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Rules and Regulations

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

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

[Reg. Docket No. 5018; Amdt. 114]

PART 95—IFR ALTITUDES [NEW]

Miscellaneous Amendments

This amendment is adopted to provide safety in air commerce for IFR operations by prescribing the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes also assure navigational coverage that is adequate and free of frequency interference for such a route or portion thereof.

As a situation exists which demands immediate action in the interest of safety, I find that compliance with the notice and public 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 delegated to me by the Administrator (24 F.R. 5662), Part 95 [New] (14 CFR Part 95 [New]) is amended as follows:

Section 95.101 *Amber Federal airway 1* is amended to read in part:

From Cape Spencer INT, Alaska; to Yakutat, Alaska, LFR; MEA 2,000.

From Yakutat, Alaska, LFR; to Cape Suckling INT, Alaska; MEA 2,000

Section 95.1001 *Direct route—U.S.* is amended to delete:

From Gull INT, La.; to New Orleans, La., VOR; MEA 1,900.

From Denver, Colo., VOR; to Colorado Springs, Colo., VOR; MEA 10,000.

From Farmington, N. Mex., VOR; to La Sal, Utah, VOR; MEA *12,000. *10,600—MOCA.

From Carlsbad, N. Mex., VOR; to Gore INT, Tex.; MEA 6,000.

From Culberson, Tex., VOR; to Gore INT, Tex.; MEA 6,300.

From Dubois, Idaho, VOR; to Ashton INT, Idaho; MEA 10,000.

From Idaho Falls, Idaho, LF/RBN; to Ashton INT, Idaho; MEA 8,000.

Section 95.1001 *Direct route—U.S.* is amended by adding:

From Moultrie, Ga., VOR; to Tallahassee, Fla., VOR; MEA *1,800. *1,400—MOCA.

From Hattiesburg, Miss., VOR; to Laurel, Miss., VOR; MEA 1,800.

From Laurel, Miss., VOR; to Louin INT, Miss.; MEA 1,800.

Section 95.1001 *Direct route—U.S.* is amended to read in part:

From Dulac INT, La.; to Tibby, La., VOR via TBD 160 M rad; MEA *2,200. *1,500—MOCA.

From Dulac INT, La.; to New Orleans, La., VOR via MSY 206 M rad; MEA 2,200.

Section 95.6001 *VOR Federal airway 1* is amended to read in part:

From Kennedy, N.Y., VOR; to Int. 011 M rad Kennedy VOR and 217 M rad Carmel VOR; MEA *2,500. *1,500—MOCA.

From Int. 011 M rad Kennedy VOR and 217 M rad Carmel VOR; to Carmel, N.Y., VOR; MEA *2,500. *1,900—MOCA.

From Carmel, N.Y., VOR; to Poughkeepsie, N.Y., VOR; MEA *3,000. *2,600—MOCA.

Section 95.6002 *VOR Federal airway 2* is amended to read in part:

From Buffalo, N.Y., VOR; to Rochester, N.Y., VOR; MEA 2,600.

From Rochester, N.Y., VOR; to Plainville INT, N.Y.; MEA 2,200.

From Plainville INT, N.Y.; to Syracuse, N.Y., VOR; MEA 2,000.

Section 95.6003 *VOR Federal airway 3* is amended to read in part:

From Solberg, N.J., VOR; to Carmel, N.Y., VOR; MEA *2,000. *1,900—MOCA.

From Carmel, N.Y., VOR; to Bethany INT, Conn.; MEA 2,100.

From Daytona Beach, Fla., VOR; to *Bunnell INT, Fla.; MEA **1,500. *3,000—MRA. **1,300—MOCA.

From Daytona Beach, Fla., VOR via E alter.; to *Crooker INT, Fla., via E alter.; MEA **1,500.—*3,500—MRA. **1,300—MOCA.

From *Catherine INT, Ga., via E alter.; to **Keller INT, Ga., via E alter.; MEA ***1,600. *4,000—MRA. **4,500—MRA. ***1,500—MOCA.

From Keller INT, Ga., via E alter.; to Savannah, Ga., VOR; via E alter.; MEA *1,600. *1,500—MOCA.

From Savannah, Ga., VOR; to Vance, S.C., VOR; MEA *1,600. *1,500—MOCA.

From *Chase City INT, Va.; to Nutbush INT, Va.; MEA 2,500. *3,500—MCA Chase City INT, southbound.

From Nutbush INT, Va.; to Flat Rock, Va., VOR; MEA 2,000.

From Flat Rock, Va., VOR; to Brooke, Va., VOR; MEA 2,000.

Section 95.6004 *VOR Federal airway 4* is amended to read in part:

From Evansville, Ind., VOR via N alter.; to Holland INT, Ind., via N alter.; MEA *2,500. *2,000—MOCA.

From Holland INT, Ind., via N alter.; to *St. Marks INT, Ind., via N alter.; MEA **3,000. *3,000—MRA. **1,700—MOCA.

From St. Marks INT, Ind., via N alter.; to Int. 251 M rad Nabb VOR and 283 M rad Louisville VOR via N alter.; MEA *3,300. *2,300—MOCA.

From Int. 251 M rad Nabb VOR and 283 M rad Louisville VOR via N alter.; to Louisville, Ky., VOR via N alter.; MEA 2,500.

Section 95.6004 *VOR Federal airway 4* is amended to delete:

From Rock Springs, Wyo., VOR via N. alter.; to Cherokee, Wyo., VOR via N alter.; MEA 10,000.

From Thurman, Colo., VOR via N alter.; to Goodland, Kans., VOR via N. alter.; MEA *6,500. **5,800—MOCA.

From Goodland, Kans., VOR via N alter.; to Hill City, Kans., VOR via N alter.; MEA 5,500.

Section 95.6005 *VOR Federal airway 5* is amended to read in part:

From *Baxley INT, Ga., via E alter.; to Dublin, Ga., VOR via E alter.; MEA **3,000. *3,000—MRA. **1,700—MOCA.

From Folkston INT, Ga.; to Alma, Ga., VOR; MEA *2,000. *1,700—MOCA.

From Cabins INT, Ga., via W alter.; to *Bolen INT, Ga., via W alter.; MEA **2,000. *2,100—MRA. **1,700—MOCA.

From Bolen INT, Ga., via W alter.; to Alma, Ga., VOR, via W alter.; MEA *2,000. *1,700—MOCA.

Section 95.6006 *VOR Federal airway 6* is amended to read in part:

From Brighton INT, Ind.; to Pioneer INT, Ohio; MEA *4,000. *2,300—MOCA.

From Pioneer INT, Ohio; to Waterville, Ohio, VOR; MEA 3,000.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

From Lakeland, Fla., VOR; to Dade City INT, Fla.; MEA *1,700. *1,500—MOCA.

From Creek INT, Fla., via W alter.; to Blountstown INT, Fla., via W alter.; MEA *2,000. *1,400—MOCA.

From Blountstown INT, Fla., via W alter.; to Marianna, Fla., VOR via W alter.; MEA *2,000. *1,500—MOCA.

From Evansville, Ind., VOR; to Decker INT, Ind.; MEA 2,000. *2,300—MRA.

From Decker INT, Ind.; to Lewis, Ind., VOR; MEA *2,400. *2,000—MOCA.

From Westpoint, Ind., VOR; to Lafayette, Ind., VOR; MEA *2,500. *2,000—MOCA.

From Lafayette, Ind., VOR; to *Zoro INT, Ind.; MEA **2,500. *2,500—MRA. **2,000—MOCA.

Section 95.6008 *VOR Federal airway 8* is amended to read in part:

From Briggs, Ohio, VOR; to Kilgore INT, Ohio; MEA 3,100.

From Kilgore INT, Ohio; to Pittsburgh, Pa., VOR; MEA 3,000.

From Pittsburg, Pa., VOR; to Scottdale INT, Pa.; MEA 3,100.

Section 95.6009 *VOR Federal airway 9* is amended to read in part:

From Atlanta INT, Ill.; to Pontiac, Ill., VOR; MEA 2,400.

From Pontiac, Ill., VOR; to Joliet, Ill., VOR; MEA *2,300. *2,000—MOCA.

From Sardis INT, Miss., via E alter.; to Independence INT, Miss., via E alter.; MEA *2,000. *1,700—MOCA.

From Independence INT, Miss., via E alter.; to Memphis, Tenn., VOR via E alter.; MEA *1,900. *1,600—MOCA.

From Coldwater INT, Miss.; to Memphis, Tenn., VOR; MEA *1,900. *1,600—MOCA.

From Greenwood, Miss., VOR via W alter.; to Arkabutla INT, Miss., via W alter.; MEA *2,000. *1,500—MOCA.

From Arkabulta INT, Miss., via W alter.; to Memphis, Tenn., VOR via W alter.; MEA *1,900. *1,600—MOCA.

Section 95.6010 *VOR Federal airway 10* is amended to delete:

From Lamar, Colo., VOR via N alter.; to *Tuttle INT, Kans., via N alter.; MEA **5,700. *6,000—MRA. **5,100—MOCA.

From Tuttle INT, Kans., via N alter.; to Garden City, Kans., VOR via N alter.; MEA *6,000. *5,500—MOCA.

Section 95.6010 *VOR Federal airway 10* is amended to read in part:

From Bradford, Ill., VOR; to Triumph INT, Ill.; MEA *2,700. *2,000—MOCA.

From Triumph INT, Ill.; to Naperville, Ill., VOR; MEA 2,000.

Section 95.6012 *VOR Federal airway 12* is amended to delete:

From Pittsburgh, Pa., VOR via S alter.; to *Scottdale INT, Pa., via S alter.; MEA 3,100. *4,000—MCA Scottdale INT, eastbound.

From Scottdale INT, Pa., via S alter.; to Johnstown, Pa., VOR via S alter.; MEA 4,500.

From Winslow, Ariz., VOR, via S alter.; to Zuni, N. Mex., VOR, via S alter.; eastbound, MEA 9,000; westbound, MEA 8,000.

Section 95.6014 *VOR Federal airway 14* is amended to read in part:

From Hobart, Okla., VOR; to *Washita INT, Okla.; MEA **3,800. *3,500—MRA. **3,100—MOCA.

From Washita INT, Okla.; to Oklahoma City, Okla., VOR; MEA *3,000. *2,500—MOCA.

From *Norge INT, Okla., via S alter.; to Oklahoma City, Okla., VOR via S alter.; MEA **3,000. *5,000—MRA. **2,400—MOCA.

From Guthrie INT, Okla., via N alter.; to Stillwater INT, Okla., via N alter.; MEA *3,000. *2,400—MOCA.

Section 95.6015 *VOR Federal airway 15* is amended to read in part:

From Sioux Falls, S. Dak., VOR via W alter.; to Canova INT, S. Dak., via W alter.; MEA 3,000.

From Canova INT, S. Dak., via W alter.; to Huron, S. Dak., VOR via W alter; MEA *3,000. *2,500—MOCA.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

From Big Spring, Tex., VOR; to *Loraine INT, Tex.; MEA **4,000. *6,500—MRA. **3,800—MOCA.

From Int. 075 M rad Pine Bluff VOR and 220 M rad Memphis VOR via S alter.; to Eudora INT, Miss., via S alter.; MEA *3,000. *1,600—MOCA.

From Eudora INT, Miss., via S alter.; to Memphis, Tenn., VOR via S alter.; MEA *1,900. *1,500—MOCA.

Section 95.6017 *VOR Federal airway 17* is amended to read in part:

From *Alex INT, Okla.; to Oklahoma City, Okla., VOR; MEA **2,800. *2,900—MCA Alex INT, southbound. **2,500—MOCA.

From Oklahoma City, Okla., VOR; to Calumet INT, Okla.; MEA *3,000. *2,500—MOCA.

From Calumet INT, Okla.; to Omega INT, Okla.; MEA *3,100. *2,600—MOCA.

From Oklahoma City, Okla., VOR via W alter.; to Weatherford INT, Okla., via W alter.; MEA *3,500. *3,100—MOCA.

Section 95.6018 *VOR Federal airway 18* is amended to read in part:

From Monroe, La., VOR; to *Redwood INT, Miss.; MEA **2,000. *3,500—MRA. **1,700—MOCA.

From Redwood INT, Miss.; to Jackson, Miss., VOR; MEA *2,000. *1,600—MOCA.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

From South Boston, Va., VOR; to Nutbush INT, Va.; MEA 2,300.

From Nutbush INT, Va.; to Richmond, Va., VOR; MEA 2,000.

From Richmond, Va., VOR; to Tappahannock INT., Va.; MEA 2,000.

From South Boston, Va., VOR via N alter.; to Flat Rock, Va., VOR via N alter.; MEA 2,500.

Section 95.6022 *VOR Federal airway 22* is amended to read in part:

From Marianna, Fla., VOR; to Blountstown INT., Fla.; MEA *2,000. *1,500—MOCA.

Section 95.6023 *VOR Federal airway 23* is amended to delete:

From Medford, Oreg., VOR via E alter.; to Eugene, Oreg., VOR via E alter.; MEA 11,500.

Section 95.6023 *VOR Federal airway 23* is amended to read in part:

From Portland, Oreg., VOR; to *Mayfield INT, Wash.; MEA 6,000. *7,000—MRA.

Section 95.6026 *VOR Federal airway 26* is amended to read in part:

From Nero INT, Wis.; to Walkerville INT, Mich.; MEA *5,000. *2,100—MOCA.

From Walkerville INT, Mich.; to White Cloud, Mich., VOR; MEA *2,600. *2,100—MOCA.

Section 95.6030 *VOR Federal airway 30* is amended to read in part:

From Litchfield, Mich., VOR; to Hudson INT, Mich.; MEA *3,000. *2,200—MOCA.

From Hudson INT, Mich.; to Waterville, Ohio, VOR; MEA 2,500.

From Milwaukee, Wis., VOR via S alter.; to Pike INT, Wis., via S alter.; MEA *2,700. *2,500—MOCA.

Section 95.6031 *VOR Federal airway 31* is amended to read in part:

From Fishers INT, N.Y.; to Rochester, N.Y., VOR; MEA 2,700.

Section 95.6032 *VOR Federal airway 32* is amended to delete:

From Battle Mountain, Nev., VOR via N alter.; to Elko, Nev., VOR via N alter.; MEA 11,000.

Section 95.6034 *VOR Federal airway 34* is amended to read in part:

From Newburgh INT, N.Y.; to Carmel, N.Y., VOR; MEA *3,000. *2,700—MOCA.

From Carmel, N.Y., VOR; to Riverhead, N.Y., VOR; MEA 2,000.

From Rochester, N.Y., VOR; to Fishers INT, N.Y.; MEA 2,700.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

From St. Petersburg, Fla., VOR via W alter.; to *Oyster INT, Fla., via W alter.; MEA **1,600. *3,400—MRA. **1,300—MOCA.

Section 95.6037 *VOR Federal airway 37* is amended to read in part:

From Savannah, Ga., VOR via W alter.; to Marlow INT, Ga., via W alter.; MEA *1,700. *1,400—MOCA.

Section 95.6038 *VOR Federal airway 38* is amended to read in part:

From Fort Wayne, Ind., VOR; to Findlay, Ohio, VOR; MEA 2,500.

Section 95.6044 *VOR Federal airway 44* is amended to read in part:

From Patton INT, Ind.; to *Decker INT, Ind.; MEA **2,300. *2,300—MRA. **1,600—MOCA.

Section 95.6047 *VOR Federal airway 47* is amended by adding:

From Evansville, Ind., VOR; to Holland INT, Ind.; MEA *2,500. *2,000—MOCA.

From Holland INT, Ind.; to *St. Marks INT, Ind.; MEA **3,000. *3,000—MRA. **1,700—MOCA.

From St. Marks INT, Ind.; to Nabb, Ind., VOR; MEA *3,300. *2,300—MOCA.

Section 95.6048 *VOR Federal airway 48* is amended to read in part:

From London INT, Ill.; to Peoria, Ill., VOR; MEA *2,300. *1,800—MOCA.

From Peoria, Ill., VOR; to Mora INT, Ill.; MEA *2,400. *2,300—MOCA.

From Mora INT, Ill.; to Pontiac, Ill., VOR; MEA *2,400. *2,000—MOCA.

Section 95.6051 *VOR Federal airway 51* is amended to read in part:

From Cabins INT, Ga., via W alter.; to *Bolen INT, Ga., via W alter.; MEA **2,000. *2,100—MRA. **1,700—MOCA.

From Bolen INT, Ga., via W alter.; to Alma, Ga., VOR via W alter.; MEA *2,000. *1,700—MOCA.

From Daytona Beach, Fla., VOR; to *Bunnell INT, Fla.; MEA **1,500. *3,000—MRA. **1,300—MOCA.

From Folkston INT, Ga.; to Alma, Ga., VOR; MEA *2,000. *1,700—MOCA.

From Stockwell INT, Ind.; to Lafayette, Ind., VOR; MEA *2,500. *2,300—MOCA.

From Lafayette, Ind., VOR; to *Zoro INT, Ind.; MEA **2,500. *2,500—MRA. **2,000—MOCA.

Section 95.6053 *VOR Federal airway 53* is amended to read in part:

From Linden INT, Ind.; to Westpoint, Ind., VOR; MEA *2,500. *2,000—MOCA.

From Westpoint, Ind., VOR; to Peotone, Ill., VOR; MEA *2,600. *2,000—MOCA.

Section 95.6055 *VOR Federal airway 55* is amended to read in part:

From Muskegon, Mich, VOR; to Whitehall INT, Mich.; MEA *2,400. *2,100—MOCA.

From Whitehall INT, Mich.; to Nero INT, Wis.; MEA *5,000. *2,100—MOCA.

Section 95.6056 *VOR Federal airway 56* is amended to read in part:

From Macon, Ga., VOR; to *Anna INT, Ga.; MEA **2,000. *2,600—MRA. **1,800—MOCA.

From Anna INT, Ga.; to Augusta, Ga., VOR; MEA *2,000. *1,800—MOCA.

Section 95.6068 *VOR Federal airway 68* is amended to read in part:

From Junction, Tex., VOR; to *Doss INT, Tex.; MEA 3,700. *5,000—MRA.

Section 95.6069 *VOR Federal airway 69* is amended to read in part:

From Atlanta INT, Ill.; to Pontiac, Ill., VOR; MEA 2,400.

From Pontiac, Ill., VOR; to Joliet, Ill., VOR; MEA *2,300. *2,000—MOCA.

From Shreveport, La., VOR via W alter.; to *Cotton INT, La., via W alter.; MEA **1,800. *2,000—MRA. **1,300—MOCA.

Section 95.6070 *VOR Federal airway 70* is amended to read in part:

From Galveston, Tex., VOR; to Sabine Pass, Tex., VOR; MEA 1,500.

Section 95.6072 *VOR Federal airway 72* is amended to read in part:

From State Line INT, Ind.; to Westpoint, Ind., VOR; MEA *2,500. *1,900—MOCA.

From Westpoint, Ind., VOR; to Lafayette, Ind., VOR; MEA *2,500. *2,000—MOCA.

Section 95.6077 *VOR Federal airway 77* is amended to read in part:

From *Alex INT, Okla., via E alter.; to Oklahoma City, Okla., VOR via E alter.; MEA **2,800. *2,900—MCA Alex INT, southbound. **2,500—MOCA.

From *Norge INT, Okla.; to Oklahoma City, Okla., VOR; MEA **3,000. *5,000—MRA. **2,400—MOCA.

From Oklahoma City, Okla., VOR; to Ponca City, Okla., VOR; MEA *2,900. *2,500—MOCA.

From Guthrie INT, Okla., via E alter.; to Stillwater INT, Okla., via E alter.; MEA *3,000. *2,400—MOCA.
From Stillwater INT, Okla., via E alter.; to Ponca City, Okla., VOR via E alter.; MEA *3,000. *2,500—MOCA.

Section 95.6081 *VOR Federal airway 81* is amended to delete:

From Dalhart, Tex., VOR via W alter.; to Clayton, N. Mex., VOR via W alter.; MEA *7,000. *6,500—MOCA.
From Clayton, N. Mex., VOR via W alter.; to Tobe, Colo., VOR via W alter.; MEA 9,000.

Section 95.6091 *VOR Federal airway 91* is amended to read in part:

From Poughkeepsie, N.Y., VOR; to Albany, N.Y., VOR; MEA 2,600.

Section 95.6092 *VOR Federal airway 92* is amended to read in part:

From Edgerton INT, Ohio; to Gerald INT, Ohio; MEA 3,000.
From Gerald INT, Ohio; to Waterville, Ohio, VOR; MEA 2,000.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

From Stockwell INT, Ind.; to Lafayette, Ind., VOR; MEA *2,500. *2,300—MOCA.
From Stockwell INT, Ind., via W alter.; to Lafayette, Ind., VOR via W alter.; MEA *2,500. *2,300—MOCA.
From Lafayette, Ind., VOR; to *Zoro INT, Ind.; MEA **2,500. *2,500—MRA. **2,000—MOCA.
From Miami, Fla., VOR; to Cypress INT, Fla.; MEA *1,500. *1,100—MOCA.
From Cypress INT, Fla.; to Seminole INT, Fla.; MEA *1,700. *1,100—MOCA.
From St. Petersburg, Fla., VOR; to *Retirement INT, Fla.; MEA **1,700. *2,200—MRA. **1,300—MOCA.

Section 95.6098 *VOR Federal airway 98* is amended to read in part:

From U.S.-Canadian Border; to Massena, N.Y., VOR; MEA *2,000. *1,600—MOCA.

Section 95.6116 *VOR Federal airway 116* is amended to read in part:

From Canton INT, Ill.; to Peoria, Ill., VOR; MEA *2,300. *2,000—MOCA.
From Peoria, Ill., VOR; to Washburn INT, Ill.; MEA *2,300. *1,900—MOCA.
From Washburn INT, Ill.; to Marseilles INT, Ill.; MEA *2,500. *2,000—MOCA.

Section 95.6119 *VOR Federal airway 119* is amended to read in part:

From Geneseo, N.Y., VOR; to Rochester, N.Y., VOR; MEA 2,700.

Section 95.6120 *VOR Federal airway 120* is amended to read in part:

From Pierre, S. Dak., VOR; to Shephan INT, S. Dak.; MEA 3,400.
From Stephan INT, S. Dak.; to Canova INT, S. Dak.; MEA *5,800. *3,300—MOCA.
From Canova INT, S. Dak.; to Sioux Falls, S. Dak., VOR; MEA 3,000.

Section 95.6121 *VOR Federal airway 121* is amended to read in part:

From Milo INT, Oreg.; to *Roseburg, Oreg. VOR; westbound, MEA 5,500; eastbound, MEA 7,000. *5,700—MCA Roseburg VOR, eastbound.

Section 95.6123 *VOR Federal airway 123* is amended to read in part:

From La Guardia, N.Y., VOR; to Carmel, N.Y., VOR; MEA *2,500. *1,400—MOCA.
From Carmel, N.Y., VOR; to Westfield, Mass., VOR; MEA 3,000.

Section 95.6126 *VOR Federal airway 126* is amended to read in part:

From Edgerton INT, Ohio; to Gerald INT, Ohio; MEA 3,000.
From Gerald INT, Ohio; to Waterville, Ohio, VOR; MEA 2,000.

Section 95.6128 *VOR Federal airway 128* is amended to read in part:

From Peotone, Ill., VOR; to Westpoint, Ind., VOR; MEA *2,600. *2,000—MOCA.
From Westpoint, Ind., VOR; to Linden INT, Ind.; MEA *2,500. *2,000—MOCA.

Section 95.6140 *VOR Federal airway 140* is amended to read in part:

From Amarillo, Tex., VOR via N alter.; to Int. 278 M rad Sayre VOR and 061 M rad Amarillo VOR via N alter.; MEA *5,300. *4,700—MOCA.
From Int. 278 M rad, Sayre VOR, and 061 M rad, Amarillo VOR via N alter.; to Sayre, Okla., VOR via N alter.; MEA *4,800. *4,600—MOCA.
From Weatherford INT, Okla.; to Omega INT, Okla.; MEA *4,000. *3,300—MOCA.

Section 95.6143 *VOR Federal airway 143* is amended to read in part:

From Sandy River INT, N.C.; to Hurt INT, Va.; MEA 4,000.
From Hurt INT, Va.; to Lynchburg, Va., VOR; MEA 3,000.

Section 95.6144 *VOR Federal airway 144* is amended to read in part:

From Fort Wayne, Ind., VOR; to Findlay, Ohio, VOR; MEA 2,500.

Section 95.6147 *VOR Federal airway 147* is amended to read in part:

From Elmira, N.Y., VOR; to Geneseo, N.Y., VOR; MEA 3,900.
From Geneseo, N.Y., VOR; to Rochester, N.Y., VOR; MEA 2,100.

Section 95.6152 *VOR Federal airway 152* is amended to read in part:

From Lakeland, Fla., VOR via S alter.; to *Campbell INT, Fla., via S alter.; MEA **1,700. *3,000—MRA. **1,500—MOCA.

Section 95.6154 *VOR Federal airway 154* is amended to read in part:

From Lotts INT, Ga.; to Savannah, Ga., VOR; MEA *1,700. *1,400—MOCA.

Section 95.6155 *VOR Federal airway 155* is amended to read in part:

From Lawrenceville, Va., VOR; to McKenney INT, Va.; MEA 2,000.
From McKenney INT, Va.; to Amelia INT, Va.; MEA 1,900.
From Amelia INT, Va.; to Stevens INT, Va.; MEA 1,800.
From Stevens INT, Va.; to Flat Rock, Va., VOR; MEA 2,000.
From Flat Rock, Va., VOR; to Gordonsville, Va., VOR; MEA 2,200.

Section 95.6156 *VOR Federal airway 156* is amended to read in part:

From Richmond, Va., VOR; to New Kent INT, Va.; MEA *2,000. *1,400—MOCA.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

From Miami, Fla., VOR; to Cypress INT, Fla.; MEA *1,500. *1,100—MOCA.
From Cypress INT, Fla.; to Seminole INT, Fla.; MEA *1,700. *1,100—MOCA.
From Ocala, Fla., VOR; to Gainesville, Fla., VOR; MEA *1,700. *1,400—MOCA.
From Dukes INT, Fla.; to Taylor, Fla., VOR; MEA *2,000. *1,500—MOCA.
From Alma, Ga., VOR; to *Baxley INT, Ga.; MEA **2,000. *3,000 — MRA. **1,500 — MOCA.
From Baxley INT, Ga.; to Lotts INT, Ga.; MEA *2,000. *1,500—MOCA.
From Lawrenceville, Va., VOR; to Dalton INT, Va.; MEA 2,000.
From Dalton INT, Va.; to Petersburg INT, Va.; MEA 1,800.
From Petersburg INT, Va.; to Richmond, Va., VOR; MEA 1,700.
From Richmond, Va., VOR; to Grubbs INT, Va.; MEA 2,000.
From Grubbs INT, Va.; to Ironsides INT, Md.; MEA *2,000. *1,300—MOCA.
From Richmond, Va., VOR via W alter.; to Brooke, Va., VOR via W alter.; MEA 2,000.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

From Ocala, Fla., VOR; to Gainesville, Fla.; VOR; MEA *1,700. *1,400—MOCA.

Section 95.6163 *VOR Federal airway 163* is amended to read in part:

From Ardmore, Okla., VOR; to *Maysville INT, Okla.; MEA **3,000. *3,200—MRA. **2,600—MOCA.
From Maysville INT, Okla.; to *Washington INT, Okla.; MEA **2,800. *4,000—MRA. **2,300—MOCA.
From Washington INT, Okla.; to Oklahoma City, Okla., VOR; MEA *2,800. *2,300—MOCA.
From Ardmore, Okla., VOR via W alter.; to Alex INT, Okla., via W alter.; MEA *3,000. *2,400—MOCA.
From Alex INT, Okla., via W. alter.; to Oklahoma City, Okla., VOR via W alter.; MEA *2,800. *2,500—MOCA.

Section 95.6171 *VOR Federal airway 171* is amended to read in part:

From Danville, Ill., VOR; to Peotone, Ill., VOR; MEA *2,500. *1,900—MOCA.
From Joliet, Ill., VOR; to Hinckley INT, Ill.; MEA 2,000.
From Hinckley INT, Ill.; to Malta INT, Ill.; MEA 2,100.

Section 95.6173 *VOR Federal airway 173* is amended to read in part:

From Kenney INT, Ill.; to Roberts, Ill., VOR; MEA 2,500.
From Roberts, Ill., VOR; to *Manteno INT, Ill.; MEA **2,600. *2,500—MRA. **2,000—MOCA.

Section 95.6185 *VOR Federal airway 185* is amended to read in part:

From Savannah, Ga., VOR; to Kildare INT, Ga.; MEA *1,600. *1,500—MOCA.

Section 95.6187 *VOR Federal airway 187* is amended to read in part:

From *Billings, Mont., VOR; to **Ryegate INT, Mont.; MEA 6,000. *8,000—MCA Billings VOR, southbound. **8,000—MRA.

Section 95.6191 *VOR Federal airway 191* is amended to read in part:

From Memphis, Tenn., VOR; to Gilmore INT, Ark.; MEA *2,000. *1,700—MOCA.
From Gilmore INT, Ark.; to Walnut Ridge, Ark., VOR; MEA 2,300.
From Roberts, Ill., VOR; to *Manteno INT, Ill.; MEA **2,600. *2,500—MRA. **2,000—MOCA.
From Horlick INT, Wis.; to Pike INT, Wis.; MEA *3,000. *2,000—MOCA.

Section 95.6194 *VOR Federal airway 194* is amended to read in part:

From *Norwood INT, N.C.; to Goldston INT, N.C.; MEA **4,000. *3,000—MRA. **1,900—MOCA.

Section 95.6213 *VOR Federal airway 213* is amended to read in part:

From Emporia INT, Va.; to Hopewell, Va., VOR; MEA 2,000.

From Hopewell, Va., VOR; to Tappahannock INT, Va.; MEA 2,000.

Section 95.6214 *VOR Federal airway 214* is amended to read in part:

From Columbus, Ohio, ILS loc.; to Zanesville, Ohio, VOR; MEA 2,600.

Section 95.6216 *VOR Federal airway 216* is amended to read in part:

From Franksville INT, Wis.; to Pike INT, Wis.; MEA *4,000. *2,000—MOCA.

Section 95.6227 *VOR Federal airway 227* is amended to read in part:

From Linden INT, Ind.; to Lafayette, Ind., VOR; MEA *2,600. *2,000—MOCA.

Section 95.6233 *VOR Federal airway 233* is amended to read in part:

From *Luther INT, Ill.; to **Pekin INT, Ill.; MEA ***2,300. *2,800—MRA. **2,900—MRA. ***1,700—MOCA.

From Pekin INT, Ill.; to Peoria, Ill., VOR; MEA *2,200. *1,700—MOCA.

From Capital, Ill., VOR via E alter.; to Peoria, Ill., VOR via E alter.; MEA *2,500. *2,300—MOCA.

Section 95.6234 *VOR Federal airway 234* is amended to read in part:

From Dalhart, Tex., VOR; to Int. 222 M rad, Liberal VOR, and 343 M rad, Borger VOR; MEA 5,200.

From Int. 222 M rad, Liberal VOR, and 343 M rad, Borger VOR; to Liberal, Kans., VOR; MEA *4,800. *4,700—MOCA.

Section 95.6237 *VOR Federal airway 237* is added to read:

From Needles, Calif., VOR; to Willow Beach, INT, Nev.; MEA 7,500.

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

From Folkston INT, Ga.; to Alma, Ga., VOR; MEA *2,000. *1,700—MOCA.

From Bowling Green, Ky., VOR; to *St. Marks INT, Ind.; MEA **3,000. *3,000—MRA. **2,500—MOCA.

From St. Marks INT, Ind.; to Scotland, Ind., VOR; MEA *2,500. *2,000—MOCA.

Section 95.6251 *VOR Federal airway 251* is amended to read in part:

From Sparta, N.J., VOR; to Int. 093 M rad, Sparta VOR, and 244 M rad, Carmel VOR; MEA 2,500.

From Int. 093 M rad, Sparta VOR, and 244 M rad, Carmel VOR; to Carmel, N.Y., VOR; MEA *2,000. *1,900—MOCA.

Section 95.6252 *VOR Federal airway 252* is amended to read in part:

From Geneseo, N.Y., VOR; to Dundee INT, N.Y.; MEA 4,000.

From Dundee INT, N.Y.; to Watkins Glen, N.Y., VOR; MEA 3,500.

Section 95.6260 *VOR Federal airway 260* is amended to read in part:

From Lynchburg, Va., VOR; to Cumberland INT, Va.; MEA 3,000.

From Richmond, Va., VOR; to Hopewell, Va., VOR; MEA 1,700.

From Swiss INT, W. Va., via N alter; to Rainelle, W. Va., VOR via N alter.; MEA 5,600.

Section 95.6262 *VOR Federal airway 262* is amended to read in part:

From Peoria, Ill., VOR; to *Dunlap INT, Ill.; MEA **2,300. *3,000—MRA. **1,800—MOCA.

From Dunlap INT, Ill.; to Bradford, Ill., VOR; MEA *2,400. *2,100—MOCA.

From Bradford, Ill., VOR; to Joliet, Ill., VOR; MEA *2,500. *2,100—MOCA.

Section 95.6266 *VOR Federal airway 266* is amended to read in part:

From South Boston, Va., VOR; to Chase City INT, Va.; MEA 2,100.

From Chase City INT, Va.; to Lawrenceville INT, Va.; MEA 2,000.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

From *Baxley INT, Ga.; to Dublin, Ga., VOR; MEA **3,000. *3,000—MRA. **1,700—MOCA.

Section 95.6272 *VOR Federal airway 272* is amended to read in part:

From Bessie INT, Okla.; to Union INT, Okla.; MEA *3,500. *2,900—MOCA.

From Union INT, Okla.; to Oklahoma City, Okla., VOR; MEA *2,900. *2,500—MOCA.

From Weatherford INT, Okla., via N alter.; to Oklahoma City, Okla., VOR via N alter.; MEA *3,500. *3,100—MOCA.

From Sayre, Okla., VOR via S alter.; to *Washita INT, Okla., via S alter.; MEA **4,000. *4,000—MCA Washita INT, westbound. *3,500—MRA. **3,500—MOCA.

From Washita INT, Okla., via S alter.; to Oklahoma City, Okla., VOR via S alter.; MEA *3,000. *2,500—MOCA.

Section 95.6277 *VOR Federal airway 277* is amended to read in part:

From Fort Wayne, Ind., VOR; to Millersburg INT, Ind.; MEA 2,600.

Section 95.6283 *VOR Federal airway 283* is amended to read in part:

From Pyramid INT, Nev.; to *Bonham INT, Nev.; northbound, MEA **14,000; southbound, MEA **12,000. *14,000—MRA. **10,700—MOCA.

Section 95.6287 *VOR Federal airway 287* is amended to read in part:

From Portland, Oreg., VOR; to *Mayfield INT, Wash.; MEA 6,000. *7,000—MRA.

Section 95.6288 *VOR Federal airway 288* is amended to read in part:

From *Corinne INT, Utah; to Fort Bridger, Wyo., VOR; MEA 13,000. #*13,000—MRA. #Not applicable using Corinne RBn to determine intersection.

Section 95.6295 *VOR Federal airway 295* is amended to read in part:

From Indian River INT, Fla., via E alter.; to Orlando, Fla., VOR via E alter.; MEA *1,600. *1,400—MOCA.

Section 95.6300 *VOR Federal airway 300* is amended to read in part:

From U.S.-Canadian border; to Camp INT, Maine; MEA 5,700.

From Camp INT, Maine; to Millinocket, Maine, VOR; MEA 7,000.

From Whitefish, Mich., VOR via N alter.; to Sault Ste. Marie, Mich., VOR via N alter.; MEA 2,400.

Section 95.6401 *Hawaii VOR Federal airway 1* is amended to read in part:

From *Lanai, Hawaii, VOR; to Keiki INT, Hawaii; MEA **5,000. *5,000—MCA Lanai VOR, eastbound. **4,700—MOCA.

From Keiki INT, Hawaii; to *Mango INT, Hawaii; MEA **3,000. *4,800—MCA Mango INT, eastbound. **2,500—MOCA.

Section 95.6402 *Hawaii VOR Federal airway 2* is amended to read in part:

From *Lanai, Hawaii, VOR; to Keiki INT, Hawaii; MEA **5,000. *5,000—MCA Lanai VOR, eastbound. **4,700—MOCA.

From Keiki INT, Hawaii; to *Mango INT, Hawaii; MEA **3,000. *4,800—MCA Mango INT, eastbound. **2,500—MOCA.

Section 95.6412 *Hawaii VOR Federal airway 12* is amended to read in part:

From Bamboo INT, Hawaii; to Magnolia INT, Hawaii; southwestbound, MEA *3,500; northeastbound, MEA *6,000. *1,000—MOCA.

From Magnolia INT, Hawaii; to *Shark INT, Hawaii; southwestbound, MEA **6,000; northeastbound, MEA **13,000. *13,000—MRA. **1,000—MOCA.

Section 95.6415 *Hawaii VOR Federal airway 15* is amended to read in part:

From *South Kauai, Hawaii VOR; to Int. 097 M rad, South Kauai VOR, and 119 M rad, Lihue VOR; MEA 4,000. *5,000—MCA South Kauai VOR, northwestbound.

Section 95.6429 *VOR Federal airway 429* is amended to read in part:

From Decatur, Ill., VOR; to Champaign, Ill., VOR; MEA *2,600. *2,100—MOCA.

From Champaign, Ill., VOR; to Roberts, Ill., VOR; MEA *2,600. *2,100—MOCA.

From Roberts, Ill., VOR; to Joliet, Ill., VOR; MEA *2,600. *2,100—MOCA.

Section 95.6433 *VOR Federal airway 433* is amended to read in part:

From LaGuardia, N.Y., VOR; to Int. 011 M rad, Kennedy VOR, and 217 M rad, Carmel VOR; MEA *2,5000. *1,500—MOCA.

From Int. 011 M rad, Kennedy VOR, and 217 M rad, Carmel VOR; to Carmel, N.Y., VOR; MEA *2,500. *1,900—MOCA.

From Carmel, N.Y., VOR; to Saybrook INT, Conn.; MEA 2,000.

Section 95.6437 *VOR Federal airway 437* is amended to read in part:

From Daytona Beach, Fla., VOR; to *Croaker INT, Fla.; MEA **1,500. *3,500—MRA. **1,300—MOCA.

From *Catherine INT, Ga.; to **Keller INT, Ga.; MEA ***1,600. *4,000—MRA. **4,500—MRA. ***1,500—MOCA.

From Keller INT, Ga.; to Savannah, Ga., VOR; MEA *1,600. *1,500—MOCA.

From Savannah, Ga., VOR; to Charleston, S.C., VOR; MEA *5,000. *1,300—MOCA.

Section 95.6440 *VOR Federal airway 440* is amended by adding:

From McGrath, Alaska, VOR; to Yukon INT, Alaska; MEA *8,000. *6,000—MOCA.

From Yukon INT, Alaska; to Unalakleet, Alaska, VOR; MEA 4,500.

From Unalakleet, Alaska, VOR; to Nome, Alaska, VOR; MEA 2,800.

Section 95.6450 *VOR Federal airway 450* is amended to read in part:

From Muskegon, Mich., VOR; to Montague INT, Mich.; MEA *2,300. *1,900—MOCA.

From Montague INT, Mich.; to Larrabee INT, Wis.; MEA *3,800. *1,800—MOCA.

Section 95.6490 *VOR Federal airway 490* is amended to read in part:

From *Rockwood INT, N.Y.; to Cambridge, N.Y., VOR; MEA **4,000. *6,500—MRA. **3,900—MOCA.

Section 95.6491 *VOR Federal airway 491* is amended to read:

From Lafayette, Ind., VOR; to Peotone, Ill., VOR; MEA *2,600. *2,000—MOCA.

Section 95.6809 *VOR Federal airway 809* is amended to read in part:

From *Mayfield INT, Wash.; to Portland, Oreg., VOR; MEA 6,000. *7,000—MRA.

Section 95.6813 *VOR Federal airway 813* is amended to read in part:

From Portland, Oreg., VOR; to *Mayfield INT, Wash.; MEA 6,000. *7,000—MRA.

Section 95.6819 *VOR Federal airway 819* is amended to read in part:

From Ocala, Fla., VOR; to Gainesville, Fla., VOR; MEA *1,700. *1,400—MOCA.
From Dukes INT, Fla.; to Taylor, Fla., VOR; MEA *2,000. *1,500—MOCA.
From Taylor, Fla., VOR; to Alma, Ga., VOR; MEA 2,200.
From Stockwell INT, Ind.; to Lafayette, Ind., VOR; MEA *2,500. *2,300—MOCA.
From Lafayette, Ind., VOR; to *Zoro INT, Ind.; MEA **2,500. *2,500—MRA. **2,000—MOCA.

Section 95.6839 *VOR Federal airway 839* is amended to read in part:

From Ocala, Fla., VOR; to Gainesville, Fla., VOR; MEA *1,700. *1,400—MOCA.
From Dukes INT, Fla.; to Taylor, Fla., VOR; MEA *2,000. *1,500—MOCA.
From Taylor, Fla., VOR; to Alma, Ga., VOR; MEA 2,200.
From Alma, Ga., VOR; to *Baxley INT, Ga.; MEA **2,000. *3,000—MRA. **1,500—MOCA.
From Baxley INT, Ga.; to Lotts INT, Ga.; MEA *2,000. *1,500—MOCA.

Section 95.6843 *VOR Federal airway 843* is amended to read in part:

From Peotone, Ill., VOR; to Danville, Ill., VOR; MEA *2,500. *1,900—MOCA.
From Scotland, Ind., VOR; to *St. Marks INT, Ind.; MEA **2,500. *3,000—MRA. **2,000—MOCA.
From Dade City INT, Fla.; to Lakeland, Fla., VOR; MEA *1,700. *1,500—MOCA.
From Seminole INT, Fla., to Cypress INT, Fla.; MEA *1,700. *1,100—MOCA.
From Cypress INT, Fla., to Miami, Fla., VOR; MEA *1,500. *1,100—MOCA.

Section 95.6845 *VOR Federal airway 845* is amended to read in part:

From Joliet, Ill., VOR; to Bradford, Ill., VOR; MEA *2,500. *2,100—MOCA.

Section 95.6846 *VOR Federal airway 846* is amended to read in part:

From Polo, Ill., VOR; to Thomson INT, Ill.; MEA *2,700. *2,200—MOCA.
From Thomson INT, Ill.; to Charlotte INT, Ill.; MEA *2,600. *2,000—MOCA.

Section 95.6853 *VOR Federal airway 853* is amended to read in part:

From Fort Wayne, Ind., VOR; to Findlay, Ohio, VOR; MEA 2,500.

Section 95.6855 *VOR Federal airway 855* is amended to read in part:

From Indian Head, Pa., VOR; to Scottdale INT, Pa.; MEA 4,500.
From Pittsburgh, Pa., VOR; to Kilgore INT, Ohio; MEA 3,000.
From Kilgore INT, Ohio; to Briggs, Ohio, VOR; MEA 3,100.

Section 95.6859 *VOR Federal airway 859* is amended to read in part:

From *Manteno INT, Ill.; to Roberts, Ill., VOR; MEA **2,600. *2,500—MRA. **2,000—MOCA.

Section 95.6863 *VOR Federal airway 863* is amended to read in part:

From Sound INT, N.Y.; to Int. 105 M rad, Carmel VOR, and 236 M rad, Hartford VOR; MEA *2,000. *1,800—MOCA.
From Int. 105 M rad, Carmel VOR, and 236 M rad, Hartford VOR; to Saybrook INT, N.Y.; MEA 2,000.
From Saybrook INT, N.Y.; to Salem INT, Conn.; MEA *2,000. *1,500—MOCA.
From Salem INT, Conn.; to Norwich, Conn., VOR; MEA *2,300. *1,700—MOCA.

Section 95.6875 *VOR Federal airway 875* is amended to read in part:

From Bethany INT, Conn.; to Carmel, N.Y., VOR; MEA 2,100.
From Carmel, N.Y., VOR; to Solberg, N.J., VOR; MEA *2,000. *1,900—MOCA.

Section 95.6881 *VOR Federal airway 881* is amended to read in part:

From Lotts INT, Ga.; to *Baxley INT, Ga.; MEA **2,000. *3,000—MRA. **1,500—MOCA.
From Baxley INT, Ga.; to Alma, Ga., VOR; MEA *2,000. *1,500—MOCA.
From Alma, Ga., VOR; to Taylor, Fla., VOR; MEA 2,200.
From Taylor, Fla., VOR; to Dukes INT, Fla.; MEA *2,000. *1,500—MOCA.
From Gainesville, Fla., VOR; to Ocala, Fla., VOR; MEA *1,700. *1,400—MOCA.
From Seminole INT, Fla.; to Cypress INT, Fla.; MEA *1,700. *1,100—MOCA.
From Cypress INT, Fla.; to Miami, Fla., VOR; MEA *1,500. *1,100—MOCA.

Section 95.1504 *VOR Federal airway 1504* is amended to read in part:

From Sheridan, Wyo., VOR; to Dupree, S. Dak., VOR; MEA 14,500. MAA 24,000.

Section 95.1547 *VOR Federal airway 1547* is amended to read in part:

From Casper, Wyo., VOR; to *Echo INT, S. Dak.; MEA 19,000. MAA 24,000. *19,000—MRA.

Section 95.1619 *VOR Federal airway 1619* is added to read:

From Needles, Calif., VOR; to Int. 340 M rad, Needles VOR, and 018 M rad, Goffs VOR; MEA 14,500. MAA 24,000.

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). These rules shall become effective May 28, 1964.

Issued in Washington, D.C., on April 20, 1964.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-4086; Filed, Apr. 28, 1964; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6725]

PART 1—INCOME TAX; TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 1953

Deduction of Business Depreciation by Cooperative Housing Corporation Tenant-Stockholder

On April 30, 1963, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under section 216 of the Internal Revenue Code of 1954 (relating to deduction of taxes, interest, and business depreciation by cooperative housing corporation tenant-stockholder) to conform the regulations to changes made by section 28 of the Revenue Act of 1962 (76 Stat. 1068) was published in the FEDERAL REGISTER (28 F.R. 4258). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted, subject to the change set forth below:

Paragraph (b)(2) of § 1.216–2, as set forth in the notice of proposed rule making, is changed by adding 3 sentences at the end thereof.

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

Approved: April 23, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under section 216 of the Internal Revenue Code of 1954 to section 28 of the Revenue Act of 1962 (Public Law 87–834, 76 Stat. 1068), such regulations are amended as follows:

PARAGRAPH 1. Section 1.216 is amended by changing the heading thereof, by changing the heading of section 216, by adding a subsection (c) to such section 216, and by adding a historical note. These amended and added provisions read as follows:

§ 1.216 Statutory provisions; deduction of taxes, interest, and business depreciation by cooperative housing corporation tenant-stockholder.

SEC. 216. *Deduction of taxes, interest, and business depreciation by cooperative housing corporation tenant-stockholder.* * * *

(c) *Treatment as property subject to depreciation.* So much of the stock of a tenant-stockholder in a cooperative housing corporation as is allocable, under regulations prescribed by the Secretary or his delegate, to a proprietary lease or right of tenancy in property subject to the allowance for depreciation under section 167(a) shall, to the extent such proprietary least or right of tenancy is used by such tenant-stockholder in a trade or business or for the production of income, be treated as property subject to the allowance for depreciation under section 167(a).

[Sec. 216 as amended by sec. 28, Revenue Act 1962 (76 Stat. 1068)]

PAR. 2. Section 1.216–2 is added following § 1.216–1. This added provision reads as follows:

§ 1.216–2 Treatment as property subject to depreciation.

(a) *General rule.* For taxable years beginning after December 31, 1961, stock in a cooperative housing corporation (as defined by section 216(b)(1) and paragraph (c) of § 1.216–1) owned by a tenant-stockholder (as defined by section 216(b)(2) and paragraph (d) of § 1.216–1) who uses the proprietary lease or right of tenancy, which was conferred on him solely by reason of his ownership of such stock, in a trade or business or for the production of income shall be treated as property subject to the allowance for depreciation under section 167(a) in the manner and to the extent prescribed in this section.

(b) *Determination of allowance for depreciation*—(1) *In general.* Subject to the special rules provided in subparagraphs (2) and (3) of this paragraph and the limitation provided in paragraph (c) of this section, the allowance for depreciation for the taxable year with respect to stock of a tenant-stockholder, subject to the extent provided in this section to an allowance for depreciation, shall be determined—

(i) By computing the amount of depreciation (amortization in the case of a leasehold) which would be allowable under one of the methods of depreciation prescribed in section 167(b) and the regulations thereunder (in paragraph (a) of § 1.162–11 and § 1.167(a)–4 in the case of a leasehold) in respect of the depreciable (amortizable) real property owned by the cooperative housing corporation in which such tenant-stockholder has a proprietary lease or right of tenancy,

(ii) By reducing the amount of depreciation (amortization) so computed in the same ratio as the rentable space in such property which is not subject to a proprietary lease or right of tenancy by reason of stock ownership but which is held for rental purposes bears to the total rentable space in such property, and

(iii) By computing such tenant-stockholder's proportionate share of such annual depreciation (amortization), so reduced.

As used in this section, the terms "depreciation" and "depreciable real property" include amortization and amortizable leasehold of real property. As used in this section, the tenant-stockholder's proportionate share is that proportion which stock of the cooperative housing corporation owned by the tenant-stockholder is of the total outstanding stock of the corporation, including any stock held by the corporation. In order to determine whether a tenant-stockholder may use one of the methods of depreciation prescribed in section 167(b) (2), (3), or (4) for purposes of subdivision (i) of this subparagraph, the limitations provided in section 167(c) on the use of such methods of depreciation shall be applied with respect to the depreciable real property owned by the cooperative housing corporation in which the tenant-stockholder has a proprietary lease or right of tenancy, rather than with respect to the stock in the cooperative housing corporation owned by the tenant-stockholder or with respect to the proprietary lease or right of tenancy conferred on the tenant-stockholder by reason of his ownership of such stock. The allowance for depreciation determined under this subparagraph shall be properly adjusted where only a portion of the property occupied under a proprietary lease or right of tenancy is used in a trade or business or for the production of income.

(2) *Stock acquired subsequent to first offering.* Except as provided in subparagraph (3), in the case of a tenant-stockholder who purchases stock other than as part of the first offering of stock by the corporation, the basis of the depreciable real property for purposes of the computation required by subparagraph (1)(i) of this paragraph shall be the amount obtained by—

(i) Multiplying the taxpayer's cost per share by the total number of outstanding shares of stock of the corporation, including any shares held by the corporation,

(ii) Adding thereto the mortgage indebtedness to which such depreciable real property is subject on the date of purchase of such stock, and

(iii) Subtracting from the sum so obtained the portion thereof not properly allocable as of the date such stock was purchased to the depreciable real property owned by the cooperative housing corporation in which such tenant-stockholder has a proprietary lease or right of tenancy.

In order to prevent an overstatement or understatement of the basis of the depreciable real property for purposes of the computation required by subparagraph (1)(i) of this paragraph, appropriate adjustment for purposes of the computations described in subdivisions (i) and (ii) of this subparagraph shall be made in respect of prepayments and delinquencies on account of the corporation's mortgage indebtedness. Thus, for purposes of subdivision (i) of this subparagraph, the taxpayer's cost per share shall be reduced by an amount determined by dividing the total mortgage indebtedness prepayments in respect of the shares purchased by the taxpayer by the number of such shares. For purposes of subdivision (ii) of this subparagraph, the mortgage indebtedness shall be increased by the sum of all prepayments applied in reduction of the mortgage indebtedness and shall be decreased by any amount due under the terms of the mortgage and unpaid.

(3) *Conversion subsequent to date of acquisition.* In the case of a tenant-stockholder whose proprietary lease or right of tenancy is converted, in whole or in part, to use in a trade or business or for the production of income on a date subsequent to the date on which he acquired the stock conferring on him such lease or right of tenancy, the basis of the depreciable real property for purposes of the computation required by subparagraph (1)(i) of this paragraph shall be the fair market value of such depreciable real property on the date of the conversion if the fair market value is less than the adjusted basis of such property in the hands of the cooperative housing corporation provided in section 1011 without taking into account any adjustment for depreciation required by section 1016(a)(2). Such fair market value shall be deemed to be equal to the adjusted basis of such property, taking into account adjustments required by section 1016(a)(2) computed as if the corporation had used the straight line method of depreciation, in the absence of evidence establishing that the fair market value so attributed to the property is unrealistic. In the case of a tenant-stockholder who purchases stock other than as part of the first offering of stock of the corporation, and at a later date converts his proprietary lease to use for business or production of income—

(i) The adjusted basis of the cooperative housing corporation's depreciable real property without taking into account any adjustment for depreciation shall be the amount determined in accordance with subdivisions (i), (ii), and (iii) of subparagraph (2) of this paragraph, and

(ii) The fair market value shall be deemed to be equal to such adjusted basis reduced by the amount of depreciation, computed under the straight line method, which would have been allowable in respect of depreciable real property having a cost or other basis equal to the amount representing such adjusted basis in the absence of evidence establishing that the fair market value so attributed to the property is unrealistic.

(c) *Limitation.* If the allowance for depreciation for the taxable year determined in accordance with the provisions of paragraph (b) of this section exceeds the adjusted basis (provided in section 1011) of the stock described in paragraph (a) of this section allocable to the tenant-stockholder's proprietary lease or right of tenancy used in a trade or business or for the production of income, such excess is not allowable as a deduction. To determine the portion of the adjusted basis of such stock which is allocable to such proprietary lease or right of tenancy, the adjusted basis shall be reduced by taking into account the same factors as are taken into account under paragraph (b)(1) of this section in determining the allowance for depreciation.

(d) *Examples.* The provisions of section 216(c) and this section may be illustrated by the following examples:

Example (1). The Y corporation, a cooperative housing corporation within the meaning of section 216, in 1961 purchased a site and constructed thereon a building with 10 apartments at a total cost of $250,000 ($200,000 being allocable to the building and $50,000 being allocable to the land). Such building was completed on January 1, 1962, and at that time had an estimated useful life of 50 years, with an estimated salvage value of $20,000. Each apartment is of equal value. Upon completion of the building, Y corporation mortgaged the land and building for $150,000 and sold its total authorized capital stock, consisting of 1000 shares of common stock, for $100,000. The stock was purchased by 10 individuals each of whom paid $10,000 for 100 shares. Each certificate for 100 shares provides that the holder thereof is entitled to a proprietary lease of a particular apartment in the building. Each lease provides that the lessee shall pay his proportionate share of the corporation's expenses including an amount on account of the curtailment of Y's mortgage indebtedness. B, a calendar year taxpayer, is the original owner of 100 shares of stock in Y corporation. On January 1, 1962, B subleases his apartment for a term of 5 years. B's stock in Y corporation is treated as property subject to the allowance for depreciation under section 167 (a), and B, who uses the straight line method of depreciation for purposes of the computation prescribed by paragraph (b)(1)(i) of this section, computes the allowance for depreciation for the taxable year 1962 with respect to such stock as follows:

Y's basis in the building	$200,000
Less: Estimated salvage value	20,000
Y's basis for depreciation	180,000
Annual straight line depreciation on Y's building (1/50 of $180,000)	3,600
Proportion of outstanding shares of stock of Y corporation (1,000) owned by B (100)	1/10
B's proportionate share of annual depreciation (1/10 of $3,600)	360
Depreciation allowance for 1962 with respect to B's stock (if the limitation in paragraph (c) of this section is not applicable)	360

Example (2). The facts are the same as in example (1) except that the building constructed by Y corporation contained, in addition to the 10 apartments, space on the ground floor for 2 stores which were rented to persons who do not have a proprietary lease of such space by reason of stock ownership. Y corporation's building has a total area of 16,000 square feet, the 10 apartments in such building have an area of 10,000 square feet, and the 2 stores on the ground floor have an area of 2,000 square feet. Thus, the total rentable space in Y corporation's building is 12,000 square feet. B, who uses the straight line method of depreciation for purposes of the computation prescribed by paragraph (b) (1) (i) of this section, computes the allowance for depreciation for the taxable year 1962 with respect to his stock in Y corporation as follows:

Y's basis in the building	$200,000
Less: Estimated salvage value	20,000
Y's basis for depreciation	180,000
Annual straight line depreciation on Y's building (1/50 of $180,000)	3,600
Less: Amount representing rentable space not subject to proprietary lease but held for rental purposes over total rentable space ($\frac{2,000}{12,000}$ of $3,600)	600
Annual depreciation, as reduced	3,000
B's proportionate share of annual depreciation (1/10 of $3,000)	300
Depreciation allowance for 1962 with respect to B's stock (if the limitation in paragraph (c) of this section is not applicable)	300

Example (3). The facts are the same as in example (1) except that B occupies his apartment from January 1, 1962, until December 31, 1966, and that on January 1, 1967, B sells his stock to C, an individual, for $15,000. C thereby obtains a proprietary lease from Y corporation with the same rights and obligations as B's lease provided. Y corporation's records disclose that its outstanding mortgage indebtedness is $135,000 on January 1, 1967. C, a physician, uses the entire apartment solely as an office. C's stock in Y corporation is treated as property subject to the allowance for depreciation under section 167 (a), and C, who uses the straight line method of depreciation for purposes of the computation prescribed by paragraph (b) (1) (i) of this section, computes the allowance for depreciation for the taxable year 1967 with respect to such stock as follows:

Price paid for each share of stock in Y corporation purchased by C on 1-1-67 ($15,000÷100)	$150
Per share price paid by C multiplied by total shares of stock in Y corporation outstanding on 1-1-67 ($150×1,000)	150,000
Y's mortgage indebtedness outstanding on 1-1-67	$135,000
	285,000
Less: Amount attributable to land (assumed to be 1/5 of $285,000)	57,000
	228,000
Less: Estimated salvage value	20,000
Basis of Y's building for purposes of computing C's depreciation	208,000
Annual straight line depreciation (1/45 of $208,000)	4,622.22
C's proportionate share of annual depreciation (1/10 of $4,622.22)	462.22
Depreciation allowance for 1967 with respect to C's stock (if the limitation in paragraph (c) of this section is not applicable)	462.22

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

[F.R. Doc. 64-4260; Filed, Apr. 28, 1964; 8:48 a.m.]

[T.D. 6726]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Dealers in Securities

In order that dealers in securities may have greater flexibility in identifying securities held for investment, the Income Tax Regulations are amended by revising paragraph (d) (1) of § 1.1236-1 to read as follows:

§ 1.1236-1 Dealers in securities.

* * * * *

(d) *Identification of security in dealer's records.* (1) A security is clearly identified in the dealer's records as a security held for investment when there is an accounting separation of the security from other securities, as by making appropriate entries in the dealer's books of account to distinguish the security from inventories and to designate it as an investment and by (i) indicating with such entries, to the extent feasible, the individual serial number of, or other characteristic symbol imprinted upon, the individual security, or (ii) adopting any other method of identification satisfactory to the Commissioner.

* * * * *

Because this Treasury decision liberalizes the requirements imposed upon securities dealers in identifying securities held for investment purposes, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of said Act.

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

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

Approved: April 24, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 64-4261; Filed, Apr. 28, 1964; 8:48 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of State

Section 213.3204 is amended to reflect a change in the organizational location of technical cryptographic positions and the return of clerical positions servicing those positions to the competitive service. Effective upon publication in the FEDERAL REGISTER, paragraph (b) of § 213.3204 is amended as set out below.

§ 213.3204 Department of State.

* * * * *

(b) Technical cryptographic poistions in the Communications Security Division, Office of Communications.

* * * * *

(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. 64-4237; Filed, Apr. 28, 1964; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER A—AID OF CIVIL AUTHORITIES AND PUBLIC RELATIONS

PART 518—RECORDS AND REPORTS

Location of and Access to Military Personnel Records

A new § 518.7 is added, to read as follows:

§ 518.7 Location of and access by individual concerned or designated representative to military personnel records maintained by The Adjutant General and the Administrator of General Services.

(a) *Purpose.* This section sets forth the locations of and the conditions under which members and former members of the Army, in a status shown below, may review their individual official military personnel files maintained by The Adjutant General and the Administrator of General Services.

(1) Personnel on active duty.

(2) Reserve Component personnel not on active duty.

(3) Retired personnel.

(4) Separated personnel.

(b) *Location of records.* (1) Records of the following personnel are located in The Adjutant General's Office, Personnel Records Division, Department of the Army, The Pentagon, Washington, D.C., 20310:

(i) All active duty commissioned, warrant officer, and enlisted personnel (including members of Reserve Components on extended active duty).

(ii) General officers of all components (active, inactive, or retired).

(2) Records of the following personnel are located in the U.S. Army Records Center, TAGO, 9700 Page Boulevard, St. Louis, Mo., 63132:

(i) Officers and warrant officers completely separated on or after October 6, 1945.

(ii) Officers (except general officers), warrant officers, and enlisted members of Reserve Components not on active duty.

(iii) Enlisted personnel, now separated, whose last date of entry was on or after October 6, 1945.

(iv) All retired officers (except general officers), and all retired enlisted personnel.

(v) Field personnel files of officers (including general officers), warrant officers, and enlisted personnel of the Standby and Retired Reserve.

(3) Records of the following personnel are in the Army Branch, Military Personnel Records Center, GSA, 9700 Page Boulevard, St. Louis, Mo., 63132:

(i) Officer and warrant officer personnel who were completely separated during the period July 1, 1917 through October 5, 1945 inclusive, and who did not re-enter the Army after October 5, 1945.

(ii) Enlisted personnel who were completely separated during the period November 1, 1912 through October 5, 1945 inclusive, and who did not re-enter the Army after October 5, 1945.

(c) *Access and review.* (1) Records of personnel will be made available for access and review by the individual concerned or his authorized representative.

(2) Access to records of personnel in a status shown in paragraph (a) of this section is permitted either in TAGO, Personnel Records Division, The Pentagon, Washington, D.C. or the USARCEN, TAGO, 9700 Page Boulevard, St. Louis, Mo.

(d) *Appointments.* Except in unusual circumstances, a person (or his designated representative) desiring access to his records will contact The Adjutant General, Personnel Records Division, Military Personnel File Review Group (OXford 7-1111) to arrange for review in Washington, D.C., or the Commanding Officer, U.S. Army Records Center, TAGO, to arrange for review in St. Louis, Mo., at least 2 normal working days in advance of the time the appointment is desired. If access necessitates transfer of records between Washington, D.C., and St. Louis, Mo., or vice versa, request for review should be made 4 working days in advance of the desired appointment. Records will be made available only during normal office hours, Monday through Friday.

(e) *Representative.* An individual may designate in writing a representative, including a legal representative, to review his file if he cannot do so himself. Officers assigned to career management activities or to The Adjutant General's Office may not be designated as representatives for the purpose of reviewing records.

(1) At the time the review is to be made, the written authorization (paragraph (g) of this section) will be presented by the representative to an official employee of the agency or activity (paragraph (c)(2) of this section) in which the review is desired to be conducted. The authorization will not be mailed.

(2) Individuals are cautioned as to the possibility of misinterpretations of the facts reflected in their records by representatives who may not be completely familiar with the personnel policies of the Department of the Army.

(f) *Next of kin.* The privilege to review records is not extended to survivors or next of kin of deceased personnel. A power of attorney does not operate to authorize access to records in these instances.

(g) *Sample letter of authorization.*

To: The Adjutant General,
Department of the Army,
Washington, D.C., 20310
or
Commanding Officer,
U.S. Army Records Center, TAGO,
9700 Page Boulevard,
St. Louis, Mo., 63132

I (name (typed or printed)) request that (full name and address), my authorized representative, be allowed to review my personnel records in the same manner as would be permitted if I presented myself for this purpose.

I am (state present status, i.e., whether on active duty, retired, separated, or a member of the Reserve Components not on active duty).

Signature
Grade, branch of service
Service number

[AR 640-12, Mar. 16, 1964] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012)

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

[F.R. Doc. 64-4232; Filed, Apr. 28, 1964; 8:46 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order 6 (INS-1, 7th Rev., Amdt. 6)]

INS-1—MARINE PROTECTION AND INDEMNITY INSURANCE INSTRUCTIONS UNDER GENERAL AGENCY AND BERTH AGENCY AGREEMENTS

Miscellaneous Amendments

Effective as of March 31, 1964, midnight, e.s.t., INS-1, 7th Rev., is hereby amended as follows:

1. In section 1 *What this order does,* change the attachment date stated therein to read "March 31, 1964, midnight, e.s.t."

2. Amend section 2 to read as follows:

Sec. 2 Insurer.

The Independence Marine Services, 752 Public Ledger Building, Philadelphia 6, Pa., Managers for The Stuyvesant Insurance Company (hereinafter referred to as "Underwriter"), entered into an insuring agreement with the owner covering the period from March 31, 1964, midnight, e.s.t. to March 31, 1965, midnight, e.s.t.

3. Amend section 4 to read as follows:

Sec. 4 Vessels insured and terms of insurance.

The Underwriter has agreed to provide P & I insurance with respect to General Agency vessels operated in the employment of the Military Sea Transportation Service (referred to in this order as "MSTS"), for a period of one year from midnight, e.s.t., March 31, 1964, at an annual rate of $4.975 per gross registered ton on a daily pro rata basis, attaching as provided in section 5 (a), (b), (c), (d) and (e) of this order and terminating as of midnight, e.s.t., March 31, 1965, or in accordance with section 5 (c), (f), (g) and (h) of this order. This insurance covers the vessel's liability of a P & I insurance nature except for any loss, damage or expense in respect to cargo, including baggage and personal effects of passengers, if any, or cargo's proportion of general average or special charges, or in any other way relating to cargo which is to be carried, is being carried, or has been carried on board such vessels. The limit of liability in any claim shall be $250,000.00 for each accident or occurrence per vessel, with a deduction of $1,000 for each accident or occurence resulting in personal injury, illness, or death, and $500.00 for each accident or occurrence of other types except "putting in", burial expenses, and damage to docks, buoys, etc. Claims for "putting in", burial expenses, and damage to docks, buoys, etc. are not subject to any deduction. The Underwriter has agreed to accept liability not to exceed $200 for burial expenses.

4. In section 5 *Assumption of risk by owner and attachment and cancellation dates of commercial insurance* and paragraph (c), Vessels presently in operation under General Agency Agreement, 3-19-51, by changing the attachment date stated therein to read "March 31, 1964, midnight, e.s.t."

5. In section 7 *Insurance Premiums,* amend paragraph (a), Payment of Premiums, by changing the expiration date stated therein to read "March 31, 1965, midnight, e.s.t."

6. In section 9 *Settlement of claims,* amend paragraph (c), Claims declined by underwriters, by changing the attachment date stated therein to read "March 31, 1964, midnight, e.s.t."

7. In section 11 *Report of claims,* amend paragraph (b) by changing the reporting date stated therein to read "December 31, 1964."

In accordance with the provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found to be impracticable and not in the public interest to delay the effective date thereof; therefore, the foregoing amendments shall be effective as aforesaid.

Dated: March 25, 1964.

J. W. GULICK,
Deputy Maritime Administrator.

[F.R. Doc. 64-4278; Filed, Apr. 28, 1964; 8:48 a.m.]

Title 7—AGRICULTURE

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

[Milk Order 35]

PART 1035—MILK IN THE COLUMBUS, OHIO, MARKETING AREA

Order Amending Order

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

§ 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 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.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than May 1, 1964. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Assistant Secretary was issued January 20, 1964, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued April 13, 1964. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1964, and that it would be contrary to the public interest to delay the effective date of this order for 30 days after its publication in the FEDERAL REGISTER (sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001–1011).

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

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

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

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

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the 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:

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 or 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.

(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.

§ 1035.72 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;

§ 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.

Effective date: May 1, 1964.

Signed at Washington, D.C., on April 23, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 64-4218; Filed, Apr. 28, 1964; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 7039]

PART 13—PROHIBITED TRADE PRACTICES

Bankers Securities Corp.

Subport—Advertising falsely or misleadingly: § 13.155 *Prices:* 13.155–40 Exaggerated as regular and customary.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Bankers Securities Corporation, Philadelphia, Pa., Docket 7039, Apr. 13, 1964]

Order modifying, in accordance with the direction of the Third Circuit of December 18, 1961, desist order of December 1, 1960, prohibiting fictitious pricing, to provide that it apply only to the Snellenburgs department stores.

The modified order to cease and desist reads as follows:

It is ordered, That respondent, Bankers Securities Corporation, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of carpets, rugs, or other merchandise by the department stores known as Snellenburgs, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Representing in any manner that certain amounts are the regular and usual retail prices of merchandise sold by Snellenburgs when such amounts are in excess of the prices at which such merchandise has been usually and regularly sold by Snellenburgs at retail, in the recent regular course of its business.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64–4254; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 7396]

PART 13—PROHIBITED TRADE PRACTICES

American News Co. and Union News Co.

Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, American News Company and the Union News Company, New York, N.Y., Docket 7396, Apr. 13, 1964]

Order modifying, in accordance with the decision of the Second Circuit of February 7, 1962, desist order dated January 10, 1961, to require the nations largest retail newsstand operators to cease receiving or inducing and receiving, or contracting for the receipt of, anything of value from any supplier as compensation for display or promotional services furnished through them in connection with the sale of the supplier's products, when they know or should know that comparable compensation was not made available to the supplier's competitors.

The modified order to cease and desist reads as follows:

It is ordered, That the respondents, The American News Company and The Union News Company, corporations, their officers, employees, agents or representatives, directly or through any corporate or other device, in or in connection with the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of products for resale on newsstands operated by respondents, do forthwith cease and desist from: Receiving, or inducing and receiving, or contracting for the receipt of, anything of value from any of their suppliers as compensation or in consideration for display or promotional services or facilities furnished by or through respondents in connection with the processing, handling, sale, or offering for sale of products purchased from any of their suppliers, when respondents know or should know that such compensation or consideration is not affirmatively offered or otherwise made available by such suppliers on proportionally equal terms to all their other customers competing with respondents in the sale and distribution of such suppliers' products.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64–4253; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 6459]

PART 13—PROHIBITED TRADE PRACTICES

Giant Food, Inc.

Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Giant Food, Inc., District of Columbia, Wash., Docket 6459, Apr. 13, 1964]

Order modifying, in accordance with the direction of the District of Columbia Circuit of June 14, 1962, desist order dated June 1, 1961, to require a large supermarket chain with retail outlets in Maryland, Virginia and the District of Columbia, to cease inducing and receiving, receiving, or contracting for the receipt of, anything of value from any supplier for display or promotional services furnished by it in connection with the sale of the supplier's products, when it knows or could reasonably have learned that comparable compensation was not made available to all the supplier's customers.

The modified order to cease and desist reads as follows:

It is ordered, That Giant Food, Inc., a corporation, and its officers, and respondent's representatives, agents and employees, directly or through any corporate or other device, in or in connection with the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of products for resale by the respondent, or in connection with any other transactions between respondent and its various suppliers involving or pertaining to the regular business of the respondent in distributing and selling commodities and products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Inducing and receiving, receiving, or contracting for the receipt of, anything of value from any supplier as compensation or in consideration for display or promotional services or facilities furnished by or through respondent in connection with the processing, handling, sale or offering for sale of products purchased from such supplier, when respondent knows or could reasonably have learned that such compensation or consideration is not affirmatively offered or otherwise made available by such supplier on proportionally equal terms to all of its other customers competing with respondent in the sale and distribution of such supplier's products.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64–4255; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 6973]

PART 13—PROHIBITED TRADE PRACTICES

Grand Union Co.

Subpart—Discriminating in price under section 5, Federal Trade Commission Act: § 13.892 *Knowingly inducing or receiving discriminating payments.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, The Grand Union Company, New York, N.Y., Docket 6973, Apr. 13, 1964]

Order modifying, in accordance with the decision of the Second Circuit of February 7, 1962, desist order of August 12, 1960, to require a large eastern supermarket chain to cease receiving or inducing and receiving, the benefit of anything of value from any supplier through any third person as compensation for advertising services furnished by it in connection with the sale of the supplier's product when it knows that comparable benefits are not made available by the supplier to all its competitors.

The modified order to cease and desist reads as follows:

It is ordered, That respondent The Grand Union Company, a corporation, its officers, employees, agents or representatives, directly or through any cor-

porate or other device, in connection with the purchase in commerce (as "commerce" is defined in the Federal Trade Commission Act) of grocery products or related merchandise, do forthwith cease and desist from:

Receiving, or inducing and receiving, the benefit of anything of value from any of its suppliers through any third person (but not directly from said supplier), as compensation or in consideration for any advertising or promotional display services or facilities furnished by or through respondent in connection with the sale or offering for sale of products sold to respondent by any of its suppliers, when respondent knows, or should know, that such benefit is not affirmatively offered or otherwise made available by such suppliers on proportionally equal terms to all their other customers competing with respondent in the sale and distribution of the suppliers' products.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64-4256; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 7346]

PART 13—PROHIBITED TRADE PRACTICES

Rayex Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.85 *Government approval, action, connection or standards;* 13.85–60 *Standards, specifications, or source;* § 13.130 *Manufacture or preparation;* § 13.245 *Specifications or standards conformance.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Rayex Corporation et al., Queens, N.Y., Docket 7346, Apr. 13, 1964]

In the Matter of Rayex Corporation, a Corporation, and Ray Tunkel, Harry Kramer, and William Jonas, Individually and as Officers of Said Corporation

Order modifying—by vacating as to one respondent and as to the portions of the order directed at preticketing—desist order of April 2, 1962, to require assemblers of sunglasses in Flushing, Queens, N.Y., to cease misrepresenting the diopter curve of their sunglasses and falsely claiming conformance with the standards and specifications of the U.S. Air Force or Department of Defense.

The modified order to cease and desist reads as follows:

It is ordered, That the respondents, Rayex Corporation, a corporation, and Ray Tunkel and Harry Kramer, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of sunglasses, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(a) That their sunglass lenses have a given dioptic curve unless such is the fact: *Provided, however,* That in the case of ground and polished sunglass lenses a tolerance not to exceed minus or plus 1/16th diopters in any meridian and a difference in power between any two meridians not to exceed 1/16th diopter and a prismatic effect not to exceed 1/8th diopter shall be allowed.

(b) That their sunglasses, or the lenses thereof, meet or comply with the specifications and standards of the United States Air Force or Department of Defense.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64-4257; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 7043]

PART 13—PROHIBITED TRADE PRACTICES

United States Association of Credit Bureaus, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* 13.15–125 Individual or private business being; 13.15–195 Nature; § 13.85 *Government approval, action, connection or standards;* 13.85–35 Government indorsement. Subpart—Using misleading name—Vendor: § 13.2380 *Government connection;* § 13.2395 *Individual or private business being association or guild;* § 13.2425 *Nature, in general.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, United States Association of Credit Bureaus, Inc., et al., Oak Forest, Ill., Docket 7043, Apr. 13, 1964]

In the Matter of United States Association of Credit Bureaus, Inc., a Corporation, and John W. Burns, and Harold E. Holder, Individually and as Officers of Said Corporation

Order modifying, in accordance with the directive of the Seventh Circuit of February 14, 1962, desist order of June 8, 1961, so as to permit a collection agency to represent that no charges would be made for uncollected accounts where such statement is true, and so as not to require it affirmatively to disclose on skip-tracing forms that the forms were used for collection of debts, where forms were found to be not deceptive.

The modified cease and desist order reads as follows:

It is ordered, That respondent, United States Association of Credit Bureaus, Inc., a corporation, and its officers and respondents, John W. Burns and Harold E. Holder, individually and as officers of said corporate respondent, and said respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the solicitation of accounts for collection, or the collection of, or attempts to collect accounts, or to obtain information concerning delinquent debtors, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the words "association" or "credit bureaus," or any other term of similar import or meaning in the corporate name or in any other manner to designate, describe or refer to respondents' business, or otherwise representing, directly or by implication, that respondents' business is an association or a credit bureau.

2. Using the name "United States" in the corporate name or in any other manner, or an insignia so designed as to suggest government connection, to designate, describe, or refer to respondents' business; or otherwise representing, directly or by implication, that they are an agency or branch of the United States government, or that their business is in any way connected with the United States government.

3. Representing, through the use of a corporate or other trade name, or in any other manner, that their business is other than that of a collection agency engaged in collecting past due accounts.

4. Representing, directly or by implication:

(a) That their business is organized into separate functional divisions for the collection of accounts;

(b) That they employ local representatives, regional investigators, correspondents or lawyers on their personnel staff in various states or throughout the world, or that they employ any one on their personnel staff except solicitors anywhere outside of the Chicago or Oak Forest, Illinois area;

(c) That they make personal calls on debtors to collect accounts;

(d) That no charges will be made for accounts unless they are collected, unless such statement is true;

(e) That the collection fee or commission is less than any amount actually to be charged by respondents;

(f) That they furnish credit reports to parties who have assigned accounts to them.

5. Using, or causing to be used, any forms, cards or other material, printed or written, for use in obtaining information concerning delinquent debtors, which represent, directly or by implication, that money or property is being held for, or is due, persons concerning whom the information is sought, or is collectible by such persons, unless money or property is in fact due and collectible by such persons and the amount of money or property is actually stated.

Issued: April 13, 1964:

By the Commission.

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

[F.R. Doc. 64-4258; Filed, Apr. 28, 1964; 8:48 a.m.]

[Docket No. 7720]

PART 13—PROHIBITED TRADE PRACTICES

Vanity Fair Paper Mills, Inc.

Subpart—Discriminating in price under sec. 2, Clayton Act—Payment for

Services or Facilities for Processing or Sale Under 2(d): § 13.824 *Advertising expenses.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1526; 15 U.S.C. 13) [Cease and desist order, Vanity Fair Paper Mills, Inc., New York, N.Y., Docket 7720, Apr. 13, 1964]

Order modifying—by substituting the words in parentheses for "other services or facilities in the original order"—desist order of March 21, 1962, which required a manufacturer of household paper products distributing its products to wholesale and retail grocers and druggists in Texas, Oklahoma, Arkansas, Mississippi and Los Angeles, to cease violating section 2(d) of the Clayton Act by such practices as making special payments, in excess of the usual allowances, for advertising or other services to one large customer without making comparable payments available to all the customer's competitors.

The modified order to cease and desist reads as follows:

It is ordered, That respondent, Vanity Fair Paper Mills, Inc., a corporation, its officers, employees, agents, or representatives, directly or through any corporate or other device, in or in connection with the sale in commerce, as "commerce" is defined in the Clayton Act, as amended, of paper products, do forthwith cease and desist from:

Making or contracting to make, to or for the benefit of J. Weingarten, Inc., or any other customer, any payment of anything of value as compensation or in consideration for advertising or promotional display services or facilities and like or related practices furnished by or through such customer, in connection with the handling, offering for resale, or resale of the respondent's products, unless such payment is offered or otherwise affirmatively made available on proportionally equal terms to all other customers competing in the distribution or resale of such products.

Issued: April 13, 1964.

By the Commission.

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

[F.R. Doc. 64-4259; Filed, Apr. 28, 1964; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Darby Creek, Pennsylvania and Honolulu Harbor, Hawaii

1. Pursuant to the provisions of Section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.228 governing the operation of the Pennsylvania Railroad Company and Reading Company bridges across Darby Creek near Essington is hereby revised, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.228 Darby Creek, Pa., The Pennsylvania Railroad Company and Reading Company bridges near Essington.

(a) The owners of or agencies controlling these bridges will not be required to keep draw tenders in constant attendance.

(b) Between 11:00 p.m. and 7:00 a.m. each day from May 15 to October 15, inclusive, the draws of these bridges need not be opened for the passage of vessels.

(c) Between 7:00 a.m. and 11:00 p.m. each day from May 15 to October 15, inclusive, the bridges will be opened upon signal from an approaching vessel or vessels at 7:15 a.m., 10:30 a.m., 1:00 p.m., 3:00 p.m., 7:30 p.m., and 10:30 p.m. and at other times on signal during these hours if such openings will not unduly delay railroad operations. Any vessel which may have passed through one of these bridges shall be passed through the draw of the other bridge without delay. When once opened for the passage of any vessel or craft the said bridges shall remain opened sufficiently long to permit the passage through both bridges of all vessels or craft which may be engaged in passing and all accumulated vessels presenting themselves for passage.

(d) From October 16 to May 14, inclusive, whenever a vessel unable to pass under the closed bridges desires to pass through the draws, 24 hours' advance notice of the time opening is required must be given to the authorized representative of the owner of or agency controlling each of the bridges to insure prompt opening thereof at the time required. On receipt of such advance notice the authorized representative, in compliance therein, shall arrange for the prompt opening of the draw on proper signal at approximately the time specified in the notice.

(e) In an emergency, the drawspans of these bridges will be opened as soon as possible after notification.

(f) The owners of or agencies controlling these bridges shall provide and keep in good legible condition two board gages of a type to be approved by the District Engineer to indicate the controlling minimum vertical clearance under both closed drawspans at all stages of the tide. These gages shall be so placed on the upstream and downstream ends of the right channel drawspan piers or fenders so that they will be plainly visible to the navigators approaching from either direction.

(g) The owner of or agency controlling each bridge shall keep conspicuously posted on both the upstream and downstream sides thereof, in such manner that it can easily be read at any time, a copy of the regulations in this section together with information as to whom notice should be given, as specified in paragraphs (d) and (e) of this section, when it is desired that the bridge be opened and directions for communicating with such person by telephone or otherwise.

(h) The operating machinery of the draws shall be maintained in a serviceable condition, and the draws shall be opened and closed at intervals frequent enough to make certain that the machinery is in proper order for satisfactory operation.

[Regs., 13 April 1964, 1507-32 (Darby Creek, Pa.)—ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

2. Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.900 governing the operation of Kalihi Channel Bridge, Honolulu Harbor, Hawaii, is hereby amended with respect to paragraphs (b), (c) and (d) prescribing visual bridge tender reply signals and reducing the period for opening the bridge prior to tidal wave arrival, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 203.900 Honolulu Harbor, Hawaii; Kalihi Channel Bridge.

* * * * *

(b) From 5:00 a.m. on Saturdays to 5:00 a.m. on Mondays and on legal holidays, the bridge will be opened for traffic upon six (6) hours' advance notice to the Honolulu Harbor Pilot Station at Aloha Tower. In event of emergencies during the closed periods specified in paragraph (a) of this section, the Pilot Station will be called for clearance. In the event that a seismic sea-wave (tidal wave) is imminent, the bridge shall be opened to full horizontal and vertical clearances upon orders of the Harbor Master, Port of Honolulu. Emergency ship movements or imminence of wave arrival may require the bridge to be opened even though all persons have not evacuated the Sand Island area. Every effort shall be made to keep the bridge in the down position as long as reasonably possible; however, the Harbor Master may open the bridge within thirty (30) minutes of estimated time of wave arrival if he deems it prudent.

(c) The following described visual signals shall be mounted on a mast on the bridge control tower:

(1) A flashing green light to indicate that the draw can be opened immediately. The light shall be exhibited during the time the draw is opening and until the draw is to be closed.

(2) A flashing red light to indicate that the draw cannot be opened immediately, or being opened, is to be closed immediately. The light shall be exhibited during the time the draw is closing.

(3) Two (2) amber lights in a vertical line, one over the other, 6 feet apart, with the uppermost 6 feet below the flashing red light. The uppermost amber light shall be flashing and, when exhibited, shall indicate incoming traffic only. The lowermost amber light shall be fixed, and, when exhibited, shall indicate outgoing traffic only. When both lights are exhibited, the harbor is closed to all traffic.

(4) The flashing red and green lights shall be mounted on a mast on the bridge control tower at a height of 65 feet above the water plane at mean lower low water datum, shall be visible between 50 degrees and 245 degrees true from seaward and visible for a distance of approximately 3 miles. The fixed and flashing

amber lights shall conform to the bearings and visibility as prescribed for the red and green lights.

(5) In addition to the above described lights, two (2) shapes shall be exhibited from a yardarm on the mast at a distance of 60 feet above the water plane at mean lower low water datum. One shape shall be an orange ball 2 feet in diameter. The other shape shall be an orange cone 2 feet in diameter across the base.

(d) When a vessel or other watercraft intends to pass through the draw of the bridge, the master or pilot thereof shall, on approaching within signaling distance, signify his intention to pass through the draw by sounding two (2) prolonged blasts followed immediately by two (2) short blasts. If the draw can be opened immediately, the bridge tender shall exhibit the flashing green light. The orange ball will be exhibited to indicate an inbound vessel; the cone will be exhibited to indicate an outbound vessel.

NOTE: As used in this section, the term "prolonged blast" means a distinct blast of a whistle or horn of five (5) seconds duration, and the term "short blast" means a distinct blast of a whistle or horn of one (1) second duration.

During daylight hours when the drawbridge cannot be opened immediately, the bridge tender shall exhibit the flashing red light and hoist the ball and cone simultaneously to the yardarm. If for some reason the drawbridge cannot be opened after the tender has signified immediate opening by the flashing green light and either the ball or cone, he shall immediately exhibit the rescinding signal of the flashing red light and hoist the ball and cone simultaneously to the yardarm. As soon as the exigency which prevented opening has been removed, the tender shall promptly exhibit the flashing green light and either the ball or cone as the case may require to advise vessels that the drawbridge can be opened at once and he shall thereupon proceed to open the drawbridge if there is a vessel waiting to pass through. No vessel shall attempt to navigate the drawbridge when the visual signals indicate the bridge cannot be opened. During the period of darkness, when the drawbridge cannot be opened immediately, the bridge tender shall exhibit the flashing red light and the fixed and flashing amber lights simultaneously. If for any reason the draw cannot be opened after the tender has signified immediate opening by the flashing green light and either the flashing amber light or fixed amber light, he shall immediately exhibit the rescinding signal of the flashing red light and the fixed and flashing amber lights simultaneously. As soon as the exigency which prevented opening has been removed, the tender shall promptly exhibit the flashing green light and either the flashing or fixed amber lights as the case may require to advise vessels that the drawbridge can be opened at once. He shall thereupon proceed to open the drawbridge if there is a vessel waiting to pass through. No vessel shall attempt to navigate through the drawbridge when the visual signals indicate that the bridge cannot be opened.

* * * * *

[Regs., April 13, 1964, 1507-32 (Honolulu Harbor, Hawaii)—ENGCW-ON] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

J. C. LAMBERT,
Major General, United States Army,
The Adjutant General.

[F.R. Doc. 64-4208; Filed, Apr. 28, 1964; 8:45 a.m.]

PART 204—DANGER ZONE REGULATIONS

PART 207—NAVIGATION REGULATIONS

Atlantic Ocean, Va. and Ohio River and Mississippi River

1. Pursuant to the provisions of Section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 204.51a is hereby prescribed establishing and governing the use of a danger zone in the Atlantic Ocean at Dam Neck, Virginia Beach, Virginia, and § 204.52 is hereby amended revising the regulations in paragraph (b) effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 204.51a Atlantic Ocean south of entrance to Chesapeake Bay off Dam Neck, Virginia Beach, Virginia, naval firing range.

(a) *The danger zone.* All of the water area within a sector extending seaward a distance of 5,000 yards between radial lines bearing 35° true and 92° true, respectively, from a point on the shore at latitude 36°47'33", longitude 75°58'23".

(b) *The regulations.* (1) During the period from sunrise to sunset vessels shall proceed through the area with caution and shall remain therein no longer than necessary for purposes of transit.

(2) When firing is in progress, red flags will be displayed at conspicuous locations on the beach.

(3) Firing on the ranges will be suspended as long as any vessel is within the danger zone.

(4) Lookout posts will be maintained by the Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia Beach, Virginia.

(5) There shall be no firing on any of the ranges between sunset and sunrise, nor during other periods of low visibility.

(6) The regulations in this section shall be enforced by the Commanding Officer of the Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia Beach, Virginia, and such agencies as he may designate.

§ 204.52 Atlantic Ocean south of entrance to Chesapeake Bay; firing range.

* * * * *

(b) *The regulations.* (1) During the period from sunrise to sunset vessels shall proceed through the area with caution and shall remain therein no longer than necessary for purposes of transit.

(2) When firing is in progress, red flags will be displayed at conspicuous locations on the beach.

(3) Firing on the ranges will be suspended as long as any vessel is within the danger zone.

(4) Lookout posts will be maintained by the Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia Beach, Virginia.

(5) There shall be no firing on any of the ranges between sunset and sunrise, nor during other periods of low visibility.

(6) The regulations in this section shall be enforced by the Commanding Officer of the Fleet Anti-Air Warfare Training Center, Dam Neck, Virginia Beach, Virginia, and such agencies as he may designate.

[Regs., April 6, 1964, 1507-32 (Atlantic Ocean, Va.)—ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.300 governing the use, administration and navigation of locks along the Ohio River, Mississippi River above Cairo, Illinois, and their tributaries is hereby amended with respect to paragraph (a) to revise Notes 5 and 6 to bring the regulations up to date due to recent transfer or removal of the locks involved, effective on publication in the FEDERAL REGISTER, as follows:

§ 207.300 Ohio River, Mississippi River above Cairo, Ill., and their tributaries; use, administration and navigation.

(a) *Authority of lockmasters.* * * *

NOTE 5: The operation of all Muskingum River Locks (1 thru 11) by the Corps of Engineers, U.S. Army, has been discontinued. These facilities have been transferred to the State of Ohio, Department of Natural Resources.

NOTE 6: Big Sandy River, West Virginia, and Kentucky, including Levisa and Tug Forks: Lock and Dam 1 near Catlettsburg, Kentucky, has been removed. Operation of Lock and Dam 2 near Buchanan, Kentucky, Lock and Dam 3 near Fort Gay, West Virginia, Lock and Dam 1 on Levisa Fork near Gallup, Kentucky, and Lock and Dam 1 on Tug Fork near Chapman, Kentucky, has been discontinued.

* * * * *

[Regs., April 8, 1964, 1507-32 (Ohio and Mississippi River)—ENGCW-ON] Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

J. C. LAMBERT,
Major General, United States Army, The Adjutant General.

[F.R. Doc. 64-4209; Filed, Apr. 28, 1964; 8:45 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 4—OPERATION AND NAVIGATION OF PANAMA CANAL AND ADJACENT WATERS

PART 12—INSPECTION OF VESSELS

Miscellaneous Amendments

1. Effective upon publication in the FEDERAL REGISTER, §§ 4.3 and 4.43a of Title 35, Code of Federal Regulations, are amended to read as follows:

§ 4.3 Load and trim.

(a) A vessel shall not be permitted to transit the Canal if she:

(1) Has a list of more than 10 degrees;

(2) Is so tender or otherwise so loaded as to dangerously affect her stability or maneuverability; or

(3) Is so trimmed as to dangerously affect her maneuverability.

(b) A vessel having a list of between 3 degrees and 10 degrees, or which is so loaded or so trimmed as to adversely affect her maneuverability, may be permitted to transit in the discretion of the Port Captain, provided the Master thereof, in the presence of the Pilot, signs an undertaking, for the said vessel, her owners, operators, or any other persons having any interest in her, and for himself, releasing the Panama Canal Company from and indemnifying it against, any loss, damage, or liability incurred by the Panama Canal Company under, or in respect to:

(1) Sections 291 through 297, inclusive, of Title 2 of the Canal Zone Code (76A Stat. 23–25),

(2) Panama Canal Company or Canal Zone Government property, and

(3) Panama Canal Company or Canal Zone Government employees under the Federal Employees' Compensation Act, to the extent and in the proportion that such failure to meet the requirements of this section proximately causes or contributes to the casualty and resulting damages.

(c) Nothing shall be done, or permitted to be done, by the Master or any member of the crew, which would materially alter the trim or draft of a vessel while it is transiting the Canal, without the prior, express approval of the Pilot. (§ 4.11)

§ 4.43a Passing through the locks: use of towing locomotives; use of ship's engines.

(a) A vessel passing through the locks shall normally be assisted by electric towing locomotives using steel wire towing lines. A vessel may be permitted to pass through the locks under her own power in the following circumstances:

(1) A small vessel up to 125 feet in length may be handled with her own manila, hemp or synthetic fiber lines along the wall, if her structure will permit her landing against the wall;

(2) A small vessel not over 100 feet in length, having good maneuvering characteristics, may be handled with her own manila, hemp or synthetic fiber lines in the center of the chamber.

(b) A vessel passing through the locks without a Pilot aboard, in accordance with the provisions of § 4.23, shall be under the direction of the lockmaster, who may authorize the use of the vessel's engines in the locks.

(c) When a vessel has a Pilot aboard, the use of her engines shall be under the direction of the Pilot. After towing wires from the towing locomotives have been placed aboard a vessel, her engines may be used to the extent considered necessary or desirable by the Pilot. (§ 4.11)

2. Effective on September 1, 1964, with regard to all vessels whose construction is commenced after September 1, 1964, and, with regard to all other vessels, on September 1, 1966, § 4.42 of Title 35, Code of Federal Regulations, is amended to read as follows:

§ 4.42 Construction, number and location of chocks and bitts.

(a) All chocks for towing wires shall be of heavy closed construction and shall have a convex bearing surface with a radius of not less than 7 inches (180 millimeters). The convex surface shall extend so that a wire from the bitt or from the towing locomotive through the chock, shall be tangent to the 7-inch (180 millimeter) radius at any angle up to 90 degrees with respect to a straight line through the chock.

(b) No part of the vessel which may be contacted by the towing wires, at any angle, shall have less than a 7-inch radius.

(c) Chocks designated as single chocks shall have a throat opening of not less than 100 square inches (750 square centimeters) in area (Preferred dimensions are 12 x 9 inches (300 x 250 millimeters).) and shall be capable of withstanding a strain of 70,000 pounds (32,000 kilograms) on a towing wire from any direction.

(d) Chocks designated as double chocks shall have a throat opening of not less than 140 square inches (875 square centimeters) in area (Preferred dimensions are 14 x 10 inches (350 x 250 millimeters).) and shall be capable of withstanding a strain of 140,000 pounds (64,000 kilograms) on the towing wires from any direction.

(e) Use of roller chocks is permissible provided they are in good condition, meet all of the requirements for solid chocks as specified in paragraph (a), (b), (c) and (d) of this section, as the case may be, and are so fitted than transition from the rollers to the chock body will prevent damage to towing wires.

(f) Each single chock shall have an accompanying bitt capable of withstanding a strain of 70,000 pounds (32,000 kilograms).

(g) Each double chock located at the stem and at the stern, in accordance with paragraph (h) of this section shall have two pairs of heavy bitts with each bitt of each pair capable of withstanding a strain of 70,000 pounds (32,000 kilograms). Other double chocks shall have a pair of heavy bitts with each bitt capable of withstanding a strain of 70,000 pounds (32,000 kilograms).

(h) All vessels, except a vessel using her own lines in accordance with § 4.43a (a) (1), (2), shall be fitted with a double chock set athwartships right in the stem and another double chock set athwartships right in the stern, except that on vessels of less than 85 feet beam, two single chocks may be substituted for each double chock required by this subsection. If such substitution is made, the single chocks shall be placed, port and starboard, not more than 8 feet abaft the stem or 10 feet forward of the stern, provided that these chocks are not more than 10 feet from the center line of the vessel.

(i) Vessels under 200 feet in length and not exceeding 30 feet in beam shall have a double chock at the stem and stern or two single chocks may be substituted for each double chock. If such substitution is made, the single chocks shall be placed, port and starboard, not more than 8 feet abaft the stem or 10 feet forward of the stern.

(j) Vessels 200 to 500 feet in length and not exceeding 75 feet beam shall have a double chock at the stem and at the stern or two single chocks at the bow and stern, port and starboard, not more than 8 feet abaft the stem or 10 feet forward of the stern and shall have two additional single chocks, port and starboard, 30 to 50 feet abaft the stem and 30 to 50 feet forward of the stern.

(k) Vessels 500 to 600 feet long or between 75 and 85 feet in beam shall have a double chock at the stem and stern or two single chocks at the bow and stern, port and starboard, not more than 8 feet abaft the stem or 10 feet forward of the stern and in addition shall have a double chock, port and starboard, 40 to 50 feet abaft the stem and a single chock, port and starboard, 40 to 50 feet forward of the stern.

(l) Vessels 600 to 670 feet long or between 85 and 90 feet in beam shall have a double chock at the stem and stern, a double chock, port and starboard, 40 to 50 feet abaft the stem; a single chock, port and starboard, 80 to 90 feet abaft the stem and a single chock, port and starboard, 40 to 50 feet forward of the stern.

(m) Vessels over 670 feet long or over 90 feet in beam shall have a double chock at the stem and stern; a double chock, port and starboard, 40 to 50 feet abaft the stem; a single chock, port and starboard, 80 to 90 feet abaft the stem; a double chock, port and starboard, 40 to 50 feet forward of the stern and a single chock, port and starboard, 80 to 90 feet forward of the stern.

(n) On vessels over 90 feet in beam, in order to obtain efficient lateral control from locomotives and to prevent the towing wires from fouling wall coping and miter gates, all chocks shall be placed on the raised sections of the ship (forecastle and poop deck) even though the distance of such chocks from the bow and the stern may be less than specified in this section.

(o) A vessel using her own lines, in accordance with § 4.43a(a) (1) and (2), shall have a chock arrangement similar to that described in paragraph (i) of this section except that the chocks need only be single chocks or, if approved by the Chief, Navigation Division, of lesser strength.

(p) Any vessel which fails to meet the requirements of this section may be denied transit. If the Marine Director or his representative decides that the vessel can be handled without undue danger to equipment or to personnel, notwithstanding her failure to comply with other requirements of this section, the vessel may be allowed to transit after the Master thereof, in the presence of the Pilot, signs an undertaking, for the said vessel, her owners, operators, or any other persons having any interest in her, and for himself, releasing the Panama Canal Company from and indemnifying it against, any loss, damage, or

liability incurred by the Panama Canal Company under, or in respect to:

(1) Sections 291 through 297, inclusive, of Title 2 of the Canal Zone Code (76A Stat. 23–25),

(2) Panama Canal Company or Canal Zone Government property, and

(3) Panama Canal Company or Canal Zone Government employees under the Federal Employees' Compensation Act,

to the extent and in the proportion that such failure to meet the requirements of this section proximately causes or contributes to the casualty and resulting damages (§ 411).

3. Effective upon publication in the FEDERAL REGISTER, §§ 12.2 and 12.3 of Title 35, Code of Federal Regulations, are amended to read as follows:

§ 12.2 Officials constituting Board of Local Inspectors.

The Board of Local Inspectors, referred to in this part as "the Board," shall consist of:

(a) The Chief, Navigation Division, or the official acting in such capacity;

(b) The Chief, Industrial Division, or the official acting in such capacity; and

(c) As designated by the Supervising Inspector, either the Port Captain, Balboa, or the official acting in such capacity, or the Port Captain, Cristobal, or the official acting in such capacity.

Except as provided below, the Chief, Navigation Division shall be Chairman of the Board. In the discretion of the Supervising Inspector the Board for a particular accident investigation may be comprised of one or more regularly-constituted members of the Board. In the event the Governor deems it appropriate, he may designate alternates to serve in the place of any of the above-named members in any investigation or hearing. In any case in which the Marine Director is designated as such an alternate, he shall serve as Chairman of the Board.

[2 C.Z.C. § 1353; 76A Stat. 47]

§ 12.3 Employment of inspections or examiners.

The Board may employ such inspectors or examiners as it may require in the inspection of vessels and in the classification and licensing of masters, mates, engineers, and pilots.

[2 C.Z.C. § 1353; 76A Stat. 47]

Issued at Balboa Heights, Canal Zone, April 14, 1964.

[SEAL] DAVID S. PARKER,
Acting Governor.

[F.R. Doc. 64-4210; Filed, Apr. 28, 1964; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15389, RM-580; FCC 64-360]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations, South Bend, Indiana

Report and order. 1. The Commission has before it for consideration its notice of proposed rule making (FCC 64-238) issued in this proceeding on March 19, 1964, inviting comments on a proposal to substitute Channel 276A for Channel 252A in South Bend, Indiana. No oppositions were filed to the proposed change.

2. Petitioner submits that it is an applicant for a new FM station on Channel 252A at South Bend; that in order to meet the separation requirements of the rules a station on this channel would have to locate in an area where no suitable sites are available due to proximity of homes, college campuses and an airport; that at this location the ground elevation is such that a tower height of 300 feet would be needed to obtain an antenna height of 300 feet above average terrain; and that in order to take advantage of the more suitable sites south of the city it was necessary to request a waiver of the spacing rules. Petitoner urges that Channel 276A would meet all the requirements of the rules; that a site could be used south of the city of South Bend at the location of other radio stations; and that it would permit greater flexibility in selecting a suitable site for the proposed station.

3. The proposed change conforms to all the rules, would relieve prospective applicants of problems in selecting a site for a new FM station, and would serve the public interest. We believe therefore that the proposed change should be adopted.

4. Authority for the adoption of the proposed amendment is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

5. In view of the foregoing: *It is ordered*, That effective June 1, 1964, the FM Table of Assignments contained in § 73.202 of the Commission's rules and regulations is amended, insofar as the community named is concerned, to read as follows:

City	*Channel No.*
South Bend, Ind	225, 268, 276A, 280A

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 307, 48 Stat. 1082, 1083; 47 U.S.C. 303, 307)

Adopted: April 22, 1964.

Released: April 24, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-4241; Filed, Apr. 28, 1964; 8:47 a.m.]

[Docket No. 15390, RM-581; FCC 64-359]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments, FM Broadcast Stations, Conneaut, Ohio and Erie, Pa.

Report and order. 1. The Commission has before it for consideration its notice of proposed rule making (FCC 64-239) issued in this proceeding on March 19, 1964, in which comments were invited on a proposal to substitute Channel 288A for Channel 285A at Conneaut, Ohio and to substitute Channel 272A for Channel 288A at Erie, Pennsylvania. No oppositions were filed to the amendments as proposed. The Canadian authorities have concurred in the proposed changes. Gibralter Enterprises, Inc., licensee of WICU-TV, Erie, Pa., supported the proposal.

2. The amendments to the FM Table of Assignments were proposed by Louis W. Skelly, permittee of FM Station WFIZ on Channel 285A at Conneaut, Ohio, with the exception of the addition of Channel 272A to Erie, Pa. which was proposed on the Commission's own motion. The petitioner pointed out that due to the second harmonic relationship between Channel 285A and the aural carrier of Television Station WICU-TV at Erie, Pa., interference occurred to the reception of WICU-TV in the city of Conneaut in the vicinity of WFIZ. Mr. Skelly conducted extensive tests to determine the causes of the interference and to attempt to eliminate it. He urged that the best solution to this problem was a change in assignment for WFIZ.

3. In our notice of proposed rule making we pointed out that the type of "interference" discussed in Mr. Skelly's petition for rule making is one which is essentially related to the design of the FM transmitter and the TV receivers and that it ordinarily is not a factor in the assignment of FM channels. However, we also stated that in a number of similar instances changes had been made in assignments to solve this problem, where a simple solution was found that would not adversely affect any other station. The proposed changes would conform to all the rules, would not adversely affect any other station, and would serve the public interest. We are therefore of the view that the proposed amendments should be adopted.

4. Authority for the adoption of the proposed amendment and the other action taken herein is contained in sections 4(i), 303, 307(b), and 316 of the Communications Act of 1934, as amended.

5. In view of the foregoing: *It is ordered*, That effective June 1, 1964, the FM Table of Assignments contained in § 73.202 of the Commission's rules and regulations is amended, insofar as the communities named are concerned, to read as follows:

City	*Channel No.*
Conneaut, Ohio	288A
Erie, Pa	260, 272A, 279, 292A

6. *It is further ordered*, That, effective June 1, 1964, and pursuant to section 316(a) of the Communications Act of 1934, as amended, the outstanding construction permit held by Louis W. Skelly for Radio Station WFIZ is modified to specify operation on Channel 288A in lieu of Channel 285A, subject to the following conditions:

(a) The permittee shall inform the Commission in writing by May 15, 1964, of his acceptance of this modification.

(b) The permittee shall submit to the Commission by May 15, 1964, all information necessary to the issuance of a modified construction permit for operation on Channel 288A, including any changes in antenna and transmission line.

(c) Upon completion of program tests presently authorized under special tem-

[1] Commissioners Hyde and Lee absent.

porary authorization, the permittee shall submit all measurement data normally required of an applicant for an FM broadcast station license.

Adopted: April 22, 1964.

Released: April 24, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-4242; Filed, Apr. 28, 1964; 8:47 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Squaw Creek National Wildlife Refuge, Missouri

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

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

MISSOURI

SQUAW CREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the Squaw Creek National Wildlife Refuge, Missouri, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 1,000 acres or 51 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Bullheads, carp, channel catfish and other minor species permitted by State regulations.

(b) Open season: May 1, 1964, through September 30, 1964: daylight hours only.

(c) Daily creel limits: Bullheads, 25 pounds plus one fish. Carp, no limit. Channel catfish, 10. Creel limits for other minor species as prescribed by State regulations.

(d) Methods of fishing:

(1) Pole and line, trotline, throwline, limbline, bank line, jug or block line, artificial lures, hooks and bait are permitted; game fish may not be used for bait. No more than three unlabeled poles or more than thirty-three (33) hooks in the aggregate, may be used by any person at one time. Hooks may not be left unattended for more than 24 hours while in use. Hooks attached to throwlines or trotlines shall be staged not less than 2 feet apart. Trotlines and throwlines may not be attached together. Minnow traps, trotlines, throwlines, limblines, bank lines and liveboxes shall be plainly labeled with the owner's name and address.

(2) See applicable State regulations for additional details.

(3) The use of boats, without motors, is permitted only in designated portions of Main Pool as shown on the map available.

(c) Other provisions:

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

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

(3) The provisions of this special regulation are effective to October 1, 1964.

W. P. SCHAEFER,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

APRIL 22, 1964.

[F.R. Doc. 64-4211; Filed, Apr. 28, 1964; 8:45 a.m.]

PART 33—SPORT FISHING

Lacreek National Wildlife Refuge, South Dakota

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

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

SOUTH DAKOTA

LACREEK NATIONAL WILDLIFE REFUGE

Sport fishing on the Lacreek National Wildlife Refuge, South Dakota, is permitted only on the Little White River Recreational Area, which is designated by signs as open to fishing. This open area, comprising 180 acres or 15 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Largemouth bass, crappies, and other minor species permitted under State regulations.

(b) Open season: From effective date of publication through December 31, 1964; daylight hours only.

(c) Daily creel limits: Largemouth bass—10. Crappies—50. Creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) Anglers may use a maximum of 2 lines, and a maximum of 3 hooks on each line.

(2) The use of boats for fishing is permitted.

(3) See applicable State regulations for additional details.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to January 1, 1965.

W. P. SCHAEFER,
Acting Regional Director.

APRIL 20, 1964.

[F.R. Doc. 64-4212; Filed, Apr. 28, 1964; 8:45 a.m.]

PART 33—SPORT FISHING

Sand Lake National Wildlife Refuge, South Dakota

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

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

SOUTH DAKOTA

SAND LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Sand Lake National Wildlife Refuge, South Dakota, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 150 acres or 5 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Bullheads, northern pike and other minor species permitted by State regulations.

(b) Open season: May 16, 1964, through September 15, 1964; daylight hours only.

(c) Daily creel limits: Bullheads—100; Northern pike—8. Creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) Anglers may use a maximum of 2 lines, and a maximum of 3 hooks on each line.

(2) The use of boats is not permitted.

(3) See State regulations for additional details.

(e) Other provisions:

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

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

(3) The provisions of this special regulation are effective to September 16, 1964.

W. P. SCHAEFER,
Acting Regional Director.

APRIL 20, 1964.

[F.R. Doc. 64-4213; Filed, Apr. 28, 1964; 8:45 a.m.]

[1] Commissioners Hyde and Lee absent.

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 919]

[Docket No. AO–102–A4]

HANDLING OF PEACHES GROWN IN THE COUNTY OF MESA, COLORADO

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Further Amendment of the Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendment of the marketing agreement, as amended, and Order No. 919, as amended (7 CFR Part 919), hereinafter referred to collectively as the "order," regulating the handling of peaches grown in the County of Mesa, Colorado, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601–674), hereinafter referred to as the "act." Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the close of business of the fifteenth day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order is formulated, was initiated by the Agricultural Marketing Service as a result of proposals submitted by the Administrative Committee established under the order. A notice that such public hearing would be held on January 23, 1964, in the Veterans Memorial Building, Palisade, Colorado, was published in the FEDERAL REGISTER (28 F.R. 14334; 29 F.R. 50).

Material issues. The material issues presented on the record of the hearing were concerned with amending the order to:

(1) Change the fiscal period;

(2) Authorize changing the boundaries of the present five districts;

(3) Prescribe a two year term of office for committee producer members and their alternates;

(4) Change the method of nominating cooperative members and their alternates;

(5) Permit the establishment of an operating reserve fund;

(6) Add authority to regulate the handling of any variety or varieties of peaches on the basis of quality and maturity, and to fix the size, capacity, weight, dimensions, markings, or pack of the container or containers which may be used in the packaging or handling of peaches; and

(7) Make such other changes as are necessary to make the order conform with any amendments thereto.

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

(1) The order should be amended, as hereinafter set forth, to change the beginning and ending dates of the 12-month period of the fiscal year from March 1 and the last day of February, respectively, to November 1 and October 31, respectively, to provide that such beginning and ending dates may be changed by the Secretary upon the recommendation of the committee, and to change the term "fiscal year" in § 919.10 to "fiscal period."

The initial change in the beginning date of the 12-month period would facilitate the committee's preparation for the annual meeting at which time the nominees for the new committee are selected. It is customary for the annual meeting to be held during the winter months when weather conditions are less suitable for orchard work. Such change also would further enable the committee to more adequately plan operations for the ensuing shipping season, and enable the committee to coordinate planning and other activities more effectively with operations under the Colorado State Peach Order which covers the same production area. Both programs are administered from the same office.

Moreover, should conditions in the industry change materially, it would be desirable to provide that the Secretary, upon recommendations of the committee, may change the fiscal period to permit the committee to more effectively cope with the changed conditions. The development and planting of new peach varieties which may advance or retard the harvesting and marketing period is an example of the kind of development that would make such change desirable. It is, of course, not possible to foresee all the circumstances that may arise that would result in administrative problems which may be alleviated by changing the fiscal period. However, authority for such change would enable the committee and the Secretary to reconsider the fiscal period in the light of existing conditions and to effect such change as appears necessary without incurring the expenses of an amendment proceeding.

To effect the transition to the new fiscal period, it is necessary to establish an eight-month fiscal period beginning March 1, 1964 and ending October 31, 1964, and the order should be amended to so provide.

(2) The order should be amended to authorize redistricting (i.e. the re-establishment of districts or boundaries of such districts), by the Secretary upon the recommendation of the committee.

Under the order, the production area—the County of Mesa—is divided into five districts: Redlands, East Orchard Mesa, Vineland, Palisade, and Clifton. The boundaries of the various districts are fixed and described in § 919.11 of the order. Each of the districts was established on the basis of affording equal representation on the committee. Each of the established districts was comprised of an area reflecting approximately the same tonnage produced and number of growers, and each such district's representation on the committee was fixed as one producer member and alternate.

The devastating effects of the 1962–63 freeze was cited as evidence of the need for changing the boundaries of the districts to maintain the initially established equality of the representation among districts. All districts suffered losses, some worse than others, by the winter kill of trees. As an example, the Redlands District incurred severe losses and lost most of its trees. Even if the majority of trees were replanted it would be six to seven years before there would be substantial recovery of production. Also, real estate interests have purchased orchard acreages, particularly in the Clifton District and the East Orchard Mesa District, for purposes other than peach production. Thus it is obvious that, due to the freeze and land speculation, the various districts are no longer equal in relation to production.

Also, other factors, such as diseases, plantings of new peach varieties, and the location of new plantings may influence future production in a particular district or districts to such a degree that, here too, the districts would not be equal in relation to production or number of growers.

Redistricting should reflect the current and prospective volume of production, tree counts, number of growers, and other factors, such as the geographical location of the producing area, necessary to maintain approximately equal representation, by districts, on the committee. However, it is not intended that the number of districts or the representation on the committee should be changed. The committee, in submitting its recommendation for redistricting, should describe the method used in arriving at the proposed districts and furnish it, together with the recommended boundaries, to the Secretary for consideration and, if warranted, approval.

(3) Present provisions of the order provide for a term of office for committee members of one year beginning March 1 of each year. The proposed amendment would change the term of office to one beginning January 1. Such new term

would be for one year, except for the five producer members.

Commencing with the term of office beginning January 1, 1965, the producer members would be appointed for two years, with the term of such members so staggered that every other year two members would be appointed and in alternate years three members.

The designation of a term of office beginning at an earlier date would enable the newly appointed committee to better analyze the problems of the previous season, to have more time to study and plan for the ensuing season, and to coordinate planning and other activities, such as marketing research or development projects, more effectively with the marketing order of the State of Colorado. The provision of staggered terms for producer members would improve continuity of planning and operations by assuring that either two or three of the producer members who had served during the previous year would remain for an additional year.

In order to effect a transition to the staggered term it will be necessary for three of the producer members to be appointed, for the term of office beginning January 1, 1965, to serve for only a one year term and two of such members to serve for a two year term. The method used to select the two producer members could be to designate the five producer members by numbers (e.g. 1 through 5), to be placed in a container, from which two numbers would be drawn, these numbers indicating the nominees for the initial two year term.

The order should provide that the Secretary, upon recommendation of the committee, may change the term of office. Should developments occur which materially affect the harvesting and marketing period, such change would be desirable to place the committee in a position to deal effectively with the changing conditions.

With the change in the term of office beginning on January 1, 1965, it is necessary also to provide that the term beginning March 1, 1964, shall end on December 31, 1964, and the order should be so amended.

(4) Presently, there are two cooperative peach marketing associations in the production area and the order provides for nomination of the three handler members and the three alternate handler members of the committee by the members of such associations. Nomination meetings have been held in conjunction with the annual meetings of the cooperative associations. Traditionally, these meetings have been held in January, and the nominations made at that time conformed to the current order provisions which require that nominations be made prior to February 1. However, as heretofore proposed, the term of office would be changed to begin on January 1 each year so it will not be possible for the associations to follow the past procedure concerning nominations for committee membership.

The record indicates that January is the most advantageous time for the cooperatives to hold their annual meetings and they would be reluctant to change. Also, the associations do not want to hold a special meeting only for the purpose of selecting their nominees for committee members. It does not appear reasonable or necessary to require the cooperative associations to change the time of their annual meeting or to hold such a special meeting. Therefore, the order should provide that the cooperative associations should make the nominations in such manner as the members of the respective associations may designate.

The cooperative associations should submit to the committee, for its approval, the procedures to be used in the nomination of members and alternates. Such requirements are desirable to insure that the procedures to be followed are in accordance with the provisions of the order.

The order should be amended, therefore, as hereinafter set forth.

(5) The order currently provides that any assessment income in excess of a fiscal year's expenses shall be credited proportionately to the handlers who contributed to the excess. Thus, the committee is precluded from building up a reserve fund from which it may draw during periods when income is not adequate to cover authorized expenses. The proposed change in fiscal period, heretofore discussed, will result in a longer period of time before harvesting than previously. Consequently, a substantial part of the annual expenses of administering the order will be incurred before the committee has any indication of the crop and the amount of income that may reasonably be anticipated.

The committee, in conjunction with its counterpart under the State marketing order, must make estimates during the winter months for various expenses to be budgeted. Marketing research projects and State promotional and advertising programs were used as examples where costs and plans must be considered long before these committees would know its expected income. The assessment rate under the program is fixed generally in July, just prior to harvesting and is based on estimated volume of shipments. Therefore it may be necessary to commit or spend funds before the amount of the total income for the fiscal year can be determined with reasonable accuracy. The shipping period for this production area is very short, lasting about two months, and the bulk of the volume of peaches is shipped within a two week period. Estimated shipments and income for any year may be reduced by adverse weather conditions, diseases, low prices, lack of transportation or labor or some other factor. This necessitates handlers paying an increased rate of assessment per bushel of peaches handled in order to cover any deficit resulting from such reduction. It would constitute an extra burden on handlers to increase the rate of assessment after any such disaster may have occurred. Thus, the committee's ability to adjust or alter expenses to fit an income which is based on such a short, hazardous marketing period is limited.

The hazards incident to the production and marketing of peaches, and the desirability of establishing a reserve fund for use during years when the crop is reduced, was emphasized at the hearing because of the serious freeze experienced during the winter of 1962. It was asserted that it would be far less burdensome to handlers to contribute to the establishment of a reserve fund during years of normal production rather than to be required to pay a high rate of assessment occasioned by a deficit during a year when the crop is materially reduced. It would be reasonable and equitable to handlers to contribute to an operating reserve comprised of all or a portion of any excess assessments during years when expenses are less than assessment income. Growers and handlers in the area are the same with very few exceptions from year to year. Therefore, the same persons who contribute to the establishment of the reserve fund would receive the benefits from its operation.

The reserve fund could properly be used for several purposes. The primary purpose, of course, would be to cover deficits, during years when income is insufficient to cover expenses, to avoid increasing the assessment rate after the season has begun. In addition, the reserve could be used at the beginning of each fiscal year to cover operating costs which are incurred before sufficient current income from assessments is available to cover such costs. In the absence of an operating reserve the committee must borrow funds to cover these costs and this is an added expense which must be borne by handlers. Also, should the order be terminated at some future date, funds in the reserve would be available to pay liquidation costs rather than assessing handlers to secure the necessary funds. It is appropriate for all handlers who have benefited from the operation of the program to participate in the payment of the costs of liquidating the program upon its termination.

The proposed reserve fund should be built up gradually over a period of years to the desirable amount. The attainment of a reasonable amount in the reserve should not be delayed too long, however, since a material reduction in the crop could occur at any time. In order that an excessive reserve fund not be accumulated, it was proposed that a limit of approximately two fiscal period's expenses be provided. It was shown that such an amount should be sufficient to cover any foreseeable need. After the reserve fund has been built up to that amount, excess assessment income, if any, should thereafter be returned prorata to the handlers from whom the excess was collected.

Upon termination of the order any funds in the reserve which are not used to defray the necessary expenses of liquidation should, to the extent practicable, be returned to the handlers from whom such funds were collected. However, should the order be terminated after many years of operation, and there have been several withdrawals and redeposits in the reserve, the precise equities of handlers may be difficult to ascertain and any requirement that there be a precise accounting of the remaining funds could involve such costs as to nearly equal the monies to be distributed. Therefore, it is desirable and necessary to permit the unexpended reserve funds to be disposed of in any manner that the

Secretary may determine to be appropriate in such circumstances.

It is concluded, therefore, that the order should be amended, as hereinafter set forth, to permit excess assessments to be placed in a reserve and to be used in the manner heretofore described.

(6) The order now provides for the regulation of peach shipments by grade or size, or both, and by minimum standards of quality and maturity. It is desirable to provide additional authority to regulate by quality and maturity, and to fix the size, capacity, weight, dimensions, markings or pack of the container or containers used in the packaging or shipment of peaches. Generally, most quality and maturity factors are capable of being included in grade regulations that may be made effective under the current provisions of the order. However, it was advanced at the hearing that it may be desirable, in addition to the maturity requirements specified in the United States Standards for Peaches (7 U.S.C. 51.1210–51.1223), to prescribe other measures of maturity, as for example, solids or sugar content. New varieties of peaches are being continually developed and some may possess characteristics as to quality or maturity which are unknown and could, thus, present problems to be solved by the industry. Therefore, other special quality or maturity requirements may need to be prescribed, in addition to those currently specified in the United States Standards, in order to assure that all peaches shipped will be of a maturity and quality satisfactory to consumers.

The main types of containers being used in the producing area are: Western peach box, bushel basket, three-quarter bushel basket, and the so-called jumble packed container. Packed containers (primarily western peach boxes and baskets), in 1962 accounted for 85.1 percent of the total quantity of peaches shipped, and the jumble packed containers for 10.3 percent. Bulk shipments accounted for the remaining 4.6 percent. The use of the jumble packed container has been increasing. The jumble packed container is usually filled by dumping the peaches into the container without regard as to order or the net weight. The containers used for this pack usually are containers that were formerly used to ship apples, pears, tomatoes, citrus fruits, or some other commodity. More often than not, the containers still bear the old labels and marketings pertaining to the previous product.

Presently, under the provisions of the marketing order, there are no regulations pertaining to containers. However, as a general practice, most handlers in the marketing area usually label and stamp each container to indicate the brand, name and address of handler, grade and size or net weight.

It was testified by the Commissioner of Agriculture of the State of Colorado that there had been problems within the State concerning deceptive packages pertaining to weights and to what was being offered, and being referred to, as a bushel of peaches. The jumble packed container, for example, usually will contain about 40 pounds of peaches. However, the buyer frequently will offer such peaches for resale at the same or lower price as the bushel basket of peaches weighing fifty pounds, and represent the peaches offered as a bushel of fruit. The consumer should not be expected to determine the quality or weight of a particular package of peaches. They should be able to rely upon the information on the package or container and by its label or markings in making the decision on whether to purchase the product. When marketing practices are such that they cannot do so, the consumer is likely to switch to another commodity or to peaches produced in some other area with a consequent lowering of the demand for Colorado peaches.

It was reported that buyers who are familiar with the difference in packages use those differences to their advantage in bargaining. For example, the price quoted by one shipper for a particular container of peaches is often used as a lever to bargain for price reduction for a larger or heavier container of peaches of another shipper. In such circumstances, it is difficult for a shipper to judge the value of his containers of peaches in comparison to the one mentioned or, in fact, to know what container the buyer may be referring to in negotiating a price. This has resulted in unjustifiable price concessions being made to the buyer with consequent detrimental effects upon the returns to the producer. Restrictions on the size, capacity, weight, dimensions, markings, or pack of containers used in the marketing of peaches would enable buyers and handlers to know the exact quantity of peaches covered by prices quoted and tend to increase trade confidence and stability in the marketing of fruit.

Presently, the number of containers being utilized in the production area has not presented any substantial problems. However, authority to regulate the number and type of containers should be provided so that, if need be in the future, the use of a multiplicity of containers or the use of unsatisfactory containers could be prevented. Regulation of containers would be a sound economic practice for the handler and the producer. Handler savings will be realized by minimizing inventories, standardizing labor for packing, and eliminating confusion among the buyers and receivers. Producers will have a better understanding between the handler or buyer concerning the marketing value and the returns which should be realized from their fruit. The committee should be empowered to recommend these regulations and the Secretary to establish standards in regard to containers used in the handling of peaches in order to achieve more orderly marketing conditions and increase prices to producers.

Therefore, the marketing agreement and order should be amended to provide authority to regulate quality and maturity and to fix the size, capacity, weight, dimensions, markings or pack of the container or containers used in packing or handling of peaches.

(7) Since there are proposals which, if adopted, would change the fiscal year and the term of office, it is necessary for changes to be made in the order to give conformity with these amendments. In order that nominations be made and actions taken at the appropriate time, the parenthetical phrase "(on or before February 1 of each year)" should be deleted from §§ 919.21(a) and 919.22(a), and the words "beginning March 1, 1956" should be deleted from § 919.23, wherever they appear. In § 919.25 the words "on or before February 15" would no longer be applicable because of the new proposed term of office and the words "15 days prior to the beginning of the term of office of the position to be filled" should be inserted therein so as to maintain approximately the same time period between the submission of nominations and the beginning of the term of office.

Rulings on proposed findings and conclusions. The period ended March 2, 1964, was fixed as the latest date for the filing of briefs with respect to the facts presented in evidence at the hearing and the findings and conclusions which should be drawn therefrom. Briefs were filed by A. C. and Vadella Carroll, C. C. Ford, Harold Ford, James R. Jones, Jr., Frederick and Viola R. McCollum, Leland McNulty, Harold Motz, R. C. Power, James F. Roberts, and Kenneth Weimer.

It is contended, in the briefs, that regulation of the size, capacity, dimensions, markings, or pack of the container or containers which may be used in shipping peaches would be inequitable and economically unfeasible inasmuch as such regulation would tend to increase costs by necessitating the purchase of new containers, in lieu of the used containers currently used, as well as, in some instances, requiring discontinuation of certain methods of shipping, such as the movement of bulk loads of peaches.

The contention is speculative and is based upon an assumption that certain regulations will be imposed which will be deterimental to the interests of the industry. The proposed amendment provides the authority for regulating containers, in the manner specified, but only to the extent that such regulation is necessary to establish and maintain more orderly marketing conditions with the objective of increasing producers' returns. The record clearly shows that the containers now used are fairly uniform with most peaches being shipped in the western peach box and bushel baskets. While no particular container problem is now apparent, the use, in recent seasons, of the jumble packs indicate that a problem could develop if such packs increased sufficiently to disrupt orderly marketing conditions to the detriment of the entire industry, or the industry could, in the future, be adversely affected by the use of off-size or deceptive containers. In any such event, the order should contain provisions to enable corrective action to be initiated to the benefit of the industry.

It was also contended, in one brief, that the proposal to provide an operating reserve fund in an amount not exceeding approximately two fiscal periods' expenses is too indefinite and elastic of interpretation. A fixed reserve fund of not more than $20,000 was suggested as being adequate. It was also advanced

that growers incur expenses during years of crop failure and their need for funds at this time are greatly intensified. Much of the testimony at the hearing concerning the proposals for a reserve pertained to the funds of the Colorado State Marketing Order which covers some activities not authorized by the Federal orders and, therefore, incurs expenses much greater than those of the Federal order. The average annual expense of the Federal order, based upon the latest 3-year operations, is approximately $11,500. Thus, the maximum amount that could be retained in a reserve at the present time would not greatly exceed the $20,000 suggested. Apparently, there was some misunderstanding of the testimony at the hearing relating to the proposed reserve which can be attributed to confusion concerning information presented on the respective budgets of the Federal and State programs. It should be noted, also, that the establishment of a reserve, as proposed, will be of assistance to the industry during the time when the crop may be reduced since the need for increasing the assessment rate to obtain funds to cover necessary program costs will be minimized or eliminated.

Each point covered in each brief was carefully and fully considered in conjunction with the evidence in the record, in arriving at the findings and conclusions set forth herein. To the extent that any suggested findings and conclusions contained in such briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings, or to reach such conclusions, is denied on the basis of the facts found and stated in connection with this decision.

General findings. (1) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, regulate the handling of peaches grown in the County of Mesa, in the State of Colorado, in the same manner as, and are applicable only to persons in the respective classes of industrial or commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The marketing agreement, as amended and as hereby proposed to be amended, and the order, as amended and as hereby proposed to be amended, are limited in their application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of peaches grown in the County of Mesa in Colorado, which make necessary different terms and provisions applicable to different parts of the production area.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order is recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. Delete § 919.10 *Fiscal year* and substitute, in lieu thereof, the following:

§ 919.10 Fiscal period.

"Fiscal period" means the twelve-month period beginning November 1 of any year and ending the last day of October of the following year, both dates inclusive, or such other period as may be approved by the Secretary pursuant to recommendations by the committee: *Provided*, That the fiscal year which began March 1, 1964, shall cover the eight-month period ending October 31, 1964.

2. Amend § 919.20 *Establishment and membership* as follows:

A. Designate the current provisions as paragraph (a) and revise the third sentence thereof to read as follows: "The members of the committee and their respective alternates shall be nominated in accordance with the provisions of § 919.21 through § 919.24, at least 30 days prior to the beginning of the term of office of the positions to be filled."

B. Add the following new paragraph (b):

(b) The five districts into which Mesa County is divided, pursuant to § 919.11, may be re-established by the Secretary upon the recommendations of the Administrative Committee. In recommending any such changes, the committee shall consider (1) the current and prospective volume of production in the producing areas; (2) the number of growers in such producing areas; (3) the relative importance of new producing sections and their geographic location; and (4) other factors which may affect the efficiency of administration of this part.

3. Delete from §§ 919.21(a) and 919.22 (a) the parenthetical phrase "(on or before February 1 of each year)."

4. Amend § 919.23 *Nomination and selection of cooperative handler members* as follows:

A. Delete from paragraph (a) the words "beginning March 1, 1956" wherever they appear.

B. Revise paragraph (b) to read as follows:

(b) Nominations of cooperative members and their respective alternates shall be made by such cooperative associations, at least 30 days prior to the beginning of the term of office of the positions to be filled, in such manner as the members of the respective associations may designate: *Provided*, That the procedures to be followed in making such nominations shall be submitted to the Administrative Committee for its approval.

5. Delete from § 919.25 *Failure to nominate* the words "on or before February 15" and insert, in lieu thereof, the following: "15 days prior to the beginning of the term of office of the position to be filled."

6. Delete the provisions in § 919.27 *Term of office* and insert, in lieu thereof, the following:

§ 919.27 Term of office.

The term of office of producer members and their alternates shall be for two (2) years: *Provided*, That, for the term beginning January 1, 1965, the term of office of three producer members and their alternates shall be for one year. (Determination of which of the initial producer members and their alternates shall serve for one year, or two years, shall be by lot.) The term of office of the independent member and cooperative handler members, and of their alternates, shall be one (1) year. The term of office of each member and alternate member shall be for the period beginning on January 1 of one year and ending on December 31 of the same year, or the following year in the case of producer members and their alternates, both dates inclusive, or such other period as the committee, with the approval of the Secretary, may prescribe: *Provided*, That the term of office which began March 1, 1964 shall end December 31, 1964. Members and alternates shall serve during the term of office for which they have been selected and have qualified and until their successors are selected and have qualified.

7. Delete § 919.42 *Handler accounts* and insert, in lieu thereof, the following:

§ 919.42 Accounting.

(a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, the committee, with the approval of the Secretary, may carry over such excess into subsequent fiscal periods as a reserve: *Provided*, That funds already in the reserve do not exceed approximately two fiscal periods' expenses. Such reserve funds may be used (1) to cover any expenses authorized by this part, and (2) to cover necessary expenses of liquidation in the event of termination of this part. If any such excess is not retained in a reserve, it shall be refunded proportionately to the handlers from whom the excess was collected. Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purpose specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.

8. Delete §§ 919.50, 919.51, and 919.52 and insert, in lieu thereof, the following:

§ 919.51 Recommendation of the Administrative Committee.

Whenever the Administrative Committee deems it advisable to regulate during any period or periods, the shipment of one or more varieties of peaches pursuant to § 919.52, it shall so recommend to the Secretary. At the time of submitting each such recommendation for

regulation, the committee shall furnish to the Secretary, in addition to all pertinent data and information on which it acted in making such recommendation, such other data and information as the Secretary may request. The Committee shall promptly give adequate notice to handlers and producers of each such recommendation.

§ 919.52 **Issuance of regulations.**

(a) The Secretary shall regulate, in the manner specified in this section, the handling of peaches whenever he finds from the recommendations and information submitted by the committee, or from other available information, that such regulation will tend to effectuate the declared policy of the act. Such regulation may:

(1) Limit, during any period or periods, the shipment of any particular grade, size, quality and maturity, or any combination thereof, of any variety or varieties of peaches grown in the production area;

(2) Limit the shipment of any variety or varieties of peaches by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;

(3) Fix the size, capacity, weight, dimensions, markings, or pack of the container or containers, which may be used in the packaging or shipment of peaches;

(b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to handlers.

Dated: April 24, 1964.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 64-4263; Filed, Apr. 28, 1964; 8:48 a.m.]

[7 CFR Part 929]

[Docket No. AO-341-A1]

CRANBERRIES GROWN IN CERTAIN STATES

Decision and Referendum Order With Respect to Proposed Amendment of the Marketing Agreement and Order

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held in the Cafeteria Room, Memorial Town Hall, Marion Road, Wareham, Massachusetts, on February 10, 1964; and continued in the Mt. Laurel Room, Holiday Motel, Exit 4, New Jersey Turnpike, Moorestown, New Jersey, on February 12; and in the Courthouse Auditorium, Wood County Courthouse, 400 Market Street, Wisconsin Rapids, Wisconsin, on February 14, after notice thereof published in the FEDERAL REGISTER (29 F.R. 1388) on proposals to amend the marketing agreement and Order No. 929 (7 CFR Part 929), hereinafter referred to collectively as the "order", regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

On the basis of the evidence adduced at the hearing, and the record thereof, the recommended decision in this proceeding was filed on April 9, 1964, with the Hearing Clerk, United States Department of Agriculture. The notice of the filing of such recommended decision, affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (F.R. Doc. 64-3644; 29 F.R. 5042). No exception was filed.

The material issues, findings and conclusions, rulings, and the general findings of the recommended decision set forth in the FEDERAL REGISTER (F.R. Doc. 64-3644; 29 F.R. 5042) are hereby approved and adopted as the material issues, findings and conclusions, rulings, and the general findings of this decision as if set forth in full herein, subject to the following change: 29 F.R. 5042, column 3, line 31, change "their" to "his".

Amendment of the marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement, as Amended, Regulating the Handling of Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York" and "Order Amending the Order Regulating the Handling of Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York" which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Referendum order. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), it is hereby directed that referenda be conducted:

(1) Among the producers who, during the period August 1, 1963, through March 31, 1964 (which period is hereby determined to be a representative period for the purpose of such referenda), were engaged in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York in the production of cranberries for market; and

(2) Among processors who, during the aforesaid representative period, canned or froze within the production area cranberries for market to ascertain whether such producers and processors favor the issuance of the said annexed order regulating the handling of cranberries.

George B. Dever, Jr., Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250, is hereby designated agent of the Secretary of Agriculture to conduct said referenda.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Tree Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended" (28 F.R. 6409).

The ballots used in each such referendum shall contain a summary describing the terms and conditions of the proposed amendatory order.

Copies of the aforesaid annexed order and of the aforesaid referendum procedure may be examined in the Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250.

Ballots to be cast in the referendum, and other necessary forms and instructions, may be obtained from any referendum agent or appointee.

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

Dated: April 24, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York

§ 929.0 **Findings and determinations.**

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the order; 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 Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held in the Cafeteria Room, Memorial Town Hall, Marion Road, Wareham, Massachusetts, on February 10, 1964; and continued in the Mt. Laurel Room, Holiday Motel, Exit 4, New Jersey Turnpike, Moorestown, New Jersey, on February 12; and in the Courthouse Auditorium, Wood County Courthouse, 400 Market

[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 orders have been met.

Street, Wisconsin Rapids, Wisconsin, on February 14, upon proposed amendments to the marketing agreement and Order No. 929 (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The order as hereby amended regulates the handling of cranberries grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The order as hereby amended is limited in application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of cranberries grown in the production area which make necessary different terms applicable to different parts of such area; and

(5) All handling of cranberries grown in the production area, as defined in the order as hereby amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of cranberries grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order as hereby amended as follows:

1. In § 929.54, paragraph (a) is amended, paragraph (b) is revised, and paragraph (d) is added, to read as follows:

§ 929.54 Withholding.

(a) Whenever the Secretary has fixed the free and restricted percentages for any fiscal period, as provided for in § 929.52(a), each handler shall withhold from handling a portion of the cranberries he acquires during such period: *Provided,* That such withholding requirement shall not apply to any lot of cranberries for which such withholding requirement previously has been met by another handler in accordance with § 929.55. The withheld portion shall be equal to the sum of the products obtained by multiplying each of the following quantities, as applicable, by the restricted percentage:

(1) The quantity of screened cranberries acquired;

(2) The quantity of cranberries screened from unscreened lots of cranberries acquired; and

(3) The quantity of screened cranberries contained in lots acquired but which are not screened prior to the time fixed by the Secretary for handlers to meet all withholding obligations. The committee, with the approval of the Secretary, shall prescribe uniform rules to be followed in determining the quantity of screened cranberries in each lot of unscreened cranberries.

(b) The committee, with the approval of the Secretary, shall prescribe the manner in which, and date or dates during the fiscal period by which, handlers shall have complied with the withholding requirements specified in paragraph (a) of this section.

* * * * *

(d) Any handler who withholds from handling a quantity of cranberries in excess of that required pursuant to paragraph (a) of this section shall have such excess quantity credited toward the next fiscal year's withholding obligation, if any, of such handler: *Provided,* That such credit shall be applicable only (1) if the restricted percentage established pursuant to § 929.52 was modified pursuant to § 929.53; (2) to the extent such excess was disposed of prior to such modification; and (3) after such handler furnishes the committee with such information as it prescribes regarding such withholding and disposition.

2. The provisions of § 929.56 *Special provisions relating to withheld (restricted) cranberries* are revised to read as follows:

§ 929.56 Special provisions relating to withheld (restricted) cranberries.

(a) Except as otherwise directed by the Secretary, as near as practicable to the beginning of the marketing season of each fiscal period with respect to which the marketing policy proposes regulation pursuant to § 929.52(a), the committee shall determine the amount per barrel each handler shall deposit with the committee for it to release to him, in accordance with paragraph (b) of this section, all or part of the cranberries he is withholding; and the committee shall give notice of such amount of deposit to handlers. Such notice shall state the period during which such amount of deposit shall be in effect. Whenever the committee determines that, by reason of changed conditions or otherwise, a different amount should thereafter be deposited for the release of withheld cranberries, it shall give notice to handlers of the new amount and the effective period thereof. Each determination as to the amount of deposit shall be on the basis of the committee's evaluation of the following factors: (1) The prices at which growers are selling cranberries to handlers, (2) the prices at which handlers are selling fresh market cranberries to dealers, (3) the prices at which cranberries are being sold for processing into products, and (4) the prices the committee has paid to purchase cranberries to replace released cranberries in accordance with this section.

(b) Any handler may make a written request to the committee for the release of all or part of the cranberries he is withholding from handling pursuant to § 929.54(a). Each such request shall state, in addition to all other information as may be prescribed by the committee, the quantity of cranberries for which release is requested and shall be accompanied by a deposit (in cash, or a cashier's or certified check made payable to the Cranberry Marketing Committee) in an amount equal to the product of the number of barrels stated in the request multiplied by the then effective amount per barrel to be deposited. If the committee determines such request is properly filled out, is accompanied by the required deposit, and contains a certification that the handler is withholding such cranberries, it shall release to such handler the quantity of cranberries specified in his request. Such determination shall be made not later than 72 hours after the request is received by the committee.

(c) Funds deposited for the release of withheld cranberries, pursuant to paragraph (a) of this section, shall be used by the committee to purchase from handlers unrestricted (free percentage) cranberries in an aggregate amount as nearly equal to, but not in excess of, the total quantity of the released cranberries as it is possible to purchase to replace the released cranberries. All handlers shall be given an opportunity to participate in such purchase. If a larger quantity is offered than can be purchased, the purchases shall be made at the lowest prices possible. If two or more handlers offer at the same price, purchases from such handlers shall be in proportion to the quantity of their respective offerings insofar as such division is practicable. The cranberries so purchased shall be disposed of by the committee as restricted cranberries in accordance with § 929.57. Any funds received by the committee for cranberries so disposed of, which are in excess of the costs incurred by the committee in making such disposition, shall be paid or credited proportionately to handlers on the basis of the volume of cranberries withheld by each handler.

(d) In the event any portion of the funds deposited with the committee pursuant to paragraph (a) of this section cannot, for reasons beyond the committee's control, be expended to purchase unrestricted (free percentage) cranberries to replace those released, such unexpended funds shall, after deducting expenses incurred by the committee in connection with the purchase and disposition of cranberries pursuant to paragraph (c) of this section, be paid or credited proportionately to handlers on the basis of the volume of cranberries withheld by each handler.

[F.R. Doc. 64-4262; Filed, Apr. 28, 1964; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 1]

[Docket No. 13961; FCC 64-385]

STATEMENT OF PROGRAM SERVICE

Broadcast Application Forms

Fourth notice of further proposed rule making. 1. Notice of further proposed rule making is hereby given in the above entitled matter.

2. On December 20, 1963, the Commission issued the Second Notice of Further Proposed Rule Making herein, proposing a new television program reporting form for use in place of the present Section IV as part of broadcast applications for renewal, assignment and transfer of control, and new stations and major changes in facilities (FCC 63-1163).[1] We also proposed to require all operating television stations to file two of the parts of the proposed new Section IV—Part B, relating to ascertainment of community needs and provision therefor in future programming, and Part C, relating to past and future commercial activity and practices—on an annual basis.

3. Before the date set in the Second Notice for oral and written presentations concerning the new form (February 13, 1964) objections to the proposal were raised informally, chiefly by broadcasters, the NAB, and members of the communications bar. A principal objection was that the information called for by the proposed TV form would be unduly burdensome to record, compile and submit (especially if required annually). Therefore an ad hoc committee was formed, consisting of members of the communications bar, broadcasters, a representative of the NAB, and three Commission staff members, to prepare a form which would get the required information with less burden on applicants and licensees. The date for oral and written presentations was extended to permit this Committee to work. This Committee began its deliberations in February and, working with great diligence, developed two forms which at the end of March it submitted to the Commission for consideration. From the beginning of the Committee's efforts it has been understood that none of the Committee members is bound to support the form as drafted and retains full discretion to oppose any portion thereof. Whereas we proposed one program form for all broadcast applications, the Committee's proposal contemplated two, one for renewal and one for all other uses (assignment and transfer, new stations, and major changes in facilities).

4. Upon further consideration of this matter, we are of the view that the Committee's proposed forms represent in a number of respects an improvement over our December proposal. From the two sources we have evolved two forms which we believe would be more suitable than that proposal. We are inclined to agree with the Committee's view that it may be preferable to have one form for renewal and the other for all other applications. The two forms we now propose are attached hereto as Appendix I,[2] the renewal form, and Appendix II,[2] the form for use with all other applications requiring a program form (new stations, assignment and transfer, and major changes in facilities). Except insofar as the contents of the form proposed in December (FCC 63-1163) are contained in Appendix I and Appendix II, we are withdrawing our earlier proposal.[3]

5. However, because of the need to get our new proposal out quickly if this matter is to be resolved with reasonable speed, we have decided on the forms to be proposed without necessarily having given full consideration to every possible aspect and problems involved with them. In other words, the forms as adopted may be different in some respects from those now proposed, even if no commenting party requests changes in those respects. For example, with respect to the renewal form—Appendix I—in it we have proposed Part B (Ascertainment of Community Needs) in the alternative. Alternative I is substantially our earlier, rather detailed proposal, including projection of future programming for a year. Alternative II is the Committee's proposal, which relates to general ascertainment of community needs with no projection of future programming. Should a form finally be adopted along the lines of the shorter Alternative II, it may be necessary to expand Part C of Appendix I, concerning programming, to include a more specific projection as to future programming than that now contained therein. In short, we recognize that in the effort to combine the two concepts there have resulted certain inconsistencies, and we of course reserve the right to rectify these where appropriate.

6. Certain matters should be mentioned particularly.

7. Annual filing: our December proposal called for annual filing, by all television stations, of Part B (Ascertainment of community needs and proposed programming based thereon for the coming year) and Part C, commercial practices. Objection was raised to this concept, at least as part of the present proceeding and the form proposed therein. It was urged that any such filing, if required, should be in a different context, e.g., an annual programming form corresponding to the annual financial reporting form (FCC Form 324).

8. We agree that consideration of what form or forms are appropriate for use with the various types of broadcast applications is a good deal simpler if they need not also be considered in relation to annual use. Therefore, we have removed from the forms now proposed, Appendices I and II, any reference to annual filing. However, we are still of the view that the filing of some programming information annually of the sort proposed earlier, may well be appropriate. We are further of the view that this question is suitable for consideration in this proceeding. Therefore, we invite comments on the general question of whether annual filing of certain programming and commercial material—e.g., ascertainment of community needs and programming proposed in relation thereto, and commercial practices—may be of benefit to the public interest. In this regard, we are particularly interested in determining (a) the extent to which television licensees plan their program schedules on an annual basis, (b) the potential usefulness of annual reports as a device for gathering general information concerning industry or regional trends in programming and commercial practices, and (c) the potential usefulness of annual reports as a means of making available to the public served by each station an objective analysis of the service it receives.

9. Ascertainment of community needs: we are proposing Part B in Appendix I, the renewal form, in the alternative, Alternative I being in substance our earlier proposal and Alternative II being the Committee's much shorter, less detailed version. Comment is invited on which of these is more appropriate. We are not now persuaded that the shorter Committee version would fully inform the Commission as to the steps the licensee is taking to ascertain the needs and interests of its community and programming in response thereto. Comment is also invited on two other alternatives falling generally in between those specifically set forth in the Appendices: (1) an expansion of the Committee's proposal (Alternative II) so as to give specific examples, in terms of identified persons contacted and what they said specifically, without the considerable detail required by Alternative I; and (2) requiring the licensee to record and compile the material called for by our Alternative I (Questions 20 and 21), and keep it on file for inspection by Commission representatives; but not filing it in complete form with the application or making it available to the public. Comment is also invited on the question of whether, if something like Alternative I is adopted, it would be satisfactory to require projection of future programming for a period less than an entire year, or for less than the total program schedule (e.g., excluding network and recorded entertainment and sports programs).

10. Past program showing by renewal applicants: With respect to the past programming to be shown by renewal applicants, Part C of Appendix I (which is in the main the Committee's proposal) uses the three composite weeks of the past license period. Questions have been raised as to whether a composite week is enough to give a real picture of what the station did during the year. Therefore, comment is invited on the question of whether a greater showing should be required—for example, listing and descrip-

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[1] Present section IV is identical for radio and television. We now propose separate forms for the aural and visual services, and on January 28, 1964 (FCC 64-45) we issued a Third Notice herein proposing a new radio program form. An en banc oral proceeding on that is now scheduled for May 25, 1964.

[2] The renewal form (Appendix I) is called Section IV-B. The form for other television applications (Appendix II) is called Section IV-D. Pages, paragraphs and questions in each Appendix are numbered consecutively, for the convenience of commenting parties. These forms are filed as part of the original document.

tion of all local and exchange programs (excluding news) for the entire year. This might well be appropriate particularly because "specials", broadcast at fairly long or irregular intervals, are often one of the major means by which the station discharges its obligation to serve as a medium of local self-expression and cover local issues and problems. Such programs might often not appear in the composite week.

11. Future programming for renewal applicants: Appendix I, Part C, contains relatively little concerning future programming. Comments are invited as to what further showing should be required (e.g., a list of programs expected to broadcast during a typical week, or at least of non-network programs contemplated). This would be particularly pertinent if a shorter Part B, not including a detailed projection of future programming, is to be adopted (see paragraph 5, above).

12. Past programming for assignors-transferors: Appendix II, Parts C and D, contain questions to be asked of proposed assignors and transferors concerning their programming and commercial practices for the last composite week. Such material is not required in our present Section IV, and the Committee has opposed any such requirement. We are tentatively of the view that some such showing is required, and therefore the first portions of these Parts as proposed relate to the past. Comment on this general question is invited, and also—particularly with reference to Part C—whether a showing in less detail than that proposed would be appropriate.

13. Interruptions: Part D of both Appendices retains, although in a different form, questions concerning the extent of interruptions of program continuity by commercial and certain other matter. In this connection, there are two questions as to which comment is particularly invited, especially comment which would throw light on the viewing public's attitude. These are: (1) should public service announcements which break into program continuity be counted as interruptions (they are not so counted in the proposed Part D); and (2) to what extent should promotional announcements not involving any actual advertising be considered interruptions (they are so considered in the proposed Part D if they are for programs containing commercial matter, but not otherwise). As to the first, it may be that—from the standpoint of breaking into the flow of the program material—public service announcements have the same character as commercials and should be treated as such. On the other hand, it has been argued that if they are so treated, there will be a tendency for stations to put public service announcements only between programs, as part of a clutter of announcements. As to promotional announcements, it might be argued that they are likewise interruptions whether they are for commercial or sustaining programs; on the other hand, it has been urged that they are relatively short, and are simply not the type of interrupting material which is a source of annoyance to the public.

14. The Commission wishes to express its thanks to the ad hoc Committee for diligent, constructive and helpful efforts.

15. Authority for adoption of the forms set forth in the Appendices hereto, for use with renewal and other television broadcast applications, is contained in sections 4(i), 303(r), 307(d), 308(a), and 308(b) of the Communications Act of 1934, as amended. This authority also extends to adoption of forms taking into account the matters set forth in Paragraphs 8 through 13, above, as to which comment is invited.

16. As previously ordered, an oral en banc proceeding will be held in this matter on May 18, 1964, at the Commission's offices at Washington, D.C. Parties not wishing to participate orally may file written statements (an original and fourteen copies) on or before that date. All parties wishing to participate orally shall notify the Secretary of the Commission on or before May 1, 1964, indicating the approximate amount of time they wish to use.[3] Representatives of all segments of the television industry and other interested parties are invited to participate; the Commission will welcome coordination of comments so as to get a detailed review and discussion of each aspect of the proposal without repetitious matter. Where parties oppose one or more aspects of our proposal, they should advance constructive suggestions as alternative ways of achieving the appropriate objectives.

Adopted: April 16, 1964.

Released: April 24, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[4][5]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-4243; Filed, Apr. 28, 1964; 8:47 a.m.]

[47 CFR Part 91]

[Docket No. 15427 (RM-439); FCC 64-341]

POWER RADIO SERVICE

Notice of Proposed Rule Making

In the matter of amendment of § 91.252, of Subpart F, of Part 91 of the Commission's rules governing the Power Radio Service to provide an additional tone signaling function; Docket No. 15427, RM-439.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The National Committee for Utilities Radio (hereinafter NCUR) has petitioned the Commission to amend § 91.252 (f)[1] of its rules to expand the use of tone and impulse signaling in the Power Radio Service. The NCUR's petition was filed on April 30, 1963, and has been assigned our rule making number 439.

3. Section 91.252(f), of the Power Radio Service rules, as presently written, permits tone or impulse signaling for the following purposes only:

(i) Automatic indication of failure of equipment or service in the production, transmission or distribution services of the licensee.

(ii) Automatic indication of an abnormal condition in the production, transmission or distribution facilities of the licensee, which, if not promptly corrected, would result in failure of the equipment affected.

(iii) Manually supervised transmissions as may be necessary to restore lost service, place standby equipment in operation, or to correct any abnormal condition which otherwise would result in an immediate failure in the production, transmission or distribution facilities of the licensee.

4. The above-quoted section of the Power Radio Service rules was adopted in 1961. Since that time, experience with tone and impulse signaling by various Power Radio Service licensees has revealed that an automatic checkback or confirmation signal—to indicate to the licensee whether the manually supervised signal described in § 91.252(f)(1)(iii) above, has in fact accomplished its purpose—is needed. The instant proposal looks toward an amendment of § 91.252(f), whereby the automatic checkback function may be accomplished, employing tone or impulse signals. Authorization of this checkback function would, it has been averred, enhance the safety and efficiency of the many and varied operational functions of Power Radio Service licensees. The Commission is convinced that the proposal has merit and warrants consideration through the rule making processes.

5. In view of the foregoing, it is proposed that § 91.252(f)(1) be amended by adding a new subdivision (iv); and that paragraph (f)(2) be revised to read as follows:

§ 91.252 Availability and use of service.

* * * * *

(f) * * *

(1) * * *

(iv) Automatic confirmation that an operation or correction intended to be accomplished by means of a transmission permitted in subdivision (iii) of this subparagraph has occurred.

(2) Any one alarm, warning, corrective requirement, positive confirmation or checkback, utilizing secondary tone or impulse signalling, shall be limited to not more than five transmissions, not to exceed 6 seconds each, and no two transmissions shall commence in the same 60-second period.

* * * * *

6. These proposed amendments are issued under authority contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before June 1, 1964, and reply comments on or before June 19, 1964. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision, the Commission may also take into account other relevant information

[1] At the time the NCUR petition was filed, the subject section bore the designation 11.252(f).

[3] May 1 is the date for filing appearances for both the television and radio en banc proceedings. Parties filing notices of appearance should be sure to indicate which proceeding they will appear in, and, if they intend to appear in both, should file separate notices.

[4] Dissenting Statement of Commissioner Bartley filed as part of original document.

[5] Commissioner Lee absent and Commissioner Ford dissenting.

before it, in addition to the specific comments invited by this notice.

8. In accordance with the provisions set forth in § 1.419 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: April 22, 1964.

Released: April 23, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-4244; Filed, Apr. 28, 1964; 8:47 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 407]

COSMETIC OR TOILET PREPARATIONS NOT WHOLLY MANUFACTURED IN A FOREIGN COUNTRY

Notice of Additional Opportunity To Present Data, Views or Arguments Relating to Deceptive Names

On March 12, 1964 there was published in the FEDERAL REGISTER (29 F.R. 3313) a notice of proposed rule making concerning the establishment of a Trade Regulation Rule regarding deceptive use of names or depictions suggesting foreign origin in connection with the sale of cosmetic or toilet preparations not wholly manufactured in a foreign country. Interested parties were afforded opportunity to be heard at a public hearing in Washington on April 22, 1964 and to submit written data, views or arguments by not later than May 7, 1964.

The Commission has considered the request of affected parties submitted at the hearing that additional opportunity be extended to them for the submission of data, views or arguments. Accordingly, interested parties may orally express their views in the matter on May 20, 1964, commencing at 10 a.m., e.d.t., in Room 332, Federal Trade Commission Building, Pennsylvania Avenue, at Sixth Street NW., Washington, D.C. Written data, views or argument may be submitted not later than June 1, 1964.

Issued: April 28, 1964.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 64-4222; Filed, Apr. 28, 1964; 8:45 a.m.]

[3] Commissioners Lee and Ford absent.

Notices

ATOMIC ENERGY COMMISSION

STATE OF FLORIDA

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Florida for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A résumé, prepared by the State of Florida and summarizing the State's proposed program, was also submitted to the Commission and is set forth below as an appendix to this notice. Attachments referenced in the appendix are included in the complete text of the program. A copy of the program, including proposed Florida regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Division of State & Licensee Relations, United States Atomic Energy Commission, Washington 25, D.C. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them in triplicate to the Secretary, U.S. Atomic Energy Commission, Washington 25, D.C., within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuance of February 14, 1962; 27 F.R. 1351. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 13th day of April 1964.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary to the Commission.

Proposed Agreement Between the United States Atomic Energy Commission and the State of Florida for Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State

Whereas, The United States Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under chapters 6, 7, and 8, and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas, The Governor of the State of Florida is authorized under section 290.13 of the Florida Nuclear Code (Chapter 290, Florida Statutes, 1961) to enter into this agreement with the Commission; and

Whereas, The Governor of the State of Florida certified on _____, that the State of Florida (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas, The Commission found on _____, 1963, that the program of the State for the regulation of the materials covered by this agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas, The State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and

Whereas, the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this agreement;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

Article I. Subject to the exceptions provided in articles II, III, and IV, the Commission shall discontinue, as of the effective date of this agreement, the regulatory authority of the Commission in the State under chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II. This agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproducts, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Article III. Notwithstanding this agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article IV. This agreement shall not affect the authority of the Commission under subsection 161 b. or i. of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article V. The Commission will use its best efforts to cooperate with the State and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that State and Commission programs for protection against hazards of radiation will be coordinated and compatible. The State will use its best efforts to cooperate with the Commission and other agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of like materials. The State and the Commission will use their best efforts to keep each other informed of proposed changes in their respective rules and regulations and licensing, inspection and enforcement policies and criteria, and to obtain the comments and assistance of the other party thereon.

Article VI. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that such termination or suspension is required to protect the public health and safety.

Article VIII. This agreement shall become effective on _____, 1964, and shall remain in effect unless, and until such time as it is terminated pursuant to article VII.

APPENDIX "A"

RADIATION CONTROL IN THE STATE OF FLORIDA

I. Introduction. The radiation control program of the State is designed to regulate all sources of radiation other than those for which regulatory responsibility is to be retained by the U.S. Atomic Energy Commission. As the term "radiation sources" is used hereinafter in this narrative, it is intended to mean those sources under the control of the State. The sources are divided into two major categories: radioactive materials and radiation machines. Radioactive materials, including radium, are to be regulated under a licensing program similar to the existing program of the U.S. Atomic Energy Commission, requiring possession of a license prior to acquisition or use of such materials. Radiation machines will be subject to a registration program involving the reporting of information by the registrant and the right of inspection by the State for compliance with prescribed safety standards.

The program described herein constitutes a continuation of Florida's efforts to modify and improve its activities for the control of radiation hazards, to gain increased knowledge of radiological health significance and to make use of ionizing radiation for the improvement of the public health when and if methods for such use are discovered or developed. An integral part of this program is the assumption of certain responsibilities which the United States Atomic Energy Com-

mission will discontinue under a contemplated agreement between the Commission and the State.

II. History. The first regulations for the control of radiation in the State of Florida were prepared jointly by the Florida Industrial Commission and the Florida State Board of Health and promulgated in April, 1947, by the Florida Industrial Commission. They were embodied in Regulation No. 8, "Radiant Energy" of the "Regulations for the Control and Prevention of Occupational Diseases". These rules were revised in 1957 and in 1960. As a result of this cooperative effort, the Florida Industrial Commission and the Florida State Board of Health have established a very close working relationship in the field of occupational health.

In 1950, the Board of Health conducted a statewide survey of shoe-fitting fluoroscopes, as a result of which the use of almost all of these machines was discontinued; such use is now prohibited. In 1957, a statewide program of radiological surveillance of the environment was started in order to develop baseline knowledge and to enable us to know when increases occurred from fallout or from possible pollution from other sources. The area in the vicinity of the then proposed power reactor to be located in Polk County was examined in much greater detail. This program has continued and has been expanded to include seafood and shell fish beds. Spot samples of citrus and other terrestrial foods have been analyzed. The State of Florida has participated in the national air and precipitation fallout surveillance network since 1957, and now operates two stations (Jacksonville and Miami). To provide a degree of information on which action programs could be based, the State added four more identical stations (Pensacola, Tallahassee, St. Peterbsurg, and Orlando). In addition to operating a collecting station for the National Pasteurized Milk Surveillance Program (Tampa), the State Board of Health has an active producer milk surveillance program which is statewide in scope and sufficiently detailed in sampling points to permit specifically-localized action programs, should such become necessary. At the request of county medical societies and other organized professional groups and industry, the Board of Health initiated, in 1958, a program of physical inspection and consultation aimed at reducing exposure to the public (as well as the user) from diagnostic and other uses of X-rays. To date, roughly 80 percent of the approximately 3,000 dental, 50 percent of the approximately 3,500 medical, and a number of industrial X-ray installations have been visited. During 1961–63, the Board of Health conducted a research project in an effort to improve this program. One of the outstanding features of this study was a demonstration of the importance of repeated visits. Another research program, currently under way, is designed to establish radiation background levels in various parts of the state and to determine the components of this radiation. These two projects have been supported by the U.S. Public Health Service at approximately $76,000.00 per annum.

On December 1, 1955, the Honorable Leroy Collins, Governor of Florida, by executive order, created the Florida Nuclear Development Commission to assist the Governor in the promotion of nuclear development within the State of Florida and in cooperation with the other southern states and the Atomic Energy Commission. The Commission consists of nine members to serve at the pleasure of the Governor and without compensation.

In 1957, the legislature enacted chapter 57–178 which created the Florida Nuclear Development Commission as a permanent agency of the State for the development and application of nuclear energy with all its attendant benefits, thus placing the coordination of all nuclear development within the State on a statutory basis. The Act has subsequently been amended (1961, chapter 61–262) clarifying and broadening the duties of the Commission.

In September of 1959, the Congress of the United States enacted Public Law 86–373, which amended the Atomic Energy Act of 1954, and provided for the transfer of certain regulatory powers from the Atomic Energy Commission to qualified States in accordance with negotiated agreements. This transfer of authority applies to the control of certain categories of radioactive materials and becomes effective when appropriate State legislation has been enacted; and, an agreement has been signed by the Atomic Energy Commission and the Governor of the respective State.

In May of 1960, the Florida Nuclear Development Commission, in recognition of the inevitable and urgent need for the control of radiation by the State launched a drive for an extensive analysis of Public Law 86–373 and its application to the specific needs of this State. It called first on the School of Law at the University of Florida to conduct a study of the many implications connected with the assumption of control of radiation sources by the State. On September 30, 1960, the results of that study were presented to the State Legislative Council, after which many other meetings with various agencies were sponsored by the Florida Nuclear Development Commission to consider the various aspects of such a program.

Inasmuch as State policy and courses of action with respect to atomic energy development and radiation protection have been the subject of legislative consideration in Florida for a number of years, the Legislative Council's Select Committee on Nuclear Legislation conducted public hearings on this subject in 1960 and 1961, with a view toward appraising the desirability or necessity for a broad system of radiation control, including assumption of authority from the Atomic Energy Commission and a licensing or registration program designed to obtain a maximum of information regarding radiation use in Florida.

After such public hearings by the Legislative Council's Select Committee on Nuclear Legislation and consultations with interested governmental agencies, representatives of industry and professional groups that use atomic energy and radiation, it concluded that a comprehensive legislative program for radiation control should be enacted.

Consequently, chapter 61–262 was introduced in the 1961 session of the legislature, which provided the framework for such a program. The bill was derived in large measure from suggested legislation of the Council of State Governments. It was widely circulated and critically reviewed by a number of interested and affected persons and groups, and was revised to take into account appropriate comments. After extensive consideration by committees of the legislature, including several public hearings at which all interested parties were afforded opportunity to be heard, the measure was enacted as the Florida Nuclear Code (chapter 290, part I, Florida Statutes, 1961). At the same legislative session, chapter 61–227 (part 2 of chapter 290, Florida Statutes, 1961) was enacted, which made Florida a party to the Southern Inter-State Nuclear Compact.

The enactment of the Florida Nuclear Code strengthend the framework for the control of radiation activities within the State as follows:

1. Established the Florida Nuclear Commission headed by a director responsible to the Commission. With respect to administrative and regulatory responsibilities, the duties of the Commission are to promote and support a comprehensive program of education and research relative to nuclear development in the field of education, science, agriculture, industry, transportation, medicine, and all other fields of endeavor which may aid in or be benefited by nuclear development and nuclear science and engineering; to promote the industrial development of Florida (in cooperation with the Florida Development Commission) by attracting new industry based on nuclear science and engineering; to coordinate development and regulatory activities of the State, other States and the Federal Government; to convene a coordinating council consisting of representatives of appropriate State agencies to coordinate action in any matter bearing of the State's nuclear program; and to collect and disseminate information relative to nuclear developments and their effect; and

2. Empowered the Governor of the State to sign an agreement with the Atomic Energy Commission which would transfer to the State control over certain radioactive materials in accordance with Public Law 86–373; and

3. Authorized the Governor of the State to designate a State agency as the regulatory agency to adopt regulations for effectuating the purposes of this legislation, including regulations for the licensing or registration of all radiation sources.

On July 11, 1961, to achieve the objectives of the Florida Nuclear Code (section 290.06) the Florida Nuclear Commission appointed a Coordinating Council and three technical committees. The technical committees include representation from industry, labor, medicine, dentistry, medical physics, health departments, universities, and the legislature. To insure that the many State agencies which have any degree of official concern with nuclear matters are properly represented, the Coordinating Council is composed of the directors (or their designated representatives) of such interested agencies as: Attorney General, State Board of Conservation, State Board of Control, Nuclear Coordinator of Florida State University, Director of Nuclear Activities of University of Florida, Florida State Board of Health, Commissioner of Agriculture, Superintendent of Public Instruction, Department of Public Safety, Department of Water Resources, Florida Development Commission, State Fire Marshal, State Insurance Commissioner, Florida Geological Survey, Florida Industrial Commission, Legislative Reference Bureau, Railroad and Public Utilities Commission, and the Secretary of State.

Prior to the enactment of chapter 61–262 supra in June, 1961, the Florida State Board of Health, in March, 1961, in order to protect the people of the State from the hazardous effects of ionizing radiation, and acting under the authority of the General Public Law (Chapter 381, Florida Statutes) adopted a comprehensive set of regulations pertaining to radiological health, as chapter 34 of the Sanitary Code of the State. To insure the maximum safety of all persons during the manufacture, use, storage, transportation and disposal of radiation sources, the regulations applied to all sources of ionizing radiation and required the registration of all radiation producing machines and radioactive substances; set limits of radiation exposure; defined the reponsibilities of users of radiation to radiation workers and to the general public and provided for inspection and enforcement of such regulations.

On February 21, 1962, pursuant to the provisions of chapter 290, Florida Statutes, and the recommendations of the Florida Nuclear Commission, the Honorable C. Farris Bryant, Governor of Florida, designated the Florida State Board of Health (hereinafter referred to as the Board) as the regulatory agency for nuclear control and licensing as contemplated by section 290.10, Florida Statutes.

To implement certain provisions of the Florida Nuclear Code and to insure compatibility with Federal regulations and reciprocity with other agreement States, the Board

of Health revised its 1961 regulations. They now constitute chapters 170J-1 through -4 of the Florida Administrative Code. A copy of these regulations is included in this presentation as "Attachment C".

In redrafting the regulations, language was drawn largely from models developed jointly by the Atomic Energy Commission, the U.S. Public Health Service and the Council of State Governments; and from recommendations of the National Committee on Radiation Protection and Measurement, and Reports of the Federal Radiation Council.

Assistance in drafting the regulations was obtained from a number of individual, agencies and groups, including representatives of the Atomic Energy Commission, the U.S. Public Health Service, the Florida Nuclear Commission, Florida Governmental Agencies, professional associations and industrial groups.

III. *The Radiation Control Program*—A. *Regulations.* The principal elements of the program for the control of radiation hazards in the State of Florida are the Florida Nuclear Code (Chapter 290, Florida Statutes) and applicable rules of the State Board of Health.

The radiation regulations of the State Board of Health have been modified in order to achieve:

(1) A comprehensive program covering not only activities over which the State agency has exercised exclusive jurisdiction (e.g., X-rays and radium), but also activities over which authority will be discontinued by the Atomic Energy Commission (byproduct material, source material and special nuclear material in quantities not sufficient to form a critical mass); and

(2) Compatibility between the State's radiation control program and the Atomic Energy Commission's program for the regulation of like radioactive materials as required by § 274.D(2) of the Atomic Energy Act of 1954 as amended.

In developing the regulations to achieve the foregoing objectives, the Board of Health predicated the substantial content of the program, i.e., the radiation protection standards, regulation relating to permissible doses, levels and concentrations, on the guides of the Federal Radiation Council, as approved by the President, and pertinent recommendations of the National Committee on Radiation Protection Measurements.

With respect to other substantive matters such as licensing and precautionary procedures, e.g., surveys, posting, labeling, existing Atomic Energy Regulations and the suggested regulations issued by the Council of State Governments were used as models.

The Board's regulations with regard to burial are more stringent than those of the suggested regulations. This stringency is held as being necessary in the interest of the public health because of the particular and somewhat peculiar geology and hydrology of the State of Florida which necessitates individual appraisal of each proposed site to minimize the probability of underground contamination.

Modification of the laws and regulations has resulted in a State program which is compatible with the Commission's program and those of "agreement States" but which differs from the Commission's program in several respects. This difference is primarily in that the State's comprehensive program covers all radiation sources, including those whose possession and use is subject to registration rather than licensing.

B. *Program administration*—1. *Licensing and registration.* Licenses are required for the possession of radioactive materials above exempt amounts of concentrations, regardless of the mode of formation of such materials. Licenses for radioactive materials are of two types, general licenses effective without the filing of applications or the issuance of licensing documents, and specific licenses issued upon application. Registration is required for radiation producing machines.

It is planned to make prelicensing inspection a part of the evaluation procedure when such prelicensing is deemed to be necessary and practicable. In connection with licensing procedures, provision is made to give opportunity for all interested persons to be heard.

With respect to human use the State Health Officer has appointed highly qualified medical consultants knowledgeable in the clinical use of isotopes and other sources of ionizing radiation to assist in the development of policies, the establishment of criteria and the evaluation of unusual applications for license to apply radioactive substances to humans.

Although the Florida Nuclear Code permits the enactment of municipal ordinances and regulations that are not inconsistent with the code and regulations adopted thereunder, the agency charged with the responsibility of promulgating regulations and issuing licenses is the Florida State Board of Health.

2. *Inspection.* Inspection for compliance with regulations and with license conditions will be carried on by the State Board of Health and its duly authorized representatives.

The local health departments, under the direction of the Florida State Board of Health, will participate in inspection activities as they develop a radiological health program and demonstrate their capability.

As a part of the preparation for the assumption of regulatory authority from the AEC, State radiological health program personnel have accompanied AEC inspectors on almost all of their license inspections in the State since September, 1959. There are approximately 200 licensees in the State.

Based upon the number and kind of licenses and registrations, a priority system will be established under which inspection of the most hazardous activities will be scheduled at least once each six months, and the remainder on a less frequent basis. Initial priorities will be established on the basis of the prelicensing evaluation and may be modified in accordance with subsequent inspections. It is expected that all licensed activities will be inspected at least once in two years.

Most inspections will be scheduled visits; a significant number may be on an unscheduled basis. A review of the structure of the organization of the establishment and of pertinent operational procedures will be made, especially if changes have occurred since the license was issued or the registration accomplished. Specific responsibilities will be ascertained or confirmed. Inspection visits will usually entail a comprehensive review by the inspector of equipment, facilities and procedures for handling and storage of radioactive material, and an interview with key personnel directly involved. The inspector will review the survey methods and results of personnel monitoring, the posting of signs and labeling, instruction of personnel; and the methods and apparent effectiveness of maintaining control of people in controlled areas. He will review the records of receipts, transfers and inventory of licensed or registered material. He may physically check the inventory. He will examine records concerning disposal to the sewerage system and burial in the soil, if pertinent. He may take measurements of radiation levels. He will meet with management to discuss the results of his inspection. During this meeting, he will discuss questions concerning the regulatory program.

The inspector will prepare a report in sufficient detail to describe the facts and circumstances observed during the inspection. These reports will provide the basis for any necessary enforcement action. The Board will review the operation of this system to insure that timely and adequate inspections are performed and that appropriate actions are taken.

In addition, there will be investigations of incidents and complaints involving radiation sources to determine the cause, the steps taken by the licensee or registrant to cope with the incident, whether or not there was non-compliance with a regulation, and the steps taken to avoid recurrence of the incident.

The licensee or registrant will be informed of the results of all inspections, orally at the time of the inspection, and by letter or notice from the Board.

3. *Enforcement.* Reports of inspections will be evaluated by the State Board of Health to determine the status of compliance with license conditions and regulations. If no item of noncompliance is observed, licensee or registrant will be so informed. If only minor matters of noncompliance, such as improper signs, failure to label, etc., are involved, which at the time of the inspection the licensee or registrant agrees to correct, he will be informed in writing of these matters and that corrective action will be reviewed during the next inspection. If the inspection reveals a noncompliance of a more serious nature, the licensee or registrant will be required to inform the inspecting agency in writing, usually within 15 to 30 days, as to corrective action taken and the date completed. In these cases, the Board will either conduct a prompt follow-up inspection or the matter will be reviewed during a regular inspection to insure that corrective action has, in fact, been accomplished. If the reply does not satisfactorily explain the noncompliance and assure that further violations will be prevented, the Board will take such administrative actions as are available, such as holding a hearing in accordance with section 290.15, Florida Statutes, which also provides for judicial review of the final order resulting from such hearing. There is provision for emergency action without notice or hearing, but such emergency action shall be subject to a prompt hearing afforded the licensee or registrant. Among the enforcement procedures available to the Board are modification, suspension, or revocation of licenses, or injunctive relief, and criminal sanctions afforded in the courts. (Sections 290.15, 290.16, 290.17 and 290.19, Florida Statutes.)

Upon failure to secure administrative relief where applicable, the Board will prepare proper charges against alleged nonlicensed operators or those persons failing to comply with Board orders, for presentment to State Attorneys or local county prosecuting attorneys; accompanying the said charge shall be a request for prosecution together with a trial memorandum setting forth the names of the witnesses and the testimony that may be adduced from the individual witness, and an outline showing the chain of custody on the tangible evidence expected to be introduced at the trial.

C. *Emergency planning and capabilities.* 1. Under the general coordination of the Florida Nuclear and Space Commission a radiological assistance organization and plan of action have been developed. The State Highway Patrol has assumed the responsibility for alerting, communications and team transportation or escort. Local law enforcement officials will control any possible crowd development. Radiological assistance technical teams, including physicians have been developed at public health and university centers. There are six such teams so located that no point in the State (except Key West) is more than 100 miles from a team. Emphasis at this time is on training, rehearsal and more completely equipping the teams. Personnel of the AEC Savannah Operations Office and of the AEC Pinellas Area Office have assisted in this development.

2. Stimulated by the I^{131} levels in Utah and certain other States the Florida State Board of Health convened a meeting of representatives from the Department of Agriculture, milk producer and distributor associations, cattle feed industry, and the University of Florida to discuss possible action programs for the State of Florida. An ad hoc committee has formed with the Department of Agriculture representative as chairman. This committee held several meetings during which a detailed plan of action based on the use of aged feed was drawn up. Specific responsibilities were assigned and lines of communication were established.

D. *Laboratory support.* The radiological laboratory of the State Board of Health is administratively a unit of the Bureau of Laboratories. Technical assistance and direction is supplied by the Division of Radiological and Occupational Health. The laboratory is manned by two radiological chemists and two technicians with part-time clerical assistance. It is located in a new building and was designed specifically for radiological work. Equipment includes: a two detector low beta counting system, windowless proportional counters, one single channel gamma scintillation spectrometer and a 512 channel gamma scintillation spectrometer, beta and alpha scintillation detectors, and an eleven cubic foot muffle furnace. The sample preparation section is complete with full chemical analytical capability.

IV. Organization and personnel. The radiation control program is established in the Division of Raliological and Occupational Health, an existing organizational unit of the Florida State Board of Health. There is no absolute line of cleavage between the radiological and occupational health programs, but for clarity of this presentation, they are being considered as separate and distinct. With regard to the Radiological Health Program, Division philosophy requires that there be as much interplay between programs as possible. The reason for this is that we need sufficient breadth of capabilities so that no program will be seriously interfered with by routine absences or emergency situations. A further but perhaps no less serious reason is that some activities in each of the programs are of a routine nature and carry little, if any, psychological challenge or job satisfaction if they constitute the sole function of any one person for extended periods of time. As a further measure of providing broader training and experience, employees are encou aged to avail themselves of general and categorical orientation courses given by the State Board of Health, the U.S. Public Health Service, and the AEC.

The minimum educational and experience requirements for the position categories directly related to the regulatory program as set forth in the Florida Merit System job descriptions (with salaries) are attached in Attachment A. Presented in Attachment B is biographical material for personnel presently employed.

A brief description of the various positions follows:

Director, Division of Radiological and Occupational Health (Health Officer IV). This individual is Director of the Division, being administratively responsible for the combined radiological and occupational health program of the State Board of Health. This person is an M.D. and, in addition to administrative duties, will assist by providing staff medical advice when needed.

Public Health Physicist IV. The person in this position has major technical administrative responsibility for all the radiological health programs of the Division, including the source control program, emergency programs, and environmental surveillance and studies. He will provide direct assistance in the regulatory program as required. (During the initial phase of the program incident to the transfer of authority from the AEC and pending the addition of personnel he will be responsible for licensing and the review of regulations.)

Public Health Physicist III. There are proposed two positions at this level. One is primarily responsible for licensing and for the development and constant review of regulations. The other, now on duty, will be responsible for the survey and consultation with the user aspects of the program. This concept differs from the AEC inspection and enforcement program only in that, in addition to the detailed inspection and rigid enforcement, we feel a responsibility and will exert considerable effort in assisting the user in improving his physical facilities and his procedures in an attempt to arrive at the least practical exposure to humans to ionizing radiation.

Public Health Physicist II. It is planned that the program will begin with at least two individuals at this level. Each will be responsible for a given area of the State, and will be responsible for prelicensing visits, inspections, as well as preliminary processing of registration forms, making X-ray surveys, and performing other radiological health program work as required in his area.

Upon consummation of an agreement with the Atomic Energy Commission, additional personnel will be employed, as available and necessary to perform license evaluations and to provide supervision over the inspection program.

Requirements as to qualifications and proficiencies of local health department personnel performing Radiological Health duties will be at least as high as for State personnel performing similar duties.

V. Coordination. Coordination of the State program for the control of radiation is facilitated through the functions of the Florida Nuclear and Space Commission. All agencies and political subdivisions of the State are required to keep the Commission fully and currently informed as to their activities.

The Coordinating Council of the Florida Nuclear Commission was established early in the development of the radiation control program and its functions and recommendations have been instrumental in developing the present program.

The Florida Nuclear Code provides that any rule, regulation or ordinance, or amendment thereto or repeal thereof primarily or directly relating to Atomic Energy proposed by any department, division, commission or agency of the State of any political subdivision thereof, shall not become effective until 90 days after it has been submitted to the Commission, unless the Commission or the Governor waives such waiting period. If, after consultation with the Commission, the Governor finds any of either the proposed or existing rules to be inconsistent, he may direct the appropriate agency to amend or repeal such rules to achieve consistency (Section 290.09, Florida Statutes).

[F.R. Doc. 64-3744; Filed, Apr. 14, 1964; 8:50 a.m.]

DEPARTMENT OF STATE

Agency for International Development

[Delegation of Authority 40]

REGIONAL ASSISTANT ADMINISTRATORS

Delegation of Authority Relating to Procurement

By virtue of the authority delegated to me by Delegation of Authority No. 104, as amended, from the Secretary of State and entitled Delegation of Authority, Foreign Assistance Act of 1961 and Certain Related Acts, and to the extent consistent with law, it is hereby directed as follows:

I. *Regional Assistant Administrators.* The Assistant Administrator for Near East-South Asia, the Assistant Administrator for Latin America, the Assistant Administrator for Africa, and the Assistant Administrator for Far East, for the countries or areas within their respective responsibilities, and the Assistant Administrator for Technical Cooperation and Research for programs within the jurisdiction of that office, are hereby delegated the following functions:

A. With respect to commodity procurement from any free world source:

The function in any specific case of waiving the source requirement and authorizing the procurement of any commodity having a source in any of the excluded countries as set forth in any applicable Presidential Determination pursuant to Section 604(a) of the Foreign Assistance Act of 1961, or, to the extent applicable, as set forth in A.I.D. (ICA) Circular 13 of December 6, 1960 ("Excluded Countries") to an amount not to exceed $100,000 (exclusive of transportation costs) of funds made available under the Act or the Mutual Security Act of 1954: *Provided, however,* That the Regional Assistant Administrator shall certify that the exclusion of procurement from one or more of the "Excluded Countries" would seriously impede the attainment of U.S. foreign policy objectives and the objectives of the foreign assistance program.

B. With respect to commodity procurement from any limited free world source:

(1) The function of authorizing the waiver of any U.S. source requirement contained in any loan agreement or other document to permit the procurement of any commodity from the cooperating country or any country of the free world (as defined by Code 899 of the A.I.D. Geographic Code Book) except an "Excluded Country," in any of the following situations:

(a) If the procurement of said commodity is anticipated to require the expenditure of an amount not to exceed $100,000 (exclusive of transportation costs) of funds made available under the Foreign Assistance Act of 1961, the Mutual Security Act of 1954, or the Latin America Development and Chilean Reconstruction Assistance Act (Public Law 86-755); or

(b) If the U.S. is a net importer of the commodity.

Provided, however, That in each case the Regional Assistant Administrator shall certify that procurement of said commodity from one or more of said countries is necessary to the attainment of U.S. foreign policy objectives *or* the objectives of the foreign assistance program.

(2) The function of authorizing the waiver of any U.S. source requirement in the cases of technical assistance or administrative procurement where the lowest available U.S. price of a required commodity exceeds that from alternative

limited free world sources by 50 percent or more.

II. *General provisions.* A. Any reference in this Delegation of Authority to any Act of Congress, order, determination or delegation of authority shall be deemed to be a reference to such Act of Congress, order, determination, or delegation of authority as amended from time to time.

B. Any officer of A.I.D. to whom functions are delegated under this Delegation of Authority may, to the extent consistent with law, redelegate or reassign any of the functions delegated or assigned to him by this Delegation of Authority, including authority to redelegate any of the functions delegated to A.I.D. Mission Directors and A.I.D. Representatives for the country or area within their responsibility.

C. This Delegation of Authority supersedes paragraph 1(b) of the Delegation of Authority dated September 28, 1960 by James W. Riddleberger, International Cooperation Administration (ICA) to the Deputy Director for Operations of ICA and paragraph 1(b) of the Delegation of Authority dated September 29, 1960 by the Deputy Director for Operations of ICA to the Director, the Deputy Director and the Chief, Commodity Trade Division of the Office of Supply Services, ICA, insofar as said paragraphs relate to the waiver under § 201.23 of A.I.D. Regulation 1 of any source restriction contained in any individual PA or PIO/C.

D. This Delegation of Authority shall not be construed to affect the validity of any waiver granted by a properly authorized official prior to the effective date of the Delegation and any such waiver shall continue in effect unless modified or revoked by an officer to whom such authority has been delegated by this order.

E. This Delegation of Authority shall be effective immediately.

Dated: April 17, 1964.

WILLIAM S. GAUD,
Deputy Administrator.

[F.R. Doc. 64-4231; Filed, Apr. 28, 1964; 8:46 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 64-22]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval and Termination of Approval Notice

1. Various items of lifesaving, firefighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals, and the cancellation, termination or withdrawals of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials, specific specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications), and detailed procedures for obtaining approvals are also described therein.

2. The Commandant's approval of a specific item is intended to provide a control over its quality. Therefore, such approval applies only to the item constructed or installed in accordance with the applicable requirements and the details described in the specific approval. If a specific item when manufactured does not comply with the details in the approval, then such item is not considered to have the Commandant's approval, and the certificate of approval issued to the manufacturer does not apply to such modified item. For example, if an item is manufactured with changes in design or material not previously approved, the approval does not apply to such modified item.

3. After a manufacturer has submitted satisfactory evidence that a particular item complies with the applicable laws and regulations, a Certificate of Approval (Form CGHQ-10030) will be issued to the manufacturer certifying that the item specified complies with the applicable laws and regulations and approval is given, which will be in effect for a period of 5 years from the date given unless sooner canceled or suspended by proper authority.

4. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document, during the period from January 8, 1964 to March 14, 1964 (List Nos. 3-64 and 4-64). These actions were taken in accordance with procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive.

5. The delegations of authority for the Coast Guard's actions with respect to approvals may be found in section 632 of Title 14, U.S. Code, and in Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-14 dated November 26, 1954 (19 F.R. 8026), 167-15 dated January 3, 1955 (20 F.R. 840), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), or 167-38 dated October 26, 1959 (24 F.R. 8857), and the statutory authority may be found in R.S. 4405, as amended, 4462, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3, 70 Stat. 152 (46 U.S.C. 375, 416, 481, 489, 367, 526p, 1333, 390b), sec. 4(e), 67 Stat. 462 (43 U.S.C. 1333(e)), or sec. 3(c), 68 Stat. 675 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I or 33 CFR Chapter I.

6. In Part I of this document are listed the approvals granted which shall be in effect for a period of 5 years from the dates granted, unless sooner canceled or suspended by proper authority.

7. In Part II of this document are listed the approvals which have been terminated. Notwithstanding this termination of approvals of the items of equipment as listed in Part II such equipment may be used so long as such equipment is in good and serviceable condition.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 3 AND 5

Approval No. 160.002/66/1, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Crawford Manufacturing Co., Inc., 3rd and Decatur Streets, Richmond 12, Virginia, and 12th and Graham Streets, Emporia, Kansas, effective March 6, 1964. (It is an extension of Approval No. 160.002/66/1 dated March 14, 1959.)

Approval No. 160.002/76/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Burlington Mills, Inc., Burlington, Wisconsin, effective March 6, 1964. (It is an extension of Approval No. 160.002/76/0 dated March 14, 1959.)

Approval No. 160.002/77/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Burlington Mills, Inc., Burlington, Wisconsin, effective March 6, 1964. (It is an extension of Approval No. 160.002/77/0 dated March 14, 1959.)

Approval No. 160.002/80/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Liberty Cork Co., Inc., 123 Whitehead Avenue, South River, New Jersey, effective March 6, 1964. (It is an extension of Approval No. 160.002/80/0 dated March 14, 1959.)

Approval No. 160.002/81/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Liberty Cork Co., Inc., 123 Whitehead Avenue, South River, New Jersey, effective March 6, 1964. (It is an extension of Approval No. 160.002/81/0 dated March 14, 1959.)

Approval No. 160.002/82/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minnesota, effective March 6, 1964. (It is an extension of Approval No. 160.002/82/0 dated March 14, 1959.)

Approval No. 160.002/83/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Stearns Manufacturing Co., Division Street at 30th, St. Cloud, Minnesota, effective March 6, 1964. (It is an extension of Approval No. 160.002/83/0 dated March 14, 1959.)

BUOYANT APPARATUS

Approval No. 160.010/27/1, 3.0' x 2.71' x 0.83' buoyant apparatus, wood decking with unicellular plastic foam core, 8-person capacity, dwg. No. G-494 revised October 17, 1958, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, New York, effective March 6, 1964. (It is an extension of Approval No. 160.010/27/1 dated March 14, 1959.)

SIGNALS, DISTRESS, HAND COMBINATