 377 of the act: *Provided*, That, notwithstanding the provisions of section 344(m) (2) of the act relating to eligibility as an old cotton farm, the transfer of any farm allotment under this paragraph shall operate to make the farm from which the allotment was transferred eligible for an allotment as having cotton planted thereon during the three-year base period.

(Secs. 344(n), 375; 72 Stat. 186, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

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

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

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 63-6035; Filed, June 6, 1963; 8:52 a.m.]

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

[Avocado Order 3]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Container Regulations

Correction

In F.R. Doc. 63-5851, appearing at page 5412 of the issue for Saturday, June 1, 1963, § 915.303(b) (2) (iii) should read as follows:

(iii) Containers with inside dimensions of 13½ x 16½ x 3¾ inches.

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

[Milk Order No. 32]

PART 1032—MILK IN SUBURBAN ST. LOUIS MARKETING AREA

Order Terminating Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Suburban St. Louis marketing area (7 CFR Part 1032), it is hereby found and determined that:

(a) The following provisions of the order no longer tend to effectuate the declared policy of the Act:

(1) In § 1032.7 the following "or a dairy farmer for other markets"; and

(2) All of § 1032.10.

(b) Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) By notice of proposed rule making issued May 15, 1963 (28 F.R. 5021; F.R. Docket 63-5362), by the Deputy Administrator, Regulatory Programs, Agricultural Marketing Service, interested parties were advised that suspension of this provision was under consideration and were given opportunity to submit written views, data or arguments with respect thereto. Cooperative associations representing two-thirds of the producers supplying the market submitted views supporting the action. No views, data or arguments were submitted in opposition to the proposed action.

(2) This termination order does not require of persons affected substantial or extensive preparation prior to the effective date.

(3) This termination order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(4) This action will enable the milk of producers supplying a plant at Breese, Illinois, to be producer milk under the Suburban St. Louis order if, as seems likely, the plant again becomes a pool plant under that order. Historically

this plant has been a Suburban St. Louis pool plant but became a St. Louis pool plant a few months ago because of greater route sales in the St. Louis marketing area. Because of the "dairy farmer for other markets" provision all of the milk in the plant would be other source milk if the plant becomes a pool plant under the Suburban St. Louis order. Thus, the dairy farmers supplying the milk would not be afforded the benefit of the minimum prices provided in the order.

(5) It appears now, that the plant will again become a Suburban St. Louis pool plant beginning with the month of May 1963. This would result in disorderly marketing of milk in the area unless the "dairy farmer for other markets" provision is terminated effective May 1, 1963.

Therefore, good cause exists for making this order effective May 1, 1963.

It is therefore ordered, That the aforesaid provisions of the order are hereby terminated.

(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 June 3, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63-6015; Filed, June 6, 1963; 8:47 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 3; Amdt. 5]

PART 121—SMALL BUSINESS SIZE STANDARDS

Schedule A—Employment Size Standards for Concerns Primarily Engaged in Manufacturing

On October 3, 1962, there was published in the FEDERAL REGISTER (27 F.R. 9757) Revision 3 of the Small Business Size Standards Regulation, which included a Schedule A referred to in § 121.3-10(b) (3) of this part. The new Schedule A set forth below is hereby adopted and shall become effective upon publication in the FEDERAL REGISTER. It has been revised to include the latest information relating to manufacturing industries.

The Small Business Size Standards Regulation (Revision 3) (27 F.R. 9757), as amended (27 F.R. 11313, 12438; 28 F.R. 153, 3323), is hereby further amended by deleting Schedule A of § 121.3-10 and substituting in lieu thereof new Schedule A set forth below.

Dated: May 29, 1963.

JOHN E. HORNE,
Administrator.

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING

(The following size standards are to be used when determining the size status of SBA business loan applicants, and as alternate standards for sections 501 and 502 loans, and SBIC assistance)

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 23—Apparel and related products.....	250
	Major Group 28—Chemicals and allied products:	
2812	Alkalies and chlorine.....	1,000
2879	Agricultural chemicals, not elsewhere classified.....	500
2873	Agricultural pesticides.....	500
2831	Biological products.....	250
2895	Carbon, black.....	500
2823	Cellulose man-made fibers.....	1,000
2899	Chemicals and chemical preparations, not elsewhere classified.....	250
	Cyclic (coal tar) crudes.....	500
2814	Dyes, dye (cyclic) intermediates, and organic pigments (lakes and toners).....	750
2815	Explosives.....	750
2892	Fatty acids.....	500
2894	Fertilizers.....	500
2871	Fertilizers, mixing only.....	500
2872	Glue and gelatin.....	250
2891	Gum and wood chemicals.....	500
2861	Industrial gases.....	1,000
2813	Industrial inorganic chemicals, not elsewhere classified.....	750
2819	Industrial organic chemicals, not elsewhere classified.....	1,000
2818	Inorganic pigments.....	1,000
2816	Medicinal chemicals and botanical products.....	750
2833	Paints, varnishes, lacquers, and enamels.....	250
2851	Perfumes, cosmetics, and other toilet preparations.....	500
2844	Pharmaceutical preparations.....	750
2834	Plastics materials, synthetic resins, and nonvulcanizable elastomers.....	750
2821	Printing ink.....	250
2893	Putty, calking compounds, and allied products.....	250
2852	Soap and other detergents, except specialty cleaners.....	750
2841	Specialty cleaning, polishing, and sanitation preparations, except soap and detergents.....	500
2842	Surface active agents, finishing agents, sulfonated oils and assistants.....	250
2843	Synthetic organic fibers, except cellulosic.....	1,000
2824	Synthetic rubber (vulcanizable elastomers).....	1,000
2822	Major Group 36—Electrical Machinery, Equipment and Supplies:	
3624	Carbon and graphite products.....	750
3672	Cathode ray picture tubes.....	750
3643	Current carrying wiring devices.....	500
3634	Electric housewares and fans.....	750
3641	Electric lamps.....	1,000
3611	Electric measuring instruments and test equipment.....	500
3619	Electric transmission and distribution equipment, not elsewhere classified.....	500
3694	Electrical equipment for internal combustion engines.....	750
3629	Electrical industrial apparatus, not elsewhere classified.....	500
3699	Electrical machinery, equipment, and supplies, not elsewhere classified.....	500
3679	Electronic components and accessories, not elsewhere classified.....	500
3639	Household appliances, not elsewhere classified.....	500
3631	Household cooking equipment.....	750
3633	Household laundry equipment.....	1,000
3632	Household refrigerators and home and farm freezers.....	1,000
3635	Household vacuum cleaners.....	750
3622	Industrial controls.....	750
3642	Lighting fixtures.....	250
3621	Motors and generators.....	1,000
3644	Noncurrent carrying wiring devices.....	500
3652	Phonograph records.....	750
3612	Power, distribution, and specialty transformers.....	750
3692	Primary batteries, dry and wet.....	1,000

See footnotes at end of table.

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 36—Electrical Machinery, Equipment and Supplies—Continued	
3651	Radio and television receiving sets, except communication types.....	750
3671	Radio and television receiving type electron tubes, except cathode ray.....	1,000
3662	Radio and television transmitting, signaling, and detection equipment and apparatus.....	750
3693	Radiographic X-ray, fluoroscopic X-ray, therapeutic X-ray, and other X-ray apparatus and tubes.....	500
3636	Sewing machines.....	750
3691	Storage batteries.....	500
3613	Switchgear and switchboard apparatus.....	750
3661	Telephone and telegraph apparatus.....	1,000
3673	Transmitting, industrial, and special purpose electron tubes.....	750
3623	Welding apparatus.....	250
	Major Group 34—Fabricated metal products, except ordnance, machinery, and transportation equipment:	
3440	Architectural and miscellaneous metal work.....	250
3452	Bolts, nuts, screws, rivets and washers.....	500
3479	Coating, engraving, and allied services, not elsewhere classified.....	250
3496	Collapsible tubes.....	250
3421	Cutlery.....	500
3471	Electroplating, plating, polishing, anodizing and coloring.....	250
3431	Enameled iron and metal sanitary ware.....	750
3499	Fabricated metal products, not elsewhere classified.....	250
3498	Fabricated pipe and fabricated pipe fittings.....	250
3443	Fabricated plate work (boiler shops).....	250
3441	Fabricated structural steel.....	250
3423	Hand and edge tools, except machine tools and hand saws.....	250
3425	Hand saws and saw blades.....	250
3429	Hardware, not elsewhere classified.....	250
3433	Heating equipment, except electric.....	500
3411	Metal cans.....	1,000
3442	Metal doors, sash, frames, molding, and trim.....	250
3497	Metal foil and leaf.....	500
3491	Metal shipping barrels, drums, kegs, and pails.....	500
3461	Metal stampings.....	250
3481	Miscellaneous fabricated wire products.....	250
3432	Plumbing fixture fittings and trim (brass goods).....	500
3492	Safes and vaults.....	500
3451	Screw machine products.....	250
3444	Sheet metal work.....	250
3493	Steel springs.....	500
3494	Valves and pipe fittings, except plumbers' brass goods.....	500
	Major Group 20—Food and Kindred Products:	
2095	Animal and marine fats and oils, except grease and tallow.....	250
2063	Beet sugar.....	750
2052	Biscuit, crackers, and pretzels.....	750
2045	Blended and prepared flour.....	500
2086	Bottled and canned soft drinks and carbonated waters.....	250
2051	Bread and other bakery products, except biscuit, crackers, and pretzels.....	250
2071	Candy and other confectionery products.....	250
2061	Cane sugar, except refining only.....	250
2062	Cane sugar refining.....	750
2031	Canned and cured sea foods.....	250
2033	Canned fruits, vegetables, preserves, jams, and jellies.....	500
2032	Canned specialties.....	1,000
2043	Cereal preparations.....	1,000
2073	Chewing gum.....	500
2072	Chocolate and cocoa products.....	500
2023	Condensed and evaporated milk.....	500
2091	Cottonseed oil mills.....	250
2021	Creamery butter.....	250

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 20—Food and Kindred Products—Con.	
2085	Distilled, rectified, and blended liquors.....	750
2034	Dried and dehydrated fruits and vegetables.....	500
2087	Flavoring extracts and flavoring syrups, not elsewhere classified.....	500
2041	Flour and other grain mill products.....	500
2026	Fluid milk.....	500
2099	Food preparations, not elsewhere classified.....	250
2036	Fresh or frozen packaged fish.....	250
2037	Frozen fruits, fruit juices, vegetables, and specialties.....	500
2094	Grease and tallow.....	250
2024	Ice cream and frozen desserts.....	500
2098	Macaroni, spaghetti, vermicelli, and noodles.....	250
2083	Malt.....	250
2082	Malt liquors.....	500
2097	Manufactured ice.....	250
2011	Meat packing plants.....	500
2022	Natural cheese.....	250
2035	Pickled fruits and vegetables; vegetable sauces and seasonings; salad dressings.....	250
2015	Poultry and small game dressing and packing, wholesale.....	250
2042	Prepared feeds for animals and fowls.....	250
2044	Rice milling.....	250
2013	Sausages and other prepared meat products.....	500
2096	Shortening, table oils, margarine and other edible fats and oils, not elsewhere classified.....	750
2092	Soybean oil mills.....	500
2025	Special dairy products.....	250
2093	Vegetable oil mills, except cottonseed and soybean.....	1,000
2046	Wet corn milling.....	750
2084	Wines, brandy, and brandy spirits.....	250
	Major Group 25—Furniture and Fixtures:	
2599	Furniture and fixtures, not elsewhere classified.....	250
2519	Household furniture, not elsewhere classified.....	250
2515	Mattresses and bedsprings.....	250
2514	Metal household furniture.....	250
2522	Metal office furniture.....	500
2542	Metal partitions, shelving, lockers, and office and store fixtures.....	250
2531	Public building and related furniture.....	250
2591	Venetian blinds and shades.....	250
2511	Wood household furniture, except upholstered.....	250
2512	Wood household furniture, upholstered.....	250
2521	Wood office furniture.....	250
2541	Wood partitions, shelving, lockers, and office and store fixtures.....	250
	Major Group 31—Leather and Leather Products:	
3131	Boot and shoe cut stock and findings.....	250
3141	Footwear, except house slippers and rubber footwear.....	500
3142	House slippers.....	250
3121	Industrial leather belting and packing.....	250
3151	Leather dress, semidress, and work gloves.....	250
3199	Leather goods, not elsewhere classified.....	250
3111	Leather tanning and finishing.....	250
3161	Luggage.....	250
3172	Personal leather goods, except handbags and purses.....	250
3171	Women's handbags and purses.....	250
	Major Group 24—Lumber and Products, Except Furniture:	
	Major Group 35—Machinery, Except Electrical:	
3581	Automatic merchandising machines.....	250
3562	Ball and roller bearings.....	750
3564	Blowers, exhaust and ventilating fans.....	250
3582	Commercial laundry, dry cleaning, and pressing machines.....	250
3571	Computing and accounting machines, including cash registers.....	1,000

RULES AND REGULATIONS

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
3531	Major Group 35—Machinery, Except Electrical—Continued	
	Construction machinery and equipment	750
3535	Conveyors and conveying equipment	250
3534	Elevators and moving stairways	500
3522	Farm machinery and equipment	500
3551	Food products machinery	250
3569	General industrial machinery and equipment, not elsewhere classified	250
3536	Hoists, industrial cranes, and monorail systems	500
3565	Industrial patterns	250
3567	Industrial process furnaces and ovens	250
3537	Industrial trucks, tractors, trailers, and stackers	250
3519	Internal combustion engines, not elsewhere classified	1,000
3591	Machine shops, jobbing and repair	250
3545	Machine tool accessories and measuring devices	250
3541	Machine tools, metal cutting types	500
3542	Machine tools, metal forming types	500
3599	Machinery and parts, except electrical, not elsewhere classified	250
3586	Measuring and dispensing pumps	500
3566	Mechanical, power transmission equipment, except ball and roller bearings	500
3548	Metalworking machinery, except machine tools	500
3532	Mining machinery and equipment, except oil field machinery and equipment	500
3579	Office machines, not elsewhere classified	500
3533	Oil field machinery and equipment	500
3554	Paper industries machinery	250
3555	Printing trades machinery and equipment	500
3561	Pumps, air and gas compressors, and pumping equipment	500
3585	Refrigerators; refrigeration machinery, except household; and complete air conditioning units	750
3576	Scales and balances, except laboratory	250
3589	Service industry machines, not elsewhere classified	250
3544	Special dies and tools, die sets, jigs and fixtures	250
3559	Special industry machinery, not elsewhere classified	250
3511	Steam engines; steam, gas and hydraulic turbines; and steam, gas, and hydraulic turbine generator set units	1,000
3552	Textile machinery	250
3572	Typewriters	1,000
3584	Vacuum cleaners, industrial	250
3553	Woodworking machinery	250
	Major Group 39—Miscellaneous Manufacturing Industries	
3981	Brooms and brushes	250
3963	Buttons	250
3984	Candles	250
3955	Carbon paper and inked ribbons	250
3943	Children's vehicles, except bicycles	250
3961	Costume jewelry and costume novelties, except precious metal	250
3942	Dolls	250
3962	Feathers, plumes, and artificial flowers	250
3992	Furs, dressed and dyed	250
3941	Games and toys, except dolls and children's vehicles	250
3912	Jewelers' findings and materials	250
3911	Jewelry, precious metal	250
3987	Lamp shades	250
3913	Lapidary work and cutting and polishing diamonds	250
3952	Lead pencils, crayons, and artists' materials	250
3982	Linoleum, asphalted-felt-base, and other hard surface floor coverings, not elsewhere classified	750

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 39—Miscellaneous Manufacturing Industries—Continued	
3999	Manufacturing industries, not elsewhere classified	250
3983	Marking devices	250
3985	Matches	500
3988	Morticians' goods	250
3931	Musical instruments and parts	500
3964	Needles, pins, hooks and eyes, and similar notions	250
3951	Pens, pen points, fountain pens, ball point pens, mechanical pencils and parts	500
3993	Signs and advertising displays	250
3914	Silverware and plated ware	500
3949	Sporting and athletic goods, not elsewhere classified	250
3995	Umbrellas, parasols, and canes	250
	Major Group 19—Ordnance and Accessories:	
1922	Ammunition loading and assembling	250
1929	Ammunition, not elsewhere classified	250
1921	Artillery ammunition	250
1911	Guns, howitzers, mortars, and related equipment	250
1999	Ordnance and accessories, not elsewhere classified	250
1941	Sighting and fire control equipment	250
1951	Small arms	1,000
1961	Small arms ammunition	1,000
1931	Tanks and tank components	1,000
	Major Group 26—Paper and Allied Products:	
2643	Bags, except textile bags	500
2661	Building paper and building board mills	750
2649	Converted paper and paperboard products, not elsewhere classified	500
2653	Corrugated and solid fiber boxes	250
2645	Die cut paper and paperboard; and cardboard	250
2642	Envelopes	250
2655	Fiber cans, tubes, drums, and similar products	250
2651	Folding paperboard boxes	250
2641	Paper coating and glazing	500
2621	Paper mills, except building paper mills	750
2631	Paperboard mills	750
2646	Pressed and molded pulp goods	750
2611	Pulp mills	750
2654	Sanitary food containers	750
2652	Set-up paperboard boxes	250
2644	Wallpaper	250
	Major Group 29—Petroleum Refining and Related Industries:	
2952	Asphalt felts and coatings	750
2992	Lubricating oils and greases	500
2951	Paving mixtures and blocks	250
2911	Petroleum refining ²	1,000
2999	Products of petroleum and coal, not elsewhere classified	250
	Major Group 33—Primary Metal Industries:	
3361	Aluminum castings	250
3312	Blast furnaces (including coke ovens), steel works, and rolling mills	1,000
3362	Brass, bronze, copper, copper base alloy castings	250
3316	Cold rolled sheet, strip and bars	1,000
3357	Drawing and insulating of nonferrous wire	1,000
3313	Electrometallurgical products	750
3321	Gray iron foundries	500
3391	Iron and steel forgings	500
3322	Malleable iron foundries	500
3369	Nonferrous castings, not elsewhere classified	250
3392	Nonferrous forgings	250
3399	Primary metal industries, not elsewhere classified	750
3334	Primary production of aluminum	1,000
3331	Primary smelting and refining of copper	1,000
3332	Primary smelting and refining of lead	1,000
3339	Primary smelting and refining of nonferrous metals, not elsewhere classified	750
3333	Primary smelting and refining of zinc	750
3352	Rolling, drawing, and extruding of aluminum	750

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 33—Primary Metal Industries—Continued	
3351	Rolling, drawing, and extruding of copper	750
3356	Rolling, drawing, and extruding of nonferrous metals, except copper and aluminum	750
3341	Secondary smelting, refining, and alloying of nonferrous metals and alloys	250
3323	Steel foundries	500
3317	Steel pipe and tubes	1,000
3315	Steel wire drawing and steel nails and spikes	1,000
	Major Group 27—Printing and Publishing Industries	250
	Major Group 38—Professional, Scientific, and Controlling Instruments; Photographic and Optical Goods; Watches and Clocks:	
3822	Automatic temperature controls	500
3843	Dental equipment and supplies	250
3811	Engineering, laboratory, and scientific and research instruments and associated equipment	500
3821	Mechanical measuring and controlling instruments, except automatic temperature controls	500
3851	Ophthalmic goods	250
3831	Optical instruments and lenses	250
3842	Orthopedic, prosthetic, and surgical appliances and supplies	250
3861	Photographic equipment and supplies	500
3841	Surgical and medical instruments and apparatus	250
3872	Watchcases	250
3871	Watches, clocks, and parts except watchcases	500
	Major Group 30—Rubber and Miscellaneous Plastics Products:	
3069	Fabricated rubber products, not elsewhere classified	500
3079	Miscellaneous plastics products	250
3031	Reclaimed rubber	750
3021	Rubber footwear	1,000
3011	Tires and inner tubes	1,000
	Major Group 32—Stone, Clay, and Glass Products:	
3291	Abrasive products	250
3292	Asbestos products	750
3251	Brick and structural clay tile	250
3241	Cement, hydraulic	750
3253	Ceramic wall and floor tile	500
3255	Clay refractories	250
3271	Concrete brick and block	250
3272	Concrete products, except block and brick	250
3281	Cut stone and stone products	250
3263	Fine earthenware (whiteware) table and kitchen articles	500
3211	Flat glass	1,000
3221	Glass containers	750
3231	Glass products, made of purchased glass	250
3275	Gypsum products	1,000
3274	Lime	500
3296	Mineral wool	750
3295	Minerals and earths, ground or otherwise treated	250
3297	Nonclay refractories	750
3299	Nonmetallic mineral products, not elsewhere classified	250
3264	Porcelain electrical supplies	500
3269	Pottery products, not elsewhere classified	250
3229	Pressed and blown glass and glassware, not elsewhere classified	750
3273	Ready mixed concrete	250
3293	Steam and other packing, and pipe and boiler covering	500
3259	Structural clay products, not elsewhere classified	250
3261	Vitreous china plumbing fixtures and china and earthenware fittings and bathroom accessories	750
3262	Vitreous china table and kitchen articles	500
	Major Group 22—Textile Mill Products:	
2295	Artificial leather, oilcloth, and other impregnated and coated fabrics except rubberized	250
2211	Broad woven fabric mills, cotton	1,000

See footnotes at end of table.

SCHEDULE A—EMPLOYMENT SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN MANUFACTURING—Continued

Census classification code	Industry	Employment size standard (number of employees) ¹
	Major Group 22—Textile Mill Products—Continued	
2221	Broad woven fabric mills, man-made fiber and silk	500
2231	Broad woven fabric mills, wool: including dyeing and finishing	250
2279	Carpets, rugs, and mats, not elsewhere classified	500
2298	Cordage and twine	250
2269	Dyeing and finishing textiles, not elsewhere classified	250
2291	Felt goods, except woven felts and hats	250
2261	Finishers of broad woven fabrics of cotton	500
2262	Finishers of broad woven fabrics of man-made fiber and silk	500
2251	Full fashioned hosiery mills	250
2256	Knit fabric mills	250
2253	Knit outerwear mills	250
2254	Knit underwear mills	250
2259	Knitting mills, not elsewhere classified	250
2292	Lace goods	250
2241	Narrow fabrics and other small-ware mills: cotton, wool, silk, and man-made fiber	250
2293	Paddings and upholstery filling	250
2294	Processed waste and recovered fibers and flock	250
2252	Seamless hosiery mills	250
2299	Textile goods, not elsewhere classified	250
2284	Thread mills	500
2296	Tire cord and fabric	1,000
2272	Tufted carpets and rugs	500
2297	Wool scouring, worsted combing, and tow to top mills	250
2271	Woven carpets and rugs	750
2283	Yarn mills, wool, including carpet and rug yarn	250
2281	Yarn spinning mills, cotton, man-made fibers and silk	500
2282	Yarn throwing, twisting, and winding mills, cotton, man-made fibers and silk	250
	Major Group 21—Tobacco Manufactures:	
2111	Cigarettes	1,000
2121	Cigars	500
2131	Tobacco (chewing and smoking) and snuff	500
2141	Tobacco stemming and redrying	500
	Major Group 37—Transportation Equipment:	
3721	Aircraft	1,000
3722	Aircraft engines and engine parts	1,000
3729	Aircraft parts and auxiliary equipment, not elsewhere classified	1,000
3723	Aircraft propellers and propeller parts	1,000
3732	Boat building and repairing	250
3741	Locomotives and parts	1,000
3717	Motor vehicles and parts ²	1,000
3751	Motocycles, bicycles, and parts	500
3742	Railroad and street cars	750
3731	Ship building and repairing	1,000
3791	Trailer coaches	250
3799	Transportation equipment, not elsewhere classified	250
3713	Truck and bus bodies	250
3715	Truck trailers	500

¹The "number of employees" means the average employment of any concern and its affiliates based on the number of persons employed during the pay period ending nearest the last day of the third month in each calendar quarter for the preceding four quarters.

²Together with its affiliates does not employ more than 1,000 persons and does not have more than 30,000 barrels-per-day capacity from owned and leased facilities.

³The three Standard Industrial Classification industries (3711, 3712, and 3714) have been combined because of a major problem of defining the reporting unit in terms of these industries. This difficulty arises from the fact that many large establishments have integrated operations which include the production of parts or bodies and the assembly of complete vehicles at the same location.

[F.R. Doc. 63-5962; Filed, June 6, 1963; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS

On June 4, 1963, there was published in the FEDERAL REGISTER a document (F.R. Doc. 63-5856) amending Part 92, Title 9, Code of Federal Regulations. Item 3 of the document relates only to the headnote and subparagraph (1) of paragraph (a) of § 92.35. However, in the publication of the document at page 5461 of the FEDERAL REGISTER, asterisks indicating that subparagraph (2) of said paragraph (a) remained unchanged were inadvertently omitted at the end of item 3 of the document.

Notice is hereby given, therefore, that subparagraph (2) of paragraph (a) of § 92.35 was not affected by the document published in the FEDERAL REGISTER on June 4, 1963.

Done at Washington, D.C., this 5th day of June 1963.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 63-6059; Filed, June 6, 1963; 8:52 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-SO-35]

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

Temporary Alteration and Designation of Control Zones

On May 18, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5022) stating that the Federal Aviation Agency proposed to temporarily alter the Kinston, N.C., control zone and designate temporary control zones at Hoffman, N.C., and Maxton, N.C.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and no adverse comments were received regarding the proposed amendments.

The substance of the proposed amendments having been published and for the reasons stated in the notice, § 71.171 (27 F.R. 220-91, November 10, 1962), is amended as follows:

1. The Kinston, N.C., control zone is amended to read:

Kinston, N.C.
Within a 5-mile radius of Stallings Field, Kinston, N.C. (latitude 35°19'40" N., longitude 77°37'05" W.), effective from 0700 to 2330 hours, local time, daily, except 24 hours, daily, August 1, 1963, through August 18, 1963.

2. The following temporary control zones are added:

a. Hoffman, N.C.

Within a 5-mile radius of Mackall AAF, Hoffman, N.C. (latitude 35°02'15" N., longitude 79°29'55" W.), effective from July 20, 1963, through August 23, 1963.

b. Maxton, N.C.

Within a 5-mile radius of the Laurinburg-Maxton Airport (latitude 34°47'25" N., longitude 79°21'55" W.), effective from July 9, 1963, through August 23, 1963.

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

These amendments shall become effective 0001 e.s.t., July 9, 1963.

Issued in Washington, D.C., on June 5, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-6052; Filed, June 6, 1963; 8:52 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Regulatory Docket No. 1785; Amdt. 573]

PART 507—AIRWORTHINESS DIRECTIVES

Hiller UH-12D and UH-12E Helicopters

Amendment 125, 25 F.R. 2765, revised by Amendment 187, 25 F.R. 7429, requires dye penetrant inspections of the main rotor blade forks on Hiller UH-12D and UH-12E helicopters every 200 hours' time in service after the forks have accumulated 250 hours' time in service. In several recent incidents, cracks have occurred in less than 200 hours. Therefore it is considered necessary to reduce the intervals between the dye penetrant inspections in order to detect cracks before they progress to complete failure. Accordingly, Amendment 125 revised by Amendment 187 is being superseded by a new directive to specify the new inspection intervals. The daily visual inspection required in the original AD is still considered necessary.

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

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

HILLER. Applies to all UH-12D and UH-12E helicopters.

Compliance required as indicated.

Due to failures and recent incidents of cracking which have occurred in the main rotor blade fork P/N 52110-3 at the outboard tension-torsion bar retention bolt hole, the following inspections shall be conducted:

(a) Perform daily visual inspection of P/N 52110-3 forks for cracks in the area of the outboard tension-torsion bar retention bolt hole. Washers and nuts need not be removed for this inspection.

(b) On forks having 240 or more hours' time in service on the effective date of this AD, within the next 10 hours' time in service, unless already accomplished within the last 90 hours' time in service, and within each 100 hours' time in service thereafter from the last inspection, accomplish the inspection specified in (d).

(c) On forks having less than 240 hours' time in service on the effective date of this AD, accomplish the inspection specified in (d) prior to the accumulation of 250 hours' time in service and within each 100 hours' time in service thereafter from the last inspection.

(d) Perform a dye penetrant inspection, or FAA approved equivalent, of the bolt hole and adjacent milled surfaces. For this inspection remove the nut, washer and pin.

(e) Replace cracked forks before further flight.

This supersedes Amendment 125, 25 F.R. 2765 (AD 60-7-5), revised by Amendment 187, 25 F.R. 7429.

This amendment shall become effective June 7, 1963.

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

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

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

[F.R. Doc. 63-6010; Filed, June 6, 1963; 8:46 a.m.]

[Regulatory Docket No. 1787; Amdt. 572]

PART 507—AIRWORTHINESS DIRECTIVES

Piper Model PA-23 Aircraft

Airworthiness Directive 57-13-9, 23 F.R. 435, contains requirements for the inspection and replacement of elevator butt rib and doubler plates in PA-23 aircraft up to and including serial numbers 23-996. However, cracks have now been found in the elevator butt rib and doubler plates in PA-23 aircraft with serial numbers other than those which were included in AD 57-13-9. Therefore, this AD is issued to include all affected PA-23 aircraft under the same inspection and replacement requirements. Concurrently, the provisions of AD 57-13-9 are being amended to delete reference to P/N 17058-3, elevator butt rib and P/N 17058-20, elevator butt rib doubler plate.

This AD also permits the discontinuance of the inspection of the elevator butt rib when forged parts are installed in place of cast parts.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amend-

ment effective upon publication in the FEDERAL REGISTER.

PIPER. Applies to Model PA-23 aircraft Serial Numbers 23-1 through 23-1284, and 23-1286.

Compliance required as indicated.

Due to cracks being found in the P/N 17058-3 elevator butt rib and the P/N 17058-20 elevator butt rib doubler plate, which parts are incorporated in the P/N 17058-00 elevator assembly originally installed on the above serial numbered aircraft, the following shall be accomplished:

(a) Within the next 50 hours' time in service after the effective date of this AD, unless already accomplished within the last 50 hours' time in service, and within every 100 hours' time in service thereafter visually inspect for cracks, elevator butt rib, P/N 17058-3 and elevator butt rib plate, P/N 17058-20 on the P/N 17058-00 elevator assembly. Replace cracked parts before further flight.

(b) After P/N 19446 elevator assembly is installed, the inspection specified in (a) is no longer required.

(c) Parts shall be assembled and installed to obtain proper alignment and to prevent distortion and over-torquing of the attachment bolts.

(Piper Service Bulletin No. 146B, dated October 25, 1962, pertains to this same subject.)

This amendment shall become effective June 7, 1963.

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

Issued in Washington, D.C., on May 31, 1963.

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

[F.R. Doc. 63-6033; Filed, June 6, 1963; 8:51 a.m.]

[Regulatory Docket No. 1777; Amdt. 571]

PART 507—AIRWORTHINESS DIRECTIVES

Piper Model PA-23 Aircraft

Amendment 3, Airworthiness Directive 57-13-9, 23 F.R. 435, as amended by Amendment 4, 23 F.R. 1108 is being revised. This Agency has determined that certain forged parts need not be inspected in the manner specified in the subject AD for cast parts. Therefore, this revision permits discontinuance of the tail area inspection required in section III of the subject AD when cast parts are replaced by forged parts.

In addition, reference to P/N 17058-3, Elevator Butt Rib and P/N 17058-20 Elevator Butt Rib Doubler Plate, are being deleted from AD 57-13-9 as amended, and incorporated in a new AD being issued concurrently herewith.

Since this amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and this amendment becomes effective upon publication in the FEDERAL REGISTER.

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

Amendment 3, Airworthiness Directive 57-13-9, 23 F.R. 435, as amended by

Amendment 4, 23 F.R. 1108, is further amended by:

1. Adding the following reference:

See AD Amendment 572, for material covering the elevator butt rib, P/N 17058-3 and the elevator butt rib doubler plate, P/N 17058-20.

2. Deleting from the listing in the Inspection numbered I. "17058-3 Elevator Butt Rib" and "17058-20 Elevator Butt Rib Doubler Plate."

3. Changing Inspection III. to read:

III. Compliance required every 100 hours' time in service, except as noted below, after completion of the inspections required in Inspection II.,

Visually inspect all of the parts covered in Inspection I. and II., including P/N 19253-00, at which time parts with cracks visible during this inspection must be replaced. It is necessary to remove the tail cone, coverings and fairings to gain access to most of the parts to be inspected. However, parts need not be disassembled and/or removed from the aircraft to accomplish this inspection.

When any casting is replaced by the respective forging indicated below, this Inspection III. is not required for that forging.

Casting Part No.:	Forging Part No.
17033-00	19407-00
17033-01	19407-00
17049-00 and 19253-00	19409-00
17060-00	19405-00
17066-00	19404-00
17062-00	19408-00
17072-00	19406-00

After completion of the dye penetrant inspection required by Inspection II., P/N 17052-00 will no longer require Inspection III.

4. Changing the second sentence of Inspection IV to read: "Inspection and/or reassembly must be accomplished in accordance with Piper Service Bulletin No. 155A, dated November 1, 1962."

This amendment shall become effective June 7, 1963.

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

Issued in Washington, D.C., on May 29, 1963.

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

[F.R. Doc. 63-6032; Filed, June 6, 1963; 8:51 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket No. C-500]

PART 13—PROHIBITED TRADE PRACTICES

Berkeley's of Fresno, Inc., and Gilbert C. Berkeley

Subpart—Advertising falsely or misleadingly: § 13.155 Prices; § 13.155-40 Exaggerated as regular and customary; § 13.155-70 Percentage savings. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely; § 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling:

§ 13.1280 Price. Subpart—Misrepresenting oneself and goods—Prices: § 13.1805 Exaggerated as regular and customary. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition; § 13.1845-30 Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements; § 13.1852-35 Fur Products Labeling Act; § 13.1865 Manufacture or preparation; § 13.1865-40 Fur Products Labeling Act; § 13.1900 Source or origin; § 13.1900-40 Fur Products Labeling Act; § 13.1900-40 (b) Place.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Berkeley's of Fresno, Inc., et al., Fresno, Calif., Docket C-500, May 17, 1963]

In the Matter of Berkeley's of Fresno, Inc., a Corporation, and Gilbert C. Berkeley, Individually and as an Officer of Said Corporation

Consent order requiring Fresno, Calif., retail furriers to cease violating the Fur Products Labeling Act by affixing to fur products labels bearing fictitious prices, represented thereby as usual selling prices; by failing, on invoices, to show the true animal name of furs and the country of origin of imported furs, to disclose when furs were artificially colored and to use terms "Broadtail", "Dyed Broadtail processed Lamb", and "natural" as required; by representing prices on invoices as reduced from regular prices which were fictitious; by advertising in newspapers, etc., which failed to show the true animal name of fur, and represented falsely that their "Pre-Christmas Fur Sale" offered "20 percent to 30 percent Savings"; by failing to maintain adequate records as a basis for pricing claims; and by failing in other respects to comply with requirements of the Act.

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

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

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying such products by any representation that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise so represented was usually and customarily sold at re-

tail by the respondents unless such merchandise was in fact usually and customarily sold at retail by respondents at such prices in the recent past.

2. Misrepresenting in any manner on labels or other means of identification the savings available to purchasers of respondents' products.

3. Falsely or deceptively representing in any manner, directly or by implication, on labels or other means of identification that prices of respondents' fur products are reduced.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Falsely or deceptively invoicing any fur product with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

4. Failing to set forth the term "Natural" as part of the information required under section 5(b)(1) of the Fur Products Labeling Act and the Rules and Regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

5. Failing to set forth on invoices the item number or mark assigned to fur products.

6. Representing that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the fur products so represented were usually and customarily sold at retail by respondents unless such fur product was in fact usually and customarily sold by respondents at such price in the recent past.

7. Misrepresenting in any manner on invoices the savings available to purchasers of respondents' fur products.

8. Falsely or deceptively representing, directly or by implication, on invoices that prices of respondents' fur products are reduced.

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

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

2. Represents, directly or by implication, that any price, when accompanied or unaccompanied, by any descriptive language, was the price at which the merchandise advertised was usually and customarily sold at retail by the respondents unless such advertised merchandise was in fact usually and customarily

sold at retail at such price by respondents in the recent past.

3. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated, when the prices of such fur products are not reduced to afford to purchasers the percentage of savings stated.

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

5. Falsely or deceptively represents in any manner that prices of respondents' fur products are reduced.

6. Fails to set forth the term "natural" as part of the information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

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

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

Issued: May 17, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-6011; Filed, June 6, 1963; 8:46 a.m.]

[Docket No. C-501]

PART 13—PROHIBITED TRADE PRACTICES

Church of Religious Science Trading as Commercial Trades Institute and Roy C. Anderson

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections; § 13.5-25 Concealed subsidiary, fictitious collection agency, etc.; § 13.5-200 Non-profit character; § 13.5-265 Service; § 13.115 Jobs and employment service. Subpart—Misrepresenting oneself and goods—Business Status, Advantages or Connections: § 13.1390 Concealed subsidiary, fictitious collection agency, etc.; § 13.1495 Non-profit character; § 13.1553 Services. Subpart—Misrepresenting oneself and goods—Goods: § 13.1670 Jobs and employment.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Church of Religious Science (Los Angeles, Calif.) trading as Commercial Trades Institute, et al., Docket C-501, May 17, 1963]

In the Matter of Church of Religious Science, a Corporation, Trading and Doing Business as Commercial Trades Institute, and Roy C. Anderson, Individually and as Director of Commercial Trades Institute

Consent order requiring a church corporation in Los Angeles, advertising and selling a correspondence course at a Chicago address under the name "Commercial Trades Institute", and the director of such "Institute", to cease representing falsely through their sales agents responding to inquiries, that they would obtain employment for persons completing their courses, when the only assistance they provided was to write letters of commendation to prospective employers and to furnish printed suggestions for obtaining a better job, etc.; to cease representing that their said Institute was "non-profit", when the prices charged included a provision for profit; and to cease representing to purchasers that delinquent accounts had been referred to the independent "Imperial Collection Agency", which was actually a fictitious name used by them in collecting delinquent accounts.

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

It is ordered, That respondents Church of Religious Science, a corporation, trading as Commercial Trades Institute or under any other name or names, and its officers, and Roy C. Anderson, individually and as director of Commercial Trades Institute, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of courses of study and instruction, or in connection with the collection of delinquent accounts, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Respondents will obtain employment for persons completing respondents' courses of study and instruction, or misrepresenting in any other manner the assistance offered by respondents to such persons in securing employment.

(b) Commercial Trades Institute is not operated for the purpose of achieving a profit, or misrepresenting in any other manner the character or nature of any business enterprise operated by respondents.

2. Using the name "Imperial Collection Agency" or any other name or names of similar import or meaning or representing in any other manner that any account not referred to an independent organization engaged in the collection of past due accounts has been so referred.

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

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

Issued: May 17, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-6012; Filed, June 6, 1963;
8:46 a.m.]

[Docket No. C-499]

PART 13—PROHIBITED TRADE PRACTICES

Fuller Tool Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees*; § 13.130 *Manufacture or preparation*. Subpart—Concealing, obliterating or removing law required and informative marking: § 13.510 *Foreign source*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation*. Subpart—Neglecting unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-30 *Foreign origin*; § 13.1900 *Source or origin*; § 13.1900-35 *Foreign product as domestic*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Fuller Tool Co., Inc., et al., Whitestone, N.Y., Docket C-499, May 17, 1963]

In the Matter of Fuller Tool Co., Inc., a Corporation, and Bernard Fuller, Harrison Fuller, John W. Weil, and Lillian Sasanow, Individually and as Officers of Said Corporation

Consent order requiring Whitestone, N.Y., importers of a complete line of hand tools manufactured in foreign countries including Japan, England, Holland, Italy, and Portugal, to cease selling the tools so packaged or otherwise assembled as to obscure or conceal the mark of foreign origin, thus failing to give the public adequate notice that the tools are not made in the United States; to cease using in catalog advertisements of hand tools and on tool packages such statements as "Guaranteed", "Unconditionally guaranteed", etc., when the guarantees contain limitations; and to cease representing falsely that their hammer was "100 percent drop forged" when only the head was drop forged.

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

It is ordered, That respondents, Fuller Tool Co., Inc., a corporation, and its officers, and Bernard Fuller, Harrison Fuller, John W. Weil, and Lillian Sasanow, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hand tools, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering for sale, selling or distributing any product which is in whole or in part of foreign origin without clearly and conspicuously disclosing on such product the country of origin thereof, and if said product is enclosed in a package or container or mounted on a card, without also clearly and conspicuously disclosing on such package, container or card the country of origin of such product, in such manner as to be readily visible on or through the front of any package or container in which the product is to be displayed for consumer resale, and in such manner as to be readily visible on the front or face of any card on which said product is mounted for such re-sale;

2. Placing in the hands of others any means or instrumentalities by or through which they may mislead the public as to the country or place of origin of respondents' products;

3. Representing, directly or by implication, that any of respondents' products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

4. Representing that any of respondents' products, including hammers, are "100 percent drop forged", unless all the metal in such products has been so processed; or otherwise misrepresenting the composition of their products or the method by which they have been processed.

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

Issued: May 17, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-6013; Filed, June 6, 1963;
8:46 a.m.]

[Docket No. C-498]

PART 13—PROHIBITED TRADE PRACTICES

Bernard Samuels and Louis Hurwitz Trading as Penncraft Metals Co.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*; § 13.155-10 *Bait*. Subpart—Misrepresenting oneself and goods—Prices: § 13.1779 *Bait*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Bernard Samuels et al. trading as Penncraft Metals Co., Philadelphia, Pa., Docket C-498, May 14, 1963]

In the Matter of Bernard Samuels and Louis Hurwitz, Individually and as Copartners Trading as Penncraft Metals Co.

Consent order requiring Philadelphia distributors of home improvement products, including aluminum siding, aluminum storm windows and doors and aluminum and fiberglass awnings, to cease

using bait advertisements in newspapers which were not bona fide offers to sell but were made for the purpose of obtaining leads to prospects whom, when contacted, they discouraged from buying the advertised products and tried to sell much higher priced ones.

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

It is ordered, That respondents Bernard Samuels and Louis Hurwitz, individually and as copartners trading as Penncraft Metals Co., or under any other trade name, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of aluminum siding, aluminum storm windows or doors, aluminum or fiberglass awnings, or any other product or services in connection with the improvement, repair or remodeling of homes or other buildings, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Advertising or offering any products for sale for the purpose of obtaining leads or prospects for the sale of different products unless the advertised products are capable of adequately performing the function for which they are offered and respondents maintain an adequate and readily available stock of said products.

2. Disparaging in any manner or refusing to sell any product advertised.

3. Using any advertising, sales plan or procedure involving the use of false, deceptive or misleading statements or representations which are designed to obtain leads or prospects for the sale of other merchandise.

4. Representing directly or indirectly that any products or services are offered for sale when such offer is not a bona fide offer to sell said products or services.

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

Issued: May 14, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-6014; Filed, June 6, 1963;
8:46 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 295-63]

PART 42—EQUAL EMPLOYMENT OPPORTUNITY; POLICY AND PROCEDURE

Opportunity for Oral Hearing

By virtue of the authority vested in me by Executive Order No. 10590 of Jan-

uary 15, 1955, Part II of Executive Order No. 10925 of March 6, 1961, section 161 of the Revised Statutes (5 U.S.C. 22), and section 2 of Reorganization Plan No. 2 of 1950, paragraph (a) of § 42.12 of Chapter I of Title 28 of the Code of Federal Regulations (Order No. 265-62) is amended to read as follows:

(a) In any case involving a complaint which has not been settled or dismissed under § 42.10 or § 42.11, respectively, the complainant shall be afforded an opportunity for an oral hearing before the Employment Policy Officer, Deputy Employment Policy Officer, or someone designated by either of them, at a convenient time and place. At such hearing, the Department shall produce any witnesses under its jurisdiction, upon a showing satisfactory to the hearing officer of a reasonable necessity therefor. The complainant and the Department shall have the right to confront and cross-examine any witness insofar as may be necessary for a development of relevant facts directly concerning any discriminatory practice prohibited by these regulations. Any requests for the attendance of necessary witnesses must be made in writing by the complainant at least 10 days before the date of the hearing.

Dated: June 4, 1963.

ROBERT F. KENNEDY,
Attorney General.

[F.R. Doc. 63-6060; Filed, June 6, 1963;
8:52 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER C—DRUGS

PART 141—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146d—CERTIFICATION OF CHLORAMPHENICOL AND CHLORAMPHENICOL-CONTAINING DRUGS

Sterility Test Methods and Procedures

Correction

In F.R. Doc. 63-5796, appearing at page 5462 of the issue for Tuesday, June 4, 1963, the following corrections are made:

1. In § 141.2:
 - a. In paragraph (c) (3), "NaON" should read "NaOH".
 - b. In paragraph (d), "normal porosity" should read "nominal porosity".
2. In item 75b, "paragraph (c) (1)" should read "paragraph (e) (1)".
3. In § 146a.68 (d) (2):
 - a. In subdivision (1), "20 packages" should read "10 packages".
 - b. In subdivision (1), "10 packages" should read "20 packages".

4. In § 146d.307(d) (3) (1), the matter following (a) and designated as "(b)", should be designated as "(b)".

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

[Regs. U-1, U-2A, U-6, T3]

PART 251—LAND USES

PART 261—TRESPASS

Designation of Areas and Prohibiting Uses

In Part 251:

Paragraphs (a) and (b) of § 251.20 *Wilderness areas* are amended to read as follows:

§ 251.20 Wilderness areas.

(a) Upon recommendation of the Chief, Forest Service, national forest lands in single tracts of not less than 100,000 acres may be designated by the Secretary as "wilderness areas," within which there shall be no roads or other provision for motorized transportation, no commercial timber cutting, and no occupancy under special use permit for hotels, stores, resorts, summer homes, organization camps, hunting and fishing lodges, or similar uses: *Provided,* That roads over national forest lands reserved from the public domain and necessary for the exercise of a statutory right of ingress and egress shall be allowed under appropriate conditions determined by the Chief, and upon allowance of such roads the boundary of the wilderness area may be modified without prior notice of public hearing to exclude the portion affected by the roads.

(b) Grazing of domestic livestock, development of water storage projects which do not involve road construction, and improvements necessary for the protection of the forest may be permitted subject to such restrictions as the Chief deems desirable. Within such designated wildernesses when the use is for other than administrative needs of the Forest Service and of other Federal agencies when authorized by the Chief and emergencies, the landing of aircraft and the use of motorboats are prohibited on national forest land or water unless such use by aircraft or motorboats has already become well established, the use of motor vehicles is prohibited and the use of other motorized equipment is prohibited except as authorized by the Chief. These restrictions are not intended as limitations on statutory rights of ingress and egress or of prospecting, locating and developing mineral resources.

* * * * *

Section 251.21a *Primitive areas* is added as follows:

§ 251.21a Primitive areas.

Those areas of national forest land classified by the Chief, Forest Service, as "primitive areas" prior to September 20, 1939, shall be administered in the same manner as wilderness areas and with the

same restrictions on their use. The procedure for modifying or eliminating primitive areas shall be as for wilderness areas, except that final action in each case will be by the Chief. No new primitive areas shall be established.

Section 251.25 *Occupancy and use* is amended to read as follows:

§ 251.25 *Occupancy and use.*

Occupancy and use of national forest land shall be permitted only upon compliance with reasonable conditions for the protection and administration of the national forests and resources and the promotion of public health, welfare, safety, or convenience. Public notices shall be posted by the forest supervision in such locations as will reasonably bring them to the attention of the public, setting forth such conditions with respect to any areas on which special restrictions should be imposed. A copy of the conditions shall be kept available to the public in the offices of the Ranger and Supervisor.

In Part 261:

Paragraph (h) of § 261.4 *Protection of property* is amended and paragraph (i) of that section is added to read as follows:

§ 261.4 *Protection of property.*

The following acts are prohibited on lands of the United States within a national forest:

* * * *

(h) Using prohibited vehicles upon any road or trail which is not a part of a State or county highway system and is located upon national forest lands during any period when such road or trail has been closed to such vehicles by authority of the regional forester. Notices of closure shall be posted in such locations as will reasonably bring them to the attention of the public and a copy of the closure order shall be kept available to the public in the offices of the Ranger and Supervisor. Nothing herein contained shall deprive actual residents within the national forests from reasonable opportunity to travel to and from their homes.

(i) Using prohibited vehicles in cross-country travel on areas of national forest lands during any period when such areas have been closed to such vehicles by authority of the regional forester. Notices of the closure shall be posted in such locations as will reasonably bring them to the attention of the public and a copy of the closure order shall be kept available to the public in the offices of the Ranger and Supervisor.

(30 Stat. 35; as amended, 16 U.S.C. 551. Interpret or apply sec. 1, 33 Stat. 628; 16 U.S.C. 472)

Done at Washington, D.C., this 3d day of June 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-6018; Filed, June 6, 1963;
8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

FORFEITURE

In § 3.669, paragraph (c) is amended and paragraph (d) is added to read as follows:

§ 3.669 *Forfeiture.*

* * * *

(c) *Subversive activities.* If the payee is acquitted of the charge, payments will be resumed from date of last payment, if otherwise in order. If he is convicted, benefits will be discontinued effective the commencing date of the award or the day preceding the commission of the act resulting in the forfeiture, whichever is later.

(d) *Pardons.* (1) Where the payee's offense has been pardoned by the President of the United States, the award will be resumed, if otherwise in order, effective the date of the pardon if claim is filed within 1 year from that date; otherwise benefits may not be authorized for any period prior to the date of filing claim. The award will be subject to any existing overpayment.

(2) Payments to a dependent of the person whose benefits were declared forfeited before September 2, 1959, will be discontinued effective the day preceding the date of the pardon.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective the date of approval.

Approved: May 31, 1963.

By direction of the Administrator.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 63-6034; Filed, June 6, 1963;
8:52 a.m.]

Proposed Rule Making

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 42]

DRIED WHOLE EGGS; DEFINITIONS AND STANDARDS OF IDENTITY

Proposed Provision for Optional Anticaking Ingredient Sodium Silicoaluminate

Notice is given that Seymour Foods, Inc., Topeka, Kansas, has filed a petition proposing amendment of the standard of identity for dried whole eggs to provide for the optional use of less than 2 percent of sodium silicoaluminate as an anticaking ingredient. Amended as proposed § 42.30 would read as follows:

§ 42.30 Dried eggs, dried whole eggs; identity; label statement of optional ingredients.

(a) Dried eggs, dried whole eggs are prepared by drying liquid eggs. They may be powdered. Sodium silicoaluminate may be added as an optional ingredient, but the amount used is less than 2 percent by weight of the finished food. The moisture content of the finished food, if the optional ingredient is used, does not exceed by 5 percent by weight; however, if the optional anticaking ingredient is not used the moisture content may exceed 5 percent but it does not exceed 8 percent. The moisture content is determined by the method prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists," Ninth Edition, 1960, §§ 16.002, 16.003, under "Total Solids."

(b) (1) When the optional anticaking ingredient, as provided in paragraph (a) of this section is used, the label shall bear the statement "Less than 2 percent sodium silicoaluminate added as an anticaking agent."

(2) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement specified in subparagraph (1) of this paragraph, showing the optional ingredient used, shall immediately and conspicuously precede or follow such name, without intervening, written, printed, or graphic matter.

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), all interested persons are invited to submit their views in writing regarding the proposal published herein. Such views and comments should be submitted preferably in quintuplicate, addressed to

No. 111—3

the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., within 30 days following the date of publication of this notice in the FEDERAL REGISTER.

Dated: June 3, 1963.

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

[F.R. Doc. 63-6031; Filed, June 6, 1963;
8:51 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Ch. IV]

[No. 982]

RULES GOVERNING RIGHT OF INDEPENDENT ACTION IN AGREEMENTS

Notice of Cancellation of Oral Argument in Proposed Rule Making Proceedings

By notice in the FEDERAL REGISTER March 21, 1962, the Federal Maritime Commission published proposed rules governing the right of independent action in agreements between common carriers or conferences of such carriers.

After review of comments received from various interested parties, the Commission, by notice served April 25, 1963 (FEDERAL REGISTER of May 1, 1963), published revised rules, solicited comments thereon and oral argument was scheduled for June 7, 1963.

No interested party has expressed a desire to appear at oral argument. Accordingly, the Commission will consider the proposed rules in the light of written comments previously submitted by interested parties and oral argument in this proceeding is hereby canceled.

By order of the Federal Maritime Commission June 4, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-6027; Filed, June 6, 1963;
8:49 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 320]

SLEEPING BAG INDUSTRY

Proposed Rule Regarding Use of Designation "Cut Size" in Description of Sleeping Bags

Notice is hereby given that the Federal Trade Commission, after consideration of all relevant matters of fact, law, policy and discretion, including all relevant matters presented by interested parties during the course of the proposed rule making proceeding for this industry announced in the FEDERAL REGISTER

February 19, 1963 (16 CFR 320.1) and pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and the provisions of §§ 1.61 through 1.71 of the Commission's rules of practice, procedures and organization, 27 F.R. 4611-12 (May 1962), has formulated the following tentative trade regulation rule and statement of its basis and purpose:

§ 320.1 Sleeping Bag Industry.

(a) Deception as to size of sleeping bags. In the sale, offering for sale or distribution of sleeping bags in commerce as "commerce" is defined in the Federal Trade Commission Act, manufacturers and distributors thereof shall not represent in advertising, labeling, marking or otherwise the "cut size" or dimensions of materials used in the construction of sleeping bags; unless—

(1) The dimensions of the cut size are accurate measurements of the yard goods used in construction of the sleeping bags; and

(2) Such "cut size" dimensions are accompanied by the words "cut size"; and

(3) The "cut size" is accompanied by disclosure of the length and width of the finished products and by an explanation that such dimensions constitute the finished size, which disclosure is of at least equal conspicuousness as the stated cut size.

(b) An example of proper size marking when the product has a finished size of 33" x 68" and a cut size of 36" x 72", and disclosure is made of the cut size, is—

Finished size 33" x 68".

Cut size 36" x 72".

(c) Statement of basis and purpose.

(1) The sale, offering for sale or distribution in "commerce" of sleeping bags marked or described as to the "cut size" of the material used in the construction of such products without conspicuously disclosing the finished size thereof, has the capacity and tendency to mislead the public into believing that the stated dimension is the actual size of the finished product, is unfair to competitors who properly describe the size of their sleeping bags and is violative of section 5 of the Federal Trade Commission Act.

(2) The purpose of the rule is to prevent deception of the purchasing public as to the size of sleeping bags, and to prevent unfair competition by applying the same requirements to all manufacturers and distributors of sleeping bags subject to the Commission's jurisdiction.

Any interested party who filed data, views and argument pursuant to the notice of proposed rule making described above and who feels aggrieved by the tentative rule and statement of basis and purpose, may protest said tentative rule and statement in writing, setting forth any disagreement with any matters of fact, law, policy or discretion which

PROPOSED RULE MAKING

the protestant believes to be involved in the proceeding. Contentions as to matters of fact must be presented by affidavits of persons having personal knowledge. The protest may be supported by written arguments and briefs. All interested parties described above are hereby notified that they may file protests concerning the tentative rule with the Chief, Division of Trade Regulation Rules, Bureau of Industry Guidance, Federal Trade Commission, Sixth Street and Pennsylvania Avenue NW., Washington 25, D.C., not later than July 10, 1963. Such written protests should be filed in duplicate.

Due consideration will be given by the Commission to any protest in writing of the tentative rule and statement before proceedings to final action in this matter.

Issued: June 6, 1963.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63-5997; Filed, June 6, 1963;
8:45 a.m.]

Notices

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

SAN MARINO

Notice of Finding Regarding Social Insurance and Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence relating to the social insurance or pension system of San Marino, from which evidence it appears that its system is not of general application.

Accordingly, it is hereby determined and found that San Marino does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

Dated: May 23, 1963.

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

Approved: June 3, 1963.

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

[F.R. Doc. 63-6030; Filed, June 6, 1963;
8:50 a.m.]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER APPLICATIONS

Notice of Revision

The following applicants have withdrawn their applications for independent ocean freight forwarder licenses pursuant to section 44, Shipping Act, 1916. Withdrawn license application numbers have been reissued in some instances. This practice has been discontinued and no future reissuance of license numbers or license application numbers will be made. In the event a number is no

longer, for any reason, in use it will be carried in our records as an open and unassigned number.

GRANDFATHER APPLICANTS

NAME AND ADDRESS

Beaumont Shippers—No. 931 (George D. Switzer, d/b/a), 810 Blanchette, P.O. Box 1262, Beaumont, Texas. Withdrawn July 17, 1962. (No. 931 reissued to Frank P. Dow Co., Inc. of San Francisco.)

Benkart & Company, Inc., F. J.—No. 586, 95 Broad Street, Room 1810, New York 4, New York. Withdrawn October 31, 1962. (No. 586 reissued to D. C. Andrews & Co. of Maryland, Inc. November 21, 1962.)

Bergen Shipping Service—No. 56 (Hymen I. Malatzky, d/b/a), 83-19 141 Street, Jamaica 35, New York. Withdrawn December 3, 1962. (No. 56 is an open number. It will not be reissued.)

Cavanaugh Shipping Company—No. 10, 10 Bridge Street, New York 4, New York. Withdrawn March 22, 1963. (No. 10 is an open number. It will not be reissued.)

Drew Shipping Corporation, No. 538, 8-10 Bridge Street, New York 4, New York. Withdrawn May 31, 1962. (No. 538 reissued to Mohegan International Corp. of La. November 15, 1962.)

Judson Sheldon International Corporation, No. 850, 64 Vesey Street, New York 7, New York. Cancelled number 850 due to consolidation with Pacific and Atlantic Shippers, R X Consolidators, Inc., and William A. Rogers, Inc. under application No. 525. Number 850 reissued to R. G. Hobelman, November 20, 1962.

Markley Export Corporation, No. 868, Lafayette Building, Philadelphia 6, Pennsylvania. Withdrawn February 19, 1963. (No. 868 is an open number. It will not be reissued.)

Northern Traffic Service, No. 400, Pier 16, Seattle 4, Washington. Withdrawn May 7, 1963. (No. 400 is an open number. It will not be reissued.)

Rex Forwarding Company, No. 848, 29 Broadway, New York 6, New York. Withdrawn May 1, 1962. (No. 848 reissued to Newbalt Associates, Inc. November 20, 1962.)

NONGRANDFATHER APPLICANTS

NAME AND ADDRESS

A. C. American Freight Forwarding & Shipping, 1596 Northwest 36th Street, Room 204, Miami, Florida. Withdrawn July 5, 1962.

Alaska Consolidating & Forwarding Company, 3200 26th Avenue SW., Seattle 6, Washington. Withdrawn March 3, 1962.

Atlantic-Gulf Shipping, Inc., 521 South Water Street, Tampa 2, Florida. Withdrawn January 22, 1963.

Key Freight Forwarders, Inc., P.O. Box 3221, Miami 1, Florida. Withdrawn July 22, 1962.

Coleman Forwarding Company (Robert William Coleman, d/b/a), 905 East Monroe Street, P.O. Box 1069, Brownsville, Texas. Withdrawn May 22, 1962.

National Van Lines, Inc., Roosevelt and Gardner Road, Broadview, Illinois. Withdrawn April 26, 1962.

Ocean Freight Forwarders, Inc., 238 East Davis Boulevard, P.O. Box 3025, Tampa 1, Florida. Withdrawn June 30, 1962.

Pacific Northwest Alaska Van Service, Inc., P.O. Box 7457, Seattle, Washington. Withdrawn May 29, 1962.

Rico Shipping Company (Javier Zalduendo, d/b/a), 1997 Third Avenue, New York 29, New York. Withdrawn August 1, 1962.

Velez, Fernando, 213 Northeast Second Avenue, Miami, Florida. Withdrawn April 11, 1962.

Venezuela Freight Expeditors, P.O. Box 48-1068, Miami, Florida. Withdrawn October 15, 1962.

Dated: June 3, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-5999; Filed, June 6, 1963;
8:45 a.m.]

[Docket No. 1097]

AGREEMENT NO. 8905

First Supplemental Order

On March 19, 1963, the Federal Maritime Commission instituted an investigation to determine whether Agreement 8905 should be approved, disapproved or modified pursuant to section 15 of the Shipping Act, 1916.

Three amendments to Agreement 8905 were filed with the Commission on April 22 and May 22, 1963, with the request that they be included in this investigation and considered for approval under section 15 of the Act. These amendments have been assigned Federal Maritime Agreement Nos. 8905-1, 8905-2 and 8905-3.

Therefore, it is ordered, That this proceeding is hereby expanded to include a determination of whether Agreements 8905-1, 8905-2 and 8905-3 should be approved, disapproved or modified pursuant to section 15 of the Shipping Act, 1916.

A copy of this order shall be served upon all respondents and upon all parties herein and shall be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR 201.74) of said rule.

By the Commission, May 28, 1963.

[SEAL]

THOMAS LISI,
Secretary.

[F.R. Doc. 63-6028; Filed, June 6, 1963;
8:50 a.m.]

[No. 1112]

AGREEMENT 9094, TRANSHIPMENT AGREEMENT

Notice of Enlargement of Time To File Affidavits of Fact and Memoranda of Law and Replies Thereto and Re-scheduling of Oral Argument

By order served May 17, 1963, affidavits of fact and memoranda of law were to be filed no later than June 3, 1963, and replies thereto no later than June 12, 1963.

Oral argument was scheduled for June 19, 1963.

Upon request of counsel for Respondent, Cunard Steam-Ship Company, Limited, and good cause appearing, time for filing affidavits of fact and memoranda of law is hereby enlarged to and including June 17, 1963. Replies thereto shall be filed no later than June 26, 1963.

Oral argument will be held by the Commission on June 28, 1963, beginning at 3:00 p.m. in Room 114, 1321 H Street NW., Washington, D.C. Parties are requested to notify the Secretary not later than June 26, 1963, as to the amount of time desired for argument.

Dated: June 4, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-6029; Filed, June 6, 1963; 8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-16498 etc.]

AMERICAN PETROFINA, INC., ET AL.

Notice of Applications and Date of Hearing

MAY 28, 1963.

American Petrofina, Incorporated, and Trice Production Company, Docket No. G-16498; Lario Oil & Gas Company, Docket No. CI60-38; Logue and Patterson, et al., Docket No. CI61-68; N. V. Duncan Drilling Company, et al., Docket No. CI62-421; R. A. Tidwell, et al., Docket No. CI62-443; The Atlantic Refining Company, Docket No. CI62-1409; W. H. Mossor, d.b.a. Brent Maxwell Oil and Gas Company, Docket No. CI62-1415; Ferebee Oil & Gas Company, Docket No. CI62-1417; W. H. Mossor, d.b.a. Osbourn Oil and Gas Company, Docket No. CI62-1418; Newlon Oil and Gas Company, Docket No. CI62-1422; Haught Oil and Gas Company, Docket No. CI62-1423; The Atlantic Refining Company, Docket No. CI62-1466; Huron Drilling Company, Inc., Docket No. CI63-643; M. R. Osbourn Gas Company, Docket No. CI63-835; Urpman Oil and Gas Company, Docket No. CI63-836; Sinclair Oil & Gas Company, Docket No. CI63-987; Humble Oil & Refining Company, Docket No. CI63-990; Gulf Oil Corporation (Operator), et al., Docket No. CI63-1008; Martin Wunderlich, Docket No. CI63-1017; Theo. Hamm Brewing Co. (Operator), et al., Docket No. CI63-1018; W. M. Wheless, et al., Docket No. CI63-1066; Joseph Sidney Wheless, Jr., Docket No. CI63-1067; Humble Oil & Refining Company, Docket No. CI63-1071; John Franks, Docket No. CI63-1085; David M. Harrison and Charles E. Young, Docket No. CI63-1087; Wayland W. Oatman, Docket No. CI63-1115; The Atlantic Refining Company, Docket No. CI63-1121; Frank Zickefoose, et al., Docket No. CI63-1122; J. M. L. Smith, et al., Docket No. CI63-1132; Pace Bower Construction Company, Docket No. CI63-1133; Quinto Creek Production Company, Inc., Docket No. CI63-1140; Quinto Creek Production

Company, Inc., Docket No. CI63-1141; Sam Sklar, et al., Docket No. CI63-1153; Crescent Production Company, Inc., et al., Docket No. CI63-1155; S. W. Bowman & Son, Docket No. CI63-1167; Mathews Heirs Gas Company, Docket No. CI63-1186; R. J. Hopkins, Docket No. CI63-1198; Bailey Gas Company, Docket No. CI63-1215; Stonestreet Lands Company, Docket No. CI63-1260; MacFarlane Company, Docket No. CI63-1280.

Take notice that each of the above Applicants has filed an application pur-

suant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon a sale of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Some of the Applicants filed notices of cancellation of their related FPC gas rate schedules concurrently with the abandonment applications.

The pertinent facts in each application are as follows:

Docket Nos. in which filed and previously authorized	Location	Purchaser	Reason for abandonment
G-16498, G-10950	Wellsford Field, Kiowa County, Kans.	Panhandle Eastern Pipe Line Co.	Depletion.
CI60-38 ¹	Adams Ranch Field, Meade County, Kans.	Colorado Interstate Gas Co.	Do.
CI61-68 ¹	Refugio Town Tract, Refugio County, Tex.	AGSCO Minerals Corp.	Do.
CI62-421 ¹	Logan and Lincoln Counties, Okla.	Cities Service Gas Co.	Water encroachment.
CI62-443 ¹	Lincoln County, Okla.	N. V. Duncan Drilling Co., et al.	Do.
CI62-1409, G-9379	Orange Grove Field, Jim Wells County, Tex.	Orange Grove Flare Gas Gathering Co.	Depletion.
CI62-1415, CI61-84	Southwest District, Doddridge County, W. Va.	Equitable Gas Co.	Do.
CI62-1417, G-11530	Appalachian Field, Tyler County, W. Va.	Carnegie Natural Gas Co.	Do.
CI62-1418, CI60-571	West Union District, Doddridge County, W. Va.	Equitable Gas Co.	Do.
CI62-1422, G-4968	Union District, Ritchie County, W. Va.	Carnegie Natural Gas Co.	Do.
CI62-1423, G-4963	Dutchman Run, Ritchie and Calhoun Counties, W. Va.	Penova Interests.	Do.
CI62-1466, G-3894 ²	Tom Graham Field, Jim Wells County, Tex.	The Altex Corp.	Do.
CI63-643, G-19296	Surveyors Creek Field, Washington County, Colo.	Kansas-Nebraska Natural Gas Co., Inc.	Depletion of casing-head gas.
CI63-835, G-7908	Murphy District, Ritchie County, W. Va.	Cabot Corp.	Depletion.
CI63-836, G-7903	do.	do.	Do.
CI63-987, G-9049	Palmetto Field, St. Landry Parish, La.	Transcontinental Gas Pipe Line Corp.	Do.
CI63-990, CI60-572	Phil Power Field, Refugio County, Tex.	Tennessee Gas Transmission Co.	Do.
CI63-1008 ⁴	Bijou Unit, Morgan County, Colo.	Kansas Nebraska Natural Gas Co.	Low pressure.
CI63-1017, G-13072	Noble County, Okla.	Cities Service Gas Co.	Do.
CI63-1018, G-15132	North Louise Field, Wharton County, Tex.	Tennessee Gas Transmission Co.	Depletion.
CI63-1066, G-16824	Baxterville Field, Lamar and Marion Counties, Miss.	United Gas Pipe Line Co.	Do.
CI63-1067, G-16823	Baxterville Field, Lamar and Marion Counties, Miss.	do.	Do.
CI63-1071, G-17862	Southeast Joaquin Field, Shelby County, Tex.	Texas Eastern Transmission Corp.	Do.
CI63-1085 ³	Greenwood-Waskom Field, Caddo Parish, La.	Ingersoll Power and Fabricating Co., Inc.	Do.
CI63-1087, G-20021	Clay District, Ritchie County, W. Va.	Hope Natural Gas Co.	Do.
CI63-1115, G-6329 ³	Clayton Field, Live Oak County, Tex.	Transcontinental Gas Pipe Line Corp.	Do.
CI63-1121, G-9154	Palmetto Field, St. Landry Parish, La.	do.	Do.
CI63-1122, CI61-1120	Troy District, Gilmer County, W. Va.	Hope Natural Gas Co.	Do.
CI63-1132, CI60-246	West Union District, Doddridge County, W. Va.	do.	Do.
CI63-1133, CI61-1758	Collins Settlement District, Lewis County, W. Va.	do.	Do.
CI63-1140, G-5230	Quinto Creek Field, Jim Wells County, Tex.	Transcontinental Gas Pipe Line Corp.	Do.
CI63-1141, G-5231	Quinto Creek Field, Jim Wells County, Tex.	do.	Do.
CI63-1153, G-14692	Rodessa Field, Cass County, Tex.	United Gas Pipe Line Co.	Do.
CI63-1155, G-5985	Haynesville Field, Claiborne Parish, La.	Arkansas Louisiana Gas Co.	Do.
CI63-1167, G-18263	Union District, Harrison County, W. Va.	Hope Natural Gas Co.	Do.
CI63-1186, G-13241	Troy District, Gilmer County, W. Va.	do.	Do.
CI63-1198, G-7256	Benezette Township, Elk County, Pa.	The Manufacturers Light and Heat Co.	Do.
CI63-1215, G-9560	Triadelphia District, Logan County, W. Va.	Hope Natural Gas Co.	Do.
CI63-1260, CI61-309	McElroy and Centerville Districts, Tyler County, W. Va.	do.	Do.
CI63-1280, G-2558	Lisbon Field, Claiborne Parish, La.	United Gas Pipe Line Co.	Do.

¹ Certificate application pending in this docket.

² Other sales authorized in this docket.

³ This certificate was issued to Henderson Coquat, et al. continue the certificated service.

⁴ Application to amend pending in Docket No. G-20502.

⁵ Certificate application pending in Docket No. G-18934.

Wayland W. Oatman has not filed authorization to

[Docket No. E-7103]

[Project No. 1971]

IOWA SOUTHERN UTILITIES CO.**Notice of Application**

MAY 31, 1963.

Take notice that on May 27, 1963, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Iowa Southern Utilities Company (Applicant), incorporated under the laws of the State of Delaware and doing business as a qualified foreign corporation in the States of Iowa and Illinois, with its principal place of business at 300 Sheridan Avenue, Centerville, Iowa, seeking an order authorizing the issuance of 1,858,928.2 shares of Common Stock, par value \$10 per share in exchange for 920,378.1 shares of Common Stock par value \$15 per share, presently outstanding and 9,086 shares of such Common Stock reserved for conversion of 4,543 shares of \$1.76 Series Cumulative Convertible Preferred Stock presently outstanding. The Applicant also proposes to issue two shares of Common Stock par value \$10 per share, for each additional one share of Common Stock, par value \$15 per share, which may be issued prior to July 24, 1963 under the Employee Stock Purchase Plan. Applicant anticipates that approximately 350 additional shares of Common Stock par value \$15 per share, will be issued under the Employee Stock Purchase Plan prior to July 24, 1963.

The Company also proposes to transfer an amount of \$3,046,790.50 from Premium on Capital Stock Account to Common Stock Capital Account, and to transfer an amount of \$1,600,530 from Earnings Retained in the Business to Common Stock Capital Account. The amount of \$1,600,530 shall be increased \$5 for each one share of Common Stock (par value \$15) which may be issued prior to July 24, 1963 under the Applicant's Employee Stock Purchase Plan, and reduced \$10 for each one share of \$1.76 Series Cumulative Convertible Preferred Stock redeemed on July 3, 1963.

The Applicant represents that a wider distribution of the Common Stock will be in the public interest and that it is appropriate for the Applicant to capitalize premium on Capital Stock and a portion of Retained Earnings at this time.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 21, 1963 file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 63-6001; Filed, June 6, 1963;
8:45 a.m.]

IDAHO POWER CO.**Notice of Application for Amendment of License**

JUNE 3, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Idaho Power Company (correspondence to: T. E. Roach, President, Idaho Power Company, Boise, Idaho) for amendment of its license for Project No. 1971 located on the Snake River in Baker and Wallowa Counties, Oregon, and Adams County, Idaho, and affecting lands of the United States within Payette and Wallowa-Whitman National Forests.

The application seeks to describe in the license the Hells Canyon development as presently proposed, which would consist of: a 320 foot high concrete gravity dam, with a crest length of 994 feet at elevation 1,695 feet at river mile 247.5, a gated spillway capable of passing 300,000 cubic feet per second; a reservoir at elevation 1,688 feet reaching to the constructed Oxbow development; gated intake structure with three 24 foot-steel penstocks leading to a powerhouse containing three 195,000-horsepower turbines connected to three 123,300-kilowatt generators with provisions for a future fourth similar unit; substation; a 230kv transmission line extending about 8 miles to Pallete Junction; and appurtenant facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 22, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6002; Filed, June 6, 1963;
8:45 a.m.]

[Docket No. RP63-12]

KENTUCKY WEST VIRGINIA GAS CO.**Order Providing for Hearing, Suspending Proposed Revised Tariff Sheet, Prescribing Procedure, and Providing for Proposed Revised Tariff Sheet To Become Effective**

MAY 28, 1963.

On April 30, 1963, Kentucky West Virginia Gas Company (Kentucky West Virginia) tendered for filing Tenth Revised Sheet No. 4 to its FPC Gas Tariff, Original Volume No. 1, to become effective June 1, 1963, proposing an annual increase in its rates and charges of \$479,028 or 7.8 percent over the rates in effect for the calendar year 1962, as adjusted.

In support of its proposed increase in rates, Kentucky West Virginia states

that the increase in rates is necessary because of increased operating costs, additions to its gas plant and decreased gas sales. Kentucky West Virginia states that its operations are such that it must continually invest increasing amounts in its gas plant to maintain the level of gas deliveries required by its contracts.

On May 10, 1963, notice of the proposed revision of Kentucky West Virginia's FPC Gas Tariff was published in the FEDERAL REGISTER (28 F.R. 4738). In accordance with the notice, on May 16, 1963, the Pennsylvania Public Utility Commission (Pennsylvania Commission) filed its Notice of Intervention in this proceeding. In its Notice of Intervention, the Pennsylvania Commission requested suspension of the increase in rates proposed by Kentucky West Virginia on the basis of its letter to the Secretary of this Commission, dated May 10, 1963, wherein it questioned the validity of allocating all of the transmission cost between jurisdictional and non-jurisdictional sales on a "straight volumetric basis" as proposed by Kentucky West Virginia in its filing.

In its Notice of Intervention, the Pennsylvania Commission stated: "However, since a full five-month suspension might impair (Kentucky West Virginia's) ability to drill additional wells in time to provide adequate service next winter, the Pennsylvania Commission would not oppose a one-day suspension."

The increased rates and charges contained in the above-designated revised tariff sheet tendered by Kentucky West Virginia on April 30, 1963, have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a public hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Kentucky West Virginia's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by the revised tariff sheet tendered for filing on April 30, 1963, and that said revised tariff sheet and the rates contained therein be suspended and the use thereof deferred as hereinafter provided.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the proposed increase in rates and charges contained in Tenth Revised Sheet No. 4 to Kentucky West Virginia's FPC Gas Tariff, Original Volume No. 1, be made effective as hereinafter provided and that Kentucky West Virginia be required to file a motion and an undertaking as hereinafter ordered and conditioned.

(3) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the public hearing provided for herein be expedited.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held, pursuant to the procedures hereinafter set forth, concerning the lawfulness of the rates, charges, classifications, and services contained in Kentucky West Virginia's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by the aforementioned revised tariff sheet tendered for filing on April 30, 1963.

(B) Pending such hearing and decision thereon, Tenth Revised Sheet No. 4 to Kentucky West Virginia's FPC Gas Tariff, Original Volume No. 1, is hereby suspended and the use thereof deferred until June 2, 1963: *Provided, however*, That, within 20 days from the date of this order, Kentucky West Virginia shall file a motion as required by section 4(e) of the Natural Gas Act and concurrently execute and file with the Secretary of the Commission the agreement and undertaking described in Paragraph (D) below. Unless Kentucky West Virginia is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(C) Kentucky West Virginia shall refund at such times and in such amounts to persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of rates and charges found by the Commission in this proceeding not justified, together with interest thereon at the rate of 7 percent per annum from the date of payment to Kentucky West Virginia until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the tariff sheet made effective as of June 2, 1963, for each billing period, specifying by whom and in whose behalf such amounts were paid, and shall report (original and four copies) in writing and under oath, to the Commission monthly, for each billing period and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom as computed under the tariff sheet in effect immediately prior to June 2, 1963, and under the tariff sheet herein allowed to become effective, together with the differences in the revenues so computed.

(D) As a condition of this order, Kentucky West Virginia shall execute and file in triplicate with the Secretary of this Commission, its written agreement and undertaking to comply with the terms of Paragraph (C) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the Board of Directors, and accompanied by a certificate showing service of copies thereof upon all purchasers under the tariff sheet involved as follows:

Agreement and Undertaking of Kentucky West Virginia Gas Company to Comply with the Terms and Conditions of Paragraph (C) of Federal Power Commission's Order Issued _____, 1963, in Docket No. RP63-12.

In conformity with the requirements of the order issued _____, 1963, in Docket

No. RP63-12, Kentucky West Virginia Gas Company hereby agrees and undertakes to comply with the terms and conditions of Paragraph (C) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this _____ day of 1963.

KENTUCKY WEST VIRGINIA GAS
COMPANY,

By _____
President.

Attest:

Secretary.

(E) If Kentucky West Virginia shall, in conformity with the terms and conditions of its agreement and undertaking, make the refunds as may be required by order of the Commission in this proceeding, the undertaking shall be discharged, otherwise it shall remain in full force and effect.

(F) Presiding Examiner Ames W. Williams, or any other officer or officers designated by the Chief Examiner for that purpose (see delegating of authority, 27 F.R. 4276, etc.) shall issue notice of the date of hearing; prescribe other relevant procedural matters not herein provided; preside at the pre-hearing conferences and at the hearing in this matter, pursuant to the Commission's rules of practice and procedure, and as further provided by this order.

(G) Pursuant to § 1.18 of the Commission's rules of practice and procedure, a pre-hearing conference before the Presiding Examiner shall commence at 10:00 a.m., e.d.s.t., on June 18, 1963, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C. for the purpose of defining the issues, reaching an agreement and stipulation thereon and on any facts relevant to this matter, and, if necessary, to prescribe procedure for hearing herein giving effect to the Commission's intent that this matter be expedited.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6003; Filed, June 6, 1963;
8:45 a.m.]

[Project No. 2359]

PUBLIC SERVICE COMPANY OF INDIANA, INC.

Notice of Application for Preliminary Permit

MAY 28, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Public Service Company of Indiana, Inc. (correspondence to: Edwin M. Gue, Vice President, Public Service Company of Indiana, Inc., 1000 East Main Street, Plainfield, Indiana), for preliminary permit for proposed water power Project No. 2359, to be known as Brookville Pumped Storage Project, to be located on East Fork Whitewater River, in Franklin County, Indiana, in the vicinity of Brookville.

The project would consist of: an artificial upper reservoir having about 7,350 acre-feet of storage capacity, located on high ground east of the U.S. Corps of Engineers' proposed Brookville Flood Control Reservoir; a penstock; and a powerhouse adjacent to the Brookville Reservoir with a total of about 240,000 kilowatts in reversible pump-turbine generating units.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 12, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6004; Filed, June 6, 1963;
8:45 a.m.]

[Docket No. E-7100]

SIERRA PACIFIC POWER CO.

Notice of Application

JUNE 3, 1963.

Take notice that on May 27, 1963, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Sierra Pacific Power Company (Applicant), a corporation organized under the laws of the State of Maine and doing business in the States of California and Nevada, with its principal business office at Reno, Nevada, seeking an order authorizing the issuance of \$8,000,000 principal amount of Debentures ---- percent due July 1, 1988 and 172,341 shares of Additional Common Stock par value \$3.75. The Debentures are to be issued under a proposed Indenture with the National Shawmut Bank of Boston to be dated as of July 1, 1963.

According to the application the New Debentures will be sold and the interest rate fixed by competitive bidding. They will be dated as of July 1, 1963; will mature on July 1, 1988; and will be issued on July 24, 1963 or such other date as may be determined by the Board of Directors.

Applicant proposes to offer to its Common Stockholders 172,341 shares of Additional Common Stock on the basis of one additional share for each ten shares held of record. Shareholders will have an over-subscription privilege subject to allotment. Rights to subscribe will be evidenced by transferable subscription warrants. The offering of Common Stock to Common Stockholders will not be underwritten.

Applicant states that the net proceeds received from the issuance and sale of the aforesaid New Debentures and Additional Common Stock will be used to retire bank loans totalling \$9,015,000 (Docket No. E-7042), to reimburse the treasury of the Applicant for construction expenditures heretofore made, to finance additional construction, and to redeem the Company's issued and outstanding 5% percent Debentures due 1985. Applicant's construction program for 1963 and 1964 is estimated at

\$27,886,300, allocated primarily to Applicant's electric department.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 24, 1963, file with the Federal Power Commission, Washington 25, D.C., petitions or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6023; Filed, June 6, 1963;
8:48 a.m.]

[Docket No. G-4281 etc.]

SUNRAY DX OIL CO. ET AL.

Order Instituting Investigation and Notice of Applications To Be Heard on a Consolidated Basis in Conjunction Therewith

MAY 28, 1963.

Sunray DX Oil Company, Docket No. G-4281; Texaco Inc., Docket No. G-8087; Radcliffe Killam, Docket No. G-10764; Sunray DX Oil Company, Docket No. G-11122; Champlin Oil & Refining Co., et al., Docket No. G-11150; Sinclair Oil & Gas Co., et al., Docket No. G-11744; Pan American Petroleum Corporation, Docket No. G-12325; Shell Oil Company, Docket No. G-12336; Humble Oil & Refining Company, Docket No. G-12353; Texaco Inc., Docket No. G-12710; Edwin G. Bradley, et al., Docket No. G-12833; Kerr-McGee Oil Industries, Inc., Docket No. G-12886; Union Oil Company of California, Docket No. G-12908; Sun Oil Company (Mid-Continent Division), Docket No. G-12972; Colorado Oil & Gas Corporation (Operator), et al., Docket No. G-13086; Oklahoma Natural Gas Company, Docket No. G-13204; Shell Oil Company, Docket No. G-13295; Sinclair Oil and Gas Company (Operator), et al., Docket No. G-13299; Graham Michael's Drilling Company, Docket No. G-13665; United Producing Company, Inc., Docket No. G-13929; Sunray DX Oil Company, Docket No. G-14143; Hughes Seewald (Operator), et al., Docket No. G-14953; Shell Oil Company, et al., Docket No. G-14979; Carter Jones Drilling Company, Inc., Docket No. G-14980; Sunray DX Oil Company, Docket No. G-15148; Sinclair Oil & Gas Company, Docket No. G-15291; Helmerich & Payne Inc. (Operator), et al., Docket No. G-15519; Nor-Mac-Burns Company, Docket No. G-15521; Foree Drilling Co., et al., Docket No. G-16004; Sunray DX Oil Company, Docket No. G-16109; Mineral Ventures Corporation, Docket No. G-16460; Keener Oil Company, Docket No. G-16462; Pan American Petroleum Corporation (Operator), Docket No. G-16529; Oklahoma Natural Gas Company (formerly State Fuel Supply Company), Docket No. G-16853; The Superior Oil Co., Docket No. G-16878; Thomas E. Berry, Docket No. G-16971; Texaco Inc. (Operator), et al., Docket No. G-17015; Edwin L. Cox, Docket No. G-17222; Monsanto Chemical Company, Docket No.

G-17260; Socony Mobil Oil Company, Inc., Docket No. G-17777.

Sohio Petroleum Company (Operator), et al., Docket No. G-17781; MABEE Royalties, Inc., Docket No. G-18044; J. E. MABEE Company, Docket No. G-18045; Champlin Oil & Refining Company, Docket No. G-18065; Big Chief Drilling Company, Docket No. G-18111; Ashland Oil & Refining Company, Docket No. G-18117; Wilcox Oil Company, Docket No. G-18176; Forest Oil Corporation, Docket No. G-18239; Forest Oil Corporation, Docket No. G-18250; Atlantic Refining Company, Docket No. G-18288; Charles C. Peppers, Docket No. G-18332; Pan American Petroleum Corp., et al., Docket No. G-18435; Van Grisso Oil Company, Docket No. G-18450; Pioneer Production Corporation, Docket No. G-18476; Glen F. Thomas and George W. Brewer, Jr., d/b/a Thomas & Brewer, (Operator), et al., Docket No. G-18513; Phillips Petroleum Company, Docket No. G-18523; Sunray DX Oil Company, Docket No. G-18630; The Atlantic Refining Company, Docket No. G-18708; The Pure Oil Co., et al., Docket No. G-18881; F. A. Gillespie and Sons Company, Docket No. 18883; United Producing Co., Inc., Docket No. G-18916; Apache Corporation, Docket No. G-18933; Gulf Oil Corp., Docket No. G-18977; Westland Oil Development Corp., Docket No. G-18996; Sunray DX Oil Company, Docket No. G-19051; Lario Oil & Gas Company, Docket No. G-19239; Graham-Michaelis Drilling Company, et al., G-19318; Anadarko Production Company, Docket No. G-19337; Anadarko Production Company, Docket No. G-19338; Crestmont Oil Company (Operator), et al., Docket No. G-19420; Sohio Petroleum Company, Docket No. G-19421; J. M. Leonard, Docket No. G-19426; The Bradley Producing Corporation (Operator), et al., Docket No. G-19480; Midwest Oil Corporation, Docket No. G-19526; An-Son Petroleum Corporation, Docket No. G-19542; Van Grisso Oil Company, Docket No. G-19595; E. A. Obering, Operator, Docket No. G-19616; Remlig Oil Company, Docket No. G-19688; Russell Maguire (Operator), et al., Docket No. G-19837; New Era Royalties, Docket No. G-19960; Sohio Petroleum Company, Docket No. G-20101; The Bradley Producing Corporation, Docket No. G-20148; Cabot Corporation, Docket No. G-20250; Ashland Oil & Refining Company & United Carbon Company, Docket No. G-20308; Wyant Ventures, Ltd., Docket No. G-20327; Helmerich & Payne Inc., et al., Docket No. G-20486; Union Oil Company of California, Docket No. CI60-22.

Edwin L. Cox, Docket No. CI60-25; Cabot Corporation (SW), Docket No. CI60-105; Phillips Petroleum Company, Docket No. CI60-144; Harper Oil Company, Docket No. CI60-146; Columbian Fuel Corporation, et al., Docket No. CI60-169; Oklahoma Natural Gas Company, Docket No. CI60-190; Phillips Petroleum Company, Docket No. CI60-197; Apache Corporation, Docket No. CI60-203; Petroleum, Inc., Docket No. CI60-214; Sun Oil Company (Mid-Continent Division), Docket No. CI60-269; Petroleum, Inc., Docket No. CI60-301; Kenneth B. Moore,

Docket No. CI60-321; Gulf Oil Corporation, Docket No. CI60-361; Phillips Petroleum Company, Docket No. CI60-384; Anderson Petroleum, et al., Docket No. CI60-456; Cabot Corporation, Docket No. CI60-466; Cabot Corporation, Docket No. CI60-471; E. B. Thornburg and Cleo E. Thornburg, Docket No. CI60-488; C. R. Van Hoesen, Agent, et al., Docket No. CI60-526; Humble Oil & Refining Co., Docket No. CI60-578; Ozark-Mahoning Company, Docket No. CI60-584; Harper Oil Company (Operator), et al., Docket No. CI60-590; Skelly Oil Company, Docket No. CI60-602; Cal-Ray Petroleum Corporation, Docket No. CI60-614; The Vickers Petroleum Co., Inc., et al., Docket No. CI60-632; Continental Oil Company, Docket No. CI60-634; An-Son Petroleum Corp., Docket No. CI60-663; Riddell Petroleum Corporation, Docket No. CI60-667; Texoma Production Company, Docket No. CI60-704; Ozark-Mahoning Co., Docket No. CI60-711; Ozark-Mahoning Co., Docket No. CI60-712; Pan American Petroleum Corporation, Docket No. CI60-722; Kingwood Oil Company, Docket No. CI60-744; Shamrock Oil and Gas Corp., Docket No. CI60-766; Eason Oil Company, Docket No. CI60-772; Eason Oil Company, Docket No. CI60-773; Colorado Oil & Gas Corp., Docket No. CI60-781; Thomas E. Berry, et al., Docket No. CI60-785; T. W. Eason, et al., Docket No. CI60-805; Edwin L. Cox, Docket No. CI60-808; Wilbur J. Holleman, Docket No. CI60-827; Hughes Seewald, et al., Docket No. CI61-14; Ashland Oil & Refining Company & United Carbon Company, Docket No. CI61-16; Pan American Petroleum Corporation, Docket No. CI61-19; Global Oils, Inc. (Operator), et al., Docket No. CI61-26; J. M. Huber Corp., Docket No. CI61-28; Kirby Production Co., Docket No. CI61-30; Kerr-McGee Oil Industries, Inc., Docket No. CI61-36; Lario Oil & Gas Corporation, Docket No. CI61-37.

Ashland Oil & Refining Company & United Carbon Company, Docket No. CI61-73; The Vickers Petroleum Co. Inc. (Operator), et al., Docket No. CI61-108; Apache Corporation, Docket No. CI61-120; Daniel W. Varel, Docket No. CI61-139; Harper Oil Co., Docket No. CI61-155; Russell L. Maguire, et al., Docket No. CI61-159; Riffe Petroleum Company, Docket No. CI61-198; Caroline Hunt Sands, et al., Docket No. CI61-224; Pan American Petroleum Corp., Docket No. CI61-228; Eason Oil Company, Docket No. CI61-235; Ambassador Oil Corporation, et al., Docket No. CI61-253; Oklahoma Natural Gas Company, Docket No. CI61-260; Socony Mobile Oil Co., Inc., Docket No. CI61-271; Petroleum Exploration, Inc., of Texas, et al., Docket No. CI61-272; Statex Petroleum (Operator), et al., Docket No. CI61-302; Ozark-Mahoning Co., Docket No. CI61-314; Union Oil Company of California, Docket No. CI61-323; Caroline Hunt Sands, et al., Docket No. CI61-399; Herman Brown, Docket No. CI61-403; Statex Petroleum (Operator), et al., Docket No. CI61-417; Pioneer Production Corporation, et al., Docket No. CI61-439; Statex Petroleum (Operator), et al., Docket No. CI61-512; Wilcox Oil Company, Docket No. CI61-521; Mayflo Oil Company (Operator), Docket No. CI61-538; Cabot

Corporation, Docket No. CI61-540; Sunac Petroleum Corp., Docket No. CI61-609; Oklahoma Natural Gas Company, Docket No. CI61-698; Cabot Corporation, Docket No. CI61-711; Monsanto Chemical Company, Docket No. CI61-713; Sun Oil Company (Mid-Continent Division), Docket No. CI61-738; A. L. Hershey, et al., Docket No. CI61-758; Union Oil Company of California, Docket No. CI61-769; Union Oil Company of California, Docket No. CI61-770; Humble Oil & Refining Company, Docket No. CI61-771; Humble Oil & Refining Company, Docket No. CI61-794; Harper Oil Company, Docket No. CI61-795; Oil and Gas Ventures, Inc., Docket No. CI61-805; Global Oils, Inc., Docket No. CI61-868; Texaco, Inc., Docket No. CI61-886; The Atlantic Refining Company, Docket No. CI61-954; Sun Oil Company, Docket No. CI61-992; Sinclair Oil & Gas Company, Docket No. CI61-1032; Sinclair Oil & Gas Company, Docket No. CI61-1137; Sunray DX Oil Company, Docket No. CI61-1201; Keener Oil Company, Docket No. CI61-1207; The Pure Oil Company, Docket No. CI61-1252; Edwin L. Cox, Docket No. CI61-1309; Apache Corp., Docket No. CI61-1339.

Cabot Corporation, Docket No. CI61-1391; Mayflo Oil Company, (Operator), Docket No. CI61-1417; Apache Corporation, Docket No. CI61-1422; J. M. Huber Corporation, Docket No. CI61-1448; Petroleum, Inc., Docket No. CI61-1453; Eason Oil Company, Docket No. CI61-1466; J. M. Huber Corporation, Docket No. CI61-1537; Tenneco Corp., Docket No. CI61-1615; Phillips Petroleum Company, Docket No. CI61-1629; Continental Oil Company, Docket No. CI61-1642; Amox Petroleum Corporation (formerly Blackwell Zinc Co., Inc.), Docket No. CI61-1659; Edwin L. Cox, Docket No. CI61-1666; Ashland Oil & Refining Company & United Carbon Company, Docket No. CI61-1706; Ralph L. Leaderbrand, Docket No. CI61-1709; Ward S. Merrick, Jr., et al., Docket No. CI61-1770; Hamilton Brothers, Ltd., Docket No. CI61-1775; Monsanto Chemical Co., Docket No. CI61-1777; J. M. Huber Corp., Docket No. CI62-2; Kirby Production Co., Docket No. CI62-6; Texaco Inc., Docket No. CI62-38; William Bartlett Marshall, et al., Docket No. CI62-228; Thomas K. Hendrick, (Operator), et al., Docket No. CI62-281; Otto C. Barby, et al., Docket No. CI62-451; Hamilton Brothers, Ltd., Docket No. CI62-488; Petroleum Inc., et al., Docket No. CI62-548; Midwest Oil Corporation, Docket No. CI62-571; Wm. H. Meissner, Docket No. CI62-572; Standard Oil Company of Texas, a Division of California Oil Company, Docket No. CI62-592; Socony Mobil Oil Co., Inc., Docket No. CI62-603; Harper Oil Company, (Operator), et al., Docket No. CI62-688; Hugh N. Spohn, Docket No. CI62-721; Hamilton Brothers, Ltd., Docket No. CI62-737; Standard Oil Company of Texas, a Division of California Oil Company, Docket No. CI62-765; Samedan Oil Corp., Docket No. CI62-811; Mayflo Oil Company, Docket No. CI62-871; Shell Oil Co., Docket No. CI62-

903; Socony Mobil Oil Company, Inc., Docket No. CI62-998; Sinclair Oil & Gas Company, Docket No. CI62-1070; Hall-Jones, Limited, (Operator), Docket No. CI62-1073; Thomas K. Hendrick, (Operator), Docket No. CI62-1093; Sun Oil Company (Mid-Continent Division), Docket No. CI62-1111; W. T. Smith, Docket No. CI62-1228; Harper Oil Company, Docket No. CI62-1299; Cabot Corporation, Docket No. CI62-1332; The Bradley Producing Corp., Docket No. CI62-1367; Cal-Ray Petroleum Corp., Docket No. CI62-1439.

Cal-Ray Petroleum Corp., Docket No. CI62-1440; National Cooperative Refinery Association, Docket No. CI62-1441; Shell Oil Company, Docket No. CI62-1536; Jas. F. Smith, (Operator), et al., Docket No. CI62-1559; Van-Grisso Oil Co., Docket No. CI63-59; Norris Engineering Management Corp., (Operator), et al., Docket No. CI63-71; J. M. Huber, Corp., Docket No. CI63-80; Shell Oil Company, Docket No. CI63-111; Shell Oil Company, Docket No. CI63-267; Pan American Petroleum Corp., Docket No. CI63-269; Shell Oil Company, Docket No. CI63-272; First Transportation Gas Corp., Inc., Docket No. CI63-346; Oklahoma Natural Gas Co., Docket No. CI63-567; Jas. F. Smith, (Operator), et al., Docket No. CI63-668; Jas. F. Smith, (Operator), et al., Docket No. CI63-723; A'Mell Oil Properties (Operator), et al., Docket No. CI63-1160; Blake Hamman, et al., Docket No. CI63-1257; James G. Maynard d/b/a Maynard Oil Company, Docket No. CI63-1337; Tenneco Corporation, Docket No. CP60-116; Michigan Wisconsin Pipe Line Company; Docket No. CP63-314; Panhandle Eastern Pipe Line Company, Docket No. CP63-315; Colorado Interstate Gas Company, Docket No. CP63-316; Cimarron Transmission Company, Docket No. CP63-317; Natural Gas Pipeline Company of America, Docket No. CP63-318; Northern Natural Gas Company, Docket No. CP63-319; Transwestern Pipeline Company, Docket No. CP63-320.

Take notice that each of the above producer-applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, requesting authorization to sell natural gas in interstate commerce, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented by the respective applications and amendments thereto, which are on file with the Commission and open to public inspection. Common issues with respect to Btu adjustments are raised by the filings that have been made in conjunction with the afore-mentioned applications. These provisions present many complex and difficult problems that the Commission must resolve in the discharge of its duties and responsibilities under the Natural Gas Act.

The respective producer-applicants propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Sales to Michigan Wisconsin Pipe Line Company, Various Fields, Harper, Beaver, and Woodward Counties, Oklahoma

Price: 17.0 Cents Mcf Plus Btu Adjustment

Docket Numbers

G-12886*	G-18933	CI61-224
G-12908*	G-18977*	CI61-228
G-12972*	G-18996*	CI61-235
G-13204*	G-19426	CI61-302
G-13299*	G-19526	CI61-399
G-16462*	G-19542*	CI61-512
G-16853*	G-19595	CI61-758
G-16878*	G-19616	CI61-954
G-17260*	CI60-25	CI61-992
G-17791	CI60-214	CI61-1032
G-18044	CI60-526	CI61-1201
G-18045	CI60-614	CI61-1207
G-18117	CI60-632	CI61-1252
G-18176	CI60-634	CI61-1417
G-18239	CI60-663	CI61-1422
G-18250	CI60-667	CI61-1448
G-18332	CI60-704	CI61-1537
G-18435	CI60-744	CI61-1642
G-18450	CI60-781	CI61-1659
G-18476	CI60-785	CI61-1706
G-18523	CI60-805	CI62-2
G-18630	CI60-827	CI62-228
G-18708*	CI61-26	CI62-281
G-18881*	CI61-28	CI62-451
G-18883*	CI61-30	
G-18916*	CI61-108	

Continuation of Sales to Michigan Wisconsin Pipe Line Company, Various Fields, Harper, Beaver, and Woodward Counties, Oklahoma

Price: 17.0 Cents/Mcf Plus Btu Adjustment

Docket Numbers

CI62-572	CI62-1111	CI63-80
CI62-603	CI62-1367	CI63-269
CI62-721	CI62-1439	CI63-346
CI62-871	CI62-1440	CI63-567
CI62-903	CI62-1441	CI63-668
CI62-1073	CI63-59	CP60-116
CI62-1093	CI63-71	

Sales to Panhandle Eastern Pipe Line Company, Various Fields, Beaver, and Texas Counties, Oklahoma

Price: 16 and 17 Cents/Mcf Plus Btu Adjustment

Docket Numbers

CI60-105	CI61-155	CI61-1453
CI60-578	CI61-260	CI61-1775
CI60-602	CI60-271	CI62-38
CI60-711	CI61-314	CI62-548
CI60-722	CI61-698	CI62-1228
CI60-772	CI61-886	CI63-111
CI61-16	CI61-1391	
CI61-36	CI61-1417	

Sales to Panhandle Eastern Pipe Line Company, Various Fields, Morton, and Meade Counties, Kansas

Price: 15 and 16 Cents/Mcf Plus Btu Adjustment

Docket Numbers

G-12325	CI60-361	CI61-771
G-13086*	CI60-766	CI61-1137
G-19051	CI61-198	

*Petition(s) to amend certificate to include additional service. The original application previously authorized.

¹ Does not include petition filed July 27, 1962, to include, among others, leases in Woods County, Oklahoma (Oklahoma "Other") where ceiling rate is 15 cents Mcf.

² Mayflo will also sell to Panhandle Eastern Pipe Line Company in this docket.

³ Mayflo has also applied for authorization in this docket to sell to Michigan Wisconsin Pipe Line Company.

⁴ Certificate application CI60-771 also in Texas County, Oklahoma at 16 cents.

Sales to Colorado Interstate Gas Company, Oklahoma Panhandle Area

Price: 15, 16, and 17 Cents/Mcf Plus Btu Adjustment

Docket Numbers

G-8087*	G-19688	CI61-14
G-11122*	G-19837	CI61-19
G-11150	G-20101	CI61-403
G-12336*	G-20250	CI61-439
G-12353*	G-20308	CI61-521
G-13665	G-20327	CI61-540
G-13929*	CI60-22	CI61-1466
G-14953*	CI60-197	CI62-488
G-15521	CI60-203	CI62-688
G-16109	CI60-301	CI62-998
G-16460	CI60-321	CI62-1070
G-16529*	CI60-456	CI62-1299
G-16971	CI60-471	CI62-1332
G-18065	CI60-488	CI62-1536
G-18111	CI60-584	CI63-267
G-19239	CI60-590	CI63-272

Sales to Transwestern Pipeline Company, Morrow Field, Ochiltree County, Texas

Price: 17 Cents/Mcf Plus Btu Adjustment
Docket Number CI61-713

In virtually every instance set forth above gas is being sold under temporary certificates. The rate schedules under which these sales are being made contain provisions that make the natural gas sold thereunder subject to Btu adjustment for gas having more than 1,000 Btu per cubic foot.

The issue of the ultimate propriety of Btu provisions in producer contracts has not been passed upon by the Commission and even in those instances when the applicability of these provisions has been raised in proceedings that progressed to the final stages of certification, the Commission has seen fit to reserve passing upon such issues and has made the final determination to be rendered in connection therewith subject to its resolution in the rule-making proceedings, Docket No. R-200.⁵

In light of the fact that this large number of proceedings is awaiting disposal and each presents common issues with respect to provisions calling for Btu adjustments in producer contracts, hearings held on these applications on a consolidated record would serve the purpose of affording final disposition to these matters and provide the Commission with a valuable source of information upon which it could predicate some rulings in connection with Docket No. R-200. In order to adduce a complete record and a wide variety of views on the Btu issue from various segments of the industry, we will consolidate with the several producer applications an investigatory proceeding pursuant to Section 14 of the Act and make the pipeline purchasers of the gas subject to the producer applications, parties to this proceeding.

In Appendix (A) below we have set forth a series of questions with respect to which those pipeline companies made parties to the consolidated hearing will be required to submit testimony under oath. It should be understood that the evidence to be adduced in answer to the questions set forth in Appendix (A) is not intended to restrict the scope of any additional presentation that the parties may desire to make. At this hearing all the parties will be given an opportunity to present evidence in order to show whether the Commission should allow Btu provisions to become fully effective, only partially effective or whether it should reject them completely.

The Commission may also request that the parties to the above-styled proceedings provide it with such additional information that it may subsequently deem necessary in order to enable it to make appropriate determinations with respect to the issues raised in these proceedings.

The Commission finds: To aid in carrying out its authority and responsi-

⁵ Panhandle Eastern Pipe Line Company, et al., Docket Nos. CP60-103, et al., 27 FPC 35 (Opinion No. 350). Michigan Wisconsin Pipe Line Company, et al., Docket Nos. CI61-102, et al., 27 FPC 449 (Opinion No. 353).

bilities under the Natural Gas Act, particularly sections 7, 14 and 16 thereof, including the prescribing of rules and regulations thereunder, and to obtain information upon which to formulate certain rules, it is appropriate in the public interest that an investigation be instituted with respect to matters involved in provisions contained in certain natural gas producer rate schedules as hereinafter provided.

The Commission orders:

(A) An investigation be and hereby is instituted into the necessity, propriety and impact of Btu adjustment provisions in producer contracts.

(B) The procedure to be followed in said investigation and the date of the hearings shall be prescribed by subsequent order or orders of the Commission.

(C) A copy of this order be published in the FEDERAL REGISTER and sent to the regulatory and conservation commissions of each of the States, each natural gas company and other interested parties, and such person be invited to file with the Commission, on or before June 24, 1963, statements of their views and suggestions concerning the matters to be covered in this investigation and the procedure which should be followed.

(D) Protests or petitions to intervene may also be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 24, 1963.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX (A)

Evidence to be adduced by pipeline companies relating to Btu provisions in producer contracts:

(1) Submit a breakdown of the monthly billing statements for purchases under each producer-applicant's rate schedule in which you are reflected as being the purchaser in the above-styled proceedings. (Provide actual monthly figures for 1960, 1961, and 1962 measured at 14.73 psia.)

(a) For gas that is not processed for the removal of liquid hydrocarbons prior to its entry into the main transmission system the following information is required: (conventional field separation is not to be considered as "processing"). Delivery point, weighted average Btu content, total volume and purchase cost, base price, total price with all adjustments itemized.

(b) For gas that is processed for the removal of liquid hydrocarbons prior to its entry into the main transmission system, the breakdown should include the following: plant owner, operator and location, initial delivery point, point where title passes, measurement point for pay, volumes, purchase cost and Btu content at measurement point for pay, base price, total price with all adjustments itemized, breakdown of seller reimbursements to pipeline for shrinkage, plant fuel and Btu reduction. If the plant operator is responsible to pipeline for these reimbursements the following additional monthly data is required: Total plant inlet and outlet volumes, weighted average inlet and outlet Btu content, total cost of inlet volume to pipeline, unit cost of inlet volume, (cents/Mcf), detailed breakdown of basis for plant operator's reimbursements to pipeline for shrinkage, plant fuel and Btu reduction, total cost of outlet volume, unit cost of outlet volume.

Sales to Colorado Interstate Gas Company, Kansas Area

Price: Various prices From 11.5 Cents to 17 Cents per Mcf Plus Btu

Docket Numbers

G-10764	G-19318	CI61-37
G-12710*	G-19480*	CI61-73
G-12833	G-19960	CI61-272
G-15519	G-20143	CI61-794
G-17222	G-20486	CI61-1629
G-17777	CI60-169	CI62-737
G-18513	CI60-269	

Sales to Northern Natural Gas Company, Various Fields, Beaver and Harper Counties, Oklahoma

Price: 15 and 17 Cents/Mcf Plus Btu Adjustment

Docket Numbers

G-11744*	G-19421	CI61-253
G-13295*	CI60-144	CI61-609
G-14143	CI60-146	CI61-1339
G-14979	CI60-190	CI61-1709
G-15291*	CI60-384	CI61-1777
G-16004	CI60-466	CI62-1559
G-18288	CI60-712	CI63-723
G-19337	CI60-773	
G-19338	CI61-120	

Sales to Cimarron Transmission Company, Enville and Marietta Fields, Love County, Oklahoma

Price: 15.0 Cents/Mcf Plus Btu Adjustment

Docket Numbers

G-17015*	CI61-1666	CI62-592
CI60-808	CI61-1770	CI62-765
CI61-1309	CI62-6	CI62-811
CI61-1615	CI62-571	

Sales to Natural Gas Pipeline Company of America, Fields in Woodward County, Oklahoma

Price: 17.0 Cents/Mcf Plus Btu Adjustment

Docket Numbers

CI61-738	G-161-770	CI61-868
CI61-769	CI61-795	

Sales to Natural Gas Pipeline Company of America, Various Fields, Jack and Wise Counties, Texas

Price: 13 and 14 Cents/Mcf Plus Btu Adjustment

Docket Numbers

G-4281*	G-19420	CI63-1160
G-14980	CI61-139	CI63-1257
G-15148	CI61-159	CI63-1337

Sales to Transwestern Pipeline Company, Various Fields, Beaver County, Oklahoma

Price: 15 and 17 Cents/Mcf Plus Btu Adjustment

Docket Numbers

CI61-323	CI61-538	CI61-805
CI61-417	CI61-711	

*See footnote on page 5626.

Itemize any charges by the pipeline for transportation, compression and gathering of shrinkage volumes.

(c) Describe any main line processing facilities and show monthly inlet and outlet volumes and average Btu contents.

(2) Submit a flow diagram of suitable scale and detail showing average Btu contents and volumes throughout your pipeline system for the month of July 1962 and a similar diagram for December 1962. Provide explanations of any factors that affect the Btu content of the gas after its entry into the transmission system.

(3) Give average Btu content of gas at each point of delivery to each resale customer.

(4) Describe the price adjustments made by your company for Btu content above or below contract provisions.

(5) The names of all resale customers selling gas at a therm rate and the average rate per therm charged residential and commercial customers. Show volumes delivered by you in 1960, 1961, 1962 to these customers.

(5a) Also give same information for all additional resale customers selling to residential and commercial customers under rates subject to Btu adjustments and briefly indicate nature of the adjustment applicable.

(6) Enumerate the purchase areas as defined by the Commission's Statement of General Policy 61-1 in which you purchase gas for resale in interstate commerce.

(7) In which of the purchase areas defined by the Commission's Statement of General Policy 61-1 do you make a price adjustment for gas that you purchase because its Ltu content is above contractual standards.

(8) Give the average Btu content of the gas purchased by your company in each of these purchase areas in the years 1960, 1961, and 1962.

[F.R. Doc. 63-6005; Filed, June 6, 1963; 8:45 a.m.]

[Docket No. RI63-439]

TEXAS PACIFIC COAL AND OIL CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate; and Allowing Rate Change To Become Effective Subject to Refund

JUNE 3, 1963.

On May 6, 1963, Texas Pacific Coal and Oil Company (Texas Pacific)¹ tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated April 30, 1963.

Purchaser and producing area: El Paso Natural Gas Company (Basin Dakota and Mesa Verde Field, San Juan County, New Mexico) (San Juan Basin Area).

Rate schedule designation: Supplement No. 6 to Texas Pacific's FPC Gas Rate Schedule No. 14.

Effective date: June 6, 1963.²

Amount of annual increase: \$4.

Effective rate: 12.0 cents per Mcf.³

Proposed rate: 12.0495 cents per Mcf.³

Pressure base: 15.025 psia.

¹ Address is: Post Office Box 2110, Fort Worth 1, Tex.

² The stated effective date is the first day after expiration of the required statutory notice.

³ Does not include 1.0 cent per Mcf minimum for liquids as provided in rate schedule.

Texas Pacific has submitted herein a rate increase from 12.0 cents to 12.0495 cents per Mcf to reflect reimbursement for a portion of the increase in the New Mexico Oil and Gas Emergency School Tax rate from 2.00 percent to 2.55 percent of the value of gas. Texas Pacific's contract provides for a base rate of 12.0 cents plus tax reimbursement of .0495 cent per Mcf. In addition, however, the contract provides for further payment to Texas Pacific for the liquids contained in the gas stream on the basis of a sliding scale schedule, but in no event will Texas Pacific receive less than 1.0 cent per Mcf as settlement for the liquid products contained therein. The addition of the 1.0 cent minimum guarantee for liquid products to Texas Pacific's 12.0 cents base rate plus tax reimbursement of .0495 cent results in a total proposed increased rate of 13.0495 cents per Mcf which exceeds the 13.0 cents per Mcf area ceiling for increased rates in the San Juan Basin of New Mexico as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

Texas Pacific requests an effective date of April 1, 1963, the effective date of the increase in the New Mexico Oil and Gas Emergency School Tax, for its proposed rate increase for which inadequate notice was given. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Texas Pacific's rate filing and such request is denied. Inasmuch as Texas Pacific's increased rate reflects reimbursement for an additional tax, the suspension period may be shortened to one day from June 6, 1963, the date of expiration of the required statutory notice.

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change and that Supplement No. 6 to Texas Pacific's FPC Gas Rate Schedule No. 14 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed changed rate and charge contained in Supplement No. 6 to Texas Pacific's FPC Gas Rate Schedule No. 14.

(B) Pending a hearing and decision thereon, Supplement No. 6 to Texas Pacific's FPC Gas Rate Schedule No. 14 is hereby suspended and the use thereof deferred until June 7, 1963, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act: *Provided, however,*

That said supplement shall become effective subject to refund on June 7, 1963, if within 20 days from the date of the issuance of this order Texas Pacific shall execute and file under Docket No. RI63-439, with the Secretary of the Commission, its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon the purchaser under the rate schedule involved. Unless Texas Pacific is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)), on or before July 15, 1963.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6024; Filed, June 6, 1963; 8:49 a.m.]

[Project No. 1856]

UNION CARBIDE CORP.

Order Fixing Hearing

JUNE 3, 1963.

On February 26, 1952, the Commission issued an order (11 FPC 837) requiring Union Carbide Corporation (formerly Union Carbide & Carbon Corp.) to show cause why it should not apply for and secure a license under section 4(e) of the Federal Power Act for its constructed project on the New-Kanawha River, known as the Hawks Nest project and designated Project No. 1856. On April 25, 1952 Carbide filed its answer. By order of August 2, 1962 the Commission, supplementing the order of February 26, 1952, required Carbide to show cause why an application for license should not include its Glen Ferris hydroelectric development, located below the junction of the Gauley and Kanawha Rivers. Carbide's answer, filed September 28, 1962, denies the necessity of a license for either the Hawks Nest or Glen Ferris developments.

The Commission finds: It is appropriate and in the public interest to hold a public hearing respecting the issues presented.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4(e), 4(g), 23 and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on July 23, 1963, commencing at 10 a.m., e.d.s.t., in a Hearing Room of the Federal Power

Commission, 441 G Street NW., Washington, D.C., respecting the matter involved and issues presented by the Commission's aforesaid orders and answers thereto.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6025; Filed, June 6, 1963;
8:49 a.m.]

[Project No. 2357]

WISCONSIN MICHIGAN POWER CO.

Notice of Application for License

MAY 28, 1963.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Wisconsin Michigan Power Company (correspondence to: Mr. W. E. Schubert, Vice President, Wisconsin Michigan Power Company, 807 South Oneida Street, Appleton, Wisconsin) for license for constructed Project No. 2357, known as the White Rapids Plant, located on the Menominee River, in Menominee County, Michigan, and Marinette County, Wisconsin.

The project consists of: an earth and concrete gravity dam composed of two earth sections totaling about 873 feet in length and 25 feet in height, a concrete gravity spillway section of nine tainter gate bays 246 feet long and about 48 feet high, and an integral intake and powerhouse substructure section 117 feet long and about 50 feet high; a reinforced concrete, steel, and brick powerhouse containing two hydroelectric units of 3,000 kilowatts each and one unit of 2,000 kilowatts; a pond about 2 miles long covering 465 acres; an outdoor substation; a 138 kilovolt steel tower transmission line 0.28 mile long; and appurtenant electrical and mechanical facilities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 10, 1963. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-6006; Filed, June 6, 1963;
8:45 a.m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 70-4142]

JERSEY CENTRAL POWER & LIGHT CO.

**Notice of Proposed Issuance and Sale
of Notes to Banks**

JUNE 3, 1963.

Notice is hereby given that Jersey Central Power & Light Company ("Jersey

Central"), Madison Avenue at Punch Bowl Road, Morristown, New Jersey, an electric utility subsidiary company of General Public Utilities Corporation, a registered holding company, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof as applicable to the proposed transactions. All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transactions therein proposed, which are summarized below.

Jersey Central proposes to issue and sell to a group of banks up to an aggregate of \$19,800,000 face amount of its promissory notes. The notes are to be dated in each case as of the date of issuance and are to mature not later than nine months from the date of issue but in no event later than December 31, 1964. They will bear interest at the prime rate in effect in New York City at the date of issue (presently 4½ percent per annum) and will be prepayable at any time, in whole or in part, without penalty or premium.

The proposed notes would aggregate approximately 10 percent of the principal amount and par value of Jersey Central's other securities presently outstanding, and any amount in excess of 5 percent may be exempted only pursuant to an order under section 6(b) of the Act. The filing requests the Commission's approval for the issuance of such excess amount.

Although no commitments or agreements for such borrowings have been made, Jersey Central expects that, as and to the extent that its construction program requires the issuance and sale of unsecured notes, borrowings will be effected from among the following banks, the maximum to be borrowed and outstanding at any one time for each such bank being as follows:

	Amount
Irving Trust Company, New York, N.Y.-----	\$6,100,000
Chemical Bank New York Trust Company, New York, N.Y.-----	4,400,000
Chase Manhattan Bank, New York, N.Y.-----	2,800,000
Fidelity Union Trust Company, Newark, N.J.-----	1,880,000
Bankers Trust Company, New York, N.Y.-----	1,000,000
Monmouth County National Bank, Red Bank, N.J.-----	500,000
Trust Company of Morris County, Morristown, N.J.-----	500,000
Central Jersey Bank & Trust Company, Freehold, N.J.-----	500,000
First Merchants National Bank, Asbury Park, N.J.-----	500,000
First National Iron Bank, Morristown, N.J.-----	300,000
Asbury Park-Ocean Grove Bank, Asbury Park, N.J.-----	250,000
Summit Trust Company, Summit, N.J.-----	250,000
National Union Bank, Dover, N.J.-----	220,000
National State Bank, Newark, N.J.-----	200,000

National State Bank of Elizabeth, Summit, N.J.-----	\$200,000
The First National Bank of Jersey City, Jersey City, N.J.-----	200,000
Total-----	19,800,000

The proceeds from the proposed notes will be used, to the extent of \$7,900,000, to reimburse Jersey Central's treasury for uncapitalized construction expenditures through March 31, 1963, and, in turn, to pay \$4,445,000 face amount of notes to banks outstanding at March 31, 1963. The balance (\$15,355,000) of the proceeds will be applied to the cost of Jersey Central's construction program subsequent to March 31, 1963, and/or to reimburse its treasury therefor or to repay other short-term bank borrowings, effected after that date, the proceeds of which have been so applied. Jersey Central represents that if any permanent debt financing is effected prior to the maturity of the notes to be issued hereunder the net proceeds therefrom will be applied to the reduction or total payment of such notes, and that the maximum notes authorized to be outstanding hereunder will be reduced by the amount of the net proceeds from any such permanent financing.

The expenses incident to the proposed issuance and sale of notes are estimated at \$2,500, including \$2,100 legal fees.

It is represented that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 17, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said amended application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the amended application, as it may be further amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 63-6007; Filed, June 6, 1963;
8:46 a.m.]

[File No. 70-4144]

WESTERN COLORADO POWER CO. AND UTAH POWER & LIGHT CO.

Notice of Proposed Issuance and Sale of Long-Term Note by Subsidiary Company to Holding Company and Pledge Thereof by Holding Company

JUNE 3, 1963.

Notice is hereby given that Utah Power & Light Company ("Utah"), 1407 West North Temple Street, P.O. Box 899, Salt Lake City 10, Utah, a registered holding company, and its wholly-owned electric utility subsidiary company, The Western Colorado Power Company ("Western"), have filed a joint application-declaration and an amendment thereto with this Commission pursuant to sections 6(b), 9(a), 10, and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 44 promulgated thereunder regarding the following proposed transactions. All interested persons are referred to the joint application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed, which are summarized below.

Western proposes to issue and sell to Utah, and Utah proposes to acquire, Western's promissory note in an amount not exceeding \$5,875,000. The note will be dated July 1, 1963, and will mature July 1, 1978. Interest is to be paid quarterly at a rate of 4½ percent per annum, which is approximately the same as the interest cost to Utah of its latest issue of first mortgage bonds, sold in April 1963.

Said promissory note is being issued by Western to satisfy the principal amount due on all of Western's outstanding notes, which are held by Utah, as follows:

Date of note	Maturity date	Interest rate	Principal amount
July 1, 1948.....	July 1, 1963.....	4	\$1,775,000
April 1, 1950.....	.....do.....	4	1,000,000
April 2, 1951.....	.....do.....	4	1,000,000
April 2, 1952.....	.....do.....	4½	600,000
April 15, 1953.....	.....do.....	4½	500,000
March 15, 1954.....	.....do.....	4½	1,000,000
Total.....	.....	.....	5,875,000

In accordance with Utah's Mortgage and Deed of Trust dated as of December 1, 1943, Utah proposes to pledge the proposed promissory note of Western with Morgan Guaranty Trust Company of New York, Trustee.

The joint application-declaration states that the proposed issuance of the promissory note is subject to the jurisdiction of the Public Utilities Commission of Colorado, the State commission of the State in which Western is organized and doing business, and that no other State and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. It is further stated that miscellaneous expenses not to exceed \$1,000 are to be incurred in connection with the transactions proposed.

Notice is further given that any interested person may, not later than June 19,

1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as amended or as further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 63-6008; Filed, June 6, 1963; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-IX]

KANSAS CITY REGIONAL AREA

Delegation of Authority To Conduct Program Activities

Correction

In F.R. Doc. 63-5563 appearing in the issue for Saturday, May 25, 1963, at page 5243, change paragraph IK 6 to read as follows:

- 6. Item IG 1 through 4.

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 4, 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. 38354: T.O.F.C. service—fresh meats from and to southwestern territory. Filed by Southwestern Freight Bureau, agent (No. B-8403), for interested rail carriers. Rates on fresh meats and

packing house products, other than frozen, in refrigerator trailers or demountable bodies, loaded on railroad flat cars, between points in southwestern territory, also Memphis, Tenn., and Natchez, Miss., also between those points on the one hand, and points in Illinois Freight Association and western trunk-line territories, on the other.

Grounds for relief: Motortruck competition.

Tariffs: Supplements 125 and 50 to Southwestern Freight Bureau, agent, tariffs I.C.C. 4345 and 4480, respectively.

FSA No. 38355: Iron and steel articles to Gregory, Tex. Filed by Southwestern Freight Bureau, agent (No. B-8399), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in Alabama, Colorado, Georgia, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, New York, Ohio, Oklahoma, Pennsylvania, Tennessee, West Virginia, and Wisconsin, to Gregory, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 21 to Southwestern Freight Bureau, agent, tariff I.C.C. 4503.

FSA No. 38356: Liquefied chlorine gas to Chattanooga, Tenn. Filed by O. W. South, Jr., agent (No. A-4322), for interested rail carriers. Rates on liquefied chlorine gas, in tank-car loads, from Brunswick, Ga., to Chattanooga, Tenn.

Grounds for relief: Market competition.

Tariff: Supplement 80 to Southern Freight Association, agent, tariff I.C.C. S-194.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-6019; Filed, June 6, 1963; 8:48 a.m.]

[Notice No. 815]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 4, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65581. By order of May 29, 1963, the Transfer Board approved the transfer to Muske Machinery Cartage, Inc., Franklin Grove, Ill., of a portion of the operating rights in Certificate No. MC 106657, and the entire operating rights in Certificate No. MC 106657 (Sub-No. 1), issued September 2, 1960, and

June 8, 1962, respectively, to Machinery & Materials Corporation, a corporation, Terre Haute, Ind., authorizing the transportation, over irregular routes, of: Commodities which because of size and weight require the use of special equipment, and contractor's materials, supplies and equipment, moving in connection therewith which do not necessarily require the use of special equipment, between points in Indiana and Illinois, and, contractors equipment and machinery which because of size or weight requires special handling or the use of special equipment, between Sterling, Ill., and points within 5 miles thereof, on the one hand, and, on the other, points in Minnesota, South Dakota, Nebraska, Missouri, Indiana, Ohio, Iowa, Michigan, and Wisconsin. W. L. Jordan, 201 Merchants Savings Building, 7 South Sixth Street, Terre Haute, Ind., representative for applicants.

No. MC-FC 65731. By order of May 28, 1963, the Transfer Board approved the transfer and substitution of Coastal Vacuum Trucks, Inc., Liberty, Tex., as applicant in the "claimed grandfather rights" proceeding seeking the issuance of a Certificate of Registration, filed December 26, 1962, on Form BOR 99, assigned docket No. MC 120571 (Sub-No. 1), covering operations in interstate or foreign commerce under the former second proviso of section 206(a)(1) of the Act, supported by Texas Certificate No. 8226, pursuant to a Form BMC 75 Statement, accepted May 27, 1960, in the name of the transferor partnership herein, Carl Fromme, J. K. Maxwell, W. T. Maxwell and Harry Jones, doing business as Carl Fromme and Company, Greggton, Tex., assigned docket No. MC 120571, covering the transportation of: Pipe, and trenching machines, including tractors, road building machinery, and various equipment, materials and supplies, subject to certain conditions and restrictions, between points in Texas. Albert G. Walker, 304 Capital National Bank Building, Austin 1, Tex., attorney for applicants.

No. MC-FC 65949. By order of May 28, 1963, the Transfer Board approved the transfer to Clarence Heil, doing business as Henry Heil & Son, Scranton, Pa., of Certificate No. MC 11968 issued February 14, 1941, to Henry Heil and Clarence Heil, a partnership, doing business as Henry Heil & Son, Scranton, Pa., authorizing the transportation, over irregular routes, of household goods, between Wilkes-Barre and Scranton, Pa., and points within 5 miles of Scranton, on the one hand, and, on the other,

points in Maryland, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and the District of Columbia; petroleum products and methanol, in containers, and empty containers for petroleum products and methanol, between Wilkes-Barre and Scranton, Pa., on the one hand, and, on the other, Bayonne, N.J., and New York, Syracuse, Corning and Hancock, N.Y.; agricultural commodities, dairy products, dressed poultry, and groceries, between Wilkes-Barre and Scranton, Pa., on the one hand, and, on the other, Binghamton, Waverly, Elmira, Cortland, Oneonta, Norwich, Hancock, Endicott, Johnson City, Ithaca, Walton, and Deposit, N.Y.; and heavy machinery, new, between Scranton, Pa., and Paterson, N.J. Walter W. Kohler, 912 Northeastern Bank Building, Scranton 3, Pa., attorney for applicants.

No. MC-FC 65951. By order of May 28, 1963, the Transfer Board approved the transfer to Leary Transport, Inc., Amston, Conn., of certificates in Nos. MC 39966, MC 39966 (Sub-No. 1), MC 39966 (Sub-No. 3), MC 39966 (Sub-No. 4), and MC 39966 (Sub-No. 5), issued November 14, 1950, November 14, 1950, November 14, 1950, June 23, 1953, and February 17, 1961, respectively, to William Edward Leary, doing business as Leary Transport, Amston, Conn., authorizing the transportation of: Alum and sizing, from Boston, Mass., to Eagleville and North Westchester, Conn., machinery, from Cambridge, Mass., to North Westchester, and Eagleville, Conn., molasses, from Boston, Mass., to Colchester, and other specified points in Connecticut; counterboard, fibreboard, and shankboard, from Eagleville and North Westchester, Conn., to Providence, R.I., New York, N.Y., and points in Massachusetts and New Hampshire; counterboard, fibreboard, and shankboard scrap-materials, from above-specified destination territory to Eagleville and North Westchester, Conn.; counterboard, fibreboard, shankboard, and scrap from these commodities over irregular routes, between Eagleville and North Westchester, Conn., on the one hand, and South Berwick, Lewiston, Auburn, and Calais, Maine on the other; fibreboard and shoeboard from North Westchester, Conn., to Clyde, N.Y., Hanover, Pa., and Columbus, Ohio; waste fibreboard and waste shoeboard, from Clyde, Hanover, and Columbus to North Westchester; wet fibreboard and shoeboard, from Eagleville, Conn., to Newark, N.J.; paper, paper stock, and paper prod-

ucts from Versaille and Montville, Conn., to points in Massachusetts and Rhode Island, and scrap paper, and empty skids and platforms from points in Massachusetts and Rhode Island to Versailles and Montville, Conn.; steel-mill products, from the site of the plant of Jones & Laughlin Steel Corporation at Willimantic, Conn., to points in Massachusetts, New Hampshire, New York, Maine, Vermont, and Rhode Island within 200 miles of Willimantic; and empty containers from the above-specified destination points to the site of the plant of Jones & Laughlin Steel Corporation at Willimantic, Conn. Glenn E. Knierim, Jose-loff, Murrett and Knierim, 410 Asylum Street, Hartford, Conn., attorney for applicants.

No. MC-FC 65962. By order of May 28, 1963, the Transfer Board approved the transfer to Nicholas C. Conteas, doing business as California Auto Transport, Santa Fe Springs, Calif., applicant in No. MC 96915 (Sub-No. 1), BOR-99 filed in the name of Nicholas C. Conteas and Nicholas Kavoras, a partnership, doing business as California Auto Transport, Santa Fe Springs, Calif., transferor, assigned No. MC 96915, for certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a)(1) of the act supported by California certificates Nos. 45990 and 47925, authorizing the transportation of motor vehicles and other specified types of vehicles, parts and equipment, between the principal points and places in California south of Santa Rosa and Sacramento. Ivan McWhinney, 639 South Spring Street, Los Angeles 14, Calif., attorney for applicants.

No. MC-FC 65964. By order of May 28, 1963, the Transfer Board approved the transfer to Glenn R. Ohler, doing business as Ohler's Towing Service, Adelphia, Md., of certificate in No. MC 119005, issued April 12, 1963, to Paul Greenfield, doing business as Paul's Towing Service, Silver Spring, Md., authorizing the transportation of: Wrecked and disabled passenger automobiles, by use of wrecker equipment only, between Washington, D.C., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, Pennsylvania, and Virginia. Paul A. Sherier, 601 Warner Building, Washington 4, D.C., attorney for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-6020; Filed, June 6, 1963; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—JUNE

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