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FEDERAL REGISTER

VOLUME 29 NUMBER 75

Washington, Thursday, April 16, 1964

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1964, and specifies how they are affected.

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PART 213—EXCEPTED SERVICE

National Aeronautics and Space Administration

Section 213.3148 is amended to consolidate paragraphs (a) and (c), NASA's two existing authorities for the employment of alien scientists with special qualifications in fields closely related to manned space flight and aeronautical and space research, into a single authority with an increase of 65 positions available for such employment. Effective upon publication in the FEDERAL REGISTER, paragraph (c) of § 213.3148 is revoked and paragraph (a) is amended as set out below.

§ 213.3148 National Aeronautics and Space Administration.

(a) One hundred fifty alien scientists having special qualifications in the fields of aeronautical and space research where such employment is deemed by the Administrator of the National Aeronautics and Space Administration to be necessary in the public interest.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64-3749; Filed, Apr. 15, 1964; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

National Aeronautics and Space Administration

Paragraph (d) of § 213.3348 is amended to show a title change from Director of Manned Space Flight to Associate Administrator for Manned Space Flight. Effective upon publication in the FEDERAL REGISTER, paragraph (d) of § 213.3348 is amended as set out below.

§ 213.3348 National Aeronautics and Space Administration.

* * * * *

(d) One Secretary (Stenography) to the Associate Administrator for Manned Space Flight.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64-3748; Filed, Apr. 15, 1964; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 64-CE-5]

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

Revocation of Control Area Extension and Alteration of Transition Area

The purpose of these amendments to Part 71 [New] of the Federal Aviation Regulations is to revoke the Lansing, Mich., control area extension and alter the Lansing transition area.

Designation of the Lansing transition area was published in the FEDERAL REGISTER on August 23, 1963 (Airspace Docket No. 63-CE-9, 28 F.R. 9283), and became effective on December 12, 1963. In the prefatory material accompanying this action, it was stated that the revocation of the Lansing control area extension would be delayed pending completion of associated separate airspace actions. These actions have now been completed and the Lansing control area extension is now substantially encompassed by transition areas. However, a small, triangular shaped portion of the area remaining, located north of the Lansing VOR and southwest of the Saginaw, Mich., VOR between V-216 and V-274, is still required for the radar separation of en route air traffic operating outside of the control areas associated with the airways. Accordingly, action is taken herein to add this small area to the 1,200-foot floor portion of the Lansing transition area, and concurrently revoke the Lansing control area extension.

Since the changes effected by these amendments are minor and less restrictive in nature than present requirements, and impose no burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, the following actions are taken:

1. In § 71.165 (29 F.R. 1073), the following control area extension is revoked: Lansing, Mich.

2. In § 71.181 (29 F.R. 1160), the Lansing, Mich., transition area is amended as follows: In the text "and on the W by longitude 85°15'00" W." is deleted and "and on the W by longitude 85°15'00" W.; and within the area bounded on the N by V-216, on the E by longitude 84°-25'00" W., on the S by latitude 43°16'00" N., and on the W by longitude 85°02'00" W." is substituted therefor.

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

These amendments shall become effective 0001 e.s.t., June 25, 1964.

Issued in Washington, D.C., on April 6, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-3750; Filed, Apr. 15, 1964; 8:47 a.m.]

[Airspace Docket No. 64-SO-5]

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

Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation Regulations is to alter the description of the Atlanta, Ga. (Fulton County Airport) control zone.

The Fulton County Airport control zone is presently designated, in part, to provide protection for aircraft executing the AL-745-VOR-RADIAL 275 approach procedure. This procedure was revised, effective March 14, 1964, by relocating the Margaret intersection 4 statute miles closer to the airport. Therefore, the existing control zone extension based on the Fulton County VOR 276° True radial may be reduced in length from 11 miles to 7 miles west of the VOR as the area beyond 7 miles from the VOR is no longer required for air traffic control purposes.

Since the change effected by this amendment is less restrictive in nature than present requirements, notice and public procedure hereon are unnecessary and it may be made effective upon the date of publication in the FEDERAL REGISTER.

In consideration of the foregoing, in § 71.171 (29 F.R. 1101) the Atlanta, Ga. (Fulton County Airport) control zone is amended to read:

Atlanta, Ga. (Fulton County Airport).

Within a 5-mile radius of Fulton County Airport (latitude 33°46'47" N., longitude 84°-31'20" W.) and within 2 miles each side of the Fulton County VOR 276° radial extending from the 5-mile radius zone to 7 miles W of the VOR excluding the portion within the Dobbins AFB/NAS Atlanta control zone.

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

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

Issued in Washington, D.C., on April 6, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-3751; Filed, Apr. 15, 1964; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES [NEW]

[Reg. Docket No. 4059; Amdt. 368]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES [NEW]

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority dele gated to me by the Administrator (24 F.R. 5662), Part 97 [New] (14 CFR Part 97 [New]) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Famoso FM (Final)	BC-LFR	Direct	1600	T-dn	300-1	300-1	200-½
Bakersfield VOR	BC-LFR	Direct	2700	C-dn	700-1	700-1	700-1½
				A-dn	800-2	800-2	800-2

Procedure turn W side NW crs, 321° Outbnd, 141° Inbnd, 2700′ within 10 miles.
Crs and distance, facility to airport, 150°—1.3 miles.
Minimum altitude over facility on final approach crs, 1600′.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.3 miles after passing BC LFR, turn right (W) and climb to 3000′ on NW crs within 20 miles, or when directed by ATC, climb to 3000′ on the SW crs within 15 miles.
NOTE: Final approach from holding pattern at BC LFR not authorized. Procedure turn required.
Other change: Deletes Air Carrier Note and Caution Note.

City, Bakersfield; State, Calif.; Airport Name, Meadows Field; Elev., 488′; Fac. Class., SBMRAZ; Ident., BC; Procedure No. 1, Amdt. 9; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 8; Dated, 26 Mar. 60

Las Vegas VOR	Las Vegas LFR	Direct	9000	T-dn	300-1	300-1	300-1
				C-dn	500-1	600-1	600-1½
				S-dn-2	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn E side of crs, 201° Outbnd, 021° Inbnd, 9000′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs 7800′.
Crs and distance, facility to airport, 009°—3.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles after passing LV LFR, climb to 10,000′ on NE crs of LV LFR within 20 miles.
NOTE: Air Carrier use not authorized.
MSA: NE—8000′; SE—8000′; SW—13,000′; NW—13,000′.

City, Las Vegas; State, N. Mex.; Airport Name, Las Vegas Municipal; Elev., 6866′; Fac. Class., SBMRAZ; Ident., LV; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 64

PROCEDURE CANCELLED, EFFECTIVE 18 APR. 1964.

City, Malad City; State, Idaho; Airport Name, Malad City; Elev., 4503′; Fac. Class., SBRAZ Ident., MD; Procedure No. 1, Amdt. 5; Eff. Date, 29 Feb. 64; Sup. Amdt. No. 4; Dated, 17 Nov. 62

				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn	NA	NA	NA
				A-dn	800-2	800-2	800-2

After crossing range on initial, proceed Outbnd on E crs not below 2700′ for five miles before starting descent to procedure turn altitude.
Procedure turn S side of E crs, 069° Outbnd, 249° Inbnd, 1700′ within 15 miles.
Minimum altitude on final approach, 500′, descend to 500′ immediately after completion of procedure turn.
If visual contact not established upon descent to 500′, turn left, climb to 3000′ on E crs of the MO LFR within 15 miles. VFR flight required from missed approach point to airport.
Crs and distance, facility to airport, 057°—2.6 miles.
NOTES: 1. ADF approach not authorized. 2. Final approach from holding pattern at Moses Point LFR not authorized. Procedure turn required.
CAUTION: (1) Terrain 1705′ 3 miles NW and 975′ 2.2 miles W, rising to 1360′ 3 miles W of Moses Point LFR. (2) No maneuvering authorized N through SW of Moses Point LFR.

City, Moses Point; State, Alaska; Airport Name, Moses Point; Elev., 14′; Fac. Class., BMRLZ; Ident., MOS; Procedure No. 1, Amdt. 8 Eff. Date, 18 Apr. 64; Sup. Amdt. No. 7; Dated, 4 Jan. 64

LFR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ENN-VOR	XN-LFR	Direct	2600	T-dn*	300-1	300-1	300-1
				C-dn	700-1	700-1	700-1½
				S-dn-30	500-1	500-1	500-1
				A-dn	900-2	900-2	900-2

Procedure turn N side of SE crs, 165° Outbnd, 285° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 303°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing XN LFR, turn left, climb to cross XN LFR 1100′ or above, continue climb to 2600′ on the SE crs of XN LFR within 15 miles.
CAUTION: Terrain to 1600′ 2.0 miles N of airport.
NOTE: ADF approach not authorized.
*500-1 required for takeoff Runway 30.

City, Nenana; State, Alaska; Airport Name, Nenana; Elev., 360′; Fac. Class., BMRLZ; Ident., XN; Procedure No. 1, Amdt. 8; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 7; Dated, 17 June 61

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELLED, EFFECTIVE 18 Apr. 1964.

City, Las Vegas; State, N. Mex.; Airport Name, Las Vegas; Elev., 6866′; Fac. Class., MHW; Ident., LV; Procedure No. 1, Amdt. Orig. Eff. Date, 3 Feb. 62, or on com. of facility

Plattsburgh VOR	PBG RBn	Direct	3200	T-dn*	300-1	300-1	200-½
Redford Int	PBG RBn	Direct	4000	C-dn	600-1	600-1	600-1½
Keesville Int	PBG RBn	Direct	3200	S-dn-19	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns utilizing Burlington, Vt., radar.
Procedure turn W side of crs, 019° Outbnd, 199° Inbnd, 3200′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 199°—4.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.1 miles after passing PBG RBn, make left climbing turn to 3200′ direct to PBG RBn. Hold N of PBG RBn, 199° Inbnd, 1-minute, right turns.
NOTE: Approach from a holding pattern not authorized, procedure turn required.
*200-1 required for takeoff Runway 1.

City, Plattsburgh; State, N.Y.; Airport Name, Municipal; Elev., 371′; Fac. Class., MHW; Ident,. PBG; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 64

PIH VOR	LOM	Direct	7000	T-dn	300-1	300-1	200-½
PH LFR	LOM	Direct	7000	C-dn*	500-1	500-1	500-1½
Falls Int	LOM	Direct	7000	S-dn-21	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 020° Outbnd, 200° Inbnd, 7000′ within 10 miles.
Minimum altitude over facility on final approach crs, 5600′.
Crs and distance, facility to airport, 207°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing LOM, climb to 6500′ on W crs of PH LFR (236°) or, when directed by ATC, turn right, climb to 7500′ on N crs PH LFR (326°) within 15 miles.
CAUTION: High terrain SE through SW of airport.
*Circling not authorized S of airport.

City, Pocatello; State, Idaho; Airport Name, Pocatello Municipal; Elev., 4448′; Fac. Class., LOM; Ident., PI; Procedure No. 1, Amdt. 5; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 4; Dated, 3 Jan. 59

PAE VOR	SZ LOM	Direct	2000	T-dn	300-1	300-1	200-½
Burton VHF Int	SZ LOM	Direct	2000	C-dn	800-2	800-2	800-2
Black Diamond VHF Int	SZ LOM	Direct	3000	A-dn	800-2	800-2	800-2
SJ-LFR	SZ LOM	Direct	2000				
SEA-VOR	SZ LOM	Direct	2000				
Bainbridge LF Int	SZ LOM	Direct	2000				
Lofall VHF Int	SZ LOM	Direct	2000				

Radar vectoring using Seattle-Tacoma radar authorized in accordance with approved patterns.
Procedure turn S side of crs, 114° Outbnd, 294° Inbnd, 2000′ within 10 miles. Not authorized beyond 10 miles.
Minimum altitude over SJ-LFR/Z on final approach crs, 1400′; over SZ LOM 800′.
Crs and distance, SJ-LFR/Z to airport, 294°—2.1 miles. SZ LOM on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing SJ-LFR/Z, climb to 2000′ on crs 291° within 10 miles of SZ LOM.
CAUTION: Obstructions to 600′ 1.8 to 2.3 miles SW through W and E through SE of airport.
MSA: 000-090°—6200′; 090-180°—5600′; 180-270°—4700′; 270-360°—4500′.

City, Seattle; State, Wash.; Airport Name, King County (Boeing Field); Elev., 17′; Fac. Class., LOM; Ident., SZ; Procedure No. 2, Amdt. 5, Eff. Date, 18 Apr. 64; Sup. Amdt. No. 4; Dated, 7 Mar. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Thornhurst VOR	LOM	Direct	3500	T-dn*	600-1	600-1	600-1
Hazleton RBn	LOM	Direct	3500	C-d	1200-1	1200-1½	1200-2
Crystal Lake RBn#	LOM (final)	Direct	3000	C-n	1300-2	1300-2	1300-2
				S-dn	NA	NA	NA
				A-d	1400-2	1400-2	1400-2
				A-n	1600-3	1600-3	1600-3

Radar transitions authorized in accordance with approved patterns.
Procedure turn W side of crs, 223° Outbnd, 043° Inbnd, 3500′ within 10 miles of LOM.**
Minimum altitude over facility on final approach crs, 3000′.
Crs and distance, facility to airport, 043°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing Wilkes-Barre LOM, climb to 3500′ on crs 043° from the Wilkes-Barre LOM, then proceed to Wilkes-Barre VOR, maintain 4000′, hold E, 1-minute right turns, Inbnd crs, 268° or, when directed by ATC, (1) climb to 3500′ on crs 043° from the Wilkes-Barre LOM, turn left and proceed direct to Wilkes-Barre LOM, maintain 3500′, hold SW, 1-minute left turns, Inbnd crs 043°, (2) hold W of the Wilkes-Barre LOM at 3500′, 1-minute right turns, Inbnd crs 100°.
AIR CARRIER NOTE: Sliding scale not authorized.
CAUTION: High terrain to E, SE and S of airport within 2.5 miles.
*Takeoff Runways 10 and 16, day 600-2, Night 800-2.
**Nonstandard procedure turn and holding pattern due to terrain considerations and to provide separations from Hazleton traffic.
#This transition authorized only for aircraft dual ADF equipped.

City, Wilkes-Barre; State, Pa.; Airport Name, Wilkes-Barre-Scranton; Elev., 956′; Fac. Class., LOM; Ident., AV; Procedure No. 1, Amdt. 5; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 4; Dated, 27 Oct. 62

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Famosa FM	BFL-VOR (final)	142°-7.5	1500	T-dn	300-1	300-1	200-½
Bakersfield LFR	BFL-VOR	Direct	2800	C-dn	500-1	500-1	500-1½
				S-dn-12L	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn E* side of crs, 322° Outbnd, 142° Inbnd, 2800′ within 10 miles.
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 131°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing BFL VOR, turn right (W) and climb to 3000′ on R-322 within 20 miles, or when directed by ATC, climb to 3000′ on R-227 within 15 miles.
NOTE: Final approach from holding pattern at BFL VOR not authorized. Procedure turn required.
Other changes: Deletes Air Carrier Note and Caution Note.
*All turns E side of crs, traffic restrictions W.

City, Bakersfield; State, Calif.; Airport Name, Meadows Field; Elev., 488′; Fac. Class., BVORTAC; Ident., BFL; Procedure No. 1, Amdt. 7; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 6; Dated, 26 Mar. 60

				T-d	300-1	300-1	NA
				C-d	500-1	500-1	NA
				C-n	600-1	600-1	NA

Procedure turn S side of crs, 065° Outbnd, 245° Inbnd, 2300′ within 10 miles. Nonstandard due to high towers to N. All turns to the S side of crs.
Minimum altitude over facility on final approach crs, 1700′.
Crs and distance, facility to airport, 250°—1.0 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.0 mile after passing VOR, make left climbing turn to 2300′ and proceed to JFN-VOR. Hold NE, 1-minute left turns, 245° Inbnd, 065° Outbnd.
CAUTION: Unlighted transmission poles 40′ high 80′ from approach end of Runway 27.
NOTES: 1. Weather service not available. 2. Nonstandard holding. All turns to the S side of crs due to high towers to N.

City, Jefferson; State, Ohio; Airport Name, Ashtabula-Jefferson; Elev., 935′; Fac. Class., BVORTAC; Ident., JFN; Procedure No. 1, Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 28 July 62

				T-dn	300-1	300-1	200-½
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-d-8	600-1	600-1	600-1
				S-n-8	600-2	600-2	600-2
				A-dn	NA	NA	NA

Procedure turn S side of crs, 265° Outbnd, 085° Inbnd, 2600′ within 10 miles.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 085°—6.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.5 miles after passing MSP VOR, make left climbing turn to 2600′ and return to the MSP VOR.
MSA: 000°-360°—2500′.

City, Minneapolis; State, Minn.; Airport N ame, Anoka County; Elev., 908′; Fac. Class., BVORTAC; Ident., MSP; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 64

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn*	300-1	300-1	200-½
				C-d	700-1	700-1	700-1½
				C-n	700-2	700-2	700-2
				A-dn**	800-2	800-2	800-2
				After passing Butler Int,# the following minimums apply:			
				C-dn	400-1	500-1	500-1½

Radar vectoring authorized in accordance with approved patterns, utilizing Burlington radar.
Procedure turn N side of crs, 048° Outbnd, 228° Inbnd, 2100′ within 10 miles.
Minimum altitude over facility on final approach crs, 2100′.
Crs and distance, facility to airport, 228°—8.3 miles; Butler Int 228°—3.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.3 miles after passing PLB VOR (or 3.7 miles after passing Butler Int), make a left climbing turn and return to Plattsburgh VOR at 2100′. Hold NE of PLB VOR on R-048, 1-minute, right turns, 228° Inbnd crs.
*300-1 required for takeoff Runway 1.
**Alternate weather minimums of 800-2 authorized for those who have an approved arrangement for weather service at the airport.
#Butler Int: Int PLB VOR R-228 and 138° bearing from PBG LOM.

City, Plattsburgh; State, N.Y.; Airport Name, Plattsburgh Municipal; Elev., 371′; Fac. Class., BVOR; Ident., PLB; Procedure No. 1, Amdt. 7; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 6; Dated, 18 Aug. 62

PH LFR	PIH-VOR	Direct	6800	T-dn	300-1	300-1	200-½
				C-dn*	500-1	500-1	500-1½
				S-dn-3	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 234° Outbnd, 054° Inbnd, 6800′ within 10 miles. All turns N side of crs; high terrain S.
Minimum altitude over facility on final approach crs, 5200′.
Crs and distance, facility to airport, 032°—3.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.1 miles after passing PIH VOR, climb to 7000′ on R-015 within 15 miles.
NOTE: Final approach from holding pattern at PIH VOR not authorized, procedure turn required.
CAUTION: High terrain located SE through SW of airport.
*Circling not authorized S of airport.

City, Pocatello; State, Idaho; Airport Name, Pocatello Municipal; Elev., 4448′; Fac. Class., BVOR; Ident., PIH; Procedure No. 1, Amdt. 4; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 3; Dated, 26 Dec. 59

				T-dn	300-1	300-1	200-½
				C-dn*	700-1	700-1	700-1½
				A-dn	1200-2	1200-2	1200-2

Procedure turn N side of crs, 081° Outbnd, 261° Inbnd, 9200′ within 10 miles.
Minimum altitude over Salt Int# on final approach crs, 8600′; over VOR, 8000′.
Course and distance, Salt Int# to VOR, 261°—2.1 miles; VOR to airport, 267°—1.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing RKS-VOR, climb to 10,000′ on R-268 within 20 miles.
NOTE: If Salt Int is used, ADF equipment required.
Other change: Deletes transition from RK LFR.
*If Salt Int not received, minimums of 1200-1 apply.
#Salt Int: Int RKS-VOR R-081 and 340° bearing to RKS outer compass locator.

City, Rock Springs; State, Wyo.; Airport Name, Rock Springs Municipal; Elev., 6752′; Fac. Class., BVORTAC; Ident., RKS; Procedure No. 1, Amdt. 6; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 5; Dated, 26 Jan. 63

ONT VOR	POM VOR	Direct	3000	T-dn	300-1	300-1	NA
Covina Int	POM VOR (final)	Direct	2000	C-dn*	500-1	500-1	NA
				S-dn-5	400-1	400-1	NA
				A-dn	800-2	800-2	NA

Radar vectoring utilizing March Radar authorized in accordance with approved radar patterns.
Procedure turn S side of crs, 235° Outbnd, 055° Inbnd, 3000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 053°—5.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles after passing POM VOR, make immediate right climbing turn, climb direct to POM VOR at 3000′.
*CAUTION: Rapidly rising terrain to 4200′ at 3.5 miles N of airport.
MSA: 000°-090°—11,100′; 090°-180°—4,100′; 180°-270°—3,000′; 270°-360°—9,600′.

City, Upland; State, Calif.; Airport Name, Cable; Elev., 1450′; Fac. Class., L-VORW; Ident., POM; Procedure No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 64

Covington Int	SSU-VOR	Direct	5800	T-d	1600-1	1600-1	1600-1
Natural Well Int	SSU-VOR	Direct	5400	T-n	NA	NA	NA
Frankford Int	SSU-VOR	Direct	5400	C-d	2100-2	2100-2	2100-2
Cliffdale VOR	SSU-VOR	Direct	5400	C-n	NA	NA	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 119° Outbnd, 299° Inbnd, 5400′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 4100′.
Crs and distance, facility to airport, 299°—1.7 miles.
If visual contact not established upon descent to authorized landing minimums, or if landing not accomplished within 1.7 miles after passing VOR, make an immediate climbing left turn to 5400′ on SSU-VOR R-119. Hold E 1-minute right turns.

City, White Sulphur Springs; State, W. Va.; Airport Name, Greenbrier; Elev., 1801′; Fac. Class., BVOR; Ident., SSU; Procedure No. 1, Amdt. 4; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 3; Dated, 27 Oct. 62

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Boston VOR	Lawrence VOR	Direct	2000	T-dn	300-1	300-1	300-1
Manchester VOR	Lawrence VOR	Direct	2000	C-dn	500-1	500-1	500-1½
Bedford Rbn	Lawrence VOR	Direct	2000	A-dn**	800-2	800-2	800-2
Hollis Int	Lawrence VOR	Direct	2000	If aircraft equipped with dual VOR the following minimums are authorized after passing Merrimac Int#:			
				S-dn-23	500-1	500-1	500-1

Radar vectoring authorized in accordance with approved patterns.
Procedure turn N side of crs, 058° Outbnd, 238° Inbnd, 1800' within 10 miles.
Minimum altitude over facility on final approach crs, 1000'.
Crs and distance, facility to airport, 238°—1.5 miles; Merrimac Int# to airport, 238°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing LWM-VOR, make left climbing turn to 1800' to LWM-VOR. Hold NE of LWM VOR on R-058, 1-minute, right turns 238° Inbnd crs.
CAUTION: 314' terrain 1.5 miles S of LWM-VOR.
#Merrimac Int: Int R-058 LWM-VOR and R-132 MHT-VOR.
**Alternate minimums of 800-2 authorized only when prior arrangements have been made for weather service at the airport.

City, Lawrence; State, Mass.; Airport Name, Lawrence Municipal; Elev., 153'; Fac. Class., BVOR; Ident., LWM; Procedure No. TerVOR-23, Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. TerVOR No. 1, Orig.; Dated, 13 July 63

				T-dn	300-1	300-1	200-½
				C-dn	500-1	600-1	600-1½
				S-dn-07R	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of crs, 251° Outbnd, 071° Inbnd, 2000' within 10.0 miles.
Minimum altitude over facility on final approach crs, 600'.
Crs and distance, facility to airport, 071°—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile after passing LAX VOR, climb to Firestone Int at 2000' via R-069.

City, Los Angeles; State, Calif.; Airport Name, Los Angeles International; Elev., 126'; Fac. Class., BVOR; Ident., LAX; Procedure No. TerVOR-7R, Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 8 June 63

Long Beach VOR	Firestone Int	Direct	2000	T-dn	300-1	300-1	200-½
Santa Ana VOR	Firestone Int	Direct	2000	C-dn	500-1	600-1	600-1½
Downey RBn/FM	Freeway Int (final)	Direct	1800	S-dn-25L	500-1	500-1	500-1
Firestone Int	Freeway Int (final)	Direct	1800	A-dn	800-2	800-2	800-2
LAX VOR	Freeway Int	Direct	2400				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S*** side of crs, 069° Outbnd, 249° Inbnd, 2400' within 10.0 miles of Freeway Int.
Minimum altitude over Freeway Int on final approach crs, 1800'.
Crs and distance, Freeway Int to airport, 249°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing Freeway Int, climb to 2000' via LAX R-249 within 20 miles.
***Nonstandard procedure turn due to traffic restrictions N of final approach crs. All turns S of crs.

City, Los Angeles; State, Calif.; Airport Name, Los Angeles International; Elev., 126'; Fac. Class., BVOR; Ident., LAX; Procedure No. TerVOR-25L, Amdt. 2; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 1; Dated, 3 Aug. 63

Long Beach VOR	Canal Int*	Direct	3000	T-dn	300-1	300-1	200-½
Downey RBn/FM	Canal Int*	Direct	3000	C-dn	500-1	600-1	600-1½
LAX VOR	Speedway Int**	Direct	2400	S-dn-25R	500-1	500-1	500-1
Canal Int*	Speedway Int** (final)	Direct	1800	A-dn	800-2	800-2	800-2
				If aircraft equipped with operating dual VOR receivers and Holly Int¢ received, the following minimums apply:			
				S-dn	400-1	400-1	400-1

Procedure turn S side of crs, 066° Outbnd, 246° Inbnd, 2400' within 10 miles of Speedway Int. Nonstandard due to traffic restrictions N of final approach crs.
Minimum altitude over Speedway Int** on final approach crs 1800'.
Crs and distance, Speedway Int** to airport, 246°—5.8 miles. Breakoff point to runway, 248°—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing Speedway Int,** climb to 2000' via LAX VOR R-248 within 20 miles.
*Canal Int: Int LAX R-066 and LGB R-319.
**Speedway Int: Int LAX R-066 and LGB R-299.
¢Holly Int: Int LAX R-066 and LGB R-290.

City, Los Angeles; State, Calif.; Airport Name, Los Angeles International; Elev., 126'; Fac. Class., H-BVOR; Ident., LAX; Procedure No. TerVOR-25R; Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 21 Mar. 64

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Deer Park VOR (23.4-mile DME fix JFK-VOR R-078).	JFK-VOR R-117 (23.4-mile DME fix).*	23.4 miles clockwise arc.	3000	T-dn	300-1	300-1	200-½
Sandy Hook VHF Int (19-mile DME fix JFK-VOR R-190).	JFK-VOR R-117 (19-mile DME fix)*	19 miles counter clockwise arc.	2000	C-dn	1000-3	1000-3	1000-3
JFK-VOR R-117 (23.4- or 19-mile DME fix).*	Helen Int (7-mile DME fix)** (final)	Direct	1500	A-dn	1000-3	1000-3	1000-3

Radar vectoring authorized in accordance with approved patterns.
Procedure turn not authorized. Radar vectors or DME transitions to final approach are required.
Minimum altitude over facility on final approach crs, 1000'.
Crs and distance, breakoff point to approach end of Runway 31R, 312°—2.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of JFK-VOR, make a left climbing turn to 2000' on R-190 JFK-VOR to Sandy Hook VHF Int (19-miles DME fix). Hold S, 1-minute right turns, Inbnd crs, 010°.
*Final approach, R-117.
**Helen Int: Int JFK-VOR R-117 and DPK-VOR R-244.
MSA: 000°-090°—1900'; 090°-180°—1300'; 180°-270°—1600'; 270°-360°—2500'.

City, New York; State, N.Y.; Airport Name, John F. Kennedy International; Elev., 12'; Fac. Class., BVORTAC; Ident., JFK; Procedure No. TerVOR-31R, Amdt. 3; Eff. Date, 2 Apr. 64; Sup. Amdt. No. 2; Dated, 9 Nov. 63

Sunol Int	SJC-VOR	Direct	#5000	T-dn*	300-1	300-1	200-½
Mt. Hamilton Int	SJC-VOR	Direct	#5000	C-dn	600-1	600-1	600-1½
Saratoga Int	SJC-VOR	Direct	#4500	S-dn-12R	600-1	600-1	600-1
OSI-VOR	SJC-VOR	Direct	4000	A-dn	800-2	800-2	800-2
Lick Int**	SJC-VOR	Direct	3500				
OAK-VOR	SJC-VOR	Direct	3000				
SFO-VOR	Agnew Int	Direct	2000				
Agnew Int	SJC-VOR (final)	Direct	700				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn W side of crs, 308° Outbnd, 128° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 700'.
Facility on airport.
Crs and distance, Agnew Int to VOR, 128°—5.5 miles; breakoff point to Runway 12R, 122°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, turn left, climb to 2000' on R-308 within 15 miles.
Other change: Deletes Air Carrier Note.
#Shuttle descent to 4000' will be accomplished in a 1-minute holding, 300° Outbnd, 120° Inbnd, left turns.
*400-1 required when taking off on Runways 12 R-L.
**Lick Int: Int R-332 SNS VOR and E crs SJC ILS or R-120 SJC VOR.
MSA: 320°-105°—5400'; 105°-200°—5100'; 200°-290°—4200'; 290°-320°—2500'.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56'; Fac. Class., VOR; Ident., SJC; Procedure No. TerVOR-12R, Amdt. 5; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 4; Dated, 4 Jan. 64

Mt. Hamilton Int	SJC VOR	Direct	5000	T-dn*	300-1	300-1	200-½
SJC-VOR	Lick Int*	Direct	4000	C-dn	700-1	700-1	700-1½
Morgan Int	Lick Int*	Direct	4000	A-dn	800-2	800-2	800-2
Lick Int*	SJC ILS OM (final)	Via SJC-VOR R-120	2000				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn E side of crs, 120° Outbnd, 300° Inbnd, 4000' within 10 miles of Lick Int*.
Facility on airport.
Minimum altitude over Lick Int* on final approach crs, 4000'; over OM, 2000'; over facility, 800'.
Crs and distance, SJC ILS OM to airport, 300°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, climb to 2000' on R-308 within 15 miles.
Other change: Deletes Air Carrier Note.
*400-1 required for takeoff on Runways 12R-L.
*Lick Int: SJC VOR R-120 and SNS VOR R-332.
MSA: 320°-105°—5400'; 105°-200°—5100'; 200°-290°—4200'; 290°-320°—2500'.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56'; Fac. Class., VOR; Ident., SJC; Procedure No. TerVOR-30L, Amdt. 6; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 5; Dated, 26 Oct. 63

5. By amending the following very high frequency omnirange-distance measuring equipment (VOR–DME) procedures prescribed in § 97.15 to read:

VOR–DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
15-mile DME fix R–081	7-mile DME fix R–081	Direct	9200	T–dn	300–1	300–1	200–½
7-mile DME fix R–081	3-mile DME fix R–081	Direct	8100	C–dn	400–1	500–1	500–1½
3-mile DME fix R–081	RKS–VOR (final)	Direct	7300	S–dn–25	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn N side of crs, 081° Outbnd, 261° Inbnd, 9200′ within 10 miles.

Crs and distance, facility to airport, 267°—1.9 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.9-mile DME fix R–267, climb to 10,000′ on R–268 within 20 miles.

NOTE: When authorized by ATC, DME may be used within 15 miles between radials 010° clockwise to 081° at 9500′ to position aircraft for final approach, with the elimination of a procedure turn.

City, Rock Springs; State, Wyo.; Airport Name, Rock Springs Municipal; Elev., 6752′; Fac. Class., BVORTAC; Ident., RKS; Procedure No. VOR/DME No. 1, Amdt. 3; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 2; Dated, 22 Dec. 62

				T–dn	600–2	600–2	NA
				C–dn	1100–2	1100–2	NA
				A–dn	NA	NA	NA

Procedure turn N side of crs, 264° Outbnd, 084° Inbnd, 3500′ within 10 miles.

Minimum altitude over facility on final approach crs, 2800′; 3-mile DME fix—1900′; 4-mile DME fix—1600′.

Crs and distance, VOR to airport, 084°—5.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing SBP VOR, climb straight ahead to 7.0-mile DME fix, turn right, climb via 7.0 DME ARC to intercept SBP R–126, climb to SBP VOR at 3500′.

NOTE: When authorized by ATC, DME may be used between 5 and 10 miles at 4300′ altitude from SBP R–358 counterclockwise to SBP R–264 to position aircraft for a straight-in approach with the elimination of the procedure turn.

City, San Luis Obispo; State, Calif.; Airport Name, San Luis Obispo County; Elev., 208′; Fac. Class., M–BVORTAC; Ident., SBP; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 18 Apr. 64

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
AMA RBn	AMA–VOR	Direct	5000	T–dn	300–1	300–1	200–½
AM LOM	AMA–VOR	Direct	5000	C–dn	500–1	500–1	500–1½
Borger Int	AMA–VOR	Direct	5000	S–dn–21	300–1	300–1	300–1
				A–dn	800–2	800–2	800–2

Radar vectoring and transitions using Amarillo radar authorized in accordance with approved radar pattern.

Procedure turn S side of crs, 035° Outbnd, 215° Inbnd, 5000′ within 10 miles. (Nonstandard due ATC requirements.)

No glide slope.

Minimum altitude over AMA–VOR* R–125 on final approach crs, 4600′.

Crs and distance, AMA–VOR* R–125 to airport, 215°—4.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing AMA–VOR, climb to 5500′ on SW crs of ILS within 10 miles of LOM or, when directed by ATC, turn left and intercept R–076 AMA–VOR, climbing to 5000′ within 10 miles.

CAUTION: 3764′ grain elevator located adjacent to SW boundary of airport.

*AMA–VOR lies 1000′ NW of localizer crs. Positive station passage required for descent below 4600′.

City, Amarillo; State, Tex.; Airport Name, Amarillo AFB/Municipal; Elev., 3607′; Fac. Class., ILS; Ident., I–AMA; Procedure No. ILS–21 (Back course), Amdt. 4; Eff. Date 18 Apr. 64; Sup. Amdt. No. 3; Dated, 4 May 63

FOT VOR via R–036	SE crs ILS (final)	Direct	3500	T–dn	300–1	300–1	200–½
Int FOT R–036 and SE crs ILS	LOM (final)	Direct	#1800	C–dn	500–1	500–1	500–2
Trinidad Int	LOM	Direct	4200	S–dn–31	200–½	200–½	200–½
Yager Int	LOM (final)	Direct	%5000	A–dn	800–2	800–2	800–2

Procedure turn S side SE crs, 134° Outbnd, 314° Inbnd, 4200′ within 10 miles of LOM. Beyond 10 miles not authorized.

Procedure turn nonstandard, high terrain N.

Minimum altitude at glide slope interception Inbnd, 4200′.*

Altitude of glide slope and distance to approach end of runway at OM 1800′—4.7 miles; at MM 460′—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make a left climbing turn, climb to 2000′ on crs of 295° from the LMM to Trinidad Int.

NOTE: Procedure not authorized with any component of the ILS or airborne receiver inoperative.

*Glide slope will be intercepted 7 miles from LOM (Int FOT R–037).

#Descent on glide slope is required.

%After intercepting glide slope descent on glide slope authorized. Glide slope will be intercepted when crossing FOT R–057.

City, Arcata; State, Calif.; Airport Name, Arcata; Elev., 217′; Fac. Class., ILS; Ident., I–ACV; Procedure No. ILS–31, Amdt. 8; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 7; Dated, 24 June 61

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
CRP-VOR	LOM	Direct	1800	T-dn	300–1	300–1	200–½
CRP RBn	LOM	Direct	1800	C-dn	400–1	500–1	500–1½
Robstown Int	LOM	Direct	1800	S-dn-13#	200–½	200–½	200–½
Sinton Int	LOM	Direct	1800	A-dn	600–2	600–2	600–2
Sinton Int	San Pat Int*	Via R-040 ALI-VOR.	1400				
San Pat Int*	LOM (final)	Direct	1400				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn W side of crs, 307° Outbnd, 127° Inbnd, 1800' within 10 miles. Beyond 10 miles not authorized.
Minimum altitude at glide slope interception Inbnd, 1400'.
Altitude of glide slope and distance to approach end of runway at LOM, 1370'—4.8 miles; at LMM, 244'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, climb to 1500' direct to CRP-VOR and proceed outbound on R-045 within 20 miles or, when directed by ATC, turn right, climb to 1800' on CRP-VOR R-227 within 20 miles.
*San Pat Int: Int ALI-VOR R-040 and CRP ILS NW crs.
#500–¾ required if glide slope not utilized.

City, Corpus Christi; State, Texas; Airport Name, Corpus Christi International; Elev., 44'; Fac. Class., ILS; Ident., I-CRP; Procedure No. ILS-13, Amdt. 7; Eff. Date, 18 Apr 64; Sup. Amdt. No. 6; Dated, 8 Sept. 62

GRR VOR	Wilson Int#	Direct	2400	T-dn	300–1	300–1	200–½
James Int*	Wilson Int# (final)	Direct	2100	C-dn	400–1	500–1	500–1½
MKG VOR	James Int*	Direct	2400	S-dn-8	400–1	400–1	400–1
GRR LOM	Wilson Int#.	Direct	2400	A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 262° Outbnd, 082° Inbnd, 2400' within 10 miles of Wilson Int#.
Minimum altitude over Wilson Int# on final approach crs, 2100'.
Crs and distance, Wilson Int# to airport, 082°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles of Wilson Int# make climbing left turn to 2400' and proceed to Comstock Int via GRR VOR R-335 or, when directed by ATC, make right climbing turn to 2900' and proceed direct to GRR VOR or make climbing left turn and return to Wilson Int# via W crs ILS.
NOTES: 1. No approach lights. 2. No glide slope. 3. Procedure authorized only for aircraft equipped to receive ILS and ADF simultaneously.
*James Int: Int GRR ILS W crs and PMM R-029.
#Wilson Int: Int GRR ILS W crs and GRR R-307.

City, Grand Rapids; State, Mich.; Airport Name, Kent County-Cascade; Elev., 793'; Fac. Class., ILS; Ident., I-GRR; Procedure No. ILS-8 (Back course), Amdt. Orig.; Eff. Date, 18 Apr. 64

GRR VOR	LOM	Direct	2500	T-dn	300–1	300–1	200–½
Lyons Int	Ionia Int	Direct	2500	C-dn	400–1	500–1	500–1½
Ionia Int	LOM (final)	Direct	2500	S-dn-26*	200–½	200–½	200–½
Comstock Int	LOM	Direct	2500	A-dn	600–2	600–2	600–2
Orangeville Int	LOM	Direct	2900				
Byron Int	LOM	Direct	2500				
Orleans Int	Ionia Int	Via BTL R-011 and E crs ILS.	2500				
James Int	LOM	Direct	2500				
Sun Int	LOM	Direct	2500				

Procedure turn N side of crs, 082° Outbnd, 262° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 2500'.
Minimum altitude at glide slope interception Inbnd, 2500'.
Altitude of glide slope and distance to approach end of runway at OM 2422'—6.1 miles; at MM 970'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make right climbing turn to 2500' and proceed to Comstock Int via GRR VOR R-335 or, when directed by ATC, make climbing right turn to 2500' and proceed direct to GRR LOM.
Other changes: Deletes transitions from ADA, Caledonia and Saranac intersections.
*400–¾ required with glide slope inoperative if high-intensity runway or approach lights are in use.
Ionia Int: Int E crs GRR ILS and LAN R-304.
James Int: Int W crs GRR ILS and PMM R-029.
Lyons Int: Int E crs GRR ILS and LAN R-321.

City, Grand Rapids; State, Mich.; Airport Name, Kent County-Cascade; Elev., 793'; Fac. Class., ILS; Ident., I-GRR; Procedure No. ILS-26, Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 14 Dec. 63

Deer Park VOR	Carol Int#	DPK R-229	2000	T-dn*	300–1	300–1	200–½
Deer Park VOR (23.4-mile DME fix JFK R-078).	Carol Int#	JFK R-078 to 11.5-mile clockwise arc.	2000	C-dn	500–1	500–1	500–1½
				S-dn-31R%	300–¾	300–¾	300–¾
				A-dn	600–2	600–2	600–2
Sandy Hook Int	Carol Int#	DPK R-229	2000				
Sandy Hook Int (19-mile DME fix JFK R-190).	Carol Int#	JFK R-190 to 11.5-mile counterclockwise arc.	2000				
Carol Int#	LOM (final)	Direct	1500				
Kennedy VOR	LOM	Direct	1500				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of SE crs, 132° Outbnd, 312° Inbnd, 1500' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 1500'.
Altitude of glide slope and distance to approach end of runway at OM, 1466'—5.6 miles; at MM, 198'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb straight ahead to 500', make climbing left turn to 2000' on JFK R-190 to Sandy Hook Int (19-mile DME fix). Hold S, 1-minute right turns, Inbnd crs, 010°.
CAUTION: Circling minimums do not provide standard clearance over stack 277', 1.1 miles SSE of Runway 4R.
#Carol Int: Int SE crs RTH ILS and DPK VOR R-229 (11.5-mile DME fix JFK VOR R-128).
*Runway visual range 2000' is authorized for takeoff on Runway 31L and 4R in lieu of 200–½ when 200–½ is authorized, provided associated high-intensity runway lights are operational.
%400–1 required when glide slope not utilized.

City, New York; State, N.Y.; Airport Name, John F. Kennedy International; Elev., 12'; Fac. Class., ILS; Ident., I-RTH; Procedure No. ILS-31R, Amdt. Orig.; Eff. Date, 11 Apr. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
ORL VOR	Barton Int*	Direct	1600	T-dn	300–1	300–1	200–½
ORL LOM	Barton Int*	Direct	1700	C-dn	400–1	500–1	500–1½
MCO RBn	Barton Int*	Direct	1600	S-dn-25	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of crs, 066° Outbnd, 246° Inbnd, 1600′ within 10 miles of Barton Int*. Nonstandard due to Sanford NAS traffic to the N.
Minimum altitude over Barton Int* on final approach crs, 1300′.
Crs and distance, Barton Int* to airport, 246°—4.2 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing Barton Int*, turn right, climb to 2000′ on ORL VOR R–308 within 20 miles of ORL VOR or, when directed by ATC, climb straight ahead to 2000′ on the SW crs of ILS within 20 miles.
CAUTION: 749′—687′—620′ antennas approximately 5 miles W of the airport.
*Barton Int: Int E crs of localizer (066°) and MCO VOR R–023.

City, Orlando; State, Fla.; Airport Name, Herndon; Elev., 113′; Fac. Class., ILS; Ident., I–ORL; Procedure No. ILS–25 (Back course), Amdt. 2; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 1; Dated, 12 Jan. 63

				T-dn*	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-12R	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar vectoring using Moffett radar authorized in accordance with approved patterns.
No procedure turn. Radar vectoring to final approach crs required.
Minimum altitude over Sunnyvale Int# on final approach crs, 2000′.
Crs and distance, Sunnyvale Int# to airport, 122°—5.6 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing Sunnyvale Int#, make a left climbing turn, climb to 2000′ on the NW crs of SJC ILS within 15 miles.
Other change: Deletes Air Carrier Note.
#Sunnyvale Int: Int NW crs SJC ILS and OSI R–062.
*400–1 required for takeoff on Runways 12L and R.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class., ILS; Ident., I–SJC; Procedure No. ILS–12R (Back course), Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 3 Aug. 63

SJC VOR	Lick Int**	Direct	4000	T-dn*	300–1	300–1	200–½
Morgan Int	Lick Int**	Direct	4000	C-dn	600–1	600–1	600–1½
				S-dn-30L#	300–¾	300–¾	300–¾
				A-dn	800–2	800–2	800–2

Radar vectoring authorized in accordnace with approved patterns.
Procedure turn E side of crs, 122° Outbnd, 302° Inbnd, 4000′ within 10 miles of Lick Int**.
Minimum altitude at glide slope interception Inbnd, 3700′.
Altitude of glide slope and distance to approach end of runway at OM 1734′—5.1 miles; at MM 292′—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000′ on NW crs of SJC ILS within 15 miles.
AIR CARRIER NOTE: Sliding scale not authorized for landing.
Other changes: Deletes transitions from Cathedral Int and Saratoga Int.
*400–1 required for takeoff on Runways 12R–L.
#700–1 required if glide slope not utilized.
**Lick Int: Int R–332 SNS VOR and E crs SJC ILS or R–120 SJC VOR.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class., ILS; Ident., I–SJC; Procedure No. ILS–30L, Amdt. 1; Eff. Date, 18 Apr. 64; Sup. Amdt. No. Orig.; Dated, 10 Aug. 63

GEG VOR	Willow Lake VHF Int*	Direct	4000	T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-3	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of crs, 205° Outbnd, 025′ Inbnd, 4000′ within 10 miles of Willow Lake Int*.
Minimum altitude over Willow Lake Int* on final approach crs, 3700′.
Crs and distance, Willow Lake Int* to airport, 025°—4.5 miles.
No glide slope. Back course.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing Willow Lake Int*, climb to 4500′ direct GE LOM, thence continue climb in a 170–175 KT 1-minute right turn holding pattern NE of GE LOM, on NE crs of localizer or when directed by ATC, turn left climb to 4000′ direct GEG VOR.
NOTES: 1. Dual VHF receivers required for this approach between R–073 clockwise to R–241. 2. When authorized by ATC, DME may be used within 9 miles of GEG VOR at 4000′ to position aircraft for straight-in approach with elimination of procedure turn.
CAUTION: Terrain and tower 6031′ 16 miles NE of LOM; high terrain N through E of airport; 3188′ tower 4.8 miles SE of GE LOM; 4549′ TV tower 9.2 miles E of airport.
*Willow Lake Int: SW crs I–GEG localizer and R–115 GEG VOR.

City, Spokane; State .Wash.; Airport Name, Spokane International; Elev., 2372′; Fac. Class., ILS; Ident., I–GEG; Procedure No. ILS–3 (Back course), Amdt. Orig.; Eff. Date, 18 Apr. 64

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Thornhurst VOR	CYE* RBn	Direct	3500	T-dn#	600-1	600-1	600-1
Effort Int	CYE* RBn	Direct	3500	C-d	900-1½	1000-1½	1000-2
Pocono Int	CYE* RBn	Direct	3500	C-n	1300-2	1300-2	1300-2
Scranton Int##	CYE* RBn	Direct	4000	S-dn-4**	600-1	600-1	600-1
Lopez Int	CYE* RBn	Direct	3500	A-d	1200-2	1200-2	1200-2
Hazelton RBn	CYE* RBn	Direct	3500	A-n	1600-3	1600-3	1600-3
Hazelton VOR	CYE* RBn	Direct	3500				

Radar transitions authorized in accordance with approved patterns. Radar vectoring to final approach crs must intercept localizer SW of CYE RBn.
Procedure turn W% side SW crs, 223° Outbnd, 043° Inbnd, 3500′ within 10 miles of Crystal Lake RBn.
Minimum altitude at glide slope Int Inbnd final, 3500′ over Crystal Lake RBn.
Altitude of glide slope and distance to approach end of runway at CYE* RBn, 3500′—8.5 miles; at OM, 2230′—3.9 miles; at MM, 1180′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing Wilkes-Barre LOM or 8.5 miles after passing Crystal Lake RBn, climb to 3500′ on crs 043° from the Wilkes-Barre LOM, then proceed direct to the Wilkes-Barre VOR, maintain 4000′. Hold E, 1-minute right turns, Inbnd crs 268° or, when directed byATC, (1) climb to 3500′ on crs 043° from the LOM, turn left and proceed direct to Crystal Lake RBn, maintain 3500′, hold SW 1-minute left turns Inbnd crs 043°, (2) hold W of Crystal Lake RBn, 3500′ 1-minute right turns, Inbnd crs 100°.
NOTE: High terrain to E, SE and S of airport within 2.5 miles.
AIR CARRIER NOTE: Sliding scale not authorized.
Other change: Deletes transition from Avoca Int.
#Takeoff minimums for Runways 10 and 16: Day—600-2, night—800-2.
*Crystal Lake RBn: This approach is authorized only when Crystal Lake radio beacon is operating, and/or when radar vectoring to final is available.
%Procedure turn nonstandard to provide separation from approaches to Hazelton, Pa.
**If glide slope not utilized, straight-in minimums to Runway 4 will be 800-1—65 knots or less, 800-1½—more than 65 knots. After passing CYE RBn, if OM not received do not descend below 2600′.
##Scranton Int: Int R-349 Thornhurst VOR and R-289 Wilkes-Barre VOR.

City, Wilkes-Barre; State, Pa.; Airport Name, Wilkes-Barre-Scranton; Elev., 956′; Fac. Class., ILS; Ident., I-AVP; Procedure No. ILS-4, Amdt. 16; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 15; Dated, 6 Oct. 62

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions		Within 30 miles	5500	Surveillance approach			
				T-dn*	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
				S-dn-30L#	600-1	600-1	600-1
				S-dn-12R	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished:
Runway 30L: Climb to 2000′ on the SJC VOR R-308 within 15 miles or, when directed by ATC, climb to 2000′ on 302° crs from the SJC ILS LMM within 15 miles.
Runway 12R: Make left climbing turn, climb to 2000′ on the SJC VOR R-308 within 15 miles or, when directed by ATC, make left climbing turn, climb to 2000′ on 302° crs from the SJC ILS LMM within 15 miles.
AIR CARRIER NOTE: Sliding scale not authorized for landing Runway 30L.
*400-1 required for takeoff on Runways 12L-R.
#1300′ required at 4-mile radar fix.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class. and Ident., Moffett Radar; Procedure No. 1, Amdt. 4; Eff. Date, 18 Apr. 64; Sup. Amdt. No. 3; Dated, 3 Aug. 63

These procedures shall become effective on the dates specified therein.

These amendments are made under the authority of sections 307(c), 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775).

Issued in Washington, D.C., on March 13, 1964.

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

[F.R. Doc. 64-2688; Filed, Apr. 15, 1964; 8:45 a.m.]

Title 7—AGRICULTURE

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

[Farm Marketing Quotas and Acreage Allotments]

PART 722—COTTON

Subpart—National Domestic Acreage Allotment for the 1964 Crop of Upland Cotton

Sec.
722.248 Basis and purpose.
722.249 National domestic acreage allotment.

AUTHORITY: The provisions of this subpart issued under sec. 350, 78 Stat. 173; 7 U.S.C. 1350.

§ 722.248 Basis and purpose.

(a) The provisions of §§ 722.248 and 722.249 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31 as amended; 7 U.S.C. 1281 et seq.) (referred to as the "act"), as amended by Title I of the Agricultural Act of 1964. These provisions proclaim a national domestic acreage allotment pursuant to section 350 of the act. The term "upland cotton" (referred to as "cotton") does not include extra long staple cotton described in section 347(a) of the act or similar types of extra long staple cotton which are imported. The findings and determinations of the Secretary in §§ 722.248 and 722.249 have been made on the basis of the latest available statistics of the Federal Government.

(b) Since the proclamation of the national domestic acreage allotment must be made not later than April 1, 1964, it is essential that §§ 722.248 and 722.249 be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements 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 §§ 722.248 and 722.249 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.249 National domestic acreage allotment.

(a) Under section 350 of the act, the national domestic acreage allotment for the 1964 crop of upland cotton shall be that acreage, based upon the national average yield per acre of cotton for the four years immediately preceding the calendar year in which the national acreage allotment for such crop was proclaimed, required to make available from such crop an amount of cotton equal to the estimated domestic consumption of cotton for the marketing year for such crop. The following findings are hereby made by the Secretary:

(1) National average yield per acre of cotton for the four calendar years 1959, 1960, 1961, and 1962—428 pounds.

(2) Estimated domestic consumption of cotton for the marketing year beginning August 1, 1964—9,600,000 standard bales of 500 pounds gross weight.

(3) National acreage allotment for the 1964 crop of upland cotton as proclaimed in § 722.242 (28 F.R. 11011; October 15, 1963)—16,000,000 acres.

(b) It is hereby determined and proclaimed that the national domestic acreage allotment for the 1964 crop of upland cotton shall be 10,766,000 acres based on the following calculations:

9,600,000 bales multiplied by 480 pounds (net weight of a standard bale) equals 4,608 million pounds estimated domestic consumption.

4,608 million pounds (estimated domestic consumption) divided by 428 pounds (national average yield) equals 10,766,000 acres (national domestic acreage allotment).

The percentage which the national domestic acreage allotment of 10,766,000 acres is of the national acreage allotment of 16,000,000 acres is hereby determined to be 67 percent (67.3 percent rounded to nearest percent).

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

Signed at Washington, D.C., on April 11, 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-3753; Filed, Apr. 14, 1964; 12:45 p.m.]

[Farm Marketing Quotas and Acreage Allotments]

PART 722—COTTON

Subpart—Export Market Acreage for the 1964 Crop of Upland Cotton

Sec.
722.250 Basis and purpose.
722.251 Export market acreage.

AUTHORITY: The provisions of this subpart issued under sec. 349, 78 Stat. 173; 7 U.S.C. 1349.

§ 722.250 Basis and purpose.

(a) The provisions of §§ 722.250 and 722.251 are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31 as amended; 7 U.S.C. 1281 et seq.) (referred to as the "act"), as amended by Title I of the Agricultural Act of 1964. These provisions establish export market acreage pursuant to section 349 of the act. The findings and determinations of the Secretary in §§ 722.250 and 722.251 have been made on the basis of the latest available statistics of the Federal Government.

(b) Since the determinations regarding export market acreage must be acted upon immediately by the State and county ASC committees and cotton farmers, it is essential that §§ 722.250 and 722.251 be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements 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 §§ 722.250 and 722.251 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.251 Export market acreage.

(a) *Findings.* Under section 349 of the act, the Secretary may supplement the farm acreage allotments established under section 344 of the act for the 1964 crop of upland cotton by an acreage equal to a percentage not exceeding 10 percent of such farm allotments as he determines will not increase the carryover of cotton at the beginning of the marketing year for the next succeeding crop above one million bales less than the carryover on the same date one year earlier, if the carryover on such earlier date exceeds eight million bales. The following findings are hereby made by the Secretary:

(1) Estimated production of upland cotton from the 1964 crop taking into account the estimated reduction in production on farms receiving allotments under section 344 of the act and which plant within the farm domestic allotments established under section 350 of the act but excluding any production on export market acreage—13,450,000 bales.

(2) Estimated production on an export market acreage established at five percent of farm allotments under section 344 of the act—200,000 bales.

(3) Estimated carryover of cotton on August 1, 1964—12,400,000 bales.

(4) Estimated imports and city crop of cotton for the marketing year beginning August 1, 1964—100,000 bales.

(5) Estimated total supply of cotton for the marketing year beginning August 1, 1964 consisting of the sum of subparagraphs (1), (2), (3), and (4) of this paragraph—26,150,000 bales.

(6) Estimated offtake of cotton for the marketing year beginning August 1, 1964 consisting of 9,600,000 bales of domestic consumption and 5,200,000 bales for export—14,800,000 bales.

(7) Estimated carryover of cotton on August 1, 1965—11,350,000 bales.

(8) Estimated reduction in carryover on August 1, 1965 from August 1, 1964—1,050,000 bales.

(b) *Determinations.* It is hereby determined on the basis of the findings in paragraph (a) of this section that the reduction in carryover on August 1, 1965 from August 1, 1964 is more than one million bales. Accordingly, it is hereby determined that farm acreage allotments established under section 344 of the act for the 1964 crop of upland cotton shall be supplemented by a maximum export market acreage of five percent.

Effective date. Date of filing this document with the Director, Office of the FEDERAL REGISTER.

Signed at Washington, D.C., on April 11, 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-3752; Filed, Apr. 14, 1964; 12:45 p.m.]

[Farm Marketing Quotas and Acreage Allotments]

PART 722—COTTON

Subpart—National Domestic Acreage Allotment, Export Market Acreage and Related Determinations Under the Agricultural Act of 1964 for the 1964 Crop of Upland Cotton

NORMAL YIELDS

Section 722.252 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.), as amended by Title I of the Agricultural Act of 1964. The purpose of this section is to establish county normal yields for the 1964 crop of upland cotton.

Since immediate action by State and county ASC committees is required, it is essential that § 722.252 be made effective as soon as possible. Accordingly, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date requirements 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 § 722.252 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.252 Normal yields for 1964 crop of upland cotton.

(a) *Definitions.* (1) Normal yield for the county: average yield for any crop per harvested acre of lint cotton for the county, adjusted for abnormal weather conditions and any significant changes in production practices, during the 5 calendar years immediately preceding the year in which the national marketing quota for such crop is proclaimed. If for any year of the 5-year period, actual yield data are not available, or there was no actual yield, the yield for such year shall be appraised, taking into consideration the yields in years for which data are available, abnormal weather conditions, and yields for such year in nearby counties in which the type of soil, topography, and farming practices are similar.

(2) Normal yield for the farm: average yield per harvested acre of lint cotton for the farm, adjusted for abnormal weather conditions and any significant changes in production practices during the 3 calendar years immediately preceding the year in which such normal yield is determined. If for any year of the 3-year period, actual yield data are not available, or there was no actual yield, the yield for such year shall be appraised, taking into consideration abnormal weather conditions, the actual yield for the farm for years for which acceptable data are available, changes in production practices and the county normal yield for the year for which the farm normal yield is being established. If the producer furnishes yield data and fails to prove to the satisfaction of the county committee that such data are complete and accurate, the farm normal yield shall be appraised taking into consideration the factors set forth above. Normal yields for other farms in the locality which are similar with respect to soil and other physical factors affecting the production of cotton may also be considered in determinations of normal yield for new cotton farms. Determinations of farm normal yield by the county committee shall be subject to the approval of a representative of the State committee.

(b) *County normal yields for 1964.* The following table sets forth the normal yields for the 1964 crop year for upland cotton, as adjusted under paragraph (a)(1) of this section, which are established for the respective counties.

ALABAMA

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Autauga	439	Houston	385
Baldwin	297	Jackson	420
Barbour	317	Jefferson	349
Bibb	446	Lamar	323
Blount	394	Lauderdale	372
Bullock	295	Lawrence	448
Butler	354	Lee	374
Calhoun	337	Limestone	436
Chambers	408	Lowndes	328
Cherokee	499	Macon	373
Chilton	367	Madison	451
Choctaw	283	Marengo	316
Clarke	262	Marion	374
Clay	341	Marshall	488
Cleburne	313	Mobile	284
Coffee	364	Monroe	430
Colbert	421	Montgomery	357
Conecuh	315	Morgan	396
Coosa	256	Perry	382
Covington	379	Pickens	348
Crenshaw	316	Pike	290
Cullman	444	Randolph	360
Dale	355	Russell	295
Dallas	348	St Clair	314
De Kalb	480	Shelby	458
Elmore	430	Sumter	281
Escambia	419	Talladega	308
Etowah	397	Tallapoosa	345
Fayette	395	Tuscaloosa	357
Franklin	360	Walker	298
Geneva	391	Washington	310
Greene	265	Wilcox	336
Hale	366	Winston	357
Henry	366		

ARIZONA

Cochise	823	Pima	899
Gila	766	Pinal	1011
Graham	876	Santa Cruz	732
Greenlee	805	Yavapai	719
Maricopa	1058	Yuma	1116
Mohave	1172		

ARKANSAS

Arkansas	425	Greene	490
Ashley	527	Hempstead	366
Baxter	374	Hot Spring	255
Benton	269	Howard	361
Bradley	269	Independence	430
Calhoun	269	Izard	350
Chicot	497	Jackson	495
Clark	347	Jefferson	565
Clay	506	Johnson	541
Cleburne	300	Lafayette	500
Cleveland	295	Lawrence	494
Columbia	215	Lee	507
Conway	408	Lincoln	543
Craighead	517	Little River	447
Crawford	527	Logan	402
Crittenden	519	Lonoke	509
Cross	485	Marion	333
Dallas	295	Miller	419
Desha	544	Mississippi	530
Drew	457	Monroe	514
Faulkner	340	Montgomery	288
Franklin	411	Nevada	324
Fulton	377	Newton	327
Garland	250	Ouachita	248
Grant	278	Perry	365

ARKANSAS—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Phillips	535	Searcy	318
Pike	329	Sebastian	406
Poinsett	483	Sevier	288
Polk	340	Sharp	341
Pope	484	Stone	410
Prairie	429	Union	206
Pulaski	398	Van Buren	246
Randolph	513	Washington	303
St. Francis	522	White	340
Saline	226	Woodruff	509
Scott	323	Yell	470

CALIFORNIA

Fresno	1083	Riverside	1182
Imperial	1339	San Benito	768
Kern	1130	San Bernardino	419
Kings	923	San Diego	1120
Los Angeles	766	Stanislaus	790
Madera	850	Tulare	922
Merced	909		

FLORIDA

Alachua	279	Lafayette	239
Baker	200	Leon	223
Bay	290	Levy	238
Calhoun	362	Liberty	235
Clay	368	Madison	256
Columbia	183	Nassau	200
Dixie	285	Okaloosa	290
Escambia	390	Putnam	280
Gadsden	235	Santa Rosa	395
Gilchrist	194	Suwannee	198
Hamilton	215	Taylor	226
Holmes	352	Union	227
Jackson	294	Walton	317
Jefferson	248	Washington	289

GEORGIA

Appling	360	Echols	229
Atkinson	332	Effingham	327
Bacon	364	Elbert	384
Baker	286	Emanuel	384
Baldwin	358	Evans	416
Banks	399	Fayette	350
Barrow	370	Floyd	383
Bartow	467	Forsyth	343
Ben Hill	375	Franklin	377
Berrien	354	Fulton	347
Bibb	383	Glascock	344
Bleckley	442	Gordon	437
Brantley	226	Grady	342
Brooks	366	Greene	259
Bryan	388	Gwinnett	367
Bulloch	424	Habersham	275
Burke	376	Hall	349
Butts	376	Hancock	332
Calhoun	430	Haralson	320
Candler	378	Harris	354
Carroll	313	Hart	408
Catoosa	436	Heard	339
Charlton	200	Henry	396
Chatham	332	Houston	421
Chattahoochee	151	Irwin	367
Chattooga	305	Jackson	317
Cherokee	297	Jasper	384
Clarke	303	Jeff Davis	357
Clay	382	Jefferson	386
Clayton	272	Jenkins	373
Clinch	256	Johnson	354
Cobb	224	Jones	225
Coffee	363	Lamar	253
Colquitt	421	Lanier	313
Columbia	258	Laurens	348
Cook	425	Lee	384
Coweta	312	Liberty	235
Crawford	421	Lincoln	242
Crisp	472	Long	337
Dade	305	Lowndes	302
Dawson	244	Lumpkin	411
Decatur	339	McDuffie	345
De Kalb	256	McIntosh	213
Dodge	367	Macon	472
Dooly	463	Madison	386
Dougherty	282	Marion	340
Douglas	250	Meriwether	387
Early	410	Miller	379

GEORGIA—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Mitchell	335	Talbot	272
Monroe	290	Taliaferro	242
Montgomery	315	Tattnall	400
Morgan	385	Taylor	516
Murray	289	Telfair	325
Muscogee	233	Terrell	488
Newton	352	Thomas	393
Oconee	430	Tift	349
Oglethorpe	356	Toombs	418
Paulding	314	Treutlen	340
Peach	476	Troup	321
Pickens	354	Turner	355
Pierce	333	Twiggs	382
Pike	421	Upson	284
Polk	391	Walker	292
Pulaski	374	Walton	410
Putnam	272	Ware	330
Quitman	281	Warren	342
Randolph	455	Washington	384
Richmond	276	Wayne	373
Rockdale	420	Webster	298
Schley	368	Wheeler	361
Screven	416	White	358
Seminole	397	Whitfield	388
Spalding	283	Wilcox	381
Stephens	365	Wilkes	278
Stewart	388	Wilkison	233
Sumter	491	Worth	382

ILLINOIS

Alexander	372	Pulaski	421

KANSAS

Montgomery	171

KENTUCKY

Ballard	306	Graves	408
Calloway	289	Hickman	487
Carlisle	361	McCracken	351
Fulton	536	Marshall	325

LOUISIANA

Acadia	378	Livingston	305
Allen	292	Madison	531
Ascension	318	Morehouse	514
Avoyelles	460	Natchitoches	482
Beauregard	233	Ouachita	492
Bienville	283	Plaquemines	325
Bossier	480	Pointe Coupee	396
Caddo	500	Rapides	536
Calcasieu	291	Red River	443
Caldwell	475	Richland	406
Catahoula	400	Sabine	272
Claiborne	223	St. Helena	223
Concordia	474	St. James	241
De Soto	227	St. Landry	423
East Baton Rouge	209	St. Martin	419
East Carroll	555	St. Tammany	208
East Feliciana	269	Tangipahoa	204
Evangeline	427	Tensas	510
Franklin	400	Union	279
Grant	484	Vermilion	365
Iberia	288	Vernon	265
Iberville	241	Washington	307
Jackson	257	Webster	288
Jefferson	347	West Baton Rouge	310
Jefferson Davis	374	West Carroll	412
Lafayette	426	West Feliciana	268
La Salle	438	Winn	272
Lincoln	285		

MISSISSIPPI

Adams	208	Clay	406
Alcorn	430	Coahoma	582
Amite	261	Copiah	316
Attala	379	Covington	386
Benton	469	De Soto	488
Bolivar	523	Forrest	379
Calhoun	438	Franklin	200
Carroll	481	George	306
Chickasaw	429	Greene	312
Choctaw	392	Grenada	484
Claiborne	331	Hancock	211
Clarke	258	Hinds	315

MISSISSIPPI—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Holmes	571	Panola	512
Humphreys	553	Pearl River	268
Issaquena	599	Perry	307
Itawamba	383	Pike	244
Jackson	291	Pontotoc	469
Jasper	300	Prentiss	434
Jefferson	252	Quitman	524
Jefferson Davis	316	Rankin	358
Jones	342	Scott	319
Kemper	267	Sharkey	634
Lafayette	378	Simpson	284
Lamar	376	Smith	357
Lauderdale	269	Stone	283
Lawrence	243	Sunflower	515
Leake	344	Tallahatchie	535
Lee	346	Tate	495
Leflore	558	Tippah	449
Lincoln	270	Tishomingo	373
Lowndes	347	Tunica	534
Madison	354	Union	438
Marion	313	Walthall	322
Marshall	455	Warren	469
Monroe	395	Washington	560
Montgomery	471	Wayne	325
Neshoba	282	Webster	484
Newton	251	Wilkinson	258
Noxubee	399	Winston	346
Oktibbeha	315	Yalobusha	485
		Yazoo	533

MISSOURI

Bollinger	428	Oregon	391
Butler	485	Ozark	245
Cape Girardeau	424	Pemiscot	569
Carter	388	Ripley	417
Dunklin	522	Scott	488
Howell	448	Stoddard	533
Mississippi	552	Vernon	353
New Madrid	527	Wayne	409

NEVADA

Clark	846	Nye	861

NEW MEXICO

Chaves	805	Lea	583
Curry	438	Luna	914
De Baca	547	Otero	744
Dona Ana	838	Quay	514
Eddy	837	Roosevelt	514
Grant	884	Sierra	792
Guadalupe	458	Socorro	637
Hidalgo	945	Valencia	445

NORTH CAROLINA

Alamance	309	Greene	351
Alexander	329	Guilford	327
Anson	344	Halifax	406
Beaufort	390	Harnett	366
Bertie	397	Hertford	419
Bladen	330	Hoke	345
Brunswick	310	Hyde	334
Burke	286	Iredell	367
Cabarrus	350	Johnston	396
Caldwell	272	Jones	328
Camden	433	Lee	360
Carteret	328	Lenoir	366
Catawba	345	Lincoln	379
Chatham	325	Martin	349
Chowan	408	Mecklenburg	388
Cleveland	382	Montgomery	340
Columbus	320	Moore	334
Craven	325	Nash	374
Cumberland	335	New Hanover	255
Currituck	403	Northampton	426
Davidson	337	Onslow	314
Davie	355	Orange	313
Duplin	371	Pamlico	322
Durham	314	Pasquotank	356
Edgecombe	381	Pender	314
Forsyth	315	Perquimans	395
Franklin	339	Person	370
Gaston	343	Pitt	347
Gates	408	Polk	325
Granville	330	Randolph	314

NORTH CAROLINA—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Richmond	333	Vance	385
Robeson	365	Wake	339
Rowan	384	Warren	352
Rutherford	334	Washington	362
Sampson	352	Wayne	408
Scotland	384	Wilkes	272
Stanly	363	Wilson	411
Tyrrell	337	Yadkin	267
Union	376		

OKLAHOMA

Adair	149	Lincoln	291
Atoka	229	Logan	332
Beaver	249	Love	224
Beckham	285	McClain	339
Blaine	253	McCurtain	395
Bryan	287	McIntosh	255
Caddo	314	Major	241
Canadian	322	Marshall	309
Carter	237	Mayes	252
Cherokee	196	Murray	460
Choctaw	320	Muskogee	330
Cleveland	359	Noble	266
Coal	298	Nowata	264
Comanche	208	Okfuskee	203
Cotton	215	Oklahoma	288
Craig	251	Okmulgee	200
Creek	226	Osage	393
Custer	361	Pawnee	328
Dewey	270	Payne	399
Ellis	244	Pittsburg	256
Garfield	374	Pontotoc	247
Garvin	387	Pottawatomie	272
Grady	372	Pushmataha	199
Grant	271	Roger Mills	293
Greer	300	Rogers	251
Harmon	358	Seminole	200
Haskell	279	Sequoyah	380
Hughes	218	Stephens	278
Jackson	428	Texas	453
Jefferson	242	Tillman	315
Johnston	270	Tulsa	319
Kay	442	Wagoner	317
Kingfisher	186	Washington	338
Kiowa	295	Washita	323
Latimer	214	Woodward	204
Le Flore	277		

SOUTH CAROLINA

Abbeville	379	Greenwood	339
Aiken	392	Hampton	461
Allendale	469	Horry	275
Anderson	382	Jasper	306
Bamberg	409	Kershaw	315
Barnwell	416	Lancaster	358
Beaufort	299	Laurens	377
Berkeley	343	Lee	386
Calhoun	435	Lexington	347
Charleston	273	McCormick	326
Cherokee	329	Marion	299
Chester	367	Marlboro	379
Chesterfield	296	Newberry	379
Clarendon	396	Oconee	368
Colleton	340	Orangeburg	426
Darlington	378	Pickens	346
Dillon	316	Richland	361
Dorchester	412	Saluda	398
Edgefield	410	Spartanburg	274
Fairfield	295	Sumter	360
Florence	315	Union	308
Georgetown	228	Williamsburg	349
Greenville	352	York	324

TENNESSEE

Bedford	369	Fayette	493
Benton	394	Franklin	502
Bradley	328	Gibson	599
Cannon	301	Giles	356
Carroll	561	Grundy	415
Chester	521	Hamilton	374
Coffee	407	Hardeman	509
Crockett	611	Hardin	404
Davidson	352	Haywood	564
Decatur	405	Henderson	514
De Kalb	411	Henry	442
Dyer	550	Hickman	370

TENNESSEE—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Humphreys	370	Moore	320
Knox	467	Obion	559
Lake	608	Perry	357
Lauderdale	566	Polk	348
Lawrence	388	Rhea	345
Lewis	322	Roane	355
Lincoln	402	Rutherford	413
Loudon	388	Shelby	492
McMinn	314	Tipton	568
McNairy	463	Van Buren	451
Madison	552	Warren	368
Marion	411	Wayne	339
Marshall	377	Weakley	525
Maury	339	White	360
Meigs	342	Williamson	357
Monroe	294	Wilson	334

TEXAS

Anderson	177	Ellis	207
Andrews	296	El Paso	953
Angelina	229	Erath	146
Aransas	291	Falls	195
Archer	169	Fannin	210
Armstrong	253	Fayette	251
Atascosa	225	Fisher	294
Austin	302	Floyd	575
Bailey	425	Foard	246
Bastrop	181	Fort Bend	371
Baylor	272	Franklin	201
Bee	242	Freestone	159
Bell	172	Frio	526
Bexar	215	Gaines	431
Blanco	176	Galveston	320
Borden	286	Garza	351
Bosque	144	Gillespie	180
Bowie	442	Glasscock	534
Brazoria	397	Goliad	177
Brazos	517	Gonzales	165
Brewster	865	Gray	228
Briscoe	427	Grayson	206
Brooks	116	Gregg	169
Brown	160	Grimes	270
Burleson	436	Guadalupe	216
Burnet	122	Hale	567
Caldwell	237	Hall	318
Calhoun	285	Hamilton	162
Callahan	161	Hansford	365
Cameron	416	Hardeman	295
Camp	168	Hardin	208
Carson	234	Harris	240
Cass	219	Harrison	172
Castro	529	Hartley	271
Chambers	255	Haskell	285
Cherokee	188	Hays	173
Childress	274	Hemphill	269
Clay	254	Henderson	165
Cochran	447	Hidalgo	466
Coke	158	Hill	158
Coleman	167	Hockley	454
Collin	223	Hood	197
Collingsworth	278	Hopkins	164
Colorado	302	Houston	176
Comal	153	Howard	263
Comanche	124	Hudspeth	817
Concho	216	Hunt	193
Cooke	231	Irion	352
Coryell	159	Jack	195
Cottle	300	Jackson	289
Crockett	459	Jasper	160
Crosby	504	Jeff Davis	926
Culberson	931	Jim Hogg	99
Dallam	363	Jim Wells	212
Dallas	212	Johnson	180
Dawson	381	Jones	221
Deaf Smith	409	Karnes	160
Delta	212	Kaufman	185
Denton	252	Kendall	185
DeWitt	175	Kent	254
Dickens	293	Kerr	239
Dimmit	428	Kimble	242
Donley	234	King	261
Duval	112	Kinney	547
Eastland	139	Kleberg	314
Ector	507	Knox	329

TEXAS—Continued

County	Normal yield (pounds per acre)	County	Normal yield (pounds per acre)
Lamar	224	Robertson	518
Lamb	491	Rockwall	210
Lampasas	157	Runnels	221
La Salle	315	Rusk	170
Lavaca	190	Sabine	200
Lee	162	San Augustine	175
Leon	172	San Jacinto	168
Liberty	240	San Patricio	367
Limestone	132	San Saba	230
Live Oak	197	Schleicher	346
Llano	162	Scurry	271
Loving	786	Schackelford	182
Lubbock	537	Shelby	135
Lynn	377	Smith	146
McCulloch	163	Somervell	154
McLennan	165	Starr	253
McMullen	136	Stephens	161
Madison	247	Sterling	483
Marion	113	Stonewall	222
Martin	358	Sutton	680
Mason	412	Swisher	530
Matagorda	300	Tarrant	221
Maverick	462	Taylor	194
Medina	338	Terry	489
Menard	190	Throckmorton	184
Midland	395	Titus	181
Milam	213	Tom Green	286
Mills	183	Travis	165
Mitchell	262	Trinity	153
Montague	221	Tyler	273
Montgomery	174	Upshur	130
Moore	249	Upton	452
Morris	155	Uvalde	683
Motley	267	Van Zandt	177
Nacogdoches	158	Victoria	292
Navarro	161	Walker	197
Newton	149	Waller	305
Nolan	264	Ward	776
Nueces	361	Washington	248
Ochiltree	465	Webb	505
Oldham	239	Wharton	332
Palo Pinto	186	Wheeler	231
Panola	154	Wichita	274
Parker	153	Wilbarger	306
Parmer	625	Willacy	430
Pecos	840	Williamson	212
Polk	170	Wilson	218
Potter	250	Winkler	656
Presidio	838	Wise	173
Rains	168	Wood	152
Randall	334	Yoakum	403
Reagan	580	Young	184
Red River	241	Zapata	513
Reeves	833	Zavala	637
Refugio	290		
Roberts	314		

VIRGINIA

Brunswick	352	Nansemond	367
Charlotte	330	Patrick	383
Chesapeake	378	Prince Edward	330
Cumberland	313	Prince George	363
Dinwiddie	348	Southampton	352
Greenville	361	Surry	393
Halifax	352	Sussex	359
Isle of Wight	394	Virginia Beach	342
Lunenburg	357		
Mecklenburg	343		

(Sec. 301, 78 Stat. 173; 7 U.S.C. 1301)

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

Signed at Washington, D.C., on April 11, 1964.

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

[F.R. Doc. 64-3685; Filed, Apr. 15, 1964; 8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 6 (Rev. 2)]

PART 107—SMALL BUSINESS INVESTMENT COMPANIES

Miscellaneous Amendments

Pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Public Law 85-699, 72 Stat. 694, as amended, there are amended, as set forth below, §§ 107.301, 107.708, and 107.710 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 27 F.R. 9743-9754 and amended in 28 F.R. 681, 1627, 3021, 10860, and 12250.

Information and effective date. The purpose of subject amendments is to implement the provisions of sections 2, 4, and 5 of the Small Business Investment Act Amendments of 1963 (Public Law 88-273, 78 Stat. 147), approved February 28, 1964. Section 2 amended section 302(a) of the Small Business Investment Act of 1958 by increasing the maximum amount of subordinated debentures which SBA may purchase from a Licensee company, on a matching basis and to the extent that necessary funds are not available from private sources on reasonable terms, from $400,000 to $700,000, and extended the time during which a Licensee company may qualify for section 302(a) funds to 5 years after date of licensing or date of enactment (February 28, 1964), whichever is later. Section 4 amended section 306 of the Act to delete the requirement that a Licensee's loans to and investments in any single enterprise shall not exceed $500,000, leaving intact (as the limitation on the total amount of obligations and securities which a Licensee may acquire from any single enterprise) the existing requirement that such amount shall not exceed 20 percent of the Licensee's combined capital and surplus. Section 5 amended section 308 (b) of the Act by adding to the existing provision that Licensees may invest idle operating funds in direct obligations of, or obligations guaranteed as to principal and interest by, the United States, the further privilege of investing such funds in insured savings accounts (up to the amount of the insurance) in any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation.

As set forth below, subject amendments (1) delete the references to "$400,000" in §§ 107.301(b)(2) and 107.301(c)(1) pertaining to the maximum amount of Subordinated Debentures which SBA may purchase from a Licensee, and substitute in lieu thereof "$700,000"; (2) delete the words "On or before April 3, 1964, or two and one-half years after the issuance of its license, whichever is later" in § 107.301(c), pertaining to the period in which a Licensee may request SBA to agree to

purchase its Subordinated Debentures, and substitute in lieu thereof the words "On or before February 27, 1968, or four years after the issuance of its license, whichever is later"; (3) add a proviso to § 107.301(c) to the effect that a Licensee with paid-in capital and paid-in surplus from private sources in excess of $2,000,000 may not request SBA to purchase its Subordinated Debentures in an aggregate amount of more than $400,000 until it has borrowed the maximum amount of section 303 funds available to it under § 107.402 of the regulations; (4) delete the words "in no case later than October 3, 1964, or three years after the date of the issuance of the license, whichever is later" in § 107.301(c), pertaining to the expiration of commitments which SBA may issue for the purchase of Subordinated Debentures, and substitute in lieu thereof the words "in no case later than February 27, 1969, or five years after the date of the issuance of the license, whichever is later"; (5) delete the reference to sections 302(a), 303(b), and 306 of the Act in §107.301(e), and substitute in lieu thereof a reference to §§ 107.301, 107.402, and 107.708(a) of the regulations implementing such sections of the Act; (6) delete from § 107.708(a) all references to the former $500,000 limitation on the aggregate amount of financing which a Licensee may provide any single small business concern; and (7) add to § 107.710 the provision that a Licensee may place idle operating funds in insured savings accounts (up to the amount of the insurance) in any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation. The reference to "appropriate Regional Office" in § 107.301(f), in connection with the receipt by SBA of a Licensee's request for disbursement pursuant to a commitment issued to it, is also corrected to read "Office of Investment Assistance, Investment Division, Small Business Administration, Washington 25, D.C."

Since subject amendments amount to a relaxation of the restrictions set forth in §§ 107.301, 107.708, and 107.710 of the regulations and are, therefore, exempt from the rule-making requirements of the Administrative Procedure Act (5 U.S.C. 1003), and because of the necessity of promptly applying the amendments to the program authorized under the Small Business Investment Act of 1958, they shall become effective upon publication in the FEDERAL REGISTER.

The Regulations Governing Small Business Investment Companies are hereby further amended by:

1. Deleting § 107.301 in its entirety and substituting a new § 107.301 which reads as follows:

§ 107.301 Capital and surplus of licensees.

(a) In considering whether to issue a License to a Proposed Operator SBA will, in addition to all other requirements and criteria, give preference to those Proposals which contemplate the minimum use of Government funds. The management of a Proposed Operator or of a Licensee should plan and encourage the maximum investment of private funds.

(b) A Proposed Operator must have a paid-in capital and paid-in surplus from private sources of at least $150,000 (exclusive of organizational expenses), in cash or eligible Government securities. To the extent that additional funds are not available to the Proposed Operator from private sources on reasonable terms, it may request SBA, in the License Application, to agree to purchase Subordinated Debentures in the following amounts:

(1) In the amount required to meet the $300,000 statutory minimum, or

(2) In such greater amount, up to but not exceeding $700,000, as the Proposed Operator may match with paid-in capital and paid-in surplus from private sources.

(c) On or before February 27, 1968, or four years after the issuance of its license, whichever is later, a Licensee may request SBA to agree to purchase its Subordinated Debentures in an amount which, when added to any Subordinated Debentures previously issued to SBA, will not exceed the lesser of:

(1) $700,000, or

(2) Its paid-in capital and paid-in surplus from private sources.

Provided, however, That a Licensee with paid-in capital and paid-in surplus from private sources in excess of $2,000,000 may request SBA to purchase its Subordinated Debentures in an aggregate amount of more than $400,000 only after it has borrowed the maximum amount of funds available to it pursuant to § 107.402.

(d) In connection with any request for such funds, the Licensee shall submit evidence satisfactory to SBA that such funds are not available on reasonable terms from private sources.

(e) SBA may issue a commitment for such funds. Such commitment will expire one year from the date it is issued, but in no case later than February 27, 1969, or five years after the date of issuance of the license, whichever is later. The commitment, as well as the Subordinated Debenture itself, shall be treated as part of the paid-in capital and paid-in surplus of a Licensee for purposes of §§ 107.301, 107.402, and 107.708(a).

(f) A commitment fee shall be computed against the amount committed but not disbursed. Such fee will be at the rate of one-twelfth of one percent for each 30-day period or fraction thereof, beginning with the first day after the first thirty days following the date of the commitment. The fee shall be due and payable upon billing. The fee shall not apply to any amount for which disbursement is requested during the initial 30-day period following the date of the commitment. Thereafter, the fee will terminate, as to the amount requested to be disbursed, at the end of the 30-day period during which request for disbursement is made. The date which appears on the SBA form used to request the disbursement shall be deemed to be the date the disbursement is requested, but if ten days or more have elapsed between the date of the form and the date of its receipt in the Office of Investment Assistance, Investment Division, Small Business Administration, Washington 25, D.C., SBA may, in its discretion, consider that the request was made as of the date of such receipt. Disbursement of funds shall be subject to § 107.709 (a) and (b).

(g) Such Subordinated Debentures shall contain such terms and conditions, as shall be determined by SBA. Interest shall be at the rate of five percent per annum and maturities shall not exceed twenty years. The debentures may be prepaid at any time without penalty, subject, however, to the rquirements of § 107.1001. Amortization of the debentures shall commence no later than the beginning of the second half of their term.

(h) Proceeds of Subordinated Debentures shall not be used by a Licensee to provide loans or equity capital to business concerns which derive a substantial portion of their net sales from the sale of alcoholic beverages. Compliance with this requirement shall be deemed to have been demonstrated if the Licensee, within thirty days after receipt of any such proceeds, and thereafter for as long as the debentures remain unpaid, maintains assets consisting of cash, elegible Government securities, and portfolio investments and loans involving enterprises which do not derive a substantial portion of their net sales from the sale of alcoholic beverages (exclusive of all investments and loans already in the Licensee's portfolio at the time that the proceeds of such Subordinated Debentures were disbursed), equal in face value to no less than the unpaid principal of such Subordinated Debentures.

2. Deleting § 107.708 in its entirety and substituting a new § 107.708 which reads as follows:

§ 107.708 Aggregate limitation on investments and loans.

(a) Without the prior written approval of SBA, the aggregate amount of funds loaned to, or invested in Equity Securities of, any single small business concern, or for which commitments may be made, shall not exceed twenty percent of the combined paid-in capital and paid-in surplus of any Licensee (including in such Licensee's capital and surplus the outstanding amount of any SBA loans and commitments under § 107.301).

(b) Without the prior written approval of SBA, no more than five Licensees may, by participation or otherwise, provide Equity Capital or long-term loans to any single small business concern unless the total financing involved is $500,000 or less.

3. Deleting § 107.710 in its entirety and substituting a new § 107.710 which reads as follows:

§ 107.710 Idle operating funds.

Funds of a Licensee not employed in accordance with the provisions of sections 304 and 305 of the Act and the regulations thereunder, and not invested in accordance with the last sentence of section 308(b) of the Act, shall, as soon as practicable after receipt thereof, be placed on demand deposit

with a commercial bank (or banks) which is a member of the Federal Deposit Insurance Corporation, or placed on time deposit with such a bank, evidenced by a Time Certificate of Deposit, the maturity of which shall not be longer than one year from the date of such deposit, or placed in insured savings accounts (up to the amount of the insurance) in any institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation: *Provided, however,* That a Licensee may establish and maintain an imprest petty cash fund in an amount not to exceed $500 at any one time.

Dated: April 9, 1964.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 64-3719; Filed, Apr. 15, 1964; 8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. S]

PART 219—BANK SERVICE ARRANGEMENTS

Assurances in Situations Involving State Member Banks

§ 219.103 Assurances required under Bank Service Corporation Act in situations involving State member banks.

(a) Under section 5 of the Bank Service Corporation Act (12 U.S.C. 1865), no State member bank may cause to be performed, by contract or otherwise, any bank services for itself, whether on or off its premises, unless assurances satisfactory to the Board of Governors of the Federal Reserve System are furnished to the Board by both the bank and the party performing such services that the performance thereof will be subject to regulation and examination by the Board to the same extent as if such services were being performed by the bank itself on its own premises.

(b) In reply to a recent inquiry, the Board's view is that section 5 of the Act requires the furnishing of assurances, as described in that section, in the case of the performance of bank services for a State member bank by another State member bank.

(c) Neither the language of the Act nor of this Part 219 (Board's Regulation S) contains any exception for situations of the kind in question. Section 219.2 contemplates that the assurances in such a situation be submitted in the form of a letter (or separate letters) signed by duly authorized officers of both of the State member banks. Section 219.2 also provides that letters of assurances shall be addressed to the Board in care of the Federal Reserve Bank of the district in which the State member bank receiving performance of the bank services has its main office.

(Interprets or applies 12 U.S.C. 1865)

Dated at Washington, D.C., this 8th day of April 1964.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 64-3714; Filed, Apr. 15, 1964; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 37—FISH; DEFINITIONS AND STANDARDS OF IDENTITY; STANDARDS OF FILL OF CONTAINER

Canned Tuna; Order Listing Sodium Acid Pyrophosphate as Optional Ingredient

In the matter of amending the standard of identity for canned tuna (21 CFR 37.1) by listing sodium acid pyrosphosphate in an amount not to exceed 0.15 gram per ounce, net weight, as an optional ingredient of canned tuna for inhibiting the development of struvite crystals in the food:

The notice of proposed rule making in the above-identified matter published in the FEDERAL REGISTER of February 6, 1964 (29 F.R. 1807) elicited only one comment, which favored the proposal. Therefore, in consideration of the information furnished in the petition, the comment received, and other relevant information available, it is concluded that it would promote honesty and fair dealing in the interest of consumers to amend the definition and standard of identity for canned tuna as hereinafter set forth. Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.90; 29 F.R. 471): *It is ordered,* That § 37.1 be amended as set forth below:

Paragraph (a) is amended; and paragraph (h) is amended by redesignating subparagraph (7) as (8) and by inserting a new subparagraph (7). As amended, the affected portions of the section read as follows:

§ 37.1 Canned tuna; definition and standard of identity; label statement of optional ingredients.

(a) Canned tuna is the food consisting of processed flesh of fish of the species enumerated in paragraph (b) of this section, prepared in one of the optional forms of pack specified in paragraph (c) of this section, conforming to one of the color designations specified in paragraph (d) of this section, in one of the optional packing media specified in paragraph (e) of this section, and may contain one or more of the seasonings and flavorings specified in paragraph (f) of this section. For the purpose of inhibiting the development of struvite crystals, sodium acid pyrophosphate may be added in a quantity not in excess of 0.5 percent by weight of the finished food. It is packed in hermetically sealed containers and so processed by heat as to prevent spoilage. It is labeled in accordance with the provisions of paragraph (h) of this section.

* * * * *

(h) * * *

(7) Where the canned tuna contains the optional ingredient sodium acid pyrophosphate as provided in paragraph (a) of this section, the label shall bear the statement "pyrophosphate added" or "with added pyrophosphate."

(8) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the names of the optional ingredient used, as specified in subparagraphs (3), (6), and (7) of this paragraph, shall immediately and conspicuously precede or follow such name, without intervening, written, printed, or graphic matter, except that the common name of the species of tuna fish used may so intervene; but the species name "albacore" may be employed only for canned tuna of that species which meets the color designation "white" as prescribed by paragraph (d)(1) of this section.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 21 U.S.C. 341, 371)

Dated: April 10, 1964.

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

[F.R. Doc. 64-3746; Filed, Apr. 15, 1964; 8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.508]

PART 42—VISAS: DOCUMENTATION OF IMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Quota Chargeability of Chinese Persons

Part 42, Chapter I, Title 22 of the Code of Federal Regulations is being amended to give effect to the decision of the United States District Court in Wong v. Esperdy (214 F. Supp. 264) regarding the quota chargeability of Chinese persons.

Section 42.56 is hereby amended to read as follows:

§ 42.56 Quota chargeability of Chinese persons.

(a) The quota chargeability of a Chinese person as that term is defined in § 42.1, shall be determined under section 202(b) of the Act except that for the purposes of section 202(b)(2) and section 202(b)(4), the quota for the quota area of China shall be the quota for Chinese persons authorized by section 201(a) of the Act. Accordingly, a Chinese person who is classifiable as a quota immigrant shall, unless he is a child chargeable to the quota of an accompanying parent as provided in section 202(a)(1) of the Act, be chargeable as follows: (1) If born in China, to the quota for Chinese persons; (2) if born within the Asia Pacific triangle within a separate quota area other than China, to the quota for that area; (3) if born in a colony or other dependent area within the Asia Pacific triangle, to the Asia Pacific quota; (4) if born outside the Asia Pacific triangle, to the quota for Chinese persons, unless he is also attributable by as much as 50 percent of his ancestry to a people or peoples indigenous to the Asia Pacific triangle, other than China, in which event he would be chargeable to the Asia Pacific quota.

(b) The exceptions to the general rule of quota chargeability provided in section 202(a)(2), (3) and (4) of the Act do not apply to a Chinese person. (For definition of term "Chinese person" see § 42.1.)

(Sec. 201(a), 66 Stat. 175; 8 U.S.C. 1151)

Effective date. The amendments to the regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulations contained herein involve foreign affairs functions of the United States.

Dated: April 7, 1964.

CHARLES H. MACE,
Acting Administrator, Bureau of Security and Consular Affairs.

[F.R. Doc. 64-3731; Filed, Apr. 15, 1964; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER D—MISCELLANEOUS EXCISE TAXES

[T.D. 73]

PART 152—REGULATORY TAXES ON MARIHUANA

Correction

In F.R. Doc. 64-2942 appearing in the issue for Thursday, March 26, 1964, at page 3758, make the following changes:

1. In § 152.75, second line, the word "used" should read "issued".

2. In column 3 on page 3768, following the first paragraph (b), the section heading for § 152.125 was inadvertently omitted. It should read as follows:

§ 152.125 Refunds.

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 732—MEDICAL AND DENTAL CARE AT NAVY EXPENSE AT NON-NAVY FACILITIES

Miscellaneous Amendments

Scope and purpose. Part 732 is amended to conform with Change 1 to the corresponding Bureau of Medicine and Surgery Instruction 6320.32 distributed to Navy and Marine Corps commands in due course.

1. Section 732.2 is amended by revising paragraph (d) and adding paragraph (k) at the end, to read as follows:

§ 732.2 Definitions.

For the purpose of this part, the following definitions apply:

* * * * *

(d) *Retired member of the Navy or Marine Corps.* (1) Except as indicated in subparagraph (2) of this paragraph, a member or former member of the Navy or Marine Corps who is entitled to retired, retirement, or retainer or equivalent pay from the Navy or Marine Corps.

(2) Does not include a member of a Reserve component who is entitled to retired pay by reason of years of satisfactory Federal service and who has not served on active duty for 8 years other than for training duty.

* * * * *

(k) *Optometrist.* A person who is licensed to practice optometry.

2. Subpart A is amended by inserting § 732.3, to read as follows:

§ 732.3 Scope.

(a) *Applicability.* This part provides the policies, authority, and procedures whereby naval commands may arrange for appropriate care in other than Navy facilities. (The special-authority provisions of the Manual of the Medical Department, article 11-7(3)(b) to commanding officers of naval hospitals remain in effect and are to be used by such commanding officers in lieu of Subpart D of this part.) This part also provides guidance for situations where authorized personnel may obtain necessary care for themselves. All commands are requested to assure that personnel under their cognizance are made aware of these provisions. Failure to meet requirements can result in denial of the Navy's responsibility for the expense of the care obtained.

(b) *Cross-reference.* This part should be used in conjunction with Part 728 of this chapter which part promulgates policies and procedures governing authorization of persons eligible to receive medical care at Navy facilities and defines the extent of the care at naval facilities authorized for such persons.

3. The caption of Subpart B is revised to read as follows:

Subpart B—Persons Eligible for Medical and Dental Care at Navy Expense at Non-Navy Facilities

4. Section 732.13 is amended by revising paragraphs (h) through (j) to read as follows:

§ 732.13 Persons eligible.

* * * * *

(h) An inactive retired member of the Navy or Marine Corps is eligible for care in uniformed services facilities other than Navy subject to the availability of space and facilities and the capabilities of the medical and dental staff. Such member is also eligible for care in Federal facilities other than those of the uniformed services upon prior approval of the Bureau of Medicine and Surgery. Inactive retired members are not eligible for care in non-Federal facilities under this part.

(i) Active duty naval and marine members of the states of the North-Atlantic-Treaty-Organization Status of Forces Agreement (NATO SOFA States) stationed in or passing through the United States in connection with their official duties except personnel carried as trainees under the Grant-Aid Military Assistance Program. Care is limited to that provided in the United States on or after July 1, 1963.

(j) A member of a uniformed service of the United States other than the Navy or Marine Corps is not authorized to receive medical attention in non-Navy facilities at Navy expense under this part.

5. Section 732.31 is revised to read as follows:

§ 732.31 General.

In certain instances eligible personnel as defined in Subpart B of this part may receive medical and dental care at the Navy's expense at other than Federal facilities. Subpart D sets forth the requirements which must be met before the Navy may pay the expenses of such case. Care in facilities of foreign governments is included in this subpart. Provisions concerning patients in naval hospitals are contained in the Manual of the Medical Department, article 11-7(3)(b).

6. Section 732.33 is amended by revising paragraph (a) to read as follows:

§ 732.33 Authorizing officer.

* * * * *

(a) For care within naval districts and river commands, the commandant of the naval district or river command wherein the care is to be provided. (To be exercised through the respective district medical officer, district dental officer, river command medical officer, and staff dental officer.) The Eleventh Naval District is additionally assigned responsibility for care in Sonoma and Baja California, Mexico.

* * * * *

7. Section 732.36 is amended by adding paragraph (c) at the end to read as follows:

§ 732.36 Care which may be authorized.

* * * * *

(c) *Eye refractions and spectacles.* Includes refractions of eyes by physicians and optometrists and the repair and furnishing of spectacles. A refraction may be obtained only when Federal facilities are not available and no suitable prescription is in the Health Record. The prescription from the refractionist with proper facial measurements should be sent to the appropriate dispensing activity set forth in the BUMED Instruction 6810.4 series. When a member has no suitable spectacles and the lack thereof combined with the delay resulting from obtaining them from a military source would prevent the performance of duty, the repair, replacement, or procurement of spectacles from civilian sources may be authorized. Procurement of contact lenses is not authorized by this part.

8. Section 732.42 is revised to read as follows:

§ 732.42 Payment for care at Federal facilities.

(a) *By whom.* Payment when required, except that provided by the Canal Zone Government, will be arranged by the Bureau of Medicine and Surgery upon presentation of appropriate claim by the Federal agency concerned. Approval and payment for care furnished by the Canal Zone Government will be accomplished locally under separate directive.

(b) *Rates.* Payment for inpatient care, except that provided by the Canal Zone Government, will be made at the inpatient rate prescribed by the Bureau of the Budget. Payment for inpatient care and for outpatient care in the Canal Zone Government facilities will be made at the prescribed rate of the Federal agency furnishing the service. For those personnel eligible under this part there is no charge for outpatient care at uniformed services facilities. Care in Army and Air Force facilities for eligible foreign NATO naval personnel will be on a common-service basis.

9. Section 732.43 is amended by revising the caption of the section and paragraphs (a), (b), (c), and (f), redesignating paragraph (g) as (h) and inserting a new paragraph (g), to read as follows:

§ 732.43 Payment for care at other than Federal facilities.

(a) *Approving and paying officers.* Except for NATO personnel, approval of claims for care furnished within naval districts and river commands shall be accomplished by the appropriate authorizing officer set forth in § 732.33. Payment of the approved claim shall be made by the disbursing officer serving the approving command. For care furnished elsewhere the claim shall be approved by the authorizing officer (§ 732.33) or if such officer has left the area by another naval command in the area. Normally an authorizing officer leaving the area should make arrangements for approval of the bills prior to his departure. Bills for NATO personnel should be sent to the Bureau of Medicine and Surgery (Code 454).

(b) *Preparation of claims.* Unpaid bills should be prepared in quadruplicate, itemized to show the dates on or between which services were rendered or supplies furnished, and the nature of and the charge for each item. Receipt of the services or supplies should be acknowledged on the face of the bill, or by separate certificate, by the person receiving treatment, or by an officer having cognizance of the case. Separate bills should be submitted for services of special nurses, anesthetists, or other persons on a fee basis, unless the bill including such services is accompanied by receipts to show that the expenses have been defrayed by the physician, dentist or hospital submitting the bill, or by a statement to the effect that the individual is a full-time employee of the payee. In cases where the expenses have already been paid by an individual including a service member, a claim for reimbursement may be made by the person defraying the expenses by submitting the bills which were paid, either receipted or with other equal evidence of their payment, proof that the claimant paid the bills, and a request for reimbursement. The complete address to which the check is to be mailed should be indicated. The material required above should be forwarded with the form NAVMED–U to the appropriate approving officer.

(c) *Approval/disapproval of claims.* When the required documents have been received by the approving officer, he shall determine whether the bills are payable in whole or in part or whether the claims should be disallowed. Where payment is to be disallowed, the claimant should receive a prompt and courteous letter stating the reason for the disallowance. If approvable, the officer shall prepare a document containing the following information and forward it to the appropriate disbursing officer for the issuance of a check:

(1) Payee's name and address.

(2) Patient's name and service identification.

(3) Statement that claim is approved for payment.

(4) Statement of the amount payable.

(5) Accounting information.

(6) Dates of service.

(7) If appropriate, statement that NavSandA Form 534, Ration Notice, has been issued.

(8) Date of approval.

(9) Signature of approving officer.

* * * * *

(f) *Appropriation chargeable.* All expenses approved for payment shall be charged as follows:

Appropriation	17–1804.1835 O&MN (Enter last digit of appropriate year in blank space).
Object class	25.
Expenditure account No.	77510.
Allotment and activity accounting No.	18/24001.

(g) *Fiscal year chargeable.* Charges are to be made to the appropriation of the fiscal year in which the obligation is created. Ordinarily, obligations may be created only by contracts entered into, project orders issued, services performed, or material issued during the fiscal year. Any claim that is approved is a proper charge to the appropriation current at the time the patient was admitted to the hospital or first treated as an outpatient. When two fiscal years are involved and such claims are clearly divisible, they should be charged to the appropriation current at the time the services were rendered.

* * * * *

10. Section 732.44 is revised to read as follows:

§ 732.44 Collection for subsistence.

The accounts of officers (Navy or Marine Corps) receiving treatment in Veterans' Administration hospitals, the Canal Zone Hospital, or civilian hospitals at the expense of the Department of the Navy will be checked for subsistence. This checkage will be made by Hospital Ration Notice, Nav. S & A Form 534, which will be submitted by the officer's commanding officer or activity designated by the commandant of the appropriate naval district to the disbursing officer having custody of the member's pay record. It is the responsibility of the originating activity to insure that checkage has been accomplished in accordance with the Navy Comptroller Manual, paragraph 044025. When officers are hospitalized in an Army, Air Force, or U.S. Public Health Service medical facility, the charge for subsistence will be collected by the facility.

(R.S. 161, sec. 4, 70 Stat. 805, secs. 5031, 6148, 6201–6203, 70A Stat. 278, 383, 387, secs. 1071–1085, 72 Stat. 1445–1450, as amended; 5 U.S.C. 22, 802, 10 U.S.C. 1071–1085, 5031, 6148, 6201–6203)

By direction of the Secretary of the Navy.

Dated: April 8, 1964.

[SEAL] WILFRED HEARN,
Read Admiral, U.S. Navy,
Judge Advocate General of the Navy.

[F.R. Doc. 64–3726; Filed, Apr. 15, 1964; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1035]

[Docket No. AO-176-A15]

MILK IN COLUMBUS, OHIO, MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Columbus, Ohio, on October 23–25, 1962, pursuant to notice thereof issued on September 24, 1962 (27 F.R. 9613).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Secretary of Agriculture on January 20, 1964 (29 F.R. 1389; F.R. Doc. 64–780) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (29 F.R. 1389; F.R. Doc. 64–780) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. The paragraph following the list of material issues is revised by substituting four new paragraphs.

2. A new paragraph is added between paragraphs 33 and 34 of issue No. 1.

3. The second paragraph of issue No. 4 is revised by substituting two new paragraphs.

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

1. Expansion of the marketing area;
2. Revision of classification of milk;
3. The level of the class prices;
4. Administrative and conforming changes; and
5. The obligation of nonpool handlers and the allocation of milk.

Findings with respect to issue No. 5 are being dealt with on the basis of another hearing, namely the regional hearing to consider amendments to 24 orders, including Columbus, which was held in Arlington, Virginia, during January 1963. The recommended decision and proposed amendments based on that hearing (29 F.R. 2002) covered changes in the Columbus order provisions dealing with nonpool plants, reports, transfers, allocation, obligation of handlers, computation of uniform price, location differential, and expense of administration.

The recommended descisions on the two hearings were issued concurrently. However, the action on the basis of the two hearings can no longer be coordinated without delaying action on the issues of this hearing. The time for filing exceptions to the recommended decisions based on the regional hearing has been extended to April 1, 1964. Because of the size and complexity of the documents covering the regional decision, the time required to complete the remaining procedures will necessarily be much longer than on this decision.

Issuance of the amended order contained herein at the earliest practicable time will tend to effectuate the declared policy of the Act even though it will not contain certain provisions being considered on the basis of the regional hearing. The expansion of the marketing area is necessary to effectuate orderly marketing among all handlers doing business in the new territory. Revision of the classification and pricing provisions will result in alignment with such provisions in nearby Federal orders and thereby effectuate orderly marketing among Columbus handlers and handlers regulated under such nearby orders.

In order to make the amended order operative the present provisions with respect to transfers and allocation are retained, except that, to the extent necessary, these provisions are modified to conform to the change from four to two classes of milk utilization.

Proposal No. 14 as it appeared in the notice of hearing relating to the diversion of producer milk was abandoned by its proponent at the hearing. Consequently, no further reference is made to proposal No. 14.

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

1. *Expansion of the marketing area.* The marketing area should be expanded to include the Ohio counties of Coshocton (except Adams township), Fayette, Guernsey (except Londonderry, Millwood and Oxford townships); Muskingum and Pickaway and the townships in Fairfield, Madison, Licking and Union Counties which are outside of the present marketing area. In each of these designated areas more than half of the fluid milk distribution is from plants which are or will be subect to full regulation under the Columbus order.

The marketing area now includes Franklin and Delaware Counties, all of Fairfield County except Clear Creek and Amanda townships, the two western tiers of townships in Licking County, six townships in Madison County and Jerome township in Union County.

In addition to Columbus, the present marketing area includes the cities of Lancaster, Delaware, London and Westerville, Ohio.

Fluid milk products are distributed throughout the present marketing area by 12 Columbus regulated handlers. A total of 1,350 producers supplied milk to regulated handlers for the Columbus market during the month of September 1962.

In recent months the sales by Columbus regulated handlers have increased in the territory beyond the present marketing area. Retail and wholesale routes have spread outward from Columbus to take in more territory. An increase in centralized milk processing was also a major cause of this sales expansion. A Columbus handler stopped bottling milk at its affiliated plants in Marion, Newark and Zanesville, Ohio, in November of 1961 and at its Mansfield, Ohio, plant in September of 1962. The sales territories which were formerly served by these four plants located outside of the marketing area are now supplied from the consolidated distributing plant in Columbus. Enlargement of the marketing area as recommended will largely encompass the expanded sales territories of Columbus regulated handlers.

The sales by Columbus regulated handlers in the territory outside of the marketing area are made in competition with some unregulated handlers who have bought milk from dairy farmers at a flat rate approximating the Columbus blend price. A high Class I utilization percentage is maintained at most of these plants. The unregulated handlers who buy Class I milk at the Columbus blend price pay their producers less than the full utilization value for the milk and thus enjoy a competitive advantage over Columbus regulated handlers who are required to pay class prices.

The expanded marketing area will encompass the major sales territories of Columbus regulated handlers and to the maximum extent feasible the sales areas of those handlers who will become regulated as a result of the enlargement of the marketing area. Handlers who distribute in the expanded marketing area will be assured that they will be in competition with distributors who are required to pay for producer milk purchased on a classified use basis.

It is expected that fourteen additional handlers will become fully regulated and three others will become partially regulated as a result of the expansion of the marketing area.

The population of the expanded marketing area at the time of the U.S. Census for 1960 was approximately 1,132,000. Principal cities located within the territory to be added to the marketing area include Cambridge, Circleville, Coshocton, Marysville, Newark, Washington Court House and Zanesville, Ohio.

Central Ohio Cooperative Milk Producers, Incorporated, proposed that the marketing area be expanded to include Fayette, Muskingum, Pickaway and Ross Counties and the townships in Fairfield, Licking, Madison and Union Counties

which are outside of the present marketing area.

A partially regulated Washington Court House, Ohio, handler is the principal competitor of Columbus regulated handlers in the area proposed by the cooperative south and west of the present marketing area. This handler became partially regulated in 1959 when the order was amended to increase the marketing area to its present size. According to the option provided in the order, this distributor has, since 1959, paid the classified use value for milk bought from dairy farmers in lieu of paying compensatory payments on his route sales. Approximately seven percent of his sales are in the existing marketing area.

This handler testified that he wished to become fully regulated in order to overcome some of the disadvantages that he had encountered under partial regulation. The principal problem that he has arises because a high proportion of his sales are made outside the marketing area. He indicated that he operated at a disadvantage compared to unregulated handlers who compete with him in Union, Fayette and Pickaway Counties. According to his testimony, these distributors have gained a price advantage over him by paying less than class prices for their milk.

Another problem that he encountered was due to the intermingling of Columbus producers with those who sell to his plant. Although he has paid class prices for milk, the blend price at his plant has generally been different from the Columbus uniform price. The prices differed because the utilization for his plant was different from the market average and because of the effect of the take-out and pay-back plan on the Columbus blend price. Some dissatisfaction occurred among producers because of these price differences.

The Washington Court House, Ohio, handler supported the annexation of all of Union, Madison, Fayette and Pickaway Counties to the marketing area. Approximately 54 percent of his sales are in this four-county area.

Columbus regulated handlers and the partially regulated Washington Court House, Ohio, handler who pays class prices account for 61 percent of the sales in the unregulated part of Union County. A Marion, Ohio, handler who is regulated by the North Central Ohio order sells two percent of the milk in the unregulated area in the county.

A New Bremen, Ohio, handler distributes 25 percent of the fluid milk products in the unregulated portion of Union County. The record did not clearly indicate whether this handler was unregulated, partially regulated or regulated by a Federal order. Official notice is taken of the Market Service Bulletins issued by the market administrator for the Indianapolis, Indiana, Federal order which show this plant to have been regulated under that order since June 1963. An additional two percent of the sales in the unregulated part of Union County is made by an unregulated Bellefontaine, Ohio, handler.

Columbus handlers and the Washington Court House, Ohio, distributor have approximately 49 percent of the business in the eight townships of Madison County which are outside of the present marketing area.

The fluid milk sales in Fayette County are made by the partially regulated handler from Washington Court House, Ohio, and by an unregulated handler whose plant is also located in that city. Sales by the partially regulated handler account for 90 percent of the total for the county.

Pickaway County is served by three Columbus regulated handlers, the partially regulated Washington Court House, Ohio, handler and an unregulated handler whose plant is located within the county at Circleville, Ohio. The sales by the three Columbus handlers plus those of the partially regulated Washington Court House, Ohio, handler equal 70 percent of the county total. Sales by the Circleville, Ohio, handler comprise 28 percent of the county total.

The unregulated Circleville, Ohio, handler has paid a flat price approximately equal to the Columbus blend price for milk bought from dairy farmers. This price does not reflect the use value of the milk.

Amanda and Clear Creek Townships in Fairfield County are areas of sales competition between the Circleville, Ohio, handler and Columbus regulated handlers. The unregulated handler from Circleville is the principal distributor in these townships. His distribution in Clear Creek and Amanda townships constitutes 90 percent and 50 percent, respectively, of the total sales within these townships. Columbus regulated handlers sell about 10 percent of the milk in the two-township area.

All of the territory in Union, Madison, Fayette, Pickaway and Fairfield Counties should be included in the marketing area since these counties are an important sales area for milk priced under the Columbus order. Columbus regulated handlers and the Washington Court House, Ohio, handler face significant competition from unpriced milk in much of the unregulated area in these counties. Inclusion of this area will place all distributors who sell milk in the counties on a competitive par with respect to the minimum prices they pay for producer milk. Producers who supply the handlers will also be assured of payment for their milk according to its use. Fayette County is included among those areas to be added to the marketing area even though no sales are made in the county by Columbus handlers. This is necessary to assure equality of minimum producer prices between the two handlers who are located within the county. Fayette County is the home base of the partially regulated Washington Court House, Ohio, handler. His distribution in Fayette County constitutes 90 percent of the total sales within the county and 21 percent of his total Class I business. If Fayette County were not added, the partially regulated handler who will become regulated due to sales in other counties would continue to face unregulated competition near his plant and could be placed at a serious competitive disadvantage in maintaining sales in this area.

Adding the above counties will bring under full regulation the partially regulated Washington Court House, Ohio, handler. A majority of his sales are in this area. As a result of the marketing area expansion, he will not have the problem of competing at a disadvantage with large amounts of unpriced milk. Pooling of his plant will also eliminate the problem he encountered when his producer pay price differed from the Columbus blend price.

The unregulated handler from Circleville, Ohio, and the unregulated handler from Washington Court House, Ohio, will also be regulated as a result of the area expansion. A handler at Bellefontaine, Ohio, will be partially regulated due to his sales in the territory to be added to the marketing area.

The territory east of Columbus proposed for inclusion in the marketing area includes the unregulated portion of Licking County, Muskingum County, Coshocton County, Perry County, and that portion of Guernsey County which is not in the Greater Wheeling marketing area.

Licking and Muskingum Counties are the most populous counties proposed for addition to the Columbus marketing area. The population of the two-county area which includes the cities of Newark and Zanesville, Ohio, was 169,000 at the time of the 1960 census.

Sales by a Columbus regulated handler in Licking County increased during recent months when its affiliated plant in Newark, Ohio, was closed. The sales territory formerly served by the company's Newark, Ohio, plant is now supplied from the consolidated plant in Columbus. The producers who supplied the Newark, Ohio, plant were also shifted to the company's plant in Columbus.

Approximately 57 percent of the packaged milk sold within the unregulated area of Licking County is now distributed by Columbus regulated handlers. An additional four percent of the sales in the Licking County townships outside the present marketing area are made from a Dayton, Ohio, plant by a handler regulated by the Dayton-Springfield, Ohio, Federal order. A partially regulated Zanesville, Ohio, handler distributes approximately 8 percent of the total packaged milk that is sold in the above Licking County townships. Five unregulated handlers who are located within Licking County account for more than 20 percent of the sales in the unregulated portion of the county.

Milk Producers, Incorporated, whose members supply 4 unregulated Newark, Ohio, handlers opposed extension of the marketing area to include all of Licking County. Several members of the producer organization testified that the prices paid by the unregulated Newark, Ohio, handlers were higher than those received by producers who sold to Columbus regulated handlers. These producers testified that their incomes would be substantially reduced if the Newark handlers who purchased their milk were to be regulated.

The unregulated Newark, Ohio, handlers pay their producers according to a base and excess plan. Producers' bases under the payment plan are established equal to marketings during the months

of September through December by 3 of the 4 Newark, Ohio, handlers. The other handler follows a system whereby the producer bases are established equal to marketings during the 4 months of the year when the lowest volume of milk is received from dairy farmers at his plant. The Newark, Ohio, handlers pay their producers for milk purchased according to the producer bases established but without regard to the use made of the milk. No method is available to producers to determine the amount of milk that goes into various products at these plants. Testimony presented by the producers who supplied the Newark, Ohio, handlers indicated that some milk which was bought for the excess price was being bottled and sold for fluid use.

The partially regulated Zanesville, Ohio, handler, who has eight percent of the sales in Licking County, also has had a procurement advantage over his Columbus competitors. Milk which he sold outside the regulated area in Licking County was unpriced. He elected to pay compensatory payments on his route sales in the marketing area instead of paying class prices for all his milk.

Information submitted by the Zanesville handler shows that his producer pay prices averaged 15 cents per hundredweight lower than the Columbus blend prices for the months of October 1961 through September 1962. Other testimony by this handler shows that a very high Class I utilization percentage is maintained at his plant. No system of classified pricing is followed and his producers are paid less than the use value for their milk.

The Columbus marketing area should be expanded to include all of Licking County since the entire county is now an integral part of the sales area of Columbus regulated handlers. Handlers who sell milk within the county will be assured that their competitors do not have a price advantage in the procurement of producer milk. Producers who now sell to the unregulated handlers will also benefit from the detailed audit provided by the order which will assure them payment for their milk according to its use.

Exceptions to the inclusion of the remainder of Licking County in the marketing area were filed by unregulated handlers located in the vicinity of Newark, Ohio, and by the producers who supply these handlers. These exceptions were carefully considered in connection with the record evidence and the above findings. It is found that regulation of this territory is necessary to effectuate orderly marketing in the area. Exception is therefore overruled.

It is expected that four Newark, Ohio, handlers and a Utica, Ohio, handler will become regulated by the Columbus order as a result of the expansion of the marketing area to include all of Licking County. The partially regulated Zanesville, Ohio, handler will also be regulated due to his Licking County sales.

With the inclusion of all of Licking County in the marketing area, about 16 percent of the sales from the partially regulated Zanesville plant will be in the marketing area. While these sales are sufficient to regulate it, a high proportion of the plant's distribution would be outside the marketing area if Licking County were the only county added. The Zanesville handler wished to get more of his sales covered by the marketing area so that he would face less unregulated competition. He supported the producer proposal to add Muskingum County and proposed, in addition, that Coshocton, Perry and the part of Guernsey County which is outside the Greater Wheeling marketing area be added to the marketing area. About 38 percent of his sales are made in Muskingum County. Another 27 percent of his sales are made in the counties he proposed.

If the Zanesville handler were to become regulated due to his sales in Licking County, then, 70 percent of the milk sold in Muskingum County would be priced by the Columbus order. His sales account for 30 percent of the county total. Columbus regulated handlers sell 40 percent of the milk.

Sales by Columbus handlers increased to the 40 percent total only recently, after an unregulated plant in Zanesville was closed in 1961. The routes of the unregulated plant were taken over and supplied with milk from a plant operated by the same company in Columbus.

Additional sales are made in Muskingum County by four unregulated handlers. These handlers from Zanesville, Crooksville, Dresden and Utica, Ohio, account for 20 percent of the county distribution.

Muskingum County should be added to the marketing area because of the importance it will have as a sales area for Columbus regulated milk. More than 70 percent of the sales here are made by handlers who are presently regulated or by handlers who will be regulated because of their Licking County sales.

The unregulated handlers from Zanesville, Crooksville and Dresden, Ohio, will be regulated by adding Muskingum County. The unregulated Utica, Ohio, handler who has sales in Muskingum County is the same one who sells in Licking County.

The Coshocton County sales pattern is similar to that which exists in Muskingum County. Sales by a Columbus handler, plus the sales of the handlers who will be regulated by their Licking County sales, equal more than 44 percent of the total for the county. Regulated handlers from two other Federal orders sell another 36 percent of the milk, so, a total of 80 percent of the milk sold in the county will be priced by Federal orders. Since more than half of this regulated milk will be from Columbus plants, Coshocton County, except Adams township, should be added to the Columbus marketing area.

The details of the sales pattern for Coshocton County show that the partially regulated Zanesville handler accounts for 39 percent of the milk sales in the county. Sales from a Mansfield, Ohio, distribution point by a Columbus handler comprise five percent of the county total. The previously mentioned unregulated handler from Utica, Ohio, who distributes milk in Licking and Muskingum Counties also has some sales in Coshocton County.

A Canton, Ohio, handler, regulated by the Northeastern Ohio order, accounts for 26 percent of the Coshocton County sales. The sales by a Mansfield, Ohio, handler, regulated by the North Central Ohio order, equal 10 percent of the total for the county. An unregulated Dresden, Ohio, handler who also distributes milk in Muskingum County accounts for 12 percent of the sales.

Additional sales are made throughout the east north-central portion of the county from an operating cooperative plant in Newcomerstown, Ohio. It is expected that this handler will be partially regulated as a result of the expansion of the marketing area to include Coshocton County.

An unregulated handler in New Philadelphia, Ohio, has sales in Coshocton County which are confined to Adams township. This handler does most of his business and purchases milk from dairy farmers in Tuscarawas County where he is primarily in competition with Northeastern Ohio Federal order regulated handlers. His Adams township sales are made in the village of Bakersville where he is the only distributor. There is little, if any, sales competition in Adams township by Columbus handlers or by distributors who will become regulated due to the expansion of the marketing area. Adams township in Coshocton County, therefore, should not be added to the marketing area.

The Guernsey County townships which are not in the Greater Wheeling marketing area should be added to the Columbus marketing area. This part of Guernsey County is now an important sales area for regulated handlers from several Federal orders. After the Zanesville handler is regulated, Columbus handlers will be the dominant regulated sellers in this area. Because of this sales dominance, the unregulated section of Guernsey County should become part of the Columbus marketing area.

A break-down of the sales in Guernsey County shows that the Zanesville, Ohio, handler distributes approximately 25 percent of the milk in the county. This handler's distribution is confined to the unregulated part of the county. A Columbus regulated handler accounts for 10 percent of the county sales. Sales by Greater Wheeling regulated handlers whose plants are located in Quaker City and Martins Ferry, Ohio, equal approximately 20 percent of the total for the county. Additional distribution, equal to five percent of the total milk sales for the county, is made by a Dayton-Springfield, Ohio, Federal order regulated handler from a Dayton, Ohio, plant. A Canton, Ohio, handler regulated by the Northeastern Ohio Federal order, also accounts for five percent of the county sales.

An unregulated handler, located within the county at Cambridge, Ohio, sells about 20 percent of the packaged milk in the county. Additional unregulated sales are made in the county by a Dover, Ohio, handler. It is expected that the Dover, Ohio, handler and the Cambridge, Ohio, handler will be regulated as a result of the extension of the Columbus

marketing area to include the unregulated part of Guernsey County.

The previously mentioned Greater Wheeling regulated handler from Martins Ferry, Ohio, supported the proposal to regulate the remainder of Guernsey County. In his testimony, he related that most of the sales in the county were made by regulated handlers. He contended that regulation of the entire county was necessary because of its importance as an area of competition between Federal order handlers.

No evidence was presented at the hearing to show the need for adding Perry County to the marketing area. The proponent handler testified that his company's interest in the county was small and that the county was proposed for inclusion in the marketing area only in order to include as much as possible of the sales territory of the Zanesville, Ohio, plant within a regulated area. The regulated handlers with sales in Perry County did not support the proposal to include the county. Perry County, therefore, should not be added to the marketing area.

Fluid milk sales are made in Ross County by nine handlers. The handler with the largest amount of sales in the county is the previously mentioned partially regulated distributor from Washington Court House, Ohio. His sales comprise approximately 48 percent of the Ross County total. An unregulated handler from Chillicothe, Ohio, is second in distribution with about 18 percent of the total sales for the county. A Columbus regulated handler distributes slightly less than 16 percent of the packaged milk that is sold within the county. Sales by two unregulated handlers whose plants are located in Circleville and Hillsboro, Ohio, account for 13 percent of the Ross County distribution. Three Tri-State order regulated handlers and a producer-distributor from Chillicothe, Ohio, account for the remaining five percent of the Ross County sales.

The Chillicothe, Ohio, handler who is the principal unregulated distributor in Ross County opposed the proposal to extend the marketing area to include the county. Evidence was submitted by this handler to show that he had no advantage over regulated handlers in the procurement of producer milk supplies.

The Chillicothe, Ohio, handler follows a classified pricing system and pays his producers according to the use made of their milk. Figures submitted by the handler show that his procurement costs for milk purchased from dairy farmers during 1961 were approximately the same as they would have been if Columbus order prices had been used to calculate his obligation to producers. This handler paid an average monthly blend price of $4.383 per hundredweight for milk purchased from producers in 1961. His average monthly procurement costs would have been $4.397 per hundredweight for producer milk if he had been a Columbus regulated handler during 1961.

The Columbus regulated handler who sells packaged milk within Ross County did not support the proposal to include the county in the marketing area. The partially regulated Washington Court House, Ohio, handler testified that he would not be placed at a competitive disadvantage if Ross County were omitted from the expanded marketing area.

Additional testimony in opposition to the expansion of the marketing area to include Ross County was presented by an unregulated Hillsboro, Ohio, handler. The Hillsboro, Ohio, handler sells packaged milk on routes within Ross County and to the unregulated Chillicothe, Ohio, distributor. He also buys packaged products from the Chillicothe, Ohio, handler.

The Hillsboro, Ohio, handler supported a conditional proposal while opposing the expansion of the marketing area to include Ross County. He proposed that Highland County (the county in which his plant is located) also be added if Ross County were included in the expanded marketing area. Inclusion of Highland County was proposed in order to place a greater amount of the sales territory of the Hillsboro plant in the marketing area in the event that Ross County sales would cause the plant to be regulated. The Hillsboro, Ohio, handler also wished to attain regulated status if the Chillicothe, Ohio, handler with whom he exchanged packaged milk were to be regulated.

Approximately 17 percent of the packaged milk sold from the Hillsboro plant is distributed in Ross County. A high proportion of the Ross County sales is made to the Chillicothe, Ohio, handler. These sales are defined as inter-plant transfers of milk by the Columbus order. Route sales in Ross County are less than the 15 percent of receipts from dairy farmers and other plants required to qualify the plant as a pool plant under the order. The Hillsboro plant would be partially regulated if Ross County were included in the marketing area.

The Hillsboro, Ohio, handler is the principal distributor in Highland County. Packaged milk sales from his plant account for 35 percent of the total for the county. Sales by Dayton-Springfield, Ohio Federal order regulated handlers and by regulated Cincinnati Federal order handlers equal approximately 20 percent of the county total. A Columbus regulated distributor sells about 15 percent of the packaged milk in Highland County. The Hillsboro distributor buys milk from twenty-six producers located in Highland and Brown Counties. During the month of December 1961 a total of 193 Cincinnati Federal order producers were located in these counties. No producers located in Highland and Brown Counties sold to Columbus regulated handlers in December of 1961.

Ross and Highland Counties should not be included in the marketing area. The economic conditions prevailing within the counties do not warrant their inclusion. The principal unregulated distributor in Ross County follows a classified pricing plan and pays his producers according to the utilization of their milk. Competitors of the Chillicothe, Ohio, distributor did not support the proposal for inclusion of Ross County in the marketing area. Highland County lacks significant economic association with the Columbus market. The Highland County handler's competition for producer milk supplies is primarily with Greater Cincinnati Federal order regulated handlers. Dayton-Springfield, Ohio, and Greater Cincinnati order regulated handlers have a greater percent of the sales in Highland County than the Columbus regulated handler who distributes packaged milk within the county.

2. *Classification.* The classification provisions of the order should be amended to provide for only two classes of milk instead of the four classes presently defined. However, the discussion of need for two use classes is combined with the discussion of prices presented hereinafter.

(a) *Changes in the classification of fluid milk products.* Milk shake mixes which contain 15 percent or less total milk solids and dietary milk should continue to be classified as Class I milk. Sterilized cream packaged in hermetically sealed containers should be classified as Class II milk. Products which contain sour cream but which are not labeled "Grade A" should be classified as Class II milk. These changes can be accomplished by revising the definition of fluid milk product to include milk shake mixes with the specified milk solids content and dietary milk and to exclude products packaged in hermetically sealed containers and sour cream products which are not labeled "Grade A".

Except for the change recommended hereinafter to classify fortified milk in Class I on a volume basis, no change in the classification will result from adding dietary milk to the list of fluid milk products specified in the order. Dietary milk, which was first sold on the Columbus market in November 1960, has been classified as Class I milk by the market administrator since sales of the product began on the basis that it fell within the designation of a flavored milk drink. The present classification of dietary milk and milk shake mixes with 15 percent or less of milk solids should continue since they are required to be made from Grade A milk and are similar to and competitive with other fluid milk products sold in the Columbus marketing area. In the past the market administrator has classified as Class II milk shake mixes containing more than 15 percent total milk solids since these mixes were indistinguishable from mixes for ice milk and similar soft frozen desserts. The provisions of the order should be clarified to include specifically in Class II milk shake mixes having a milk solids content higher than 15 percent.

Sour cream products are sold in the Columbus marketing area from grocery stores and grocery warehouses in competition with similar products which are processed at handlers' pool plants. These sour cream mixtures may contain food items such as cheese, chives and vegetable oils and other flavoring and seasoning ingredients. When such additional ingredients are added the product may not carry a Grade A label and hence it need not be made from Grade A milk. The cultured sour mixtures from

nonpool sources which were exhibited at the hearing did not carry a Grade A label.

Columbus regulated handlers are required by the terms of the order to pay the Class I price for producer milk which is sold in the form of cultured sour mixtures. This price makes their raw product cost for sour cream mixtures which are sold without a "Grade A" label considerably higher than that of their nonpool competitors. These products should be classified as Class II milk in order to place Columbus regulated handlers on an equal competitive basis with those sellers who can obtain the sour cream product from an unpriced or ungraded source. If sour cream products with or without added food ingredients are sold under a Grade A label, they should continue to be classified as Class I milk as now provided by the order.

Sterilized cream in hermetically sealed glass and metal containers is sold by a California firm to a handler who will be regulated as a result of the expansion of the marketing area. The purchasing handler proposed the deletion of the sterilized cream product from the fluid milk product definition and the classification of the item in the lowest use class. The handler's testimony indicated that the imported sterilized cream could be distributed through grocery stores in the same manner as other manufactured dairy produets such as nonfat dry milk and evaporated or condensed milk in hermetically sealed cans. The product has a long shelf life similar to that of canned condensed or evaporated milk and refrigeration is not required due to the hermetic seal applied to the containers. Manufacturing grade milk is used to produce the product.

Producers contended that the product displaces producer milk sold in the form of whipping cream and that, therefore, it should be classified as Class I milk. Since the product is not required to be made from Grade A milk, it should not be classified and priced as a fluid milk product, but should be classified as Class II milk.

(b) *Classification on nonfat dry milk solids.* The order should be amended to provide for the classification of fluid milk products fortified with additional milk solids as Class I milk only to the extent of the weight of an unmodified product of the same nature and butterfat content. The skim milk equivalent of the added solids in excess of such weight should be classified as Class II milk.

Fortification of a fluid milk product involves the addition of nonfat dry milk powder or condensed skim milk to a fluid product to yield a finished product with a higher nonfat solids content than that contained in an equivalent amount of whole milk. Sales of fortified products have increased in recent months in the Columbus market due to greater consumer demand for low fat products with added milk solids. Under the present order provisions the skim milk equivalent amount of the added milk powder is priced as Class I milk.

Handler proponents of the change in the classification and pricing of solids used to fortify fluid milk products testified that the additon of milk solids enabled them to increase Class I milk sales and to supply consumers with a product of higher quality and better flavor. The present order provision was cited by handlers as a deterrent to a practice which helps to maintain a volume of milk in Class I which might otherwise be used in the surplus class.

Producers favored retention of the present order provision for classifying and pricing solids used for fortification purposes. It was their contention that the present provision merely allows them to receive the Class I price for Class I sales and that these sales include the full amount of fluid milk needed to produce the fortified product.

The nonfat dry milk powder used for fortifying fluid milk products in the Columbus market may be produced from unpriced milk or from milk which was priced in a surplus class of another Federal order. Skim milk powder obtained from producer milk would have no greater value for fortification purposes than this nonfat dry milk which is purchased at the national market price. It is not economic to charge handlers the Class I price for a product which is available from alternate sources at a price reflecting the value of manufacturing grade milk.

The request of producers for retention of the present order provisions with respect to fortified products should be rejected. There is no showing that fortification of fluid milk products with added nonfat solids displaces producer milk in Class I uses. On the contrary it appears that the production of a product with greater consumer appeal may actually increase consumption of producer milk in Class I uses. The change in classification of fortified products by lowering handler's raw product costs will provide an incentive for further expansion of sales of these products thereby enhancing overall returns to producers.

For accounting purposes, the nonfat milk solids added to fluid milk items should be converted to their skim milk equivalent and an amount equal to the difference between the skim milk equivalent of the fortified product and the actual weight of the product disposed of in fluid form should be classified as Class II. The skim milk equivalent of the added solids should be considered as a receipt of other source milk.

Skim milk powder or condensed milk products which are used for reconstitution of fluid milk products should be accounted for on a skim equivalent basis and classified in Class I, as is now provided in the order. Reconstituted fluid milk products compete for Class I sales with other milk and skim milk, and if made from other source milk, would displace producer milk in Class I sales to the extent of the full volume of the reconstituted fluid milk products which are sold.

A handler proposed the deletion from the order of the provision which requires the use of a skim milk equivalent accounting procedure for products from which water has been removed before use or disposal. This provision should be retained in the order. Skim milk equivalent accounting permits the establishment of a common base for dissimilar milk products and thereby provides an efficient method of reconciling the receipt and disposition of a variety of products that may be handled in the plant. The procedure is widely used in Federal order markets and it has functioned effectively.

The proponent handler did not indicate the specific nature of the problems that had been encountered because of this accounting device. No action to delete the provision is justified on the basis of the record evidence and the proposal is therefore denied.

A handler proposed the classification of the pounds of skim milk powder used in the production of cottage cheese as Class II milk and the difference between the weight and the skim milk equivalent of the nonfat dry milk as Class IV milk. The proponent specified that the provision should become effective only during months when the producer milk supply declined below 110 percent of Class I sales. The proposal would reduce handlers' costs when other source milk in the form of skim milk powder was used during times when producer milk was in short supply.

This proposal would not be applicable to the revised order due to the reduction in the number of classes of utilization from four to two. In the revised order, the skim milk equivalent of the skim milk powder used in the production of cottage cheese should be considered a receipt of other source milk and as disposed of in Class II. The proposal is denied since it would not apply to the revised order.

(c) *Revision of the transfer provisions.* The order should be amended to permit the transfer or diversion of fluid milk products as Class II milk to nonpool plants located within 300 highway miles of the nearer of the State Capitol in Columbus, or the City Hall in Zanesville, Ohio. A surplus disposal area of this magnitude is necessary to encompass the additional outlets for surplus milk required for the enlarged market.

Nonpool plants located more than 100 airline miles from Columbus are outside the surplus disposal area as defined by the present order and all fluid milk products which are transferred or diverted to these nonpool plants are classified as Class I milk.

A handler proposed the deletion of the entire transfer provision of the order which limits the distance that fluid milk products may be transferred as other than Class I milk. He contended that a mileage limit was not necessary since the reported use of the milk at any nonpool plant could be verified by a market administrator from another Federal order.

The surplus disposal area should encompass those plants to which handlers would be expected to transfer or divert milk or cream that is not needed at their own plant.

An expansion of the surplus disposal area should accompany expansion of the marketing area. The Northeastern tip of Guernsey County in the enlarged marketing area is approximately 90 miles from Columbus. If the surplus disposal area were not enlarged surplus milk transferred by a Guernsey County handler to a nonpool plant located a rela-

tively short distance outside the marketing area would be classified as Class I milk under the present terms of the order. The use of the City Hall in Zanesville, Ohio, as an alternative basing point will be appropriate. Also, the use of highway miles is recommended since the milk is actually moved over the highway and the location differential provisions of the order employ highway miles.

Enlargement of the surplus disposal area to include the nonpool plants located within 300 miles of Columbus or Zanesville, will provide adequate outlets for the surplus milk of all regulated handlers. The handler who proposed the change in the transfer provision testified that a surplus disposal area which extended 300 miles from Columbus would include the plants to which fluid milk products would ordinarily be transferred by his company. A Beckley, West Virginia, plant located approximately 230 miles from Columbus and 215 miles from Zanesville is the most distant outlet mentioned.

The handler proposal to delete the entire mileage limit on the surplus disposal area should not be adopted. Removal of the limit could cause the market administrator to incur excessive auditing costs. While the market administrators from other Federal orders can assist in the verification of the reported use of certain transfers, as suggested by the proponent, this is not feasible for some long distance shipments. The reported use of milk sold to nonpool plants which are not regularly audited by a neighboring market administrator would still have to be verified from Columbus. The 300 mile limit will allow the market administrator to check the claimed classification of these sales without incurring unreasonable costs.

(d) *Inventory.* Fluid milk products in inventory should be classified as Class II, with provision for an additional charge when allocated to Class I use in the succeeding month.

The Columbus order presently classifies bulk milk, cream and other Class I products on hand at the end of the month as Class I milk. In the succeeding month such inventory (now the beginning inventory) is subtracted from Class I milk. Retention of this treatment of inventory would afford the large number of handlers who will become regulated under the expanded marketing area an incentive to build up inventories prior to becoming regulated since such milk would be allocated to Class I use and would displace current receipts of producer milk. In addition under the present system each handler pays for some portion of each month's Class I sales at the Class I price of the preceding month. This proportion is not uniform among handlers and encourages manipulation of inventory to take advantage of the change in the Class I price.

Greater equity among handlers will be achieved by reserving current Class I sales so far as possible for assignment to current receipts of producer milk. This can be accomplished by classification of closing inventory as Class II milk, and allocation of opening inventory to Class I milk only when current receipts of producer milk (except for shrinkage) are less than Class I sales. In such case the handler should pay the difference between the Class II price paid for such milk in the preceding month and the current Class I price. The volume on which this change is made should not exceed the volume (in excess of allowable shrinkage) for which producers were paid at the Class II price in the preceding month.

(3) *Classes of utilization and class prices*—(a) *Class II milk.* A handler witness testifying on the need for intermarket alignment of prices for manufactured products cited the price advantage which handlers in nearby markets have over Columbus dealers in buying milk for use in cottage cheese and ice cream. He then proposed that the Columbus prices for these items be reduced to align them with those in neighboring markets. Alignment of Columbus order prices for milk used in cottage cheese and ice cream with such prices in the Dayton-Springfield and North Central Ohio markets was held to be particularly important because of the extensive competion between distributors from those orders and Columbus handlers.

A change such as that proposed by the handler would be appropriate as it would contribute to orderly marketing of milk in the area by putting handlers on a more competitive basis with respect to the minimum prices for milk used in products which they sell in competition with handlers from nearby order markets.

In the Columbus order there are four use classes for milk with a separate price level for each class. Fluid milk, cottage cheese, ice cream, and butter are all classified and priced in separate categories.

In the Dayton-Springfield and North Central Ohio markets, milk used in cottage cheese and ice cream is priced at about the Columbus Class IV price level. In 1961 the Columbus Class II (cottage cheese) and Class III (ice cream) prices averaged 93 cents and 68 cents, respectively, above the Class IV price. Accordingly, Columbus handlers have to compete with handlers under neighboring orders for sales of cottage cheese and ice cream while paying substantially more for the milk used in these products. It would contribute to orderly marketing if milk used in these products were priced commensurate with prices in nearby orders.

In the past, orderly marketing was maintained in the Columbus marketing area even though the classification and pricing provisions of the order were not in close alignment with other markets as there was not a significant overlap of sales by Columbus handlers and handlers under adjacent orders. Originally the Columbus marketing area was primarily coextensive with the jurisdiction of a single health authority which required cottage cheese and ice cream to be made from Grade A milk. There are several health inspection agencies with jurisdiction in the expanded marketing area. Products such as ice cream and cottage cheese can be sold in most parts of the expanded marketing area without being made from Grade A milk.

Separate classification and pricing for reserve milk used in individual products or groups of products has tended to eliminate the incentive for handlers to seek the higher valued use for reserve milk. Instead, there is an incentive to supply the market's needs of such products from cheaper sources. There has been a substantial reduction in the use of reserve milk for ice cream by Columbus handlers. The primary source of milk used in ice cream by one of the principal Columbus handlers is milk priced under the Northeastern Ohio order. The Minnesota-Wisconsin price series is used in that order to price milk which is utilized in ice cream. Use of the same price in the Columbus order would facilitate the orderly flow of milk between the orders for use in such products.

Separate classification and pricing of various manufactured products between adjacent orders where there is an overlap of competition unavoidably results in an incentive to shift production to the lower priced class uses because of wider operating margins. With the present price alignment there is an incentive for Columbus handlers to use the reserve supply in Class IV and supply the market's needs of cottage cheese and ice cream from milk priced under nearby orders. The consolidation of all reserve milk into one class would encourage handlers to utilize their excess milk in the higher valued uses.

It is concluded from the above considerations that the order should provide for two use classes by combining the present Class II, Class III and Class IV into one use class designated Class II.

(b) *Class II price.* The Class II price should be the Minnesota-Wisconsin basic formula price except that it should not exceed the price resulting from a butter-powder formula by more than ten cents.

The Class II price should be at such a level that handlers will accept and market whatever quantities of milk in excess of Class I needs may occur from time to time. The price, however, should not be so low, that handlers will be encouraged to procure milk supplies solely for the purpose of converting them into Class II products.

A handler witness proposed that the Minnesota-Wisconsin price series be used as the basic formula in the computation of the present Class II and Class III prices. This price series has been used as the basic formula for the Class I price since March 1, 1962. Prior to that time the basic formula price for Class I was the same as for Class II and Class III. This formula price is the higher of the (1) average of prices reported to have been paid by certain specified milk manufacturing plants in Wisconsin and Michigan or (2) the price computed from market values of butter and nonfat dry milk.

Official notice is taken of the Under Secretary's decision of February 21, 1962 (27 F.R. 1802) to incorporate the Minnesota-Wisconsin price series in the Columbus order as well as 35 other orders throughout the Midwest as the basic formula price for Class I milk. It was found in that decision that the Minnesota-Wisconsin price series was a more appropriate measure of manufacturing

milk values for use in the orders than the formulas which were in use.

The Minnesota-Wisconsin price series has been incorporated as the surplus use price in many orders throughout the Midwest. This price series is the effective price for milk used for cottage cheese, ice cream and other manufactured dairy products by handlers regulated under the North Central Ohio order. There is considerable overlap of competition by handlers in this and the Columbus market. In addition, the producers supplying the two markets are intermingled. In view of this intermingling of the production and sales areas it is appropriate that the price for milk used in manufactured dairy products be the same under the Columbus order as the North Central Ohio order.

It was proposed by a handler that the present Class IV butter-powder formula price be modified by increasing the manufacturing allowance factors and deleting the minus differential of 12 cents during April through July and five cents during other months.

The handler witness contended that the revised formula would facilitate the disposal of milk to local manufacturing plants.

Typically, Columbus handlers process fluid milk, cottage cheese and ice cream. Milk in excess of such needs is transferred to local manufacturing plants which make butter and nonfat dry milk. Handlers have accepted these excess supplies at the present price level.

The level of the Minnesota-Wisconsin price series has differed very little from the Class IV price formula provided in the order. Since April 1961 the Minnesota-Wisconsin price series has not exceeded the Class IV butter-powder formula by more than nine cents in any month and has averaged 5.4 cents higher. However, during the period of September 1960 through April 1961 the Minnesota-Wisconsin price series averaged 16 cents over the Class IV price. During this period the demand for Minnesota and Wisconsin milk for manufacture into products other than butter and powder caused prices to rise significantly.

Since most of the Columbus reserve milk which cannot be used in cottage cheese or ice cream must be shipped to local butter plants, it is essential that the Class II price not differ significantly from the market value of butter and powder. Accordingly, it is appropriate that an alternative Class II price become effective whenever the Minnesota-Wisconsin price exceeds by more than ten cents the value of milk for manufacture into butter and powder. Such an alternative price may be constructed from the present Class IV price by substituting for the manufacturing allowance factors in the present formula, factors of three cents per pound for butter and 5.5 cents per pound for powder. The resultant price is identical to the one used in the Northeastern Ohio market to limit the Minnesota-Wisconsin manufacturing price to ten cents over the formula's value of milk used in butter and powder. It also serves the same purpose in the North Central Ohio market where the Northeastern Ohio surplus price is the effective Class II price. This formula will result in prices very similar to those under the present formula.

The Class II price provisions recommended herein will return to producers a value for their milk consistent with the value of milk used in the manufacture of like products in adjacent markets and thereby contribute to the orderly marketing of milk in the area.

(c) *Butterfat differential.* The Class IV butterfat differential which is calculated as the price per pound of Chicago 92-score butter times 0.115 should be retained as the Class II butterfat differential. This is an appropriate and representative measure of butterfat values for manufacturing purposes in the area.

It was proposed that the Class III and Class IV butterfat differentials be reduced. The present Class III butterfat differential is determined by multiplying the Chicago butter price by 0.126 during the months of August through March and by 0.124 during other months. The Class IV butterfat differential is 0.115 times the Chicago butter price. A handler proposed that these differentials be reduced by using a factor of 0.120 for Class III and 0.113 for Class IV.

The butterfat differential for Class I and Class II milk is 1.72 percent of the Class I price. The Class I butterfat differential should be continued at its present level. In view of the recommendation to combine the present Class II, Class III and Class IV uses as Class II, however, a single butterfat differential should be fixed for milk so utilized.

A handler witness contended that his company would use more producer butterfat in ice cream (Class III) rather than sell it for butter manufacture (Class IV) if it were priced in closer alignment with alternative sources. This handler's primary source of supply for ice cream usage is from the Northeastern Ohio order where the butterfat differential factor is 0.115. Use of the same factor in the Columbus order will encourage the use of producer butterfat in higher valued products like ice cream and cottage cheese rather than butter.

The butterfat differential of 11.5 percent of the Chicago butter price will not be so low as to give an unnatural incentive to the movement of butterfat to the manufacture of butter at the expense of preferred outlets such as for cottage cheese and frozen desserts. Moreover, at the recommended rate the cost of butterfat in the market will be competitive with butterfat from alternative sources of supply.

The proposal to apply a somewhat lower value for butterfat used in butter is unnecessary in this market as handlers do not maintain extensive butter manufacturing operations. To provide a lower butterfat differential for milk in such uses could stimulate uneconomic use of milk in this lower value outlet while a higher use product demand is available. Thus, returns to producers would be adversely affected.

The producer butterfat differential should be continued at a rate equal to the weighted average value of the butterfat in producer milk in accordance with its classification.

(d) *Supply-demand adjuster.* The "standard utilization percentages" of the supply-demand adjuster should be revised slightly to conform with the changed seasonal pattern of producer milk deliveries for the Columbus market.

The supply-demand adjuster is a means of adjusting the Class I price up or down in relation to the decrease or increase in the proportion of the supply utilized for Class I. This is done by using the historical relationship of supplies to sales in the market as a standard and comparing it with current utilization. The standard utilization percentages in the present order were made effective April 1, 1959.

A handler contended that there has been a significant change in the market structure and the supply-demand adjuster should be changed to recognize the new conditions. Specifically, the handler referred to the sales in the Columbus market by handlers regulated under the Dayton-Springfield order and stated that because of the sales by these out of market handlers Class I sales by Columbus handlers have not kept pace with the increase in receipts of milk from producers. Thus, the utilization in Class I has been declining relative to the standard utilization percentages.

The handler proposed three alternative changes in the supply-demand adjuster, all with moving standard utilization percentages.

(1) A one-cent adjustment for each percentage difference between the utilization in the preceding month and a standard utilization based on a twenty-four month moving average ending with the second preceding month.

(2) A one-cent adjustment for each percentage variation between the utilization in the second and third preceding months and a standard based on the utilization in the corresponding months of the previous two years.

(3) A one-cent adjustment for each percentage variation between the utilization in the second and third preceding months and a standard based on the average utilization in the same months for the current year and the preceding two years.

Since the proposed supply-demand adjusters incorporate a moving standard utilization percentage they would have the advantage of staying relatively current with the pattern of receipts and sales. However, due to the lag in the months to which the adjustment applies, these adjusters tend to result in minus adjustments during the early fall months when supplies swing to their seasonally low level. This would act counter to the principle that prices should be increased when milk is in short supply.

The adjuster provided in the order has the advantage of adjusting prices according to the seasonal supply-sales pattern. However, the present standard utilization percentages should be modified to more closely reflect the current utilization pattern.

The standard utilization percentages recommended herein place particular emphasis on the supply-sales relationship that has existed since September 1961 when there was a reversal of the

trend toward fewer producers which had continued for nearly ten consecutive years. This was primarily due to the activities of one of the principal handlers in closing its affiliated plants in Newark and Zanesville, Ohio, and transferring the receipts and sales of those plants to its Columbus plant.

It was proposed that the supply-demand adjuster be limited in its application if the marketing area is extended to regulate additional handlers. However, the evidence indicates that the additional plants which will be regulated have seasonal receipts-sales patterns which do not differ significantly from those of plants presently on the Columbus market. Thus, it can be expected that the supply-demand adjuster will be little affected by the addition of the receipts and sales of the plants in the new area which is added.

In addition, the supply-demand adjuster should be effective in view of the intermingling of production and sales areas of the Columbus, Dayton-Springfield, and Northeastern Ohio orders.

Official notice is taken of the supply-demand provisions of the Dayton-Springfield and Northeastern Ohio orders. The standard utilization percentage and the rates of adjustment in these orders are very similar to the Columbus supply-demand adjuster. The action of the supply-demand adjusters will tend to coordinate the prices between the markets. Accordingly, the Columbus supply-demand adjuster should be made fully effective.

In view of the foregoing considerations it is concluded that the following standard utilization percentages should be adopted:

Month for which a price is being computed:	*Standard utilization percentage*
January	127
February	129
March	126
April	124
May	125
June	130
July	141
August	157
September	153
October	137
November	128
December	130

(e) *Class I price differential.* Producers proposed that the Class I differential be increased from $1.11 to $1.25. This proposed change should be adopted. The 14 cent increase in the differential is necessary, in part, to prevent producer prices from being reduced by the pricing of milk used for cottage cheese and ice cream at a lower level. In addition, an upward adjustment in the differential is needed to offset the lower prices which would result from the revision of the supply-demand adjuster and other product classification changes.

The change in the Class I price is in accordance with the requirements of the enabling statute which specify that prices must reflect economic conditions which affect market supply and demand for milk in the marketing area. During the past two years the market has had an adequate but not an excessive supply of milk. About 76 percent of the receipts of milk from producers were used in Class I during the two-year period. The present level of producer prices has maintained a proper balance between supplies and Class I sales and it should be continued. Thus, those class price and product classification changes recommended herein which would cause, in the absence of compensating price adjustments elsewhere, lower producer prices must be fully offset by increases in the Class I differential.

The consolidation of Classes II, III and IV into a single surplus class would have, on the basis of figures for 1961 and 1962, lowered blend prices an average of 6.4 cents. Official notice is taken of the market administrator's monthly price announcements for 1961 and 1962 which provide the basis for estimating the effects of certain order changes. The 6.4 cent reduction would have resulted largely from pricing milk for cottage cheese at a lower level. This in itself would have reduced the uniform price 5.0 cents. Another 2.2 cent reduction would have occurred as a result of decreasing the price of milk used for ice cream. Substitution of the Minnesota-Wisconsin surplus price for the present Class IV price would have affected producer prices oppositely by adding value to milk used in Class IV. It would have increased the blend price by 0.8 cent thereby cancelling some of the negative price effects of reducing the prices for milk used in cottage cheese and ice cream. An 8.5 cent increase in the price of Class I milk would have been required to offset the total 6.4 cent reduction in the blend price caused by the consolidation of the manufacturing milk classes.

Another factor which would necessitate an offsetting change in the Class I price is the revision of the supply-demand adjuster. The up-dating of the standard utilization percentages required that they be reduced an average of 0.5 percentage points per month. During the past two years the supply-demand adjustment has averaged 2.33 cents for each percentage of negative deviation from the standard utilization percentage. A 1.2 cent increase in the Class I differential would have been required to offset this change in the standard norms.

Producer prices would also be lowered by the change in the classification and pricing of sour cream dips and fortified products. A 4.2 cent increase in the Class I differential would compensate for this blend price reduction. A 1.1 cent adjustment is necessary to offset the direct change in price on these items and a 3.1 cent adjustment is necessary to offset the effect of omitting these items from Class I in the computation of the supply-demand adjustment.

The required increase in the Class I differential is 14 cents—8.5 cents to offset lower prices for milk used in cottage cheese and ice cream, 1.2 cents to compensate for the change in the supply-demand adjuster and 4.2 cents to offset classification changes on dips and fortified products. These figures, estimated on the basis of the average compensating increases that would have been required during 1961 and 1962, total 13.9 cents, or, rounded to the nearest whole cent, 14 cents.

Increasing the Class I differential to $1.25 will also align it with the differentials in nearby markets. As a result of this price alignment, the provision which requires Columbus handlers to pay the difference between the Class I prices on their sales in other marketing areas will no longer be required and it should be deleted from the order.

Columbus handlers are presently required by the order to pay for sales in other marketing areas at the higher of the Columbus price or the Class I price of the other order. They testified that this interorder payment provision placed them at a disadvantage in competing in other markets and that it should be deleted from the order. It was maintained that the differences in order Class I prices should approximately equal the cost of moving milk between the markets.

A witness from another market, testifying in opposition to the request for deletion of the provision, said that the Columbus Class I differential, even if increased as proposed, would still be so low that an interorder price provision would be necessary to provide equity for handlers who would compete with Columbus dealers.

Presently, the $1.11 Columbus Class I differential is the lowest in the region. For example, in the nearby Dayton-Springfield market handlers who compete with Columbus dealers have a Class I differential of $1.24, thirteen cents higher than that in Columbus. The Northeastern Ohio order annual average Class I differential adjusted for location to Columbus is $1.39 or 28 cents higher than the differential for Columbus.

As related by the out-of-market handler, with the $1.11 Class I differential Columbus dealers could conceivably have a sizable price advantage over dealers from other markets on sales in their marketing area if it were not for the interorder pricing provision. However, the increase in the Columbus Class I differential to $1.25 will result in one cent above the Dayton-Springfield differential and significantly improve intermarket price alignment between Columbus and other nearby orders. Therefore, the provision which requires Columbus handlers to pay the difference between the Class I prices on their sales in other marketing areas will no longer be required.

(f) *Location differential.* The City Hall in Zanesville, Ohio, should be added as a basing point from which the location adjustments are calculated.

The present order provides that location adjustments apply at plants located 80 miles or more from the State Capitol in Columbus, Ohio. The expansion of the marketing area as recommended herein would regulate handlers in densely populated centers east of Columbus near the edge of the present 80 mile zone in which no location adjustment applies. The cost of moving milk to plants in this area is virtually the same as the cost of moving milk to plants in Columbus. By fixing Zanesville, Ohio (56 miles east of Columbus), as an alternative basing point it would assure that prices are fixed according to the cost

of moving milk to the population centers of the marketing area.

It was proposed at the hearing that the price in the Zanesville portion of the marketing area be fixed at a level higher than at Columbus. Proponents contended that this would assure closer alignment of prices between the Columbus order and the order regulating the handling of milk in the Greater Wheeling marketing area. The present market situation does not indicate a need for a higher price in the Zanesville area relative to Columbus.

The handler with the largest proportion of sales in Muskingum County (in which Zanesville is located) supplies his customers from his Columbus plant and receives milk from producers located in the county. This indicates that the area can be adequately supplied without a higher price than that applicable at Columbus. Accordingly, a zone price differential should not be fixed for the Zanesville portion of the marketing area.

4. *Administrative and conforming changes.* The amendments required to carry out the conclusion of this decision require extensive changes in the makeup of the order. The entire order has accordingly been redrafted to incorporate those textual changes necessary to implement the amendments discussed above.

Changes in §§ 1035.11, 1035.31, 1035.42, 1035.43, 1035.46, 1035.53, 1035.60, 1035.61, 1035.63, 1035.71(c), 1035.74(b), and 1035.76 were not included in the recommended order as consideration was being given to those provisions on the basis of the regional hearing and it was expected that the amendment action on the two hearings would be coordinated. Since this procedure is being changed the above provisions, except § 1035.63, have been redrafted but only for the purpose of conforming to the two-class system covered in this decision. In addition, conforming changes are made in §§ 1035.14, 1035.41, 1035.62, 1035.70, 1035.75, and 1035.78.

Two additional actions affecting the Columbus order since the recommended decision was issued have been incorporated in the order contained herein. Namely the termination of the roller powder provisions in § 1035.18 which was made effective on March 1, 1964 (29 F.R. 2926) and the changes in the seasonal take-out and pay-back provisions of § 1035.61, effective April 1, 1964.

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

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

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

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

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

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing agreement regulating the handling of milk in the Columbus, Ohio, marketing area", and "Order amending the order regulating the handling of milk in the Columbus, Ohio, marketing area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Referendum order; determination of representative period; and designation of referendum agent. It is hereby directed that a referendum be conducted to determine whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Columbus, Ohio, marketing area, is approved or favored by the producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of February 1964 is hereby determined to be the representative period for the conduct of such referendum.

Fred W. Issler is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (15 F.R. 5177), such referendum to be completed on or before the 30th day from the date this decision is issued.

Signed at Washington, D.C., on April 13, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Columbus, Ohio, Marketing Area

§ 1035.0 Findings and determinations.

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

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

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

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

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

in, a marketing agreement upon which a hearing has been held;

(4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, two cents per hundredweight or such lesser amount as the Secretary from time to time may prescribe, with respect to all receipts at his pool plant during the month of producer milk and other source milk received in the form of a fluid milk product.

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

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Assistant Secretary of Agriculture, on January 20, 1964, and published in the FEDERAL REGISTER on January 28, 1964 (29 F.R. 1389; F.R. Doc. 64-780), shall be and are the terms and provisions of this order, and are set forth in full herein subject to the following revisions:

Changes are made in §§ 1035.14, 1035.18, 1035.41, 1035.43, 1035.46, 1035.53, 1035.60, 1035.61, 1035.62, 1035.70, 1035.71, 1035.74, 1035.75, 1035.76, and 1035.78. Section 1035.63 is revoked.

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AUTHORITY: The provisions of this Part 1035 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

DEFINITIONS

§ 1035.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 1035.2 Department.

"Department" means the United States Department of Agriculture or such other Federal agency authorized to perform the price reporting functions specified in this part.

§ 1035.3 Secretary.

"Secretary" means the Secretary of Agriculture or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 1035.4 Person.

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

§ 1035.5 Cooperative association.

"Cooperative association" means any cooperative marketing association of producers which the Secretary determines:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; and

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales of or marketing milk or its products for its members.

§ 1035.6 Columbus, Ohio, marketing area.

"Columbus, Ohio, marketing area", hereinafter called the marketing area, means all the territory within the boundaries of the counties of Coshocton (except Adams township), Delaware, Fairfield, Fayette, Franklin, Guernsey (except Londonderry, Millwood, and Oxford townships), Licking, Madison, Muskingum, Pickaway and Union, all in the State of Ohio, including territory wholly or partly within such boundaries occupied by government (Federal, State or local) reservations, installations and institutions.

§ 1035.7 Fluid milk product.

"Fluid milk products" means the fluid form of milk, skim milk, buttermilk, concentrated milk, milk drinks (plain or flavored including dietary milk, prepared milk shake mixes containing 15 percent or less of total milk solids and eggnog), sweet or sour cream, or any mixture in fluid form of milk, skim milk or cream (except storage cream, aerated cream products, ice cream mix, cultured sour mixtures which are not labeled "Grade A", evaporated or condensed milk and sterilized products packaged in hermetically sealed containers).

§ 1035.8 Route.

"Route" means a delivery (including a sale from a plant store) of a fluid milk product(s) to a wholesale or retail stop(s) other than to a milk plant(s) or to a food processing plant(s) for use other than for fluid consumption.

§ 1035.9 Fluid milk plant.

"Fluid milk plant" means a plant or other facilities which are used in the receipt, preparation, or processing of milk which is approved by a duly constituted health authority for fluid disposition as Grade A milk and all or a portion of such milk is:

(a) Disposed of during the month in the form of a fluid milk product(s) in the marketing area on a route(s); or

(b) Moved to a plant described in paragraph (a) of this section in the form of a fluid milk product(s).

§ 1035.10 Pool plant.

"Pool plant" means any fluid milk plant meeting the conditions of paragraph (a) or (b) of this section, except a plant operated by a producer-handler or a plant exempt pursuant to § 1035.64:

(a) Any fluid milk plant from which the volume of Class I milk disposed of on a route(s) is equal to not less than 50 percent of the Grade A milk described in § 1035.12(a) received at such plant from dairy farmers and from other plants during the month and more than 15 percent of such receipts are disposed of as Class I milk on routes in the marketing area: *Provided*, That the 50 percent requirement of this paragraph shall apply only during the months of January, February, October and November to a fluid milk plant which operates routes

all of which service only the Campus of Ohio State University, Columbus, Ohio; or

(b) Any fluid milk plant which receives milk from dairy farmers described in § 1035.12(a) and from which fluid milk products equal to not less than 50 percent of the milk received at such plant from such dairy farmers during the month is moved to a plant(s) described in paragraph (a) of this section: *Provided,* That if such shipments are not less than 50 percent of the receipts of milk from such dairy farmers at such plant during the immediately preceding period of August through November, such plant shall, unless written application for nonpool plant status is received by the market administrator from the operator of such plant on or before March 1 of any year, be designated as a pool plant for the months of March through July of such year.

§ 1035.11 Nonpool plant.

"Nonpool plant" means any milk manufacturing, processing, or bottling plant other than a pool plant.

§ 1035.12 Producer.

"Producer" means any person, other than a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk on a dairy farm which is approved by a duly constituted health authority for the production of milk for fluid disposition and whose milk is:

(a) Permitted by the health authority having jurisdiction in the marketing area to be labeled and disposed of as Grade A milk in the marketing area; and

(b) Received during the month at a pool plant or diverted from a pool plant to another pool plant or to a nonpool plant pursuant to the conditions set forth in § 1035.13.

§ 1035.13 Producer milk.

"Producer milk" means skim milk and butterfat contained in milk: (a) Received at a pool plant directly from producers; (b) diverted for the account of the operator of a pool plant to another pool plant; or (c) diverted during the month to a nonpool plant for the account of a cooperative association or the operator of a pool plant: *Provided,* That producer milk diverted shall be deemed to have been received at a pool plant at the same location as the pool plant from which it is diverted; *And provided further,* That this definition shall not include the milk of any person during any of the months of August through March in which the milk of such person is diverted to a nonpool plant for more than one-half of the days of delivery during the month.

§ 1035.14 Handler.

"Handler" means (a) any person who operates a fluid milk plant, and (b) any cooperative association with respect to milk diverted by it in accordance with the conditions set forth in § 1035.13(c).

§ 1035.15 Producer-handler.

"Producer-handler" means any person who processes and packages milk from his own farm production, who distributes any portion of such milk on a route in the marketing area and who receives no fluid milk products from other dairy farmers on nonpool plants: *Provided,* That such person provides proof satisfactory to the market administrator that (a) the care and management of all the dairy animals and other resources necessary to produce the entire amount of fluid milk handled (excluding transfers from pool plants) is the personal enterprise of and at the personal risk of such person and (b) the operation of the processing and distributing business is the personal enterprise of and at the personal risk of such person.

§ 1035.16 Other source milk.

"Other source milk" means all skim milk and butterfat contained in or represented by:

(a) Receipts during the month in the form of fluid milk products, except: (1) Fluid milk products received from pool plants, (2) producer milk, and (3) inventories of fluid milk products on hand at the beginning of the month; and

(b) Products other than fluid milk products from any source (including those produced at the plant) which are repackaged, reprocessed or converted to another product in the plant during the month or skim milk and butterfat in such products for which other utilization or disposition is not established on the basis of the records required pursuant to § 1035.32.

§ 1035.17 Chicago butter price.

"Chicago butter price" means the arithmetical average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any range as one price) per pound of Grade A (92-score) bulk creamery butter at Chicago as reported for the month by the Department.

§ 1035.18 Nonfat dry milk price.

"Nonfat dry milk price" means the weighted average of the carlot prices per pound of spray process nonfat dry milk for human consumption, f.o.b. Chicago area manufacturing plants, as published for the month by the Department.

MARKET ADMINISTRATOR

§ 1035.20 Designation.

The agency for the administration of this part shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 1035.21 Powers.

The market administrator shall have the power to: (a) Administer all of the terms and provisions of this part; (b) make rules and regulations to effectuate the terms and provisions of this part; and (c) receive, investigate, and report to the Secretary complaints of violations of this part.

§ 1035.22 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties, and conditioned upon the faithful performance of his duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions of this part;

(c) Pay, out of the funds provided by § 1035.76:

(1) The cost of his bond and of the bonds of those of his employees who handle funds entrusted to the market administrator,

(2) His own compensation, and

(3) All other expenses, except those incurred under § 1035.77, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(d) Keep such books and records as will clearly reflect the transactions provided for in this part, and, upon request by the Secretary, surrender the same to his successor or to such other person as the Secretary may designate;

(e) Publicly announce, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who, within 10 days, after the day upon which he is required to perform such acts, has not made:

(1) Reports pursuant to § 1035.30, or

(2) Payments pursuant to §§ 1035.71, 1035.72, 1035.75, 1035.76, or 1035.78;

(f) Submit his books and records to examination and furnish such information and verified reports as may be requested by the Secretary;

(g) On or before the 10th day after the end of each month, supply each cooperative association upon request, with a record of the amount and average butterfat test of milk received during such month and the amount of any advance payments made and of any deductions or charges from payments for such milk authorized with respect to each producer determined by the market administrator to be a member of such association or to have given written authorization to such association to receive such information;

(h) Audit all reports and payments by each handler by inspection of such handler's records and of the records of any other person upon whose utilization the classification of milk for such handler depends;

(i) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each month as follows:

(1) On or before the 6th day of each month, the minimum Class I price and butterfat differential computed pursuant to §§ 1035.51(a) and 1035.52(a);

(2) On or before the 6th day after the end of each month, the minimum Class II price and butterfat differential computed pursuant to §§ 1035.51(b) and 1035.52(b); and

(3) On or before the 10th day after the end of each month, the uniform price computed pursuant to § 1035.61 and the butterfat differential computed pursuant to § 1035.73;

(j) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information; and

(k) On or before the 10th day after the end of each month, upon request by a cooperative association described in § 1035.77(b) or the operator of a pool plant, furnish such person and publicly announce by posting in a conspicuous place in his office, unless otherwise directed by the Secretary, the name of each handler who during the month received producer milk and the percentage of the skim milk and butterfat in such milk which was classified in each class during the month together with any significant changes in the reported percentages for any previous month as are revealed by the regular audit of the market administrator.

REPORTS, RECORDS, AND FACILITIES

§ 1035.30 Reports of receipts and utilization.

On or before the 6th day after the end of each month, each handler shall report for such month to the market administrator for each of his pool plant(s), in the detail and on the forms prescribed by the market administrator, the following:

(a) The total pounds of skim milk and butterfat contained in or represented by:

(1) Producer milk;

(2) Fluid milk products received from other pool plants;

(3) Other source milk; and

(4) Beginning and ending inventories of fluid milk products;

(b) The utilization of all skim milk and butterfat required to be reported pursuant to this section;

(c) Such other information with respect to such receipts and utilization as the market administrator may prescribe; and

(d) His producer payroll which shall show for each producer and association of producers:

(1) The total pounds of producer milk received and the average butterfat test thereof;

(2) The amount of any advance payments; and

(3) The nature, amount or rate per hundredweight of milk of each deduction or charge made by the handler.

§ 1035.31 Other reports.

(a) Each handler and producer-handler shall make reports to the market administrator with respect to receipts and utilization at each of his fluid milk plants which is not at a pool plant at such time and in such manner as the market administrator may request.

(b) The operator of a pool plant shall notify the cooperative association of his intention to divert milk of its member-producers pursuant to § 1035.13(c) not less than 24 hours prior to such diversion.

§ 1035.32 Records and facilities.

Each handler and producer-handler shall maintain and make available to the market administrator, his agent, or such other person as the Secretary may designate, during the usual hours of business, such accounts and records of his operations and such facilities, as, in the opinion of the market administrator, are necessary to verify reports or to ascertain the correct information with respect to (a) the receipts and utilization of all skim milk and butterfat handled, including all milk products received and disposed of in the same form; (b) the weights and tests for butterfat and for other contents, of all milk and milk products handled; and (c) payments to producers and cooperative associations.

§ 1035.33 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided*, That if within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records is necessary in connection with a proceeding under section 8c(15)(A) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION

§ 1035.40 Basis of classification.

The skim milk and butterfat which are required to be reported pursuant to § 1035.30(a) shall be classified by the market administrator, subject to the provisions of §§ 1035.41 to 1035.46.

§ 1035.41 Classes of utilization.

Subject to the provisions set forth in §§ 1035.43 and 1035.44 the classes of utilization shall be as follows:

(a) Class I milk shall be all skim milk and butterfat:

(1) Disposed of from the plant in the form of fluid milk products, except those classified pursuant to paragraph (b) (3), (4) and (5) of this section. Fluid milk products which have been fortified by the addition of nonfat solids shall be Class I only to the extent of the weight of an equal volume of an unmodified fluid milk product of the same nature and butterfat content; and

(2) Not specifically accounted for as Class II milk; and

(b) Class II milk shall be all skim milk and butterfat:

(1) Used to produce any product other than a fluid milk product;

(2) Contained in inventories of fluid milk products on hand at the end of the month;

(3) Disposed of in bulk fluid form to any manufacturer of soup, candy, or bakery products for use in such manufacturing operation;

(4) Specifically accounted for as dumped or disposed of for livestock feed;

(5) Contained in that portion of fortified milk or skim milk not classified as Class I milk pursuant to paragraph (a)(1) of this section and in milk shake mixes containing over 15 percent total milk solids;

(6) In actual plant shrinkage allocated to producer milk pursuant to § 1035.42, but not in excess of two percent of such receipts of skim milk and butterfat, respectively; and

(7) In actual plant shrinkage allocated to other source milk pursuant to § 1035.42.

§ 1035.42 Shrinkage.

The market administrator shall allocate shrinkage at the handlers' pool plant(s) as follows:

(a) Compute the total shrinkage of skim milk and butterfat, respectively;

(b) To the producer milk at such plant, add the producer milk diverted to such plant and subtract producer milk diverted from such plant to another pool plant; and

(c) Prorate the amount computed pursuant to paragraph (a) of this section between receipts of skim milk and butterfat, respectively, in producer milk as computed pursuant to paragraph (b) of this section and in other source milk received in the form of a fluid milk product in bulk.

§ 1035.43 Transfers.

Skim milk or butterfat transferred or diverted from a pool plant shall be classified as follows:

(a) As Class I milk if transferred or diverted in the form of a fluid milk product to another pool plant, unless:

(1) Utilization in Class II is claimed by the operators of both plants in their reports submitted pursuant to § 1035.30; and

(2) The transferee plant has utilization in Class II of an equivalent amount of skim milk and butterfat, respectively, after making the assignment pursuant to § 1035.46(a)(3) and the corresponding steps of § 1035.46(b): *Provided*, That if either or both plants have other source milk, the skim milk and butterfat so transferred or diverted shall be classified so as to allocate the highest-valued use classification available at both plants to producer milk;

(b) As Class I milk, if transferred or diverted to a producer-handler in the form of a fluid milk product;

(c) As Class I milk if transferred or diverted in the form of a fluid milk product in bulk to a nonpool plant located more than 300 miles by shortest highway distance as determined by the market administrator from the nearer of the State Capitol in Columbus, Ohio, or the City Hall in Zanesville, Ohio; and

(d) As Class I milk if transferred or diverted in the form of a fluid milk product in bulk to a nonpool plant, except a plant operated by a producer-handler,

located less than 300 miles by shortest highway distance as determined by the market administrator from the nearer of the State Capitol in Columbus, Ohio, or the City Hall in Zanesville, Ohio, unless:

(1) The handler claims classification in Class II in his report submitted pursuant to § 1035.30 and the operator of the nonpool plant maintains books and records showing the receipt and utilization of all skim milk and butterfat at such plant which are made available, if requested by the market administrator for verification: *Provided*, That if fluid milk products as defined pursuant to § 1035.7, except ungraded products for manufacturing uses, are disposed of from such nonpool plant, the milk so transferred or diverted from pool plants shall be Class I to the extent of the following pro rata computation:

(i) From the total skim milk and butterfat, respectively, disposed of from such nonpool plant and classified as Class I milk pursuant to the classification provisions of this order applied to such nonpool plant, subtract the skim milk and butterfat received at such plant directly from dairy farmers who are approved to supply Grade A milk and who the market administrator determines constitute the regular source of supply for such nonpool plant; and

(ii) Prorate the remaining Class I milk to receipts at the nonpool plant from plants which are fully subject to the classification and pricing provisions of this order and other orders issued pursuant to the Act.

§ 1035.44 Responsibility of handlers.

In establishing the classification of skim milk and butterfat as required in §§ 1035.41 and 1035.43, the burden rests upon the handler who first receives such skim milk or butterfat to prove to the market administrator that such skim milk or butterfat should not be classified as Class I milk.

§ 1035.45 Computation of skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and for other obvious errors the reports of receipts and utilization for the pool plant(s) of each handler and shall compute the pounds of skim milk and butterfat in Class I milk and Class II milk for such handler: *Provided*, That if any of the water contained in the milk from which a product is removed before the product is utilized or disposed of by the handler, the pounds of skim milk used to produce and disposed of in such product shall be considered to be an amount equivalent to the nonfat milk solids contained in such product plus all of the water normally associated with such solids in the form of whole milk.

§ 1035.46 Allocation of skim milk and butterfat classified.

After making the computation pursuant to § 1035.45, the market administrator shall determine the classification of producer milk received at the pool plant(s) of each handler during the month as follows:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class II milk the pounds of skim milk in producer milk shrinkage assigned to Class II milk pursuant to § 1035.41(b)(6);

(2) Subtract from the remaining pounds of skim milk in each class, in series beginning with Class II the pounds of skim milk in other source milk;

(3) Subtract from the remaining pounds of skim milk in each class, in series beginning with Class II milk, the pounds of skim milk in inventory of fluid milk products on hand at the beginning of the month;

(4) Subtract from the remaining pounds of skim milk in each class the skim milk in fluid milk products received from other pool plants according to the classification determined pursuant to §§ 1035.41 and 1035.43;

(5) Add to the pounds of skim milk remaining in Class II milk the skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(6) Subtract, in series beginning with Class II, the amount, if any, by which the total skim milk remaining in all classes exceeds the pounds of skim milk in producer milk.

(b) Butterfat shall be allocated by the same procedure prescribed for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of producer milk remaining in each class.

MINIMUM PRICES

§ 1035.50 Basic formula prices.

The basic formula price shall be the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Wisconsin and Minnesota, as reported by the United States Department of Agriculture for the month. Such price shall be adjusted to a 3.5 percent butterfat basis by a butterfat differential rounded to the nearest one-tenth cent computed at 0.12 times the Chicago butter price for the month. The basic formula price shall be rounded to the nearest full cent.

§ 1035.51 Class prices.

Subject to the provisions of §§ 1035.52 and 1035.53 the minimum class prices for producer milk per hundredweight for the month shall be determined by the market administrator as follows:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price for the preceding month, plus $1.25 and plus or minus a "supply-demand adjustment" computed as follows:

(1) Compute a "current utilization percentage" by dividing the total receipts of producer milk during the second and third preceding months by the total gross pounds of Class I milk (adjusted to eliminate duplications due to interhandler transfers) for the same months, multiplying the result by 100, and rounding to the nearest integer.

(2) Compute a "net utilization percentage" by subtracting (algebraically) from the current utilization percentage the following appropriate "standard utilization percentage":

Month for which a price is being computed:	*Standard utilization percentage*
January	127
February	129
March	126
April	124
May	125
June	130
July	141
August	157
September	153
October	137
November	128
December	130

(3) Determine the amount of the supply-demand adjustment from the following table:

Net utilization percentage:	*Supply-demand adjustment (cents per hundredweight)*
+16 or over	−38
+12 or +13	−28
+ 8 or + 9	−20
+ 4 or + 5	−10
+ 1 or − 1	0
− 4 or − 5	+10
− 8 or − 9	+20
−12 or −13	+28
−16 or under	+38

Provided, That when the net utilization percentage is between two tabulated brackets, the supply-demand adjustment shall be determined by the tabulated bracket which is adjacent to the net utilization percentage and is the same as or the nearer to the bracket used in the immediately preceding month.

(b) *Class II milk.* The Class II milk price for the month shall be the basic formula price computed pursuant to § 1035.50, except that in no event shall such price exceed the price computed from the sum of subparagraphs (1) and (2) of this paragraph rounded to the nearest cent, plus 10 cents:

(1) From the Chicago butter price, subtract 3.0 cents, add 20 percent of the resulting amount and then multiply by 3.5; and

(2) From the nonfat dry milk price, deduct 5.5 cents, multiply by 8.5 and then multiply by 0.965.

§ 1035.52 Butterfat differentials to handlers.

For each one-tenth of one percent that the weighted average butterfat test of producer milk which is classified in each class for each handler is more or less than 3.5 percent there shall be added to or subtracted from, as the case may be, the price for such class a butterfat differential calculated by the market administrator as follows:

(a) *Class I milk.* Multiply the Class I price for the month by 0.0172 and round to the nearest one-tenth cent.

(b) *Class II milk.* Multiply the Chicago butter price for the month by 0.115 and round to the nearest one-tenth cent.

§ 1035.53 Location adjustments to handlers.

(a) For milk received from producers at a pool plant located more than 80 miles by shortest highway distance as measured by the market administrator, from the nearer of the State Capitol in Columbus, Ohio, or the City Hall in Zanesville, Ohio, and disposed of as

Class I milk or assigned Class I location adjustment credit pursuant to paragraph (b) of this section the price computed pursuant to § 1035.51(a) shall be reduced by 15 cents, plus 1.5 cents for each 10 miles or fraction thereof that such distance exceeds 90 miles;

(b) For purposes of calculating such adjustment, fluid milk products transferred between pool plants shall be assigned to Class I disposition at the transferee plant which is in excess of the receipts, at such plant from producers, such assignment to be made first to transferor plants at which no location adjustment credit is applicable and then in sequence beginning with the plant at which the least location adjustment would apply.

§ 1035.54 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

§ 1035.55 Computation of prices of skim milk and butterfat.

The prices per hundredweight of skim milk and butterfat to be paid by each handler for milk in each class shall be computed and announced to handlers by the market administrator on or before the dates for announcing the corresponding class prices pursuant to § 1035.22(i) as follows: For each class, respectively, the price per hundredweight of skim milk shall be the applicable class price for the month computed pursuant to paragraphs (a) and (b) of § 1035.51 less the result of multiplying the applicable class price butterfat differential for the month computed pursuant to paragraphs (a) and (b) of § 1035.52 by 35. For each class, respectively, the price per hundredweight of butterfat shall be the applicable class price for the month plus the result of multiplying the applicable class butterfat differential for the month by 965.

DETERMINATION OF UNIFORM PRICE

§ 1035.60 Computation of the net pool obligation of each pool handler.

The net obligation of each handler for producer milk received during the month shall be a sum of money computed as follows:

(a) Multiply the pounds of skim milk and butterfat, respectively, in producer milk in each class by the applicable class prices pursuant to § 1035.55 and add together the resulting amounts; and

(b) Add the amount(s) computed by multiplying the pounds deducted from each class for such handler pursuant to § 1035.46(a)(6) and the corresponding step of § 1035.46(b) by the applicable class prices;

(c) Add the amount obtained by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the lesser of the pounds of skim milk and butterfat subtracted from Class I milk pursuant to § 1035.46(a)(3) and the corresponding step in § 1035.46(b) or the pounds of skim milk and butterfat remaining in Class II milk for the preceding month after the calculation pursuant to § 1035.46(a)(4) and the corresponding step of § 1035.46(b); and

(d) Add or subtract, as the case may be, any amount due the producer-settlement fund or the handler as a result of errors discovered by the market administrator in the verification of reports or payments of such handler for any previous month.

§ 1035.61 Computation of uniform price.

For each month, the market administrator shall compute the uniform price per hundredweight of producer milk of 3.5 percent butterfat content as follows:

(a) Combine into one total the values computed pursuant to § 1035.60 for all handlers except those who did not make payments pursuant to § 1035.71 for the previous month;

(b) Subtract for each of the months of April, May, June and July an amount computed by multiplying the total hundredweight of producer milk for such month by the following amounts: 20 cents in April, 25 cents in May and June, and 20 cents in July;

(c) Add for each of the months of September, October, November and December 20, 30, 30 and 20 percent, respectively of the total amount subtracted during the immediately preceding April–July period pursuant to paragraph (b) of this section;

(d) Add the sum of the values of the location differentials allowable pursuant to § 1035.74;

(e) Subtract, if the weighted average butterfat test of all producer milk represented in the sum computed pursuant to paragraph (a) of this section is greater than 3.5 percent, or add, if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed as follows: Multiply the hundredweight of such milk by such difference and multiply the result by the butterfat differential computed pursuant to § 1035.73 times 10;

(f) Add not less than one-half of the unobligated balance in the producer-settlement fund;

(g) Divide by the hundredweight of producer milk; and

(h) Subtract not less than four cents nor more than five cents.

§ 1035.62 Notification of handlers.

The market administrator shall:

(a) On or before the 10th day after the end of each month, notify each handler who operates a pool plant:

(1) The amount and value of his milk in each class pursuant to § 1035.60;

(2) The totals of such amounts and values due the producer-settlement fund pursuant to § 1035.71; and

(3) The amount to be paid by such handler pursuant to § 1035.76.

APPLICATION OF PROVISIONS

§ 1035.64 Plants subject to other Federal orders.

The provisions of this part shall not apply to a milk plant during any month in which the milk at such plant would be subject to the classification and pricing provisions of another order issued pursuant to the Act unless such plant meets the requirements for a pool plant pursuant to § 1035.10 and a greater volume of fluid milk products is disposed of from such plant to pool plants and to retail or wholesale outlets located in the Columbus, Ohio, marketing area than in the marketing area regulated pursuant to such other order during the current month and each of the three months, immediately preceding: *Provided*, That the operator of a plant which is exempted from the provisions of this order pursuant to this section shall, with respect to the total receipts and utilization or disposition of skim milk and butterfat at the plant, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator.

PAYMENTS

§ 1035.70 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund, known as the "producer-settlement fund", which shall function as follows:

(a) All payments made by handlers pursuant to § 1035.71 shall be deposited in this fund, and all payments made pursuant to § 1035.72 (a) and (b) shall be made out of this fund; and

(b) All amounts subtracted pursuant to § 1035.61(b) shall be deposited in this fund and set aside as an obligated balance until withdrawn to effectuate § 1035.72 in accordance with the requirements of § 1035.61(c).

§ 1035.71 Payments to producer-settlement fund.

On or before the 12th day after the end of each month, each handler shall pay to the market administrator his obligation for milk for such month of which he is notified pursuant to § 1035.62(a), less (a) the amount of deductions authorized pursuant to § 1035.72(a)(4) and itemized on the handler's producer payroll: *Provided*, That such deductions for each individual producer shall not exceed the total value of the milk received from such producer during the month, and (b) an amount not to exceed the value of milk received from producers to whom the request to make payment pursuant to § 1035.72(c) applies computed at the rate of the uniform price adjusted by the butterfat and location differentials pursuant to §§ 1035.73 and 1035.74.

§ 1035.72 Payments to producers.

(a) Except as provided in paragraph (c) of this section, on or before the 16th day after the end of each month, the market administrator shall make payment to each producer for milk received from him during the month by each handler from whom the appropriate payments have been received pursuant to § 1035.71(a) at the uniform price computed pursuant to § 1035.61 subject to the following adjustments:

(1) The butterfat differential pursuant to § 1035.73;

(2) The location differential pursuant to § 1035.74;

(3) Less marketing service deductions pursuant to § 1035.77(a);

(4) Less proper deductions authorized in writing by the producer: *Provided*, That for producers who are members of a cooperative association which receives payment for milk pursuant to paragraph (b) of this section, such authorization for hauling and assignments shall be by the cooperative association; and

(5) Adjusted for any error in making payment to such producer for past months: *Provided*, That if the balance in the producer-settlement fund not otherwise obligated is insufficient to make all payments pursuant to this section, the market administrator shall reduce such payments pro rata and shall complete such payments on or before the next date for making payments pursuant to this section following that on which such balance of payment is received;

(b) In making payments to producers pursuant to paragraph (a) of this section, the market administrator shall pay on or before the 14th day after the end of the month to:

(1) A cooperative association qualified under § 1035.77(b) which is authorized to collect payment for milk of its members and from which a written request for such payment has been received, the aggregate of the payments calculated pursuant to paragraph (a) of this section for all producers certified to the market administrator by such cooperative association as having authorized such association to receive such payments, and

(2) Each handler an amount, if any, by which payments to producers for milk required pursuant to paragraph (c) of this section, before deductions for marketing services, exceeds the amount deducted pursuant to § 1035.71 (a) and (b) with respect to such milk.

(c) On or before the 16th day after the end of each month, each handler shall pay each producer, who is not a member of a cooperative association qualified pursuant to § 1035.77(b) and for whom a written request to make payments has been filed by the handler with the market administrator, for milk received from him during the month at not less than the uniform price as adjusted pursuant to paragraphs (a) (1), (2), (3), and (4) of this section; and

(d) In making the payments to producers pursuant to paragraphs (a), (b), and (c) of this section, the payer shall furnish each producer or cooperative association, as the case may be, with a supporting statement which shall show for each month:

(1) The month and the identity of the handler and the producer;

(2) The total pounds and the average butterfat content of milk received from such producer;

(3) The minimum rate or rates at which payment to such producer is required pursuant to this part;

(4) The amount or the rate per hundredweight of milk and nature of each deduction claimed by the handler; and

(5) The net amount of payment to such producer.

§ 1035.73 Butterfat differential to producers.

In making payment for producer milk pursuant to § 1035.72, there shall be added to or subtracted from, respectively, the uniform price per hundredweight for each one-tenth of one percent of butterfat content in such milk above or below 3.5 percent a butterfat differential computed by the market administrator as follows:

(a) Compute the percentage that the butterfat in producer milk remaining in each class pursuant to § 1035.46 is of the total butterfat in producer milk so assigned to such classes;

(b) Multiply each such percentage by the butterfat differential for the respective class pursuant to § 1035.52; and

(c) Add into one total the values obtained in paragraph (b) of this section and round off such total to the nearest one-tenth cent.

§ 1035.74 Location differential to producers.

In making payment for producer milk pursuant to § 1035.72, the uniform price for all producer milk received at a pool plant located 80 miles or more by the shortest hard-surfaced highway distance from the nearer of the Ohio State Capitol in Columbus or the City Hall in Zanesville, Ohio, as determined by the market administrator, shall be reduced by the appropriate zone differential provided in § 1035.53.

§ 1035.75 Adjustment of errors.

Whenever audit by the market administrator of the payment required to be made by a handler pursuant to § 1035.71 or § 1035.72, discloses payment of less than is required, the handler shall make up such payment not later than the time for making such payments next following such disclosure.

§ 1035.76 Expense of administration.

As his pro rata share of expense incurred in the maintenance and function of the office of the market administrator and in the performance of his duties, each handler shall pay to the market administrator on or before the 12th day after the end of the month, two cents per hundredweight, or such lesser amount as the Secretary from time to time may prescribe, with respect to all receipts at his pool plant during the month of producer milk and other source milk received in the form of a fluid milk product.

§ 1035.77 Marketing services.

(a) Except as set forth in paragraph (b) of this section, the market administrator or handler, as the case may be, shall deduct 5 cents per hundredweight or such amount not to exceed 5 cents as the Secretary may from time to time prescribe, from the payments made to each producer pursuant to § 1035.72(a) or (c). Such deductions made by the handler shall be paid to the market administrator on or before the 12th day after the end of the month. Such moneys shall be used by the market administrator to check weights, samples, and tests of producer milk received by handlers and to provide producers with market information, such service to be performed by the market administrator or by an agent engaged by and responsible to him; and

(b) In the case of producers for whom a cooperative association which, as determined by the Secretary, has its entire activities under the control of its members and is actually performing, as determined by the Secretary, the services set forth in paragraph (a) of this section, the market administrator shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and such producers and, on or before the 14th day after the end of each delivery period, pay over such deductions to the cooperative association rendering such services.

§ 1035.78 Overdue accounts.

Any unpaid obligation of a handler or of the market administrator pursuant to §§ 1035.71, 1035.72, 1035.75, 1037.76, or 1035.77 shall be increased one-half of one percent each month or fraction thereof, compounded monthly, until such obligation is paid.

EFFECTIVE TIME, SUSPENSION OR TERMINATION

§ 1035.80 Effective time.

The provisions of this part or any amendments to this part, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated, pursuant to § 1035.81.

§ 1035.81 Suspension or termination.

The Secretary may suspend or terminate this part or any provision of this part whenever he finds that this part or any provision of this part obstructs, or does not tend to effectuate the declared policy of the Act. This part shall terminate, in any event, whenever the provisions of the Act authorizing it cease to be in effect.

§ 1035.82 Continuing power and duty of the market administrator.

If, upon the suspension or termination of any or all provisions of this part, there are any obligations arising under this part, the final accrual or ascertainment of which requires further acts by any handler, by the market administrator, or by any other person, the power and duty to perform such further acts shall continue notwithstanding such suspension or termination: *Provided*, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate.

(a) The market administrator, or such other person as the Secretary may designate, shall:

(1) Continue in such capacity until discharged by the Secretary;

(2) From time to time account for all receipts and disbursements, and when so directed by the Secretary, deliver all funds or property on hand, together with the books and records of the market administrator, or such person to such person as the Secretary may direct; and

(3) If so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant to this part.

(b) Upon the suspension or termination of any or all provisions of this part the market administrator, or such person as the Secretary may designate shall, if so directed by the Secretary, liquidate the business of the market administrators' office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid or owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 1035.90 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 1035.91 Separability of provisions.

If any provision of this part, or its application to any person or circumstances, is held invalid, the application of such provision and of the remaining provisions of this part to other persons or circumstances shall not be affected thereby.

§ 1035.92 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose, except an obligation involved in an action instituted before August 1, 1949, under section 8c(15)(A) of the Act or before a Court.

(a) The obligation of any handler to pay money required to be paid under the the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the market administrator receives the handler's utilization report on the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representatives.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to section 8c(15)(A) of the Act, a petition claiming such money.

[F.R. Doc. 64-3755; Filed, Apr. 15, 1964; 8:47 a.m.]

Agricultural Research Service

[7 CFR Part 362]

ECONOMIC POISONS ALDRIN, DIELDRIN AND ENDRIN

Proposed Registration; Notice of Additional Session of Public Hearing

On April 2 and April 8, 1964, there appeared in the FEDERAL REGISTER (29 F.R. 4723 and 4917) notices announcing public hearing sessions concerning the registration of the economic poisons aldrin, dieldrin and endrin under the Federal Insecticide, Fungicide, and Rodenticide Act. Notice is hereby given that a third session of such public hearing will be held commencing at 9:30 a.m., Thursday, April 23, 1964, in the Hill Memorial Building, Louisiana State University, Baton Rouge, Louisiana.

Done at Washington, D.C., this 10th day of April 1964.

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

[F.R. Doc. 64-3778; Filed, Apr. 15, 1964; 8:47 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 851]

SUGAR BEETS

Commitment of Acreage Reserve to Drayton, N. Dak., Locality; Notice of Proposed Rule Making

Notice is hereby given that pursuant to the provisions of section 302 of the Sugar Act, as amended (7 U.S.C. 1132), the Secretary of Agriculture is preparing to issue regulations providing for the revision of paragraph (g), subparagraph (2) of § 851.1 (28 F.R. 1369) as follows:

§ 851.1 Commitments of sugarbeet acreage from the national reserve.

(g) * * *

(2) *Conditions of commitment.* The commitment of acreage made pursuant to subparagraph (1) of this paragraph shall be subject to the following conditions:

(i) *Eligible farms and farmers.* An acreage commitment will be made only to farms which are operated during the 1965 sugarbeet crop year by persons who have not been operators of farms in the Red River Valley on which sugarbeets were grown for delivery to a processor for the extraction of sugar in any of the three crop years 1962, 1963 or 1964.

(ii) *Limits of commitment to individual farm or farm operator.* The maximum commitment to any farm shall be the smaller of 80 acres or the acreage on the farm which is suitable for the production of sugarbeets in consideration of sound rotation and other cultural practices.

(iii) If proportionate shares are in effect in 1966 and 1967, the proportionate share for a farm in such locality operated by a person who was the 1965 operator of a farm to which a commitment of reserve acreage will be made in accordance with paragraph (g) of this section, shall not be less than the reserve acreage so committed to the farm operated in 1965 by such operator and utilized for the production of sugarbeets for the extraction of sugar.

* * * * *

Statement of bases and considerations. In committing acreage from the national sugarbeet acreage reserve to any locality in which the production records of farms would likely be used in establishing proportionate shares, eligibility for such acreage has been limited to those farms on which sugarbeets were not grown for the extraction of sugar in any of the three years immediately preceding the year for which the acreage was committed. In localities to which commitments were made and in which the personal production records of farm operators would likely be used

in establishing farm proportionate shares, such as the Red River Valley, it appears desirable that the eligibility for acreage from the national sugarbeet acreage reserve be limited to farms which are operated by persons without sugarbeet production records during such three years.

A farm to be eligible to receive a share of the 1965 sugarbeet crop acreage reserve committed to farms in the Drayton, North Dakota, area must be operated for the 1965 sugarbeet crop year by a person who shall not have been the operator of a farm in the Red River Valley on which sugarbeets were grown for delivery to a processor for the extraction of sugar in any of the three 1962, 1963, and 1964 sugarbeet crop years.

The proposed subdivision (iii) contemplates the use of the personal production records of farm operators, if proportionate shares are established in 1966 and 1967. The 1965 operator of a farm which is eligible for a share of the 1965 sugarbeet acreage reserve committed to farms in the Drayton area, would have a proportionate share established for the farm operated by him in each year 1966 and 1967, that would not be less than the amount of the acreage reserve which will be committed to the farm operated by him in 1965 and used for the production of sugarbeets. Therefore, in 1966 and 1967 the farm share of the commitment of the 1965-crop acreage reserve would not accrue to the farm on which the beets were planted and grown in 1965, but would follow the operator if he operates a different farm in 1966 or 1967. Should it develop that the total acreage committed to the area exceeds the amount required to establish proportionate shares in 1966 or 1967 under the priority accorded farm operators as described above as a result of 1965-crop farm operators not requesting acreage in 1966 or 1967, then any such excess would be made available to farm operators under regulations issued at that time.

All persons who desire to submit comments and views regarding the foregoing proposed revision, as set forth above, may submit the same in writing and in duplicate to the Administrator, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington, D.C., 20250, within twenty days following the date of publication of this notice in the FEDERAL REGISTER.

In addition to submitting views concerning the proposed change in regulations heretofore described, any interested person may submit written views in regard to the possible use of the personal history of sugarbeet production of a farm operator as the exclusive basis for establishing farm proportionate shares in general in the Red River Valley if sugarbeet acreage restrictions should be imposed in future years. Before sugarbeet acreage restrictions are imposed for any year, however, all interested persons will be given an opportunity to submit views and recommendations upon all aspects of restriction of sugarbeet production and establishment of farm proportionate shares (acreage allotments) after public notice and opportunity to attend an informal public hearing expressly held for such purpose.

Signed at Washington, D.C., on April 10, 1964.

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

[F.R. Doc. 64-3754; Filed, Apr. 15, 1964; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. I]

[Ex Parte No. 242]

EXPRESS COMPANY TERMINAL AREAS

Notice of Proposed Rule Making

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 19th day of March A.D. 1964:

It appearing that in recent years there has been evidenced a growing concern over the legal and operational problems arising in connection with transportation by motor vehicle in the performance of collection, delivery, and related terminal services, within what are described in Part I or Part II of the Interstate Commerce Act or commonly referred to thereunder as terminal areas, by or for express companies subject to such parts, and in particular by Railway Express Agency, Inc., of New York, N.Y.;

And it further appearing that in Railway Exp. Agency, Inc., Extension—Nashua, N.H., 91 M.C.C. 311, it was concluded that it would be in the public interest to institute a proceeding to resolve the legal and operational problems arising in connection with the terminal services referred to in the preceding paragraph; therefore:

It is ordered, That a proceeding be, and it is hereby, instituted under the authority of Part I (49 U.S.C. 1, et seq) and Part II (49 U.S.C. 301, et seq) of the Interstate Commerce Act, including sections 1, 12(1), 202(c)(2), 203(a)(14), and 204 thereof (49 U.S.C. 1, 12(1), 302(c)(2), 303(a)(14), and 304), and section 4 of the Administrative Procedure Act (5 U.S.C. 1003), to inquire into the legal and operational practices, and the manner and methods of operation associated with transportation by motor vehicle, in interstate or foreign commerce, in the performance of transfer, collection, delivery, and all similar and related types of services and practices, within what are described or otherwise known as terminal, pickup, or delivery areas of, or for, express companies under Part I or Part II of the Act, with a view to prescribing such rules and regulations as may be appropriate, or taking such other action as may be necessary or desirable in the light of the national transportation policy and the purposes of the Interstate Commerce Act as a whole, to resolve and define the operational practices, scope, and legal principles which do or should obtain in the performance of the terminal area services and related activities described.

Specific issues which may be considered in this proceeding include, but are not limited to, the following:

I. Under what circumstances may an express company, as referred to hereinabove, publish rates for through transportation which involves motor terminal area services.

II. Do the findings and conclusions of the Commission in Ex Parte No. MC-37, Commercial Zones and Terminal Areas, 54 M.C.C. 21, govern the extent of the terminal area motor services which an express company may or should provide on traffic which has moved or will move from or to the terminal point under an express rate in motor carrier line-haul service subject to Part II of the Act; or, may an express company establish the terminal area points or limits at or within which it will provide terminal services for all of its traffic regardless of what type or mode of line-haul transportation is utilized, by appropriate tariff provision subject only to investigation, suspension, or complaint.

IIa. What motor vehicle transportation by an express company is excluded from the term "common carrier by motor vehicle" contained in section 203(a)(14) of the Act, and thus "to be considered * * * and regulated as transportation subject to Part I," as provided in such section.

III. What rules or regulations, if any, should be prescribed or adopted which specify the maximum or minimum limits within which an express company may or should provide, or offer to provide, terminal area motor services pursuant to Part I of the Act, or specify the maximum or minimum limits within which such services may or should be provided by or for an express company under Part II of the Act, including section 202(c)(2) thereof.

It is further ordered, That the Bureau of Inquiry and Compliance of this Commission be, and it is hereby, authorized and directed to participate in this proceeding as a party.

It is further ordered, That Railway Express Agency, Inc., and any other express company or companies subject to Part I of the Act be, and they are hereby, made respondents in this proceeding.

It is further ordered, That, in accordance with Rule 68 of the Commission's general rules of practice, the proceeding be, and it is hereby, assigned for a prehearing conference at 8:30 a.m., U.S.s.t. (9:30 a.m., District of Columbia d.s.t.), on May 12, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Frank R. Saltzman, Hearing Examiner, at which prehearing conference respondents, and all other interested persons, are invited to appear for the purposes of:

1. Identifying other issues, if any, within the scope of the proceeding in addition to those appearing above, to which consideration should be given.

2. Considering special procedures to expedite and control the handling of the proceeding, including the production and

submission of evidence and arguments on the issues presented.

3. Determining the time and place or places of any hearing or hearings which may be required, and the scope of such hearing or hearings.

4. Determining the practicability and desirability of an exchange by the parties of exhibits related to the above matters in advance of hearing, if one is to be held, or otherwise.

5. Ascertaining the need or desirability, if any, for the entry of a supplemental order changing or modifying the scope of the proceeding.

6. Determining any other method or means by which the processing of the proceeding can be expedited, simplified, or the Commission's handling thereof aided.

It is further ordered, That this proceeding be, and it is hereby, assigned to Division 1 for administrative handling.

And it is further ordered, That a copy of this order be served on Railway Express Agency, Inc., and on the Public Utility Commissions or Boards of each State having jurisdiction over transportation of the types here involved; that a copy be posted in the Office of the Secretary of the Interstate Commission for public inspection; and that a copy be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3738; Filed, Apr. 15, 1964; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 84088]

FLORIDA

Revocation of So Much of Certain Notices of Filing of Plats of Survey as Provided for Opening of Lands

APRIL 9, 1964.

So much of the following notices of filing of plats of survey, as provided for opening of the lands affected to the operation of, and to disposition under the public land laws, including applications and offers under the mineral-leasing laws, is hereby revoked:

a. The notice of March 25, 1960 (25 F.R. 2746, 2747), pertaining to the following-described lands:

TALLAHASSEE MERIDIAN

GARDEN ISLAND

T. 27 S., R. 15 E.,	Acres
Sec. 26, lot 4	0.93
Sec. 27, lot 2	11.42

b. The notice of November 8, 1960 (25 F.R. 10954, 10955), pertaining to the following-described lands:

TALLAHASSEE MERIDIAN

T. 44 S., R. 20 E. (Islands),	Acres
Sec. 1, lot 20	5.44
Sec. 2, lot 2	12.10
Sec. 11, lot 1	16.06
Sec. 13, lot 4	17.13

The lands are naturally-made islands which formerly were "lands beneath navigable waters" as that phrase is defined in the Submerged Lands Act of May 22, 1953, c. 65 (67 Stat. 29; 43 U.S.C. 1301–1315). By that Act the United States relinquished any former title to the lands (71 Interior Decisions 2045).

IRVING SENZEL,
Acting Assistant Director.

[F.R. Doc. 64–3727; Filed, Apr. 15, 1964; 8:46 a.m.]

KETCHUM TOWNSITE, IDAHO

Notice of Sale of Lot

APRIL 8, 1964.

1. Notice is hereby given that there will be offered at public auction to the highest bidder at 2:00 p.m. on May 15, 1964, in the Idaho Land Office, Room 327 of the Federal Building, Boise, Idaho, the lot listed at the end of this notice. Except for certain lots withdrawn for stock driveway purposes, all remaining lots in the Ketchum Townsite have been sold.

2. This lot will be sold at not less than the appraised price of $1800.00. No bid exceeding that amount will be accepted unless made in multiples of $10.00. Bids may be made personally be an individual or his agent at the sale. When there are no further offers, the lot will be declared sold to the last and highest bidder.

3. The bidder will be required to make payment for the tract at the close of the bidding. Personal checks will be accepted.

4. The purchaser will be required to furnish evidence that he is a citizen of the United States or that he has declared his intention to become such a citizen; or if a corporation, it will be required to furnish evidence, including a certified copy of its articles of incorporation, showing that it was organized under the laws of the United States or of some State, Territory, or possession thereof, and that it is authorized to acquire and hold real estate in Idaho.

5. A reservation of the oil and gas deposits to the United States under the provisions, reservations, conditions, and limitations of the Act of July 17, 1914 (38 Stat. 509; 30 U.S.C. secs. 121–123) may be required. A patent to the land will contain the reservations of rights-of-way for ditches and canals in accordance with the Act of August 30, 1890 (26 Stat. 391).

6. All persons are warned against violation of the provisions of 18 U.S.C. 1860 prohibiting unlawful combinations or intimidations of bidders.

7. Inquiries concerning the lot should be addressed to the Idaho State Office, Bureau of Land Management, P.O. Box 2237, Boise, Idaho.

8. The lot is located on the east corner of River Street and East Avenue in Ketchum, Idaho. It is legally described as Lot 1, Block 104, City of Ketchum, containing 5,600 sq. ft., as depicted on the supplemental plat of survey accepted June 21, 1963.

ORVAL G. HADLEY,
Acting Land Office Manager.

[F.R. Doc. 64–3728; Filed, Apr. 15, 1964; 8:46 a.m.]

NEVADA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

APRIL 8, 1964.

Notice of an application, Serial Number 059923, for withdrawal and reservation of lands was published as F.R. Doc. 63–2115 on page 1887 of the issue for February 28, 1963. A partial termination was published as F.R. Doc. 63–5860 on pages 5535 and 5536 of the issue for June 5, 1963. The applicant has canceled its application. Therefore, pursuant to the regulations contained in 43 CFR, Part 2310, Subpart 2311, such lands will be at 10:00 a.m. on April 18, 1964, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 19 N., R. 29 E.,
Sec. 13, E½SW¼SE¼SE¼, E½SE¼SE¼;
Sec. 24, NE¼NW¼NE¼NE¼, NE¼NE¼NE¼, NE¼SE¼NE¼NE¼.

T. 19 N., R. 30 E.,
Sec. 18, Portions of lot 4, described as W½SW¼SW¼, NW¼NE¼SW¼SW¼, S½NE¼SW¼SW¼, SE¼SW¼SW¼.

The area as described contains approximately 75.13 acres.

DANIEL P. BAKER,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 64–3729; Filed, Apr. 15, 1964; 8:46 a.m.]

UTAH LAND OFFICE

Change of Location and Temporary Closing

APRIL 10, 1964.

Notice is hereby given that the Land Office, Bureau of Land Management, in Salt Lake City, Utah, will be closed to the public Friday May 1, 1964 to permit its move to a new location in Room 3230, Federal Building, 125 South State Street, Salt Lake City, Utah. The new mailing address of the Land Office, effective May 4, 1964, will be Post Office Box 11505, Salt Lake City, Utah, 84111.

In accordance with Title 43, Code of Federal Regulations, § 1821.2–1–2–3, applications, payments and other documents received for filing May 1, 1964 shall be deemed to be filed as of 10:00 a.m., m.s.t., May 4, 1964, and those required by the regulations to be filed on or before May 1, 1964 will be timely filed if received in the land office in its new location during its regular public hours on May 4, 1964.

J. E. KEOGH,
Manager, Land Office.

[F.R. Doc. 64–3730; Filed, Apr. 15, 1964; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

ESTABLISHMENTS OF MULTIUNIT COMPANIES

Notice of Determination for Survey

In conformity with 13 U.S.C. 181, 224, and 225, and due notice of consideration having been published on March 14, 1964 (29 F.R. 3406), pursuant to said Act, I have determined that a first quarter 1964 survey of selected multiunit companies is needed to collect information for the 1964 County Business Patterns Report. The survey is similar to those conducted for previous County Business Patterns Reports and is designed to collect information on number of employees, taxable wages, geographic location, and kind of business for establishments of selected multiunit companies. Only those companies which do not report in sufficient detail to other Federal Agencies will be required to report in this survey. The data will have significant application to the needs of the public and to governmental agencies and are not publicly

available from nongovernmental or governmental sources.

Report forms will be furnished to firms included in the survey and additional copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C., 20233.

I have, therefore, directed that a survey be conducted for the purpose of collecting these data.

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

[F.R. Doc. 64-3721; Filed, Apr. 15, 1964; 8:45 a.m.]

MANUFACTURERS' SHIPMENTS AND SERVICES FOR FEDERAL GOVERNMENT AND CONTRACTORS, 1963

Notice of Determination for Survey

In conformance with Title 13, United States Code, sections 181, 224 and 225, and due notice having been published February 8, 1964 (29 F.R. 2314), pursuant to said Act, I have determined that data to be derived from a survey of manufacturers concerning their shipments to and/or receipts for services performed for the Federal Government or its contractors during 1963 are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry.

The survey will provide important information on the impact of Federal procurement on various industries and on the economy of States, Standard Metropolitan Statistical Areas, and other geographic regions. The data requested in this survey are not publicly available from nongovernmental or other governmental sources.

The survey will be conducted on a sample basis covering selected industries as a supplement to the Annual Survey of Manufactures which for 1963 is additionally considered a part of the 1963 Census of Manufactures.

The report form will be furnished to firms included in this survey and additonal copies are available on request to the Director, Bureau of the Census, Washington, D.C., 20233.

I have, therefore, directed that this survey be conducted for the purpose of collecting the data hereinabove described.

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

[F.R. Doc. 64-3722; Filed Apr. 15, 1964; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

PITMAN-MOORE CO.

Notice of Withdrawal of Petition for Food Additive; Iron-Carbohydrate Chelate Complex

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b), 72 Stat. 1786; 21 U.S.C. 348(b)), the following notice is issued:

In accordance with § 121.52 *Withdrawal of petitions without prejudice* of the procedural food additive regulations (21 CFR 121.52), Pitman-Moore Company, Division of The Dow Chemical Company, P.O. Box 1656, Indianapolis 6, Indiana, has withdrawn its petition (FAP 750), published in the FEDERAL REGISTER of April 11, 1962 (27 F.R. 3469), proposing the issuance of a regulation to provide for the safe use of iron-carbohydrate chelate complex as a dietary source of iron for human use.

The withdrawal of this petition is without prejudice to a future filing.

Dated: April 9, 1964.

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

[F.R. Doc. 64-3747; Filed, Apr. 15, 1964; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15054; Order E-20678]

BRANIFF AIRWAYS, INC.

Order To Show Cause

Petition of Braniff Airways, Inc., for equalization of international service mail rate; Docket No. 15054.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April 1964.

On February 28, 1964, Braniff Airways, Inc., filed a motion for leave to file an unauthorized document and together therewith filed a petition for equalization of Braniff's international service mail rate insofar as it applies to the San Antonio-Mexico City market. On March 12, 1964, the Post Office Department filed (1) a motion for leave to file an unauthorized answer, and (2) an answer to Braniff's motion for leave to file an unauthorized document. Essentially, the Post Office states that (1) effective on or about March 3, 1964, the Post Office determined that economic considerations necessitated the routing of all San Antonio-Mexico City air mail via American Airlines, Inc., the lower price carrier, and (2) it strongly supports Braniff's motion and urges that the Board grant the relief sought by the carrier.

The situation involved herein is closely similar to that raised in a recent petition filed by Delta Air Lines, Inc., in Docket 14862. As in the Delta order,[1] we will grant the motions of Braniff and the Post Office for leave to file an unauthorized document[2] and we will consider the carrier's petition and the answer of the Post Office on their merits.

Braniff's service mail rate between San Antonio and Mexico City was established in 1955 as an international rate at the level of 65.30 cents per mail ton-mile.[3] While this rate continues to apply to Braniff, it alleges in its instant petition that the rate applicable to American Airlines, Inc., is 39.66 cents per mail ton-mile for similar service between San Antonio and Mexico City.[4] Officials of the Post Office Department advised Braniff that the bulk of the mail which it had been transporting would be tendered to American because of the rate differential unless the rates were equalized by March 3, 1964.[5] Braniff requests that its rates be equalized with those of American, effective March 1, 1964, but requests, alternatively, that its petition be dismissed if such equalization cannot be accomplished without reopening all of Braniff's domestic and international rates.[6]

As stated in the Delta order, the Board has established a policy of allowing equalization of service mail rates to a lower level so that the carrier may compete equally with other carriers for the carriage of mail. Since the Post Office has a policy of routing mail over the carriers with the lowest rates applicable between any points, such equalizations make more schedules available to the Post Office, facilitate the carriage of mail, and are in the public interest. International service mail rate cases, when providing for equalization, generally made compensating upward adjustments on other segments to offset the effect of equalization.[7] No such compensating adjustments are requested by the petitioner, nor are they necessary herein since our proposed action will provide mail revenues, not obtainable at this time, at rates presently fair and reasonable to competing carriers.

Procedurally, the carrier requests the Board to amend the orders which established its domestic and its international rates so that the transportation of mail by Braniff between the United States and terminal points in Mexico will be made part of the domestic rate order and will be excluded from the international rate order.[8] The Board will not grant Braniff's request in this regard, but we will instead propose to adjust Braniff's rate in a manner similar to that set forth in the aforementioned Delta

[1] See Order E-20677, dated April 10, 1964.

[2] The motion was occasioned by 14 CFR 302.303(b).

[3] Pan American-Grace, Service Mail Rates, 21 C.A.B. 961, 963 (1955).

[4] Domestic Trunklines, Service Mail Rates, 21 C.A.B. 8(1955) established American's rate over its entire system, which includes the market in question. The Pan American-Grace case, supra, note 3, established Braniff's international rate which was not covered by the Domestic Trunklines case. Braniff alleges that subsequently it was authorized, in 1960, to serve the subject market, which fell under its international rate.

[5] As noted above, mail between these points has been routed via American since that date.

[6] This order is concerned solely with priority mail, which may be defined as that mail which is designated as air mail or air parcel post by the sender.

[7] See, e.g., Pan American-Grace Service Mail Rates, supra, note 3; Pan American-Grace Airways Service Mail Rates, 23 C.A.B. 106(1956); Pacific Service Rate Case, 24 C.A.B. 629 (1957).

[8] Although Braniff may, by its suggested amendments, be anticipating future equalization situations between other points in the United States and Mexico, the Board considers it to be procedurally desirable to approach each situation as it occurs. Even the domestic multielement cases with their provisions for automatic equalization, require the filing of certain documents with the Board for each equalization.

order to show cause. Historically, the Board has established separate rate-making units for carriers which provide domestic and international service or provide international service in different geographic areas. Although the multi-element formula includes stub-end operations (e.g., Canada, San Juan), where a route segment has been part of a longer foreign route or homogeneous route system, the Board has generally found it appropriate to fix the rate for the entire route or route system, except in equalization situations. We find no basis to depart from this fundamental rule in the instant case; therefore, for Braniff we will propose to adjust the San Antonio-Mexico City route segment to a lower competitive level, rather than to remove it from Braniff's international rate-making unit and place it within the domestic multielement formula.

Braniff also has requested that the equalization proposed herein be made retroactive to March 1, 1964. Since the carrier has not been carrying mail since March 3, 1964, there appears to be no compelling reason to consider this request since such retroactivity would have no effect upon Braniff's mail revenue on this route segment. To the extent that Braniff may have carried mail between the subject points during the period between March 1, 1964, and the date upon which the rate herein proposed may become effective, the old rate shall apply.

In the event that no notice of objection, or if after such notice, no answer is filed within the time designated herein, a final order will be entered to make the proposed rates specified herein effective on the earliest practicable date.

Rule 305(b) of the rules of practice provides that the Board may specify different times for notice of objection or answer than those set out in that rule. In view of the continuing loss of mail revenues by Braniff, and the support of its petition by the Post Office, we have concluded that the customary periods for filing notices of objection and answers should be reduced. Braniff's basic international service mail rate of 65.30 cents per mail ton-mile is not deemed to be reopened by any action proposed herein. The proposed action will affect all priority mail carried by Braniff in the San Antonio-Mexico City market.

Upon consideration of the foregoing, Braniff's motion and petition, the motion and answer of the Post Office and matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. The Post Office Department utilizes the least expensive air carrier which would not unduly delay expeditious carriage of mail.

2. Braniff's present final service mail rate applicable for services between San Antonio and Mexico City is 65.30 cents per mail ton-mile, whereas American's rate for competitive service is 39.66 cents per priority mail ton-mile.

3. The fair and reasonable service mail rate applicable to all priority mail carried by Braniff between San Antonio and Mexico City is 39.66 cents per mail ton-mile.[3]

4. Such service mail rate of 39.66 cents per priority mail ton-mile shall be paid in its entirety by the Postmaster General pursuant to section 406(c) of the Federal Aviation Act of 1958, and no part of such amount shall be paid by the Board.

5. The mail ton-miles to be used by the Post Office in determining service mail payments pursuant to this order shall be computed on the basis of the direct airport-to-airport mileage between San Antonio, Texas and Mexico City, Mexico.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and pursuant to the regulations promulgated in 14 CFR Part 302,

It is ordered, That

A. The motions filed by Braniff Airways, Inc., and the Post Office Department for leave to file an unauthorized document shall be granted and the related documents filed by Braniff and the Post Office shall be considered.

B. All interested persons, and particularly American Airlines, Inc., Braniff Airways, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions, and fix, determine and publish 39.66 cents per priority mail ton-mile as the fair and reasonable rate of compensation to be paid to Braniff for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between San Antonio and Mexico City.

C. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice of objection shall be filed within 7 days, and written answer and supporting documents shall be filed within 15 days, after the date of service of this order.

D. If notice of objection or answer is not filed, as specified in 14 CFR Part 302 and this order, all persons shall be deemed to have waived further procedural steps herein before an order fixing the final equalized rate, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing and determining the final equalized rate herein specified.

E. If any answer is filed presenting issues for hearing, the issues involved thereafter in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with 14 CFR 302.307.

F. This order shall be served upon American Airlines, Inc., Braniff Airways, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

[3] This rate is the ton-mile equivalent of the domestic service mail rate now applicable between San Antonio and Mexico City.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 64-3756; Filed, Apr. 15, 1964; 8:47 a.m.]

[Docket No. 11822; Order E-20676]

CORDOVA AIRLINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April 1964.

Petition of Cordova Airlines, Inc., for adjustment of service mail rates on specific routes; Docket No. 11822.

On October 3, 1960, Cordova Airlines, Inc., filed a petition for amendment of its existing service mail rate[1] so as to reduce such rate to 47 cents per mail ton-mile insofar as it applies between Anchorage and Cordova, Anchorage and Yakutat, and Cordova and Yakutat. By amendment filed January 29, 1963, the petition was changed to request a rate of $1.29 per mail ton-mile. The effect of such proposal would be to equalize Cordova's rate with the rate presently being paid to Pacific Northern Airlines, Inc.[2] The petitioner alleges that the Post Office Department tenders substantially all mail on these segments to Pacific Northern, which it understands provides the carriage at a service rate of $1.29 per mail ton-mile. Cordova states that with the requested revision in rates it would no longer be effectively barred from participating in the mail movements on the respective segments; that additional schedules would be available to the Post Office Department for the transportation of mail; and that Cordova would be enabled to earn nonsubsidy revenues which are presently unavailable to it. Petitioner claims that grant of its petition would not have any serious adverse effect upon Pacific Northern because the long-haul, four-engine services of that company are not necessarily adapted to the requirements of the Postal Service on the route segments here involved.

The Post Office Department, by its General Counsel, states that Pacific Northern's services are used "* * * to the greatest possible extent, since it is the low cost carrier" and that the Department supports Cordova's petition for

[1] Service Mail Rates, Reorganization Plan No. 10, 17 C.A.B. 898 (1953), established a service mail rate of $2.50 per mail ton-mile for Cordova over its entire system.

[2] Cordova's service mail rate of $2.50 per mail ton-mile shall remain unchanged for segments other than those specifically enumerated herein. Hence, for mail carried between Anchorage, Cordova and Yakutat on the one hand, and intermediate points on the other, or between other points intermediate between Anchorage and Yakutat, or beyond Anchorage and Yakutat, the service mail rate of $2.50 per mail ton-mile would apply.

equalization of the service mail rate for the route segments involved.[3]

Rule 303 of the current rules of practice provides for dismissal of a petition challenging only a part of a final mail rate in any case where a carrier is operating under a final mail rate uniformly applicable to an entire rate-making unit,[4] and it appears that Cordova's petition is without authority to be filed. The Board has determined, however, to waive the application of Rule 303 in this instance for service mail rate purposes.

In other proceedings, the Board has established a policy of permitting service mail rate equalization which enables carriers to compete on a similar footing for mail, and which improves the mail service.[5] This policy allows carriers to adjust their service mail rates to a lower rate between specific points, without reopening the entire rate. In these circumstances, the Board has decided to consider the Cordova petition, as amended, and tentatively proposes to establish the equalized rates requested. Cordova's basic service mail rate of $2.50 per mail ton-mile is not deemed to be reopened by any action proposed herein. This order shall affect all mail carrier by Cordova between the points specified herein. No compensating upward adjustment on other routes will be made to offset the adjustment proposed herein. It is neither requested nor is it necessary, since the proposed adjustment will be to a rate presently fair and reasonable to another carrier, and it will provide Cordova with revenue not now obtainable.

In the event that no notice of objection, or if after such notice, no answer is filed within the time designated herein, a final order will be entered to make the proposed rates specified herein effective on the earliest practicable date.

Upon consideration of the foregoing, the amended petition, the answer thereto and matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. The Post Office Department utilizes the least expensive air carrier which would not unduly delay expeditious carriage of mail.

2. Cordova's present final system service mail rate is $2.50 per mail ton-mile applicable over the routes involved herein.

3. The fair and reasonable service mail rate applicable to mail carried by Cordova from Anchorage to Cordova or from Anchorage to Yakutat or from Cordova to Yakutat, in either direction, is $1.29 per mail ton-mile.[6]

4. Such service mail rate of $1.29 per mail ton-mile shall be paid in its entirety by the Postmaster General pursuant to section 406(c) of the Federal Aviation Act of 1958, and no part of such amount shall be paid by the Board.

5. The mail ton-miles to be used by the Post Office in determining service mail payments pursuant to this order shall be computed on the basis of the mileage applicable to service mail pay computations for mail carried by Pacific Northern Airlines, Inc., between the points set out in numbered paragraph three.

6. Cordova's basic service mail rate of $2.50 per mail ton-mile is not reopened by this order.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and pursuant to the regulations promulgated in 14 CFR Part 302,

It is ordered, That

A. The application of Rule 303 of the rules of practice shall be waived insofar as it would preclude Cordova Airlines, Inc., from filing a petition with the Board for the equalization of service mail rates with Pacific Northern Airlines, Inc., solely as set out above in numbered paragraph three.

B. All interested persons, and particularly Cordova Airlines, Inc., Pacific Northern Airlines, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine and publish $1.29 per mail ton-mile as the fair and reasonable rate of compensation to be paid to Cordova for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, from Anchorage to Cordova, from Anchorage to Yakutat, and from Cordova to Yakutat, in either direction.

C. Cordova's basic service mail rate of $2.50 per mail ton-mile shall apply to all other mail carried by Cordova.

D. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice of objection shall be filed within 10 days, and written answer and supporting documents shall be filed within 30 days, after the date of service of this order.

E. If notice of objection or answer is not filed, as specified in 14 CFR Part 302, and this order, all persons shall be deemed to have waived further procedural steps herein before an order fixing the final rate, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing and determining the final service mail rate herein specified.

F. If any answer is filed presenting issues for hearing, the issues involved thereafter in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with 14 CFR 302.307.

G. This order shall be served upon Cordova Airlines, Inc., Pacific Northern Airlines, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 64-3757; Filed, Apr. 15, 1964; 8:47 a.m.]

[Docket No. 14862; Order E-20677]

DELTA AIR LINES, INC.

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of April 1964.

Petition of Delta Air Lines, Inc., for adjustment of international service mail rate; Docket No. 14862.

On November 7, 1963, Delta Air Lines, Inc., filed a petition for adjustment of its international service mail rate only insofar as it applies to the San Juan-New Orleans market. On November 12, 1963, pursuant to Rule 4(f) of the Board's rules of practice,[1] Delta filed a motion for leave to file an unauthorized document, after having determined that Rule 303 may preclude the filing of a petition such as the one filed on November 7, 1963.[2] In effect, Delta requests an equalization of service mail rates, but requests, alternatively, that its petition be dismissed if such cannot be accomplished without reopening its entire international rate.[3]

In response to Delta's petition, on November 29, 1963, the Post Office Department filed (1) a motion for leave to file an unauthorized answer, and (2) an answer to Delta's motion for leave to file an unauthorized document. Essentially, the Post Office states (1) that it uses services of other carriers operating via Miami to serve the San Juan-New Orleans market and other domestic markets because Delta's rate is higher, and (2) that it strongly supports Delta's motion and urges that the Board grant the relief sought by the carrier.

The Board has decided to grant the motions of Delta and the Post Office and to consider Delta's petition, and the answer of the Post Office, on their merits.

Delta alleges that it is the only carrier holding single-carrier authority in the San Juan-Los Angeles, San Juan-San Francisco and San Juan-San Diego markets, but that substantially all of the San Juan-West Coast mail is diverted to the San Juan-Miami services of Eastern Air Lines, Inc., or Pan American World Airways, Inc., and the services of domestic connecting carriers. Delta states that this occurs because the service mail rate applicable via the Miami routing

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[3] See letter-answer dated October 26, 1960. No answer to Cordova's amendment was filed by the Post Office.

[4] 14 CFR 302.303(b).

[5] E.g., Petition of National Airlines, Inc., Order E-18264, adopted April 26, 1962, at p. 3; Nonpriority Mail Rate Case, Order E-17255, at pp. 33-35 (1961); Domestic Trunklines, Service Mail Rates, 21 C.A.B. 8, 11-13 (1955), Allegheny Air., Service Mail Rates, 21 C.A.B. 894, 896 (1955).

[6] See footnote 2, supra.

[1] 14 CFR 302.4(f).

[2] Rule 303(b), (14 CFR 302.303(b)), provides as follows: "In any case where a carrier is operating under a final mail rate uniformly applicable to an entire rate-making unit as established by the Board, a petition must clearly and unequivocally challenge the rate for such entire rate-making unit and not only a part of such unit. Unless such a petition clearly and unequivocally requests review of the rate for the entire rate-making unit, it shall be dismissed. No amendment intended to cure the omission shall be given retroactive effect."

[3] This order is concerned solely with priority mail, which may be defined as that mail which is designated as air mail or air parcel post by the sender.

is less than that applicable via the New Orleans routing of Delta. Delta also result in the adjustment of Delta's rates to those existing in the San Juan-Dallas/Fort Worth markets "* * * where only Delta provides single-carrier service." [4]

The diversion alleged by Delta is a result of the policy of the Post Office Department to use the carrier having the lowest rate authorized by the Board, when air mail service would not be impaired.[5]

The proceeding which established the international service mail rate involved herein dealt with equalization problems which were then present.[6] In the Board's statement of provisional findings and conclusions adopted August 15, 1955, it was stated that the right of a party to raise additional rate equalization questions in the future was in no way precluded by the equalization action taken in that proceeding.[7] In the absence of transcontinental route authority, Delta's current problem did not exist at the time when Pan American's San Juan-New York and San Juan-Miami rates were equalized with the lower rates of Eastern for the same services. In these circumstances, Delta's rate for all of Route 114 (including Delta's San Juan-New Orleans market) was established at 65.30 cents per mail ton-mile, whereas the rate for the Miami-San Juan routes of Eastern and Pan American was established at 36.54 cents per mail ton-mile.

Delta states that as a result of the Southern Transcontinental Service Case,[8] it provides through-plane service between San Juan and Los Angeles via New Orleans, and that direct connections are available at New Orleans with its San Francisco service via Dallas/Fort Worth.[9] Therefore, Delta argues that although these single carrier services may be equal to or preferable to connecting carrier services provided via Miami, they are not utilized by the Post Office solely because of the significantly higher service mail rate which is applicable via Delta. The carrier states that it does not want to undercut any other carrier, but only to compete equally for the carriage of mail.

The domestic multielement service mail rate formula which is applicable to all domestic trunk and local service carriers reflects the Board's policy of fixing equal service mail rates for equal service, regardless of the carriers involved.[10] The multielement formula is so designed that every carrier would receive the same total amount of compensation for the carriage of a given quantity of mail between two specific domestic points over the same routing. As discussed above in relation to Delta's international rate, the proceeding in which service mail rates were established for the major transatlantic, transpacific and Latin American routes, generally provided for equal payment for the same service in specific instances, but did not include provision for automatic future rate equalizations.[11] These international service mail rate cases (which postdated the domestic multielement mail rate proceeding) generally provided for compensating upward adjustments on other segments to offset the effect of equalization. No such compensating adjustments are requested by the petitioner, nor are they necessary herein since our proposed action will provide mail revenues, not obtainable at this time, at rates presently fair and reasonable to competing carriers.

The Board's policy evidenced in the domestic multielement cases was interpreted by a recent order of the Board [12] in which equalizations were allowed which did not fall specifically into the pattern given as an example in the multielement cases. The Board said, in pertinent part:

> Thus, although * * * (the multielement) decision discussed the problem of equalization of rates under circumstances reasonably to be anticipated, our order was not limited to the specific situations there discussed * * * our order * * * effectuates our intent of * * * affording carriers the opportunity to equalize their rates in order to continue to participate in the carriage of mail.[13]

There appears to be no compelling reason to restrict to domestic service rates our policy of allowing equalizations to a lower competitive level. As we mentioned in the Pacific Service Rate Case,[14] price is now a crucial factor in establishing service mail rates since it determines whether a carrier will carry mail over a competitive route. Although the rate involved herein is an international rate which is being adjusted to a lower domestic level, a similar adjustment to the equivalent of a domestic multielement level was effected as an equalization in the Pan Am.-Grace case.[15] In addition, the adjustment which we will propose herein will apply to all mail transported by Delta between the specified points, as was permitted in the Pan Am.-Grace case.[16] Delta's basic international service mail rate of 65.30 cents per priority mail ton-mile is not deemed to be reopened by the action that the Board is proposing in this order.

Rule 305(b) of the rules of practice provides that the Board may specify different times for notice of objection or answer than those set out in that rule. In view of the lack of mail carriage over the routes concerned, and the support of Delta's petition by the Post Office, we have concluded that the customary periods for filing notices of objection and answers should be reduced.

In the event that no notice of objection, or if after such notice, no answer is filed within the time designated herein, a final order will be entered to make the proposed rates specified herein effective on the earliest practicable date.

Upon consideration of the foregoing, Delta's motion and petition, the motion and answer of the Post Office and matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions: [17]

1. The Post Office Department utilizes the least expensive air carrier which would not unduly delay expeditious carriage of mail.

2. Delta's present final service mail rate applicable for services between San Juan and New Orleans is 65.30 cents per mail ton-mile, whereas the rate between Miami and San Juan is 36.54 cents per priority mail ton-mile.

3. The fair and reasonable service mail rate applicable to all priority mail carried by Delta between San Juan and New Orleans is 34.0302 cents per mail ton-mile.[18]

4. Such service mail rate of 34.0302 cents per priority mail ton-mile shall be paid in its entirety by the Postmaster General pursuant to section 406(c) of the Federal Aviation Act of 1958, and no part of such amount shall be paid by the Board.

5. The mail ton-miles to be used by the Post Office in determining service mail payments pursuant to this order shall be computed on the basis of the direct airport-to-airport mileage between San Juan, Puerto Rico and New Orleans, Louisiana.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof, and pursuant to the regulations promulgated in 14 CFR, Part 302,

It is ordered, That

A. The motions filed by Delta Air Lines, Inc., and the Post Office Department for leave to file an unauthorized document shall be granted and the related documents filed by Delta and the Post Office shall be considered.

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[4] In a footnote to this statement Delta alleges that it "* * * has held nonstop authority in the San Juan-New Orleans market for years, and Delta utilizes such authority. Eastern has only recently obtained restricted authority in that market, and the carrier does not utilize the authority on a single-plane basis. Delta has held one-stop authority in the San Juan-Dallas/Fort Worth market for years, and Delta also utilizes that authority. Eastern recently obtained restricted authority in the San Juan-Dallas/Fort Worth market, via two mandatory stops (one at Miami and the second at an additional point on Segment 6 of Eastern's Route 10 other than Dallas or Fort Worth). The carrier does not utilize its authority in the Dallas/Fort Worth-San Juan market on a single-plane basis."

[5] For this policy, Delta cites a November 23, 1953, letter from the Post Office Department to various carriers.

[6] Pan Am.-Grace, Service Mail Rates, 21 C.A.B. 961 (1955).

[7] 21 C.A.B. at 965.

[8] Order E-16500, dated March 13, 1961.

[9] The footnotes at page five of Delta's petition explain the carrier's allegations more fully.

[10] See, e.g., Domestic Trunklines, Service Mail Rates, 21 C.A.B. 8, 11-13 (1955); Allegheny Air., Service Mail Rates, 21 C.A.B. 894, 899 (1955); Nonpriority Mail Rate Case, Order E-17255 at pp. 33-35 (1961); Petition of National Airlines, Inc., Order E-18264, adopted April 26, 1962, at p. 3.

[11] See, e.g., Pan Am.-Grace Service Mail Rates, supra, note 6; Pan Am.-Grace Airways Service Mail Rates, 23 C.A.B. 106 (1956); Pacific Service Rate Case, 24 C.A.B. 629 (1957).

[12] Petition of National Airlines, Inc., Order E-18264, dated April 26, 1962.

[13] Supra, note 12 at p. 3.

[14] 24 C.A.B. 629, 632.

[15] 21 C.A.B. 961, 962-963.

[16] Supra, note 15 at p. 962 n. 4.

[17] The effective date for application of the rates proposed herein will be the date of the final order of the Board.

[18] This rate is the ton-mile equivalent of the domestic multielement service mail rate applicable for services between San Juan and New Orleans via Miami.

B. All interested persons, and particularly Delta Air Lines, Inc., Eastern Air Lines, Inc., Pan American World Airways, Inc., and the Postmaster General, are directed to show cause why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine and publish 34.0302 cents per priority mail ton-mile as the fair and reasonable rate of compensation to be paid to Delta for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between San Juan and New Orleans.

C. Further procedures herein shall be in accordance with 14 CFR Part 302, and if there is any objection to the rate or to the other findings and conclusions proposed herein, notice of objection shall be filed within 7 days, and written answer and supporting documents shall be filed within 15 days, after the date of service of this order.

D. If notice of objection or answer is not filed, as specified in 14 CFR Part 302 and this order, all persons shall be deemed to have waived further procedural steps herein before an order fixing the final rate, and the Board may enter an order incorporating the findings and conclusions proposed herein and fixing and determining the final rate herein specified.

E. If any answer is filed presenting issues for hearing, the issues involved thereafter in determining the fair and reasonable final rate shall be limited to those specifically raised by the answer, except insofar as other issues are raised in accordance with 14 CFR 302.307.

F. This order shall be served upon Delta Air Lines, Inc., Eastern Air Lines, Inc., Pan American World Airways, Inc., and the Postmaster General.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 64-3758; Filed, Apr. 15, 1964; 8:47 a.m.]

[Docket No. 14695 etc.]

FRONTIER AIRLINES, INC.

Service to Western Colorado; Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 19, 1964, at 10 a.m., m.s.t., in the Courtroom of the U.S. Court of Appeals, Post Office Building, 18th and Stout Streets, Denver, Colorado, before Examiner Ross I. Newmann.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to Board Order E-20402, dated January 27, 1964; Order E-20559, dated March 9, 1964; the Prehearing Conference Report served on February 27, 1964; and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 13, 1964.

[SEAL] ROSS I. NEWMANN,
Hearing Examiner.

[F.R. Doc. 64-3759; Filed, Apr. 15, 1964; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN EXPORT ISBRANDTSEN LINES AND MATSON NAVIGATION CO.

Notice of Filing of Agreement

Notice is hereby given that the following-described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9333 between American Export Isbrandtsen Lines, and Matson Navigation Company, provides for the appointment of Matson as General Passenger Agent of American Export Isbrandtsen Lines in Hawaii, which appointment Matson accepts, subject to the covenants, conditions and terms of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: April 10, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3732; Filed, Apr. 15, 1964; 8:46 a.m.]

AMERICAN EXPORT ISBRANDTSEN LINES AND OCEANIC STEAMSHIP CO.

Notice of Filing of Agreement

Notice is hereby given that the following-described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9334 between American Export Isbrandtsen Lines and The Oceanic Steamship Company, provides for the appointment of The Oceanic Steamship Company as General Passenger Agent of American Export Isbrandtsen Lines in Australia and New Zealand, which appointment Oceanic accepts, subject to the covenants, conditions and terms of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: April 10, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3733; Filed, Apr. 15, 1964; 8:46 a.m.]

MATSON NAVIGATION CO., AND AMERICAN EXPORT ISBRANDTSEN LINES

Notice of Filing of Agreement

Notice is hereby given that the following-described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9336 between Matson Navigation Company and American Export Isbrandtsen Lines, provides for the appointment of American Export Isbrandtsen Lines as General Passenger Agent of Matson in Genoa, Italy; Trieste, Italy; Marseille, France; and Barcelona, Spain, which appointment American Export Isbrandtsen Lines accepts, subject to the covenants, conditions and terms of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: April 10, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3734; Filed, Apr. 15, 1964; 8:46 a.m.]

OCEANIC STEAMSHIP COMPANY AND AMERICAN EXPORT ISBRANDTSEN LINE

Notice of Filing of Agreement

Notice is hereby given that the following-described agreement has been filed

with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9337 between The Oceanic Steamship Company and American Export Isbrandtsen Line, provides for the appointment of American Export Isbrandtsen Line as General Passenger Agent of Oceanic in Genoa, Italy; Trieste, Italy; Marseille, France; and Barcelona, Spain, which appointment American Export Isbrandtsen Lines accepts, subject to the covenants, conditions and terms of the agreement.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: April 10, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3735; Filed, Apr. 15, 1964; 8:46 a.m.]

U.S. ATLANTIC & GULF/AUSTRALIA-NEW ZEALAND CONFERENCE

Notice of Filing of Agreement

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 6200-10 between the members of the U.S. Atlantic & Gulf/Australia-New Zealand Conference modifies the basic Agreement, as amended, by adding a second paragraph to Article 9, which provides that any carrier joining the conference shall thereby become a party to, and any carrier withdrawing from the conference shall thereby cease to be a party to, any agreements between the member lines of the conference (jointly entered into by said member lines in their capacity as conference members), and any other carrier or other person subject to the Shipping Act, 1916, as amended, provided said agreements are filed and approved pursuant to the provisions of said Act and contain specific provisions for such admission to or withdrawal from participation therein.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., 20573, or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: April 13, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-3736; Filed, Apr. 15, 1964; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

BAYSTATE CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Baystate Corporation, Boston, Massachusetts, for prior approval of the acquisition of up to 100 percent of the voting shares of Merrimack Valley National Bank, Haverhill, Haverhill, Massachusetts.

There has come before the Board of Governors, pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(2)) and § 222.4 (a)(2) of Federal Reserve Regulation Y (12 CFR 222.4(a)(2)), an application on behalf of Baystate Corporation, Boston, Massachusetts, a registered bank holding company, for the Board's approval of the acquisition of up to 100 percent of the outstanding voting shares of Merrimack Valley National Bank, Haverhill, Haverhill, Massachusetts.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of receipt of the application and requested his views thereon. The Comptroller recommended approval of the application. Notice of receipt of the application was also given to the Massachusetts Commissioner of Banks which notice was acknowledged by the Clerk of the Massachusetts Board of Bank Incorporation. The Board was advised that the Massachusetts Board of Bank Incorporation, after a hearing pursuant to the laws of Massachusetts upon the related application filed with it, granted approval.

Notice of receipt of the application was published in the FEDERAL REGISTER on November 22, 1963 (28 F.R. 12378), providing an opportunity for submission of comments and views regarding the proposed acquisition. The time for filing such comments and views has expired and all comments and views filed with the Board have been considered by it.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be, and it hereby is, approved, provided that the acquisition so approved shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 9th day of April 1964.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 64-3718; Filed, Apr. 15, 1964; 8:45 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of Boston. Concurring Statement of Governor Robertson also filed as part of the original document and available upon request.

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Summarily Suspending Trading

APRIL 10, 1964.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such securities on such Exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of any such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for the period April 12, 1964, through April 21, 1964, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 64-3723; Filed, Apr. 15, 1964; 8:45 a.m.]

[2] Voting for this action: Chairman Martin, and Governors Balderston, Mills, Robertson, Shepardson, and Daane. Absent and not voting: Governor Mitchell.

[File No. 1-4722]

TASTEE FREEZ INDUSTRIES, INC.

Order Summarily Suspending Trading

APRIL 10, 1964.

The common stock, 67 cents par value, of Tastee Freez Industries, Inc., being listed and registered on the American Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of any such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934, that trading in such security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for the period April 12, 1964, through April 21, 1964, both dates inclusive.

By the Commission.

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

[F.R. Doc. 64-3724; Filed, Apr. 15, 1964; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area No. 462]

TEXAS

Declaration of Disaster Area

Whereas, it has been reported that during the month of April 1964, because of the effects of certain disasters, damage resulted to residences and business property located in Wichita County in the State of Texas;

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

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

Now, therefore, as Acting Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Office below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from tornado and accompanying conditions occurring on or about April 3, 1964.

Office

Small Business Administration Regional Office,
1025 Elm Street,
Dallas 2, Tex.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to October 31, 1964.

Dated: April 4, 1964.

LOGAN B. HENDRICKS,
Acting Deputy Administrator.

[F.R. Doc. 64-3720; Filed, Apr. 15, 1964; 8:45 a.m.]

TARIFF COMMISSION

[AA1921-35]

[TC Publication 124]

CAST IRON SOIL PIPE FROM AUSTRALIA

Determination of No Injury or Likelihood Thereof

APRIL 13, 1964.

On January 15, 1964, the Tariff Commission was advised by the Assistant Secretary of the Treasury that cast iron soil pipe from Australia is being, or is likely to be, sold in the United States at less than fair value as that term is used in the Antidumping Act. Accordingly, the Commission on January 16, 1964, instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the FEDERAL REGISTER (29 F.R. 518). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request. No request for a hearing was made.

In arriving at a determination in this case, due consideration was given by the Tariff Commission to all written submissions from interested parties and all factual information obtained by the Commission's staff.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being, and is not likely to be, injured, or prevented from being established, by reason of the importation of cast iron soil pipe from Australia, sold at less than fair value, within the meaning of the Antidumping Act, 1921, as amended.

Statement of reasons. The Commission's reasons for making a negative determination and the more relevant facts considered in making this determination are set forth below:

The evidence indicates that imports of cast iron soil pipe from Australia sold at less than fair value have not been a disruptive factor in the United States market. Such imports have been insignificant compared with the quantity of domestic consumption and entered the United States market only over a short period of time. In the existing market conditions such imports have not caused material injury to a domestic industry.

The Commission also weighed certain other facts which are relevant to a possible determination of likelihood of injury: The sole producer in Australia that exports the subject pipe to the United States has capacity excess to his domestic demand; has installed special equipment in his plant to produce United States standard pipe which is not ordinarily sold in the Australian market and which cannot be competitive with the United States domestic product unless it is offered at less than fair value; and has the capacity to ship somewhat larger quantities of such United States standard pipe. Sales below fair value have been discontinued while this investigation has been in progress but there is evidence that they will be resumed upon the issuance of a negative finding. Even so, within the foreseeable future, they would most likely continue to be "insignificant" compared with the quantity of domestic consumption. This fact does not insure that they will not disrupt the market, and, therefore, be injurious because the condition of the market and the manner in which such sales will be made (especially the pricing practices and strategies) will have a bearing on whether or not injury will develop. The Commission does not, however, find clear and imminent likelihood that injury will be inflicted and therefore does not find likelihood of injury within the meaning of the Antidumping Act.

This determination and statement of reasons are published pursuant to 201(c) of the Antidumping Act, 1921, as amended.

By the Commission.[1]

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 64-3742; Filed, Apr. 15, 1964; 8:46 a.m.]

WHITE PORTLAND CEMENT FROM JAPAN

Notice of Investigation and Hearing

Having received advice from the Treasury Department on April 9, 1964 that white portland cement from Japan, manufactured by Nihon Cement Co., Ltd., Tokyo, Japan, is being, or is likely to be, sold in the United States at less than fair value, the United States Tariff Commission has instituted an investigation under section 201(a) of the Anti-

[1] Statement of Reasons of Commissioners Dorfman and Talbot filed as part of the original document.

dumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with this investigation will be held in the Tariff Commission's Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on May 26, 1964. All parties will be given opportunity to be present, to produce evidence, and to be heard at such hearing. Interested parties desiring to appear at the public hearing should notify the Secretary of the Tariff Commission, in writing, at its offices in Washington, D.C., at least five days in advance of the date set for the hearing.

Issued: April 13, 1964.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 64-3743; Filed, Apr. 15, 1964; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

REGION II

M. H. Fishman Co., 400 George Street, New Brunswick, N.J.; effective 4-1-64 to 9-2-64 (variety store; 33 employees).

S. S. Kresge Co., 17 Park Place, Morristown, N.J.; effective 4-1-64 to 9-2-64 (variety store; 28 employees).

S. S. Kresge Co., No. 80, Garden State Plaza, Paramus, N.J.; effective 4-1-64 to 9-2-64 (variety store; 78 employees).

S. S. Kresge Co., No. 23, Princeton Shopping Center, North Harrison Street, Princeton, N.J.; effective 4-1-64 to 9-2-64 (variety store; 26 employees).

S. S. Kresge Co., No. 587, 66 South Broad Street, Woodbury, N.J.; effective 4-1-64 to 9-2-64 (variety store; 43 employees).

McCrory-McLellan Stores, No. 301, 1008-1010 Stuyvesant Avenue, Union, N.J.; effective 4-1-64 to 9-2-64 (variety store; 39 employees).

G. C. Murphy Co., No. 139, 25 East Washington Street, Washington, N.J.; effective 4-1-64 to 9-2-64 (variety store; 16 employees).

Newberry Asbury Park Corp., 614-630 Cookman Avenue, Asbury Park, N.J.; effective 4-1-64 to 9-2-64 (variety store; 107 employees).

Newberry East Brunswick Corp., 72 West Prospect Street, East Brunswick, N.J.; effective 4-1-64 to 9-2-64 (variety store; 110 employees).

F. W. Woolworth Co., 716 Black Horse Pike, Pleasantville, N.J.; effective 4-1-64 to 9-2-64 (variety store; 33 employees).

F. W. Woolworth Co., No. 1348, 117-121 East State Street, Trenton, N.J.; effective 4-1-64 to 9-2-64 (variety store; 85 employees).

REGION III

W. T. Grant Co., No. 28, 508 Penn Street, Reading Pa.; effective 4-1-64 to 9-2-64 (variety store; 84 employees).

H. L. Green Co., Inc., No. 1024, 221 Market Street, Harrisburg, Pa.; effective 4-1-64 to 9-2-64 (variety store; 38 employees).

H. L. Green, No. 1052, 1015 Market Street, Philadelphia, Pa.; effective 4-1-64 to 9-2-64 (variety store; 88 employees).

S. S. Kresge Co., No. 20, 119 West Lexington Street, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 76 employees).

S. S. Kresge Co., No. 414, 1300 Eastern Boulevard, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 42 employees).

S. S. Kresge Co., No. 576, 5501 Harford Road, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

S. S. Kresge Co., No. 616, 1550 Havenwood Road, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 39 employees).

S. S. Kresge Co., No. 309, Unit B-5, Camp Hill Shopping Center, Camp Hill, Pa.; effective 4-1-64 to 9-2-64 (variety store; 59 employees).

McCrory's Store Corp., 1306-1310 11th Avenue, Altoona, Pa.; effective 4-1-64 to 9-2-64 (variety store; 46 employees).

McCrory Store, No. 220, 110-12 West Crawford Avenue, Connellsville, Pa.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

McCrory-McLellan-Green, 50-56 West Washington Street, Hagerstown, Md.; effective 4-1-64 to 9-2-64 (variety store; 68 employees).

McCrory-McLellan-Green Stores, 8649 Colesville Road, Silver Spring, Md.; effective 4-1-64 to 9-2-64 (variety store; 58 employees).

McCrory-McLellan-Green Stores, No. 8, 725-731 Hamilton tSreet, Allentown, Pa.; effective 4-1-64 to 9-2-64 (variety store; 85 employees).

McCrory-McLellan-Green Stores, No. 37, 62-64 Main Street, Bradford, Pa.; effective 4-1-64 to 9-2-64 (variety store; 20 employees).

McCrory-McLellan-Green, 327 Northampton Street, Easton, Pa.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

McCrory-McLellan-Green Stores, No. 316, Gateway Shopping Center, South Wyoming Avenue, Edwardsville, Pa.; effective 4-1-64 to 9-2-64 (variety store; 53 employees).

McCrory-McLellan-Green, 1006 Market Street, Philadelphia, Pa.; effective 4-1-64 to 9-2-64 (variety store; 70 employees).

McCrory-McLellan-Green Stores, No. 63, 1205 Market Street, Philadelphia, Pa.; effective 4-1-64 to 9-2-64 (variety store; 56 employees).

McCrory-McLellan-Green Stores, No. 201, 919 Market Street, Philadelphia, Pa.; effective 4-1-64 to 9-2-64 (variety store; 98 employees).

G. C. Murphy Co., No. 236, Eastover Shopping Center, 4845 Indianhead Road, Washington, D.C.; effective 4-1-64 to 9-2-64 (variety store; 89 employees).

G. C. Murphy Co., No. 242, 2300 Iverson Street, Hillcrest Heights, Md., Washington, D.C.; effective 4-1-64 to 9-2-64 (variety store; 32 employees).

G. C. Murphy Co., No. 149, 100-104 Main Street, Annapolis, Md.; effective 4-1-64 to 9-2-64 (variety store; 49 employees).

G. C. Murphy Co., No. 134, 1200-1204 West Baltimore Street, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 78 employees).

G. C. Murphy Co., No. 138, 18-22 West North Avenue, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 61 employees).

G. C. Murphy Co., No. 148, 411-413 South Broadway, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 39 employees).

G. C. Murphy Co., No. 151, 1024-1031 Light Street, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 18 employees).

G. C. Murphy Co., No. 152, 6863-6865 Loch Raven Boulevard, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 54 employees).

G. C. Murphy Co. No. 153, 901 West 36th Street, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 23 employees).

G. C. Murphy Co., No. 174, 5406-5410 Harford Road, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 31 employees).

G. C. Murphy Co., No. 200, 3421-3425 Belair Road, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 29 employees).

G. C. Murphy Co., No. 238, 2027 Mondawmin Mall, Baltimore, Md.; effective 4-1-64 to 9-2-64 (variety store; 121 employees).

G. C. Murphy Co., No. 273, Prince George Plaza, 3400 East-West Highway, Hyattsville, Md.; effective 4-1-64 to 9-2-64 (variety store; 118 employees).

G. C. Murphy Co., No. 191, 214-216 Montgomery Street, Rockville, Md.; effective 4-1-64 to 9-2-64 (variety store; 21 employees).

G. C. Murphy Co., No. 248, Twinbrook Shopping Center, 2100 Viers Mill Road, Rockville, Md.; effective 4-1-64 to 9-2-64 (variety store; 38 employees).

G. C. Murphy Co., No. 266, Congressional Airport Shopping Center, 1683 East Montgomery Avenue, Rockville, Md.; effective 4-1-64 to 9-2-64 (variety store; 54 employees).

G. C. Murphy Co., No. 199, 8239-8241 Georgia Avenue, Silver Spring, Md.; effective 4-1-64 to 9-2-64 (variety store; 31 employees).

G. C. Murphy Co., No. 95, 6-10 West Main Street, Westminster, Md.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

G. C. Murphy Co., No. 117, 460-474 Franklin Avenue, Aliquippa, Pa.; effective 4-1-64 to 9-2-64 (variety store; 43 employees).

G. C. Murphy Co., No. 27, 561-575 Merchant Street, Ambridge, Pa.; effective 4-1-64 to 9-2-64 (variety store; 54 employees).

G. C. Murphy Co., No. 78, 16–18 South Broadway, Bangor, Pa.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

G. C. Murphy Co., No. 68, 596–598 Third Street, Beaver, Pa.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

G. C. Murphy Co., No. 32, 1100–1106 Seventh Avenue, Beaver Falls, Pa.; effective 4–1–64 to 9–2–64 (variety store; 78 employees).

G. C. Murphy Co., No. 130, 100–108 South Juliana Street, Bedford, Pa.; effective 4–1–64 to 9–2–64 (variety store; 51 employees).

G. C. Murphy Co., No. 144, 110–112 West High Street, Bellefonte, Pa.; effective 4–1–64 to 9–2–64 (variety store; 52 employees).

G. C. Murphy Co., No. 115, 517–519 Lincoln Avenue, Bellevue, Pa.; effective 4–1–64 to 9–2–64 (variety store; 59 employees).

G. C. Murphy Co., No. 271, 1836 Stefko Boulevard Shopping Center, Bethlehem, Pa.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

G. C. Murphy Co., No. 178, 255–259 Main Street, Brookville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

G. C. Murphy Co., No. 30, 5–13 Market Street, Brownsville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 68 employees).

G. C. Murphy Co., No. 160, 8–10 North Main Street, Burgettstown, Pa.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

G. C. Murphy Co., No. 92, 118–122 South Main Street, Butler, Pa.; effective 4–1–64 to 9–2–64 (variety store; 84 employees).

G. C. Murphy Co., No. 55, 201–205 Wood Street, California, Pa.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

G. C. Murphy Co., No. 54, 23–29 East Main Street, Carnegie, Pa.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

G. C. Murphy Co., No. 88, 559–565 Miller Avenue, Clairton, Pa.; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

G. C. Murphy Co., No. 66, 516 Main Street, Clarion, Pa.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

G. C. Murphy Co., No. 158, 243–245 Market Street, Clearfield, Pa.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

G. C. Murphy Co., No. 201, 109 West Crawford Avenue, Connellsville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 77 employees).

G. C. Murphy Co., No. 169, 46–54 North Center Street, Corry, Pa.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

G. C. Murphy Co., No. 46, 108–110 Second Street, Elizabeth, Pa.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

G. C. Murphy Co., No. 175, 914–922 State Street, Erie, Pa.; effective 4–1–64 to 9–2–64 (variety store; 51 employees).

G. C. Murphy Co., No. 225, 934 West Erie Plaza, Erie, Pa.; effective 4–1–64 to 9–2–64 (variety store; 48 employees).

G. C. Murphy Co., No. 56, 352–354 Butler Street, Etna, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

G. C. Murphy Co., No. 124, 114–118 East Main Street, Everett, Pa.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

G. C. Murphy Co., No. 58, 600–602 Idaho Street, Farrell, Pa.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

G. C. Murphy Co., No., 184, 1261–1262 Liberty Street, Franklin, Pa.; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

G. C. Murphy Co., No. 129, 15–31 Baltimore Street, Gettysburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

G. C. Murphy Co., No. 43, 205–209 Main Street, Greenville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

G. C. Murphy Co., No. 13, 149–153 South Broad Street, Grove City, Pa.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

G. C. Murphy Co., No. 28, 30–32 Broadway, Hanover, Pa.; effective 4–1–64 to 9–2–64 (variety store; 54 employees).

G. C. Murphy Co., No. 165, 215–219 Market Street, Harrisburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 88 employees).

G. C. Murphy Co., No. 211, 305–309 Allegheny Street, Holidaysburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 29 employees).

G. C. Murphy Co., No. 126, 665–667 Philadelphia Street, Indiana, Pa.; effective 4–1–64 to 9–2–64 (variety store; 84 employees).

G. C. Murphy Co., No. 23, 328–334 Main Street, Irwin, Pa.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

G. C. Murphy Co., No. 6, 810–812 Ligonier Street, Latrobe, Pa.; effective 4–1–64 to 9–2–64 (variety store; 65 employees).

G. C. Murphy Co., No. 79, 101–105 North First Street, Lehington, Pa.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

G. C. Murphy Co., No. 59, 2 East Market Street, Lewistown, Pa.; effective 4–1–64 to 9–2–64 (variety store; 125 employees).

G. C. Murphy Co., No. 116, 105–111 South Diamond, Ligonier, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

G. C. Murphy Co., No. 202, 106 Lincoln Avenue, McDonald, Pa.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

G. C. Murphy Co., No. 84, 630–632 Midland Avenue, Midland, Pa.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

G. C. Murphy Co., No. 31, 518–526 Donner Avenue, Monessen, Pa.; effective 4–1–64 to 9–2–64 (variety store; 33 employees).

G. C. Murphy Co., No. 146, 31 West Shirley Street, Mount Union, Pa.; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

G. C. Murphy Co., No. 186, 205 Center Street, Myersdale, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

G. C. Murphy Co., No. 233, Heights Plaza, Broadview Boulevard, Natrona Heights, Pa.; effective 4–1–64 to 9–2–64 (variety store; 77 employees).

G. C. Murphy Co., No. 48, 312 Broad Street, New Bethlehem, Pa.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

G. C. Murphy Co., No. 106, 119–125 East Washington Street, New Castle, Pa.; effective 4–1–4 to 9–2–4 (variety store; 70 employees).

G. C. Murphy Co., No. 4, 875–889 Fifth Avenue, New Kensington, Pa.; effective 4–1–64 to 9–2–64 (variety store; 86 employees).

G. C. Murphy Co., No. 157, 3–5 Main Street, North East, Pa.; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

G. C. Murphy Co., No. 246, 62d and Woodland Avenue, Philadelphia, Pa.; effective 4–1–64 to 9–2–64 (variety store; 68 employees).

G. C. Murphy Co., No. 12, 220–232 Fifth Avenue, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 309 employees).

G. C. Murphy Co., No. 29, 701–705 North Homewood Avenue, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 45 employees).

G. C. Murphy Co., No. 57, 4327 Butler Street, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 37 employees).

G. C. Murphy Co., No. 61, 4847 Second Avenue, Pittsburgh Pa.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

G. C. Murphy Co., No. 83, 1413–1415 Potomac Avenue, South Hills Station, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 29 employees).

G. C. Murphy Co., No. 87, 680–682 Washington Road, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

G. C. Murphy Co., No. 163, 719–723 East Ohio Street, North Side, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 47 employees).

G. C. Murphy Co., No. 170, 221–223 Brownsville Road, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 45 employees).

G. C. Murphy Co., No. 196, 6019 Penn Avenue, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 76 employees).

G. C. Murphy Co., No. 206, 2700 Brownsville Road, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

G. C. Murphy Co., No. 221, 4110 Brownsville Road, Pittsburgh, Pa.; effective 4–1–64 to 9–2–64 (variety store; 82 employees).

G. C. Murphy Co., No. 127, 17 North Main Street, Red Lion, Pa.; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

G. C. Murphy Co., No. 7, 188–192 Brighton Avenue, Rochester, Pa.; effective 4–1–64 to 9–2–64 (variety store; 35 employees).

G. C. Murphy Co., No. 85, 31–33 Erie Avenue, St. Marys, Pa.; effective 4–1–64 to 9–2–64 (variety store; 49 employees).

G. C. Murphy Co., No. 80, 411–413 Beaver Street, Sewickley, Pa.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

G. C. Murphy Co., No. 128, 47–61 East State Street, Sharon, Pa.; effective 4–1–64 to 9–2–64 (variety store; 49 employees).

G. C. Murphy Co., No. 118, 1–5 East King Street, Shippensburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 36 employees).

G. C. Murphy Co., No. 145, 127–131 South Allen Street, State College, Pa.; effective 4–1–64 to 9–2–64 (variety store; 40 employees).

G. C. Murphy Co., No. 64, 414–416 Corbett Street, Tarentum, Pa.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

G. C. Murphy Co., No. 73, 116 West Spring Street, Titusville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

G. C. Murphy Co., No. 5, 538–540 Penn Avenue, Turtle Creek, Pa.; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

G. C. Murphy Co., No. 164, 13–17 East Main Street, Uniontown, Pa.; effective 4–1–64 to 9–2–64 (variety store; 127 employees).

G. C. Murphy Co., No. 159, 120–124 Grant Avenue, Vandergrift, Pa.; effective 4–1–64 to 9–2–64 (variety store; 39 employees).

G. C. Murphy Co., No. 60, 306–308 Second Avenue, Warren, Pa.; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

G. C. Murphy Co., No. 155, 43–47 North Main Street, Washington, Pa.; effective 4–1–64 to 9–2–64 (variety store; 140 employees).

G. C. Murphy Co., No. 177, 22–26 West High Street, Waynesburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 45 employees).

G. C. Murphy Co., No. 47, 129–131 Main Street, West Newton, Pa.; effective 4–1–64 to 9–2–64 (variety store; 47 employees).

G. C. Murphy Co., No. 39, 708–712 Penn Avenue, Wilkinsburg, Pa.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

G. C. Murphy Co., No. 227, 48 North Easton Road, Willow Grove, Pa.; effective 4–1–64 to 9–2–64 (variety store; 75 employees).

G. C. Murphy Co., No. 205, 1–5 East Market Street, York, Pa.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

J. J. Newberry Co., No. 154, 106–110 East Main Street, Elkton, Md.; effective 4–1–64 to 9–2–64 (variety store; 62 employees).

J. J. Newberry Co., 61–75 West Washington Street, Hagerstown, Md.; effective 4–1–64 to 9–2–64 (variety store; 101 employees).

J. J. Newberry Co., 258–266 Mill Street, Danville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

J. J. Newberry Co., 2028 Main Street, Northampton, Pa.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

Newberry Coatesville Corp., 221–227 East Lincoln Highway, Coatesville, Pa.; effective 4–1–64 to 9–2–64 (variety store; 49 employees).

Newberry Ephrata Corp., 5 East Main Street, Ephrata, Pa.; effective 4–1–64 to 9–2–64 (variety store; 44 employees).

Newberry Keystone, Inc., No. 106, 111–113 East Main Street, Lock Haven, Pa.; effective 4–1–64 to 9–2–64 (variety store; 21 employees).

Newberry Keystone Co., 243–245 High Street, Pottstown, Pa.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

Newberry Lehigh, Inc., No. 3, 24 West Ridge Street, Lansford, Pa.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

Newberry Northumberland, Inc., 5–11 South Front Street, Milton, Pa.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

Newberry Susquehanna, 131 West Front Street, Berwick, Pa.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

Newberry Susquehanna, Inc., 416–422 Market Street, Sunbury, Pa.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

F. W. Woolworth Co., No. 43, 839 Market Street, Wilmington, Del.; effective 4–1–64 to 9–2–64 (variety store; 69 employees).

F. W. Woolworth Co., No. 75, 504 Market Street, Wilmington, Del.; effective 4–1–64 to 9–2–64 (variety store; 62 employees).

F. W. Woolworth Co., No. 261, 444 Main Street, Johnston, Pa.; effective 4–1–64 to 9–2–64 (variety store; 91 employees).

F. W. Woolworth Co., No. 53, 21–27 North Queen Street, Lancaster, Pa.; effective 4–1–64 to 9–2–64 (variety store; 90 employees).

F. W. Woolworth Co., No. 692, 8–16 East Main Street, Lock Haven, Pa.; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

REGION IV

R. Aland Store, Inc., t/a New Ideal, 1801 Second Avenue, North, Birmingham, Ala.; effective 4–1–64 to 9–2–64 (apparel store; 116 employees).

Basswood Variety, Inc., d/b/a, T. G. & Y. Stores Co., No. 207, 9604 Florida Street, Baton Rouge, La.; effective 4–1–64 to 9–2–64 (variety store; 14 employees).

Chickasaw Variety, Inc., d/b/a, T. G. & Y. Stores Co., No. 240, 114 North Craft, Chickasaw, Ala.; effective 3–23–64 to 9–2–64 (variety store; 14 employees).

Chinquapin Variety, Inc., d/b/a, T. G. & Y. Stores Co., No. 211, 2821 Claiborne Avenue, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

H. L. Green Co., Inc., No. 1106, 1908 North Second Avenue, Birmingham, Ala.; effective 4–1–64 to 9–2–64 (variety store; 31 employees).

H. L. Green Co., Inc., 71 Dexter Avenue, Montgomery, Ala.; effective 4–1–64 to 9–2–64 (variety store; 219 employees).

H. L. Green Co., No. 1312, 1436 Dryades Street, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

H. L. Green Co., No. 1019, 216 East Capital, Jackson, Miss.; effective 4–1–64 to 9–2–64 (variety store; 33 employees).

Autry Greer & Sons, Inc., Post Office Drawer 349, Mobile, Ala.; effective 4–1–64 to 9–2–64 (food store; 444 employees).

Hibiscus Variety, Inc., d/b/a, T. G. & Y. Stores Co., No. 221, 2934 Ryan Street, Lake Charles, La.; effective 4–1–64 to 9–2–64 (variety store; 21 employees).

Huckleberry Variety, Inc., d/b/a, T. G. & Y. Stores, No. 218, 3723 Jewella Road, Shreveport, La.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

McCrory, 409 19th Street, Ensley, Ala.; effective 4–1–64 to 9–2–64 (variety store; 60 employees).

McCrory's, 1005 Canel Street, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 132 employees).

McCrory-McLellan-Green, No. 444, 1904–06 Second Avenue, Bessemer, Ala.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

McCrory-McLellan-Green Stores, 422 Broad Street, Gadsden, Ala.; effective 4–1–64 to 9–2–64 (variety store; 29 employees).

McCrory-McLellan-Green, No. 509, 600–606 Main, Little Rock, Ark.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

McCrory-McLellan-Green Co., 402 Texas Street, Shreveport, La.; effective 4–1–64 to 9–2–64 (variety store; 93 employees).

McCrory-McLellan-Green, 2521–2523 13th Street, Gulfport, Miss.; effective 4–1–64 to 9–2–64 (variety store; 44 employees).

McCrory-McLellan-Green, No. 275, 229–231 Main Street, McComb, Miss.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

McLellan Stores Corp., 360 Delmas Avenue, Pascagoula, Miss.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

McCrory-McLellan-Green Stores, 101–103 South Main Street, Yazoo City, Miss.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

Morgan & Lindsey, Inc., No. 3090, 7441 St. Claude, Arabi, La.; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

Morgan & Lindsey, Inc., No. 3065, 3382 Government Street, Baton Rouge, La.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

Morgan & Lindsey, Inc., No. 3022, 239 DeSiard Street, Monroe, La.; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

Morgan & Lindsey, Inc., No. 3083, 906 Seventh Street, Morgan City, La.; effective 4–1–64 to 9–2–64 (variety store; 13 employees).

Morgan & Lindsey, Inc., No. 3057, 3606 South Carrollton, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

Morgan & Lindsey, Inc., No. 3068, 4718 Paris Avenue, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

Morgan & Lindsey, Inc., No. 3019, 109–111 North Trentin, Ruston, La.; effective 4–1–64 to 9–2–64 (variety store; 12 employees).

Morgan & Lindsey, Inc., No. 3086, West Point Village, Sulphur, La.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

Morgan & Lindsey, Inc., No. 3050, 215 Trentin Street, West Monroe, La.; effective 4–1–64 to 9–2–64 (variety store; 14 employees).

Morgan & Lindsey, Inc., No. 3074, 2934 West Beach, Biloxi, Miss.; effective 4–1–64 to 9–2–64 (variety store; 12 employees).

Morgan & Lindsey, Inc., No. 3076, 776 Highway 1, South, Greenville, Miss.; effective 4–1–64 to 9–2–64 (variety store; 14 employees).

Morgan & Lindsey, Inc., No. 3085, 2415 25th Avenue, Gulfport, Miss.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

Morgan & Lindsey, Inc., No. 3084, Broadway Mart, Hattiesburg, Miss.; effective 4–1–64 to 9–2–64 (variety store; 13 employees).

Morgan & Lindsey, Inc., No. 3082, Gardiner Center, Laurel, Miss.; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

G. C. Murphy Co., No. 261, 18 Parkway Shopping Center, Huntsville, Ala.; effective 4–1–64 to 9–2–64 (variety store; 115 employees).

G. C. Murphy Co., No. 263, 12 Leland Shopping Center, Tuscaloosa, Ala.; effective 4–1–64 to 9–2–64 (variety store; 47 employees).

J. J. Newberry Co., 2212 Fifth Street, Meridian, Miss.; effective 4–1–64 to 9–2–64 (variety store; 33 employees).

Sterling's of Conway, Inc., Russellville, Ark.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

Sterling's of Jacksonville, Inc., Jacksonville, Ark.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

Sterling Stores Co., Inc., Batesville, Ark.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

Sterling Stores Co., Inc., Benton, Ark.; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

Sterling Stores Co., Inc., Blytheville, Ark.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

Sterling Stores Co., Inc., Harrison, Ark.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

Sterling Dept. Stores, Inc., Capitol Avenue & Center Street, Little Rock, Ark.; effective 4–1–64 to 9–2–64 (department store; 96 employees).

Sterling Stores Co., Inc., Osceola, Ark.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

Sterling Stores Co., Inc., Searcy, Ark.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

T. G. & Y. Stores Co., No. 174, 1219 South 34th Street, Fort Smith, Ark.; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

T. G. & Y. Stores Co. of Louisiana, Inc., d/b/a T. G. & Y. Stores Co., No. 210, 7929 Airline Highway, New Orleans, La.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

Veterans & Causeway Variety, Inc., d/b/a T. G. & Y. Stores Co., No. 220, 3301 Veterans Highway, Metairie, La.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

F. W. Woolworth Co., 816 Garrison Avenue, Fort Smith, Ark.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

F. W. Woolworth Co., 17 Big Chain Center, Bossier City, La.; effective 4–1–64 to 9–2–64 (variety store; 11 employees).

REGION V

Angeli's Super Valu, Alfred Angeli, Inc., 318 West Adams Street, Iron River, Mich.; effective 4–1–64 to 9–2–64 (food store; 27 employees).

W. T. Grant Co., 240 Euclid Avenue, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 146 employees).

S. S. Kresge Co., No. 21, 35 West Michigan Avenue, Battle Creek, Mich.; effective 4–1–64 to 9–2–64 (variety store; 40 employees).

S. S. Kresge Co., No. 6, 808 Washington Avenue, Bay City, Mich.; effective 4–1–64 to 9–2–64 (variety store; 70 employees).

S. S. Kresge Co., No. 507, 1104 Ludington Street, Escanaba, Mich.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

S. S. Kresge Co., No. 276, 1839 East Eight Mile Road, Hazel Park, Mich.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

S. S. Kresge Co., No. 403, 405 Stephenson, Iron Mountain, Mich.; effective 4–1–64 to 9–2–64 (variety store; 49 employees).

S. S. Kresge Co., No. 549, Frandor Shopping Center, 510 Frandor Avenue, Lansing, Mich.; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

S. S. Kresge Co., No. 623, 360 South Main Street, Plymouth, Mich.; effective 4–1–64 to 9–2–64 (variety store; 36 employees).

S. S. Kresge Co., No. 670, 31039 Harper Avenue, St. Clair Shores, Mich.; effective 4–1–64 to 9–2–64 (variety store; 53 employees).

S. S. Kresge Co., No. 566, 35004 Michigan Avenue, Wayne, Mich.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

S. S. Kresge Co., No. 658, 39 Norton Village Shopping Center, 3140 Greenwich Road, Barberton, Ohio; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

S. S. Kresge Co., No. 240, Richmond Shopping Center, 25871 Euclid Avenue, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

S. S. Kresge Co., No. 203, Milford Shopping Center, 989 Lila Avenue, Milford, Ohio; effective 4–1–64 to 9–2–64 (variety store; 37 employees).

S. S. Kresge Co., No. 606, 4503 Mayfield Road, South Euclid, Ohio; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

S. S. Kresge Co., No. 183, 202 Columbus Avenue, Sandusky, Ohio; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

S. S. Kresge Co., No. 316, 15 East Main Street, Springfield, Ohio; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

S. S. Kresge Co., No. 595, 3551 Belmont Avenue, Youngstown, Ohio; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

S. S. Kresge Co., No. 674, 2505 Parkman Road, Trumbull Plaza, Warren, Ohio; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

McCrory-McLellan-Green Stores, 159 Monroe, Grand Rapids, Mich.; effective 4–1–64 to 9–2–64 (variety store; 48 employees).

McCrory-McLellan's No. 506, 17 North Washington Street, Ypsilanti, Mich.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

McCrory Stores Corp., 29 South Main Street, Dayton, Ohio; effective 4–1–64 to 9–2–64 (variety store; 138 employees).

Neisner Brothers, Inc., No. 2, 14325 Gratiot Avenue, Detroit, Mich.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

Neisner Brothers, Inc., No. 32, 7769 West Vernor, Detroit, Mich.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

Neisner Brothers, Inc., No. 63, 5848 West Fort Street, Detroit, Mich.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

Neisner Brothers, Inc., No. 82, 7701 Harper Avenue, Detroit, Mich.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

Neisner Brothers, Inc., No. 3, 22651 Gratiot Avenue, East Detroit, Mich.; effective 4–1–64 to 9–2–64 (variety store; 13 employees).

Neisner Brothers, Inc., No. 58, 1116 Ludington Street, Escanaba, Mich.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

Neisner Brothers, Inc., No. 13, 9644 Joseph Campau, Hamtramck, Mich.; effective 4–1–64 to 9–2–64 (variety store; 52 employees).

Neisner Brothers, Inc., No. 62, 14115 Woodward Avenue, Highland Park, Mich.; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

Neisner Brothers, Inc., No. 101, 1736 Fort Street, Lincoln Park, Mich.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

Neisner Brothers, Inc., No. 17, 42 North Saginaw Street, Pontiac, Mich.; effective 4–1–64 to 9–2–64 (variety store; 45 employees).

Neisner Brothers, Inc., No. 107, 421 South Washington, Royal Oak, Mich.; effective 4–1–64 to 9–2–64 (variety store; 35 employees).

Neisner Brothers, Inc., No. 73, 3106 Biddle Avenue, Wyandotte, Mich.; effective 4–1–64 to 9–2–64 (variety store; 46 employees).

Neisner Brothers, Inc., No. 100, 517 Race Street, Cincinnati, Ohio; effective 4–1–64 to 9–2–64 (variety store; 89 employees).

Neisner Brothers, Inc., No. 29, 10301 Euclid Avenue, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

Neisner Brothers, Inc., No. 53, 1920 West 25th Street, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

Neisner Brothers, Inc., No. 113, 700 East 185th Street, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 14 employees).

Neisner Brothers, Inc., No. 128, 3310 Warren Road, Cleveland, Ohio; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

Neisner Brothers, Inc., No. 132, 1321 North Ridge Road, Lorain, Ohio; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

Neisner Brothers, Inc., No. 19, 59 North Main Street, Mansfield, Ohio; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

Neisner Brothers, Inc., No. 36, 36 Lincoln Way West, Massillon, Ohio; effective 4–1–64 to 9–2–64 (variety store; 15 employees).

Neisner Brothers, Inc., No. 39, 4619 Montgomery Road, Norwood, Ohio; effective 4–1–64 to 9–2–64 (variety store; 36 employees).

J. J Newberry Co., 374 River Street, Manistee, Mich.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

J. J. Newberry Co., 133–135 South Main Street, Bryan, Ohio; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

J. J. Newberry Co., 135 North Main Street, Lima, Ohio; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

F. W. Woolworth Co., No. 2171, 1785 Hi M. 139 (S.), Benton Harbor, Mich.; effective 4–1–64 to 9–2–64 (variety store; 120 employees).

F. W. Woolworth Co., No. 1170, 329 North Main Street, Cheboygan, Mich.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

F. W. Woolworth Co., No. 190, 562 South Saginaw Street, Flint, Mich.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

F. W. Woolworth Co., No. 45, 169 Monroe Avenue, Grand Rapids, Mich.; effective 4–1–64 to 9–2–64 (variety store; 56 employees).

REGION VII

Carrollton Foods, Inc., IGA Foodliner, No. 15, 905 South Main, Carrollton, Mo.; effective 4–1–64 to 9–2–64 (food store; 28 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 38, 425 North Summit, Arkansas City, Kans.; effective 4–1–64 to 9–2–64 (food store; 35 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 2, 303 South Second, Dodge City, Kans.; effective 4–1–64 to 9–2–64 (food store; 35 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 15, 711 North Main, Garden City, Kans.; effective 4–1–64 to 9–2–64 (food store; 34 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 3, 1811 North Main, Great Bend, Kans.; effective 4–1–64 to 9–2–64 (food store; 42 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 1, 200 South Main, Hutchinson, Kans.; effective 4–1–64 to 9–2–64 (food store; 28 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 8, 1321 North Main, Hutchinson, Kans.; effective 4–1–64 to 9–2–64 (food store; 56 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 10, 734 East 4th, Hutchinson, Kans.; effective 4–1–64 to 9–2–64 (food store; 35 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 25, 206 West Fifth Street, Hutchinson, Kans.; effective 4–1–64 to 9–2–64 (food store; 33 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 39, 13th and Washington, Junction City, Kans.; effective 4–1–64 to 9–2–64 (food store; 20 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 9, 423 Main, Larned, Kans.; effective 4–1–64 to 9–2–64 (food store; 14 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 23, 202 East Avenue North, Lyons, Kans.; effective 4–1–64 to 9–2–64 (food store; 16 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 6, 320 North Main, Newton, Kans.; effective 4–1–64 to 9–2–64 (food store; 34 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 24, 724 North Main, Newton, Kans.; effective 4–1–64 to 9–2–64 (food store; 12 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 21, 124 North Main, Pratt, Kans.; effective 4–1–64 to 9–2–64 (food store; 16 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 11, 118 East Third, St. John, Kans.; effective 4–1–64 to 9–2–64 (food store; 12 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 27, 511 East Iron, Salina, Kans.; effective 4–1–64 to 9–2–64 (food store; 32 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 41, 1201 West Crawford, Salina, Kans.; effective 4–1–64 to 9–2–64 (food store; 39 employees).

The J. S. Dillon & Sons Stores Co., Inc., No. 45, 124 West Harvey, Wellington, Kans.; effective 4–1–64 to 9–2–64 (food store; 25 employees).

S. S. Kresge Co., No. 96, 124 South Side Square, Springfield, Mo.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

S. H. Kress and Co., 617 North Broadway, Pittsburg, Kans.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

S. H. Kress and Co., 224 East Douglas Avenue, Wichita, Kans.; effective 4–1–64 to 9–2–64 (variety store; 71 employees).

REGION VIII

C. R. Anthony Co., No. 84, Dumas, Tex.; effective 4–1–64 to 9–2–64 (apparel store; 9 employees).

Sam Glass Minimax, Inc., 1552 Palm Boulevard, Brownsville, Tex.; effective 4–1–64 to 9–2–64 (food store; 44 employees).

H. L. Green Co., 224 West Main Street, Oklahoma City, Okla.; effective 4–1–64 to 9–2–64 (variety store; 64 employees).

S. H. Kress & Co., No. 515, 414 Central SW., Albuquerque, N. Mex.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

S. H. Kress & Co., 208 North Main, Roswell, N. Mex.; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

S. H. Kress & Co., 119 West Main, Ardmore, Okla.; effective 4–1–64 to 9–2–64 (variety store; 16 employees).

S. H. Kress & Co., No. 527, 325 Chickasha Avenue, Chickasha, Okla.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

S. H. Kress & Co., 129 West Maine, Enid, Okla.; effective 4–1–64 to 9–2–64 (variety store; 14 employees).

S. H. Kress & Co., 324 C Avenue, Lawton, Okla.; effective 4–1–64 to 9–2–64 (variety store; 28 employees).

S. H. Kress & Co., No. 537, 109–113 North Second, Muskogee, Okla.; effective 4–1–64 to 9–2–64 (variety store; 45 employees).

S. H. Kress & Co., 218 West Main Street, Oklahoma City, Okla.; effective 4–1–64 to 9–2–64 (variety store; 41 employees).

S. H. Kress & Co., 218 South Main, Tulsa, Okla.; effective 4–1–64 to 9–2–64 (variety store; 92 employees).

S. H. Kress & Co., 591 Pearl Street, Beaumont, Tex.; effective 4–1–64 to 9–2–64 (variety store; 30 employees).

S. H. Kress & Co., 1031 East Elizabeth Street, Brownsville, Tex.; effective 4–1–64 to 9–2–64 (variety store; 112 employees).

S. H. Kress & Co., 1404 Elm Street, Dallas, Tex.; effective 4–1–64 to 9–2–64 (variety store; 96 employees).

S. H. Kress & Co., 206 West Jefferson, Dallas, Tex.; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

S. H. Kress & Co., 230 Main Street, Eagle Pass, Tex.; effective 4–1–64 to 9–2–64 (variety store; 62 employees).

S. H. Kress & Co., 211 North Mesa, El Paso, Tex.; effective 4–1–64 to 9–2–64 (variety store; 227 employees).

S. H. Kress & Co., 201 West California Street, Gainesville, Tex.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

S. H. Kress & Co., 124 East Jackson, Harlingen, Tex.; effective 4–1–64 to 9–2–64 (variety store; 19 employees).

S. H. Kress & Co., 6704 Harrisburg Boulevard, Houston, Tex.; effective 4–1–64 to 9–2–64 (variety store; 31 employees).

S. H. Kress & Co., 16 Lamar Avenue, Paris, Tex.; effective 4–1–64 to 9–2–64 (variety store; 53 employees).

S. H. Kress & Co., 625 Procter Street, Port Arthur, Tex.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

S. H. Kress & Co., 101 North Flores Street, San Antonio, Tex.; effective 4–1–64 to 9–2–64 (variety store; 74 employees).

S. H. Kress & Co., 315 East Houston Street, San Antonio, Tex.; effective 4–1–64 to 9–2–64 (variety store; 147 employees).

S. H. Kress & Co., 110 North Travis, Sherman, Tex.; effective 4–1–64 to 9–2–64 (variety store; 26 employees).

S. H. Kress & Co., 116–118 West Broad Street, Texarkana, Tex.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

S. H. Kress & Co., 114 West Erwin Street, Tyler, Tex.; effective 4–1–64 to 9–2–64 (variety store; 28 employees).

S. H. Kress & Co., No. 671, 101 South College Street, Waxahachie, Tex.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

S. H. Kress & Co., No. 673, 808 Indiana Street, Wichita Falls, Tex.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

McCrory-McLellan Store, No. 542, 320 Central SW., Albuquerque, N. Mex.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

McCrory-McLellan-Green Store, No. 597, 327 Avenue D, Lawton, Okla.; effective 4–1–64 to 9–2–64 (variety store; 22 employees).

McCrory-McLellan-Green Store, No. 198, 240 East Houston Street, San Antonio, Tex.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

McCrory-McLellan-Green Store, 11 South Main, Temple, Tex.; effective 4–1–64 to 9–2–64 (variety store; 13 employees).

McCrory-McLellan-Green Stores, No. 1099, 1015–10th Street North, Texas City, Tex.; effective 4–1–64 to 9–2–64 (variety store; 17 employees).

J. J. Newberry Co., 320 East Overland Street, El Paso, Tex.; effective 4–1–64 to 9–2–64 (variety store; 80 employees).

J. J. Newberry Co., No. 295, 110–114 West Broad Street, Texarkana, Tex.; effective 4–1–64 to 9–2–64 (variety store; 25 employees).

Terry Farris, No. 5411, 308 East Main Street, Alice, Tex.; effective 4–1–64 to 9–2–64 (variety store; 11 employees).

Terry Farris, No. 5407, 1215 East Elizabeth, Brownsville, Tex.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

Terry Farris, No. 5412, 106 West Jackson, Harlingen, Tex.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

Terry Farris, No. 5406, 208 East Kleberg, Kingsville, Tex.; effective 4–1–64 to 9–2–64 (variety store; 12 employees).

Terry Farris, No. 5409, 123 South Main Street, McAllen, Tex.; effective 4–1–64 to 9–2–64 (variety store; 51 employees).

Terry Farris, No. 5419, 124 South 15th Street, McAllen, Tex.; effective 4–1–64 to 9–2–64 (variety store; 20 employees).

Terry Farris, No. 5402, 394 West Hidalgo, Raymondville, Tex.; effective 4–1–64 to 9–2–64 (variety store; 12 employees).

REGION IX

M. H. King Co., 1258 Overland Avenue, Burley, Idaho; effective 4–1–64 to 8–31–64 (variety store; 20 employees).

S. H. Kress & Co., 901 G Avenue, Douglas, Ariz.; effective 4–1–64 to 8–31–64 (variety store; 24 employees).

S. H. Kress & Co., 119 Morley Avenue, Nogales, Ariz.; effective 4–1–64 to 8–31–64 (variety store; 77 employees).

S. H. Kress & Co., 22 West Washington Street, Phoenix, Ariz.; effective 4–1–64 to 8–31–64 (variety store; 50 employees).

S. H. Kress & Co., 97 East Congress Street, Tucson, Ariz.; effective 4–1–64 to 8–31–64 (variety store; 42 employees).

S. H. Kress & Co., 105 West Center Street, Provo, Utah; effective 4–1–64 to 8–31–64 (variety store; 42 employees).

S. H. Kress & Co., 257 South Main Street, Salt Lake City, Utah; effective 4–1–64 to 8–31–64 (variety store; 134 employees).

REGION X

Highway Foods, Inc., T/A Farm Fresh Super Market, 3600 Military Highway, Norfolk, Va.; effective 4–1–64 to 9–2–64 (food store; 88 employees).

J. Fred Johnson Co., Broad Street, Kingsport, Tenn.; effective 4–1–64 to 9–2–64 (department store; 173 employees).

S. S. Kresge Co., No. 157, 812 Monmouth Street, Newport, Ky.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

S. S. Kresge Co., No. 79, 250 West Main Street, Lexington, Ky.; effective 4–1–64 to 9–2–64 (variety store; 58 employees).

S. S. Kresge Co., No. 56, 412 South Fourth Street, Louisville, Ky.; effective 4–1–64 to 9–2–64 (variety store; 69 employees).

S. S. Kresge Co., No. 457, 414 West Market Street, Louisville, Ky.; effective 4–1–64 to 9–2–64 (variety store; 58 employees).

S. S. Kresge Co., 100 East Main Street, Owensboro, Ky.; effective 4–1–64 to 9–2–64 (variety store; 55 employees).

S. S. Kresge Co., No. 648, Dixie Manor Shopping Center, Pleasure Ridge Park, Ky.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

S. S. Kresge Co., No. 342, 423 Main Street, Danville, Va.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

S. S. Kresge Co., No. 425, 300 Federal Street, Bluefield, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 59 employees).

S. S. Kresge Co., 209 Capitol Street, Charleston, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 47 employees).

S. H. Kress & Co., 628 State Street, Bristol, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

S. H. Kress & Co., No. 317, 822 Market Street., Chattanooga, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 95 employees).

S. H. Kress & Co., No. 319, 423 Elk Avenue, Elizabethton, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 41 employees).

S. H. Kress Co., No. 323, 243 East Main Street, Johnson City, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 42 employees).

S. H. Kress & Co., 220 Broad Street, Kingsport, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 89 employees).

S. H. Kress & Co., No. 327, 417 South Gay Street, Knoxville, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 115 employees).

S. H. Kress & Co., 29 West Campbell Avenue, Roanoke, Va.; effective 4–1–64 to 9–2–64 (variety store; 59 employees).

McCrory Corp., No. 163, 148–152 West Main Street, Morristown, Tenn.; effective 4–11–64 to 9–2–64 (variety store; 20 employees).

McCrory-McLellan-Green Store, 200 Franklin Street, Clarksville, Tenn.; effective 4–1–64 to 9–2–64 (variety store; 13 employees).

G. C. Murphy Co., No. 17, 1537 Winchester Avenue, Ashland, Ky.; effective 4–1–64 to 9–2–64 (variety store; 101 employees).

G. C. Murphy Co., No. 204, 507 Court Street, Paintsville, Ky.; effective 4–1–64 to 9–2–64 (variety store; 36 employees).

G. C. Murphy Co., No. 176, 323½ Main Street, Pikesville, Ky.; effective 4–1–64 to 9–2–64 (variety store; 84 employees).

G. C. Murphy Co., No. 111, 2–4 West Second Street, Maysville, Ky.; effective 4–1–64 to 9–2–64 (variety store; 51 employees).

G. C. Murphy Co., No. 198, 616–618 King Street, Alexandria, Va.; effective 4–1–64 to 9–2–64 (variety store; 99 employees).

G. C. Murphy Co., No. 241, Bradlee Shopping Center, 3654 King Street, Alexandria, Va.; effective 4–1–64 to 9–2–64 (variety store; 54 employees).

G. C. Murphy Co., No. 214, 3000–3008 Wilson Boulevard, Arlington, Va.; effective 4–1–64 to 9–2–64 (variety store; 66 employees).

G. C. Murphy Co., No. 24, 109–121 Newmarket Shopping Center, Newport News, Va.; effective 4–1–64 to 9–2–64 (variety store; 63 employees).

G. C. Murphy Co., No. 142, 4750 North Southside Plaza, Richmond, Va.; effective 4–1–64 to 9–2–64 (variety store; 64 employees).

G. C. Murphy Co., No. 245, 1717 Willow Lawn Drive, Richmond, Va.; effective 4–1–64 to 9–2–64 (variety store; 75 employees).

G. C. Murphy Co., No. 132, 218–22 West Main Street, Post Office Box 1458, Beckley, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 128 employees).

G. C. Murphy Co., No. 171, 312–314 West Main Street, Clarksburg, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 96 employees).

G. C. Murphy Co., No. 209 Main Street, East Rainelle, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 32 employees).

G. C. Murphy Co., No. 15, 105–111 Third Street, Elkins, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 52 employees).

G. C. Murphy Co., No. 172, 314–320 Adams Street, Fairmont, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 122 employees).

G. C. Murphy Co., No. 137, 209 Temple Street, Hinton, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 41 employees).

G. C. Murphy Co., No. 22, 97–103 North Main Street, Keyser, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 52 employees).

G. C. Murphy Co., 205 Stratton Street, Logan, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 81 employees).

G. C. Murphy Co., No. 42, 326–330 Third Avenue, Montgomery, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 68 employees).

G. C. Murphy Co., No. 197, 222–230 High Street, Morgantown, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 76 employees).

G. C. Murphy Co., No. 182, Howard Street, Mullens, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 40 employees).

G. C. Murphy Co., No. 168, Main Street, North Fork, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 28 employees).

G. C. Murphy Co., No. 213, Main and Oak Streets, Oak Hill, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 40 employees).

G. C. Murphy Co., No. 212, 712–714 Market Street, Parkersburg, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 112 employees).

G. C. Murphy Co., No. 185, 11 North Main Street, Philippi, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 23 employees).

G. C. Murphy Co., No. 49, 61–63 Ashfield Street, Piedmont, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 18 employees).

G. C. Murphy Co., No. 62, 426–28 Main Street, Point Pleasant, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 35 employees).

G. C. Murphy Co., No. 154, 905–907 Mercer Street, Princeton, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 78 employees).

G. C. Murphy Co., No. 180, 8 Main Street, Richwood, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 29 employees).

G. C. Murphy Co., No. 189, Bridge and Pike Streets, Shinnston, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 28 employees).

G. C. Murphy Co., No. 19, 702–706 Wells Street, Sistersville, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 27 employees).

G. C. Murphy Co., No. 207, 302–308 Seventh Avenue, South Charleston, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 40 employees).

G. C. Murphy Co., No. 195, Main and Church Streets, Spencer, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

G. C. Murphy Co., No. 162, 3200–3210 Main Street, Cove Station, Weirton, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 38 employees).

G. C. Murphy Co., No. 254, 3339 Main Street, Post Office Box 328, Weirton, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 43 employees).

G. C. Murphy Co., No. 133, 81–85 McDowell Street, Welch, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 70 employees).

G. C. Murphy Co., No. 14, 704–714 Charles Street, Wellsburg, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 24 employees).

G. C. Murphy Co., No. 21, 160–164 Main Street, Weston, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 50 employees).

G. C. Murphy Co., No. 131, 54 Second Street, Williamson, W. Va.; effective 4–1–64 to 9–2–64 (variety store; 66 employees).

J. J. Newberry Co., 316–18–20–22 St. Clair Street, Frankfurt, Ky.; effective 4–1–64 to 9–2–64 (variety store; 34 employees).

J. J. Newberry Co., 200 North Main Street, Henderson, Ky.; effective 4–1–64 to 9–2–64 (variety store; 21 employees).

J. J. Newberry Co., 136 West Main Street, Richmond, Ky.; effective 4–1–64 to 9–2–64 (variety store; 29 employees).

J. J. Newberry Co., No. 197, 203-207 East Mount Vernon Street, Somerset, Ky.; effective 4-1-64 to 9-2-64 (variety store; 33 employees).

J. J. Newberry Co., No. 237, 8-10 Main Street, Winchester, Ky.; effective 4-1-64 to 9-2-64 (variety store; 19 employees).

J. J. Newberry Co., 125-127 East Main Street, Front Royal, Va.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

J. J. Newberry Co., Main Street, South Boston, Va.; effective 4-1-64 to 9-2-64 (variety store; 22 employees).

J. J. Newberry Co., 404 West Main Street, Waynesboro, Va.; effective 4-1-64 to 9-2-64 (variety store; 91 employees).

J. J. Newberry Co., 145 North Loudoun Street, Winchester, Va.; effective 4-1-64 to 9-2-64 (variety store; 37 employees).

J. J. Newberry Co., Charleston, W. Va.; effective 4-1-64 to 9-2-64 (variety store; 32 employees).

Raylass Department Store, 619-621 State Street, Bristol, Va.; effective 4-1-64 to 9-2-64 (department store; 22 employees).

Raylass Department Store, 335 Main Street, Danville, Va.; effective 4-1-64 to 9-2-64 (department store; 21 employees).

Wytheville Crest 5-10-25¢ Stores, Wytheville, Va.; effective 4-1-64 to 9-2-64 (variety store; 24 employees).

REGION XI

Boone Crest 5-10-25¢ Stores Co., Boone, N.C.; effective 4-1-64 to 9-2-64 (variety store; 23 employees).

Brevard Crest 5-10-25¢ Stores Co., Brevard, N.C.; effective 4-1-64 to 9-2-64 (variety store; 17 employees).

H. S. Cohen Co., Inc., North Lafayette Street, Shelby, N.C.; effective 4-1-64 to 9-2-64 (variety store; 26 employees).

Eagle Stores Co., Inc., 181 West Main Street, Gastonia, N.C.; effective 4-1-64 to 9-2-64 (variety store; 26 employees).

Eagle Stores Co., Inc., Lincolnton, N.C.; effective 4-1-64 to 9-2-64 (variety store; 17 employees).

H. L. Green Co., 212-214 North Queen Street, Kinston, N.C.; effective 4-1-64 to 9-2-64 (variety store; 42 employees).

S. S. Kresge Co., No. 730, 183 Northwest Seventh Avenue, Miami, Fla.; effective 4-1-64 to 9-2-64 (variety store; 27 employees).

S. S. Kresge Co., No. 750, Pasadena Shopping Center, 6864 Gulfport Boulevard, St. Petersburg, Fla.; effective 4-1-64 to 9-2-64 (variety store; 29 employees).

S. H. Kress & Co., 6108-14th Street West, Bradenton, Fla.; effective 4-1-64 to 9-2-64 (variety store; 67 employees).

S. H. Kress and Co., 3501 Philips Highway, Jacksonville, Fla.; effective 4-1-64 to 9-2-64 (variety store; 41 employees).

S. H. Kress and Co., 500 Duval Street, Key West, Fla.; effective 4-1-64 to 9-2-64 (variety store; 58 employees).

S. H. Kress and Co., 64 East Flagler Street, Miami, Fla.; effective 4-1-64 to 9-2-64 (variety store; 102 employees).

S. H. Kress and Co., 9-15 South Palafox Street, Pensacola, Fla.; effective 4-1-64 to 9-2-64 (variety store; 37 employees).

S. H. Kress & Co., 475 Central Avenue, St. Petersburg, Fla.; effective 4-1-64 to 9-2-64 (variety store; 48 employees).

S. H. Kress and Co., 1442 Main Street, Sarasota, Fla.; effective 4-1-64 to 9-2-64 (variety store; 15 employees).

S. H. Kress & Co., 811 Franklin Street, Tampa, Fla.; effective 4-1-64 to 9-2-64 (variety store; 48 employees).

S. H. Kress & Co., 400 Clematis Street, West Palm Beach, Fla.; effective 4-1-64 to 9-2-64 (variety store; 57 employees).

S. H. Kress & Co., 1624 East Broadway, Ybor City, Fla.; effective 4-1-64 to 9-2-64 (variety store; 22 employees).

S. H. Kress & Co., No. 101, 121 Washington Street, Albany, Ga.; effective 4-1-64 to 9-2-64 (variety store; 48 employees).

S. H. Kress and Co., 118 Jackson Street, Americus, Ga.; effective 4-1-64 to 9-2-64 (variety store; 39 employees).

S. H. Kress and Co., 40 Broad Street, SW., Atlanta, Ga.; effective 4-1-64 to 9-2-64 (variety store; 89 employees).

McCrory-McLellan-Green Store, No. 1107, 1101 Broadway, Columbus, Ga.; effective 4-1-64 to 9-2-64 (variety store; 51 employees).

McCrory-McLellan-Green, No. 1305, 309 Main Street, Traffic Circle Shopping Center, Savannah, Ga.; effective 4-1-64 to 9-2-64 (variety store; 30 employees).

McCrory-McLellan-Green Stores, Corp., 249 Middle Street, New Bern, N.C.; effective 4-1-64 to 9-2-64 (variety store; 57 employees).

McCrory-McLellan-Green Stores, No. 426, 244 South Main Street, Rocky Mount, N.C.; effective 4-1-64 to 9-2-64 (variety store; 28 employees).

McCrory-McLellan-Green Stores, 140 West Main Street, Washington, N.C.; effective 4-1-64 to 9-2-64 (variety store; 24 employees).

McCrory-McLellan Green, No. 1045, 258 North Front, Wilmington, N.C.; effective 4-1-64 to 9-2-64 (variety store; 56 employees).

McCrory-McLellan-Green, 1546 Main Street, Columbia, S.C.; effective 4-1-64 to 9-2-64 (variety store; 51 employees).

McCrory-McLellan-Green, 13-15 North Main Street, Greenville, S.C.; effective 4-1-64 to 9-2-64 (variety store; 34 employees).

G. C. Murphy Co., No. 255, Bellair Plaza, 2505 North Atlantic Avenue, Daytona Beach, Fla.; effective 4-1-64 to 9-2-64 (variety store; 44 employees).

G. C. Murphy Co., No. 276, Palm Springs Village Shopping Center, 499 West 49th Street, Hialeah, Fla.; effective 4-1-64 to 9-2-64 (variety store; 68 employees).

G. C. Murphy Co., No. 279, Halifax Shopping Center, 231 Riverside Drive, Holly Hill, Fla.; effective 4-1-64 to 9-2-64 (variety store; 33 employees).

G. C. Murphy Co., No. 262, Gateway Shopping Center, Norwood Avenue, Jacksonville, Fla.; effective 4-1-64 to 9-2-64 (variety store; 65 employees).

G. C. Murphy Co., No. 264, Central Shopping Plaza, 3709 NW. Seventh Street, Miami, Fla.; effective 4-1-64 to 9-2-64 (variety store; 74 employees).

G. C. Murphy Co., No. 253, 3240-3248 Pace Boulevard, Pensacola, Fla.; effective 4-1-64 to 9-2-64 (variety store; 84 employees).

G. C. Murphy Co., No. 272, Tyrone Shopping Center, 950 58th Street North, St. Petersburg, Fla.; effective 4-1-64 to 9-2-64 (variety store; 57 employees).

G. C. Murphy Co., No. 274, Palm Coast Shopping Plaza, 7801 South Dixie Highway, W. Palm Beach, Fla.; effective 4-1-64 to 9-2-64 (variety store; 56 employees).

G. C. Murphy Co., No. 259, Broadview Shopping Center, 2581 Piedmont Road NE., Atlantic, Ga.; effective 4-1-64 to 9-2-64 (variety store; 46 employees).

G. C. Murphy Co., No. 243, 15-17 East Central Avenue, Moultrie, Ga.; effective 4-1-64 to 9-2-64 (variety store; 34 employees).

G. C. Murphy Co., No. 250, 413-417 Broad Street, Rome, Ga.; effective 4-1-64 to 9-2-64 (variety store; 41 employees).

J. J. Newberry Co., 1147 Broadway, Columbus, Ga.; effective 4-1-64 to 9-2-64 (variety store; 48 employees).

North Wilkesboro Crest 5-10-25¢ Stores Co., North Wilkesboro, N.C.; effective 4-1-64 to 9-2-64 (variety store; 21 employees).

Piggly Wiggly Super Market, No. 37, Post Office Box 834, Ridgeland, S.C.; effective 4-1-64 to 9-2-64 (food store; 14 employees).

Raylass Department Store, Corner Main and Davis Streets, Burlington, N.C.; effective 4-1-64 to 9-2-64 (department store; 21 employees).

Raylass Department Store, 342 North Main Street, Hendersonville, N.C.; effective 4-1-64 to 9-2-64 (department store; 15 employees).

Rose's 5-10-25¢ Store, No. 143, East Nash Street, Wilson, N.C.; effective 4-1-64 to 9-2-64 (variety store; 48 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 cents an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below $1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Ann-Hope Factory Outlet of Warwick, Inc., 1689 Post Road, Warwick, R.I.; effective 4-1-64 to 9-2-64; baggers, messengers, stock clerks; between 2.2 and 3.4 percent (department store; 394 employees).

Baytown Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 244, 1006 Market Street, Baytown, Tex.; effective 4-1-64 to 9-2-64; office clerk, stock clerk, sales clerk; 10 percent for each month (variety store; 14 employees).

Columbia Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 159, 1729 Broadway, Columbia, Mo.; effective 4-1-64 to 9-2-64; clerical, sales, stock work; 0.0 to 10 percent (variety store; 22 employees).

Edward's of Aiken, Mitchell Shopping Center, Aiken, S.C.; effective 4-1-64 to 9-2-64; part-time sales clerks; 6.4 to 10 percent (variety store; 35 employees).

Sam Glass Minimax, Inc., 1301 East Levee Street, Brownsville, Tex.; effective 4-1-64 to 9-2-64; bagger, carry-out, janitorial, errand boy; 9.4 to 10 percent (food store; 42 employees).

H.E.B. Food Store, No. 90, 3002 Goliad Road., San Antonio, Tex.; effective 4-1-64 to 9-2-64; package boy, sack boy, bottle boy; 10 percent for each month (food store; 29 employees).

H.E.B. Food Store, No. 91, Milan and Dennis Streets, Wharton, Tex.; effective 4-1-64 to 9-2-64; package boy, sack boy, bottle boy; 10 percent for each month (food store; 23 employees).

Jupiter Discount Store, No. 4513, 6316 Woodland Avenue, Philadelphia, Pa.; effective 4-1-64 to 9-2-64; sales clerk; 3.0 to 10 percent (variety store; 12 employees).

M. H. King Co., 1305 Filer Avenue East, Twin Falls, Idaho; effective 4-1-64 to 9-2-64; counter service clerk; 10 percent for each month (variety store; 18 employees).

S. S. Kresge Co., No. 745, Carol City Center, 2820 Northwest 183d Street, Carol City, Fla.; effective 4-1-64 to 9-2-64; sales clerk; 7.8 to 10 percent (variety store; 25 employees).

S. S. Kresge Co., No. 429, Market Place Shopping Center, 755 West Golf Road, Des Plaines, Ill.; effective 4-1-64 to 9-2-64; sales clerk; 10 percent for each month (variety store; 35 employees).

S. S. Kresge, No. 455, 2369 South McArthur, Town/Country Shopping Center, Springfield, Ill.; effective 4-1-64 to 9-2-64; sales clerk; 10 percent for each month (variety store; 49 employees).

S. S. Kresge Co., No. 33, Green Acres Plaza, 4602 State Street, Saginaw, Mich.; effective 4-1-64 to 9-2-64; sales clerk; 10 percent for each month (variety store; 40 employees).

S. S. Kresge, No. 364, 29134 Van Dyke, Warren, Mich.; effective 4-1-64 to 9-2-64; sales clerk; 0.0 to 9.1 percent (variety store; 52 employees).

S. S. Kresge Co., No. 578, Village Square, Lindberg Boulevard at Village Square Road, Hazelwood, Mo.; effective 4-1-64 to 9-2-64;

sales clerk; 10 percent for each month (variety store; 29 employees).

S. S. Kresge Co., No. 132, Cherry Hill Shopping Center, 431 Cherry Hill Merchantville, N.J.; effective 4–1–64 to 9–2–64; sales clerks; 10 percent for each month (variety store; 55 employees).

S. S. Kresge Co., No. 434, Brookgate Shopping Center, 5837 Smith Road, Cleveland, Ohio; effective 4–1–64 to 9–2–64; sales clerk; 10 percent for each month (variety store; 26 employees).

S. S. Kresge Co., No. 773, 1405 East Elizabeth, Brownsville, Tex.; effective 4–1–64 to 9–2–64; sales clerk; between 3.6 and 7.1 percent (variety store; 27 employees).

S. S. Kresge Co., 408 Northlake Shopping Center, Northwest Highway and Ferndale Road, Dallas, Tex.; effective 4–1–64 to 9–2–64; sales clerks; 7.1 to 10 percent (variety store; 22 employees).

S. S. Kresge Co., Richland Shopping Center, 6363 Grapevine Highway, Fort Worth, Tex.; effective 4–1–64 to 9–2–64; sales clerk; 10 percent for each month (variety store; 35 employees).

S. S. Kresge Co., No. 729, MacArthur Drive Shopping Center, 2656 West MacArthur Drive, Orange, Tex.; effective 4–1–64 to 9–2–64; sales clerk; between 1.5 and 4.8 percent (variety store; 30 employees).

S. S. Kresge Co., No. 743, 1606 Pasadena Plaza, 2004 Spencer Highway, Pasadena, Tex.; effective 4–1–64 to 9–2–64; sales clerk; 7.6 to 10 percent (variety store; 19 employees).

S. H. Kress and Co., No. 8, Indian Hills Shopping Center, Canton Pike, Hopkinsville, Ky.; effective 4–1–64 to 9–2–64; sales clerk; between 0.2 and 10 percent (variety store; 35 employees).

S. H. Kress and Co., Cache Road Square Shopping Center, 38th and Cache Road, Lawton, Okla.; effective 4–1–64 to 9–2–64; sales clerk; 7.7 to 10 percent (variety store; 36 employees).

S. H. Kress and Co., No. 540, 403 SW. 25th Street, Oklahoma City, Okla.; effective 4–1–64 to 9–2–64; sales clerk; between 1.9 and 10 percent (variety store; 65 employees).

Mart Grocers, Inc., 501 East Armour, North Kansas City, Mo.; effective 4–1–64 to 9–2–64; bag boys, carry-out boys; 10 percent for each month (food store; 24 employees).

Mart Grocers, Inc., 8601 East 40 Highway, Kansas City, Mo.; effective 4–1–64 to 9–2–64; shag boys; 10 percent for each month (food store; 21 employees).

McCrory-McLellan-Green Corp., Palm Plaza Shopping Center, Leesburg, Fla.; effective 4–1–64 to 9–2–64; sales clerk, stock clerk, office clerk; between 8.1 and 10 percent (variety store; 23 employees).

McCrory-McLellan-Green Stores, 23–29 East Flagler Street, Miami, Fla.; effective 4–1–64 to 9–2–64; sales, office clerk, counter clerk; between 3.5 and 10 percent (variety store; 185 employees).

McCrory-McLellan Stores, No. 339, West Orange Shopping Center, Dillard and Cypress Streets, Winter Garden, Fla.; effective 4–1–64 to 9–2–64; sales clerks; between 5.7 and 8.3 percent (variety store; 26 employees).

McCrory-McLellan Stores, No. 706, North Valley Shopping Center, 1114 Candelaria Road NW., Albuquerque, N. Mex.; effective 4–1–64 to 9–2–64; stock clerks, sales clerks; 10 percent for each month (variety store; 29 employees).

G. C. Murphy Co., No. 289, 10 Northwest Sixth Street, Gainesville, Fla.; effective 4–1–64 to 9–2–64; sales, clerical, stock keeping, janitorial; between 9.4 and 10 percent (variety store; 33 employees).

G. C. Murphy Co., No. 150, Roosevelt Mall Shopping Center, 4423 Roosevelt Boulevard, Jacksonville, Fla.; effective 4–1–64 to 9–2–64; sales, clerical, stock keeping, janitorial; between 9.4 and 10 percent (variety store; 37 employees).

G. C. Murphy Co., No. 284, Pine Hill Shopping Center, 5217–5229 West Colonial Drive, Orlando, Fla.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; between 4.7 and 10 percent (variety store; 45 employees).

G. C. Murphy Co., No. 287, 549 Harrison Avenue, Panama City, Fla.; effective 4–1–64 to 9–2–64; sales, janitorial, stockkeeping, clerical; 10 percent for each month (variety store; 30 employees.

G. C. Murphy Co., No. 292, Corry Field Shopping Center, Pensacola, Fla.; effective 4–1–64 to 9–2–64; sales, clerical stockkeeping, janitorial; 10 percent for each month (variety store; 25 employees).

G. C. Murphy Co., No. 290, 7001 Taft Street, West Hollywood, Fla.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; between 9.8 and 10 percent (variety store; 34 employees).

G. C. Murphy Co., No. 277, 1127 Mount Prospect Plaza, Mount Prospect, Ill.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; 10 percent for each month (variety store; 44 employees).

G. C. Murphy Co., No. 91, West Side Shopping Center, 2429 Frederick Avenue, Baltimore, Md.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; 10 percent for each month (variety store; 56 employees).

G. C. Murphy Co., No. 285, 3901 Erdman Avenue, Baltimore, Md.; effective 4–1–64 to 9–2–64; sales, janitorial, stockkeeping, clerical; 10 percent for each month (variety store; 43 employees).

G. C. Murphy Co., No. 161, 156 Apache Plaza, Minneapolis, Minn.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; 10 percent for each month (variety store; 64 employees).

G. C. Murphy Co., No. 291, 17400 Lorain Avenue, Cleveland, Ohio; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; between 9.4 and 10 percent (variety store; 47 employees).

G. C. Murphy Co., No. 280, 10 Olympia Park Plaza, Versailles, McKeesport, Pa.; effective 4–1–64 to 9–2–64; sales clerks, office clerks, stock clerks, janitors; between 7.3 and 10 percent (variety store; 67 employees).

G. C. Murphy Co., No. 283, Oaklawn Shopping Center, Texarkana, Tex.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; 10 percent for each month (variety store; 40 employees).

G. C. Murphy Co., No. 278, Pittman Plaza Shopping Center, 801 Lakeside Drive, Lynchburg, Va.; effective 4–1–64 to 9–2–64; stock clerk, janitor, sales clerk, clerk; between 9.2 and 10 percent (variety store; 83 employees).

G. C. Murphy Co., No. 240, Roanoke-Salem Shopping Center, 4142 Melrose Avenue, Roanoke, Va.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; between 9.2 and 10 percent (variety store; 47 employees).

G. C. Murphy Co., No. 156, 642 Jefferson Davis Highway, Woodbridge, Va.; effective 4–1–64 to 9–2–64; sales, clerical, stockkeeping, janitorial; 10 percent for each month (variety store; 46 employees).

Neisner Brothers, Inc., No. 192, 1091 West Main Street, Avon Park, Fla.; effective 4–1–64 to 9–2–64; sales clerk, stock clerk; between 6.0 and 10 percent (variety store; 15 employees).

Neisner Bros., Inc., No. 179, 4 Lake City Plaza U.S. 41 South, Lake City, Fla.; effective 4–1–64 to 9–2–64; selling; between 8.7 and 10 percent (variety store; 19 employees).

Neisner Bros., Inc., No. 196, Post Office Box 608, Marathon, Fla.; effective 4–1–64 to 9–2–64; selling, stocking; between 7.2 and 10 percent (variety store; 15 employees).

Neisner Bros., Inc., No. 184, 1101 Eighth Avenue, Palmetto, Fla.; effective 4–1–64 to 9–2–64; sales clerk, stock clerk, porter; 10 percent for each month (variety store; 15 employees).

Neisner Bros., Inc., No. 194, 194 North Tennessee Street, Tallahassee, Fla.; effective 4–1–64 to 9–2–64; sales clerk, stock clerk, office clerk; between 9.1 and 10 percent (variety store; 19 employees).

Neisner Bros., Inc., No. 202, Crystal Lake Plaza, Crystal Lake, Ill.; effective 4–1–64 to 9–2–64; sales clerk, stock clerk, office clerk; between 9.2 and 10 percent (variety store; 28 employees).

Neisner Bros., Inc., No. 168, 1938 Grand Avenue North, Spencer, Iowa; effective 4–1–64 to 9–2–64; sales clerk, stock clerk; between 5.6 and 10 percent (variety store; 18 employees).

Neisner Bros., Inc., No. 195, 3723 Blanco Road, San Antonio, Tex.; effective 4–1–64 to 9–2–64; selling stock, clerical; between 6.0 and 10 percent (variety store; 9 employees).

Newberry East Brunswick Corp., 72 West Prospect Street, East Brunswick, N.J.; effective 4–1–64 to 9–2–64; office clerk, sales clerk, stock clerk, janitor, window trimmer, marker; 10 percent for each month (variety store; 117 employees).

Newberry Mentor Corp., 850 Mentor Avenue, Mentor, Ohio; effective 4–1–64 to 9–2–64; office clerks, sales, credit office, sign makers; between 7.5 and 10 percent (variety store; 145 employees).

Nicoma Park Variety, Inc., d/b/a T. G. & Y. Stores Co., No. 86, 2403 North Westminster, Nicoma Park, Okla.; effective 4–1–64 to 9–2–64; clerical, sales, stockwork; 10 percent for each month (variety store; 16 employees).

Raylass Department Store, 119–121 Main Street, High Point, N.C.; effective 4–1–64 to 9–2–64; clerk, sales clerk, stock clerk, marker, janitor; 10 percent for each month (department store; 21 employees).

Raylass Department Store, 908–12 Main Street, Lynchburg, Va.; effective 4–1–64 to 9–2–64; clerk, sales clerk, stock clerk, marker, janitorial; 10 percent for each month (department store; 23 employees).

Raylass Department Store; Corner Main and Washington Streets, Suffolk, Va.; effective 4–1–64 to 9–2–64; clerks, sales clerks, janitorial, stock clerks, markers; 10 percent for each month (department store; 27 employees).

F. W. Woolworth Co., No. 2615, 3090 North Water Street, Decatur, Ill.; effective 4–1–64 to 9–2–64; sales clerk; 4.7 to 10 percent (variety store; 35 employees).

F. W. Woolworth Co., No. 2624, 500 Central Avenue, Connersville, Ind.; effective 4–1–64 to 9–2–64; sales clerk; 10 percent for each month (variety store; 22 employees).

F. W. Woolworth Co., 133 West Main Street, Benton Harbor, Mich.; effective 4–1–64 to 9–2–64; sales clerk; 4.3 to 10 percent (variety store; 28 employees).

F. W. Woolworth Co., No. 2584, 1220 28th Street, Wyoming, Mich.; effective 4–1–64 to 9–2–64; sales clerk; 9.1 to 10 percent (variety store; 35 employees).

F. W. Woolworth Co., 601 Cherry Hill, S.C., Cherry Hill, N.J.; effective 4–1–64 to 9–2–64; stock clerk, sales; 7.8 to 10 percent (variety store; 186 employees).

Wyandotte Variety, Inc., d/b/a T. G. & Y. Stores Co., No. 302, 7716 State Street, Kansas City, Kans.; effective 4–1–64 to 9–2–64; clerical, stockwork, sales; 10 percent for each month (variety store; 21 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any

of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 9th day of April 1964.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 64-3725; Filed, Apr. 15, 1964; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 969]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 13, 1964.

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.

Finance Docket No. 22954. By order of April 3, 1964, the Transfer Board approved the transfer to Roy C. Berrie, doing business as Elk Boat Line, McGregor, Iowa, of the operating rights issued by the Commission, as amended, September 9, 1954, under Certificate No. W-314, to Alan Duane Butterfield, doing business as Elk Boat Line, McGregor, Iowa, authorizing the transportation of passengers during the season from May to November, inclusive, between ports and points on the Mississippi River from Davenport, Iowa, to La Crosse, Wis., inclusive. Robert E. Coon, McGregor, Iowa, attorney for applicants.

No. MC-FC 66713. By order April 3, 1964, the Transfer Board approved the transfer to Springfield-Decatur Transfer Company, a Delaware corporation, Springfield, Ill., of the operating rights in Certificate of Registration No. MC 97884 (Sub-No. 1) issued November 4, 1963, to John Enlow, doing business as Springfield Decatur Transfer, Springfield, Ill., corresponding to the grant of intrastate authority to transferor, pursuant to Certificate of Public Convenience and Necessity No. 6449 MC, issued November 19, 1957, by the Illinois Commerce Commission.

No. MC-FC 66747. By order of April 2, 1964, the Transfer Board approved the transfer to Charles Wolfe & Sons, Inc., Farmingdale, N.Y., of the operating rights in the Certificates Nos. MC 95808 and MC 95808 (Sub-No. 1), issued November 15, 1955 and June 27, 1957, respectively, to Charles Wolfe, doing business as Charles Wolfe & Sons, Farmingdale, N.Y., authorizing the transportation, over irregular routes, between New York, N.Y., on the one hand, and on the other, points in Connecticut, Maryland, New Jersey New York, Vermont, and the District of Columbia. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y., attorney at law.

No. MC-FC 66753. By order of April 2, 1964, the Transfer Board approved the transfer to Earl Newton, Baldwin, Wis., of Certificate No. MC 14431 issued June 14, 1962, to Vernon Anderson and Earl Newton, a partnership, doing business as Baldwin Egg & Potato Co., Baldwin, Wis., authorizng the transportation, over irregular routes, of livestock and agricultural commodities, from points in the Towns of Baldwin, Hammond, Eau Galle, Springfield, Pleasant Valley, Glenwood, Emerald, Erin, Cylon, Richmond, Warren, and Rush River, St. Croix County, Wis., to St. Paul, South St. Paul, Newport, and Minneapolis, Minn.; and general commodities, excluding household goods and commodities in bulk, from the above-specified points in Minnesota to points in the above-specified towns in Wisconsin. A. R. Fowler, 2288 University Avenue, St. Paul, Minnesota, 55114, representative for applicants.

No. MC-FC 66758. By order of April 2, 1964, the Transfer Board approved the transfer to Lenoir Transfer Company, Inc., Lenoir, N.C., of the operating rights in Certificate of Registration No. MC 98039 (Sub-No. 2), issued March 6, 1964, to Wade L. Thompson, doing business as Lenoir Transfer Company, Lenoir, N.C., corresponding to the grant of intrastate authority to transferor, pursuant to Common Carrier Certificate No. C-250 dated May 16, 1951 and amended October 28, 1957, issued by the North Carolina Utilities Commission.

No. MC-FC 66771. By order of April 2, 1964, the Transfer Board approved the transfer of the "claimed grandfather-proviso" rights set forth in the order of the Commission dated December 18, 1963, by Operating Rights Board No. 2, in the name of Roy Prince Trucking Co., a corporation, 2330 East Main Street, Grand Prairie, Tex., in No. MC 99319 (Sub-No. 1) providing for the issuance of a Certificate of Registration upon compliance with the conditions thereof, to E. E. Barrett, doing business as Barrett Vacuum Tank Service, Box 218, Daisetta, Texas, authorizing operations within the State of Texas.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-3740; Filed, Apr. 15, 1964; 8:46 a.m.]

[Rev. S.O. No. 562; Taylor's I.C.C. Order No 171-A]

MISSOURI-KANSAS-TEXAS RAILROAD CO.

Vacation of Order

Upon further consideration of Taylor's I.C.C. Order No. 171 (Missouri-Kansas-Texas Railroad Company) and good cause appearing therefor:

It is ordered, That

(a) Taylor's I.C.C. Order No. 171, be, and it is hereby vacated and set aside.

(b) *Effective date.* This order shall become effective at 4:00 p.m., April 10, 1964.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., April 10, 1964.

INTERSTATE COMMERCE COMMISSION,
[SEAL] CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 64-3741; Filed, Apr. 15, 1964; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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

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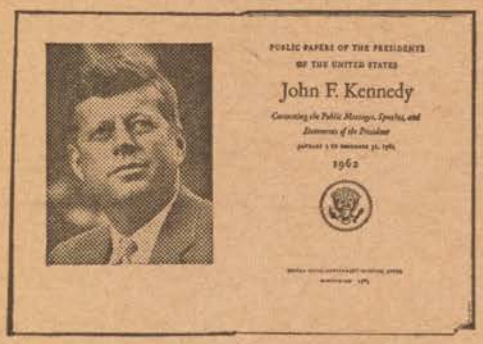

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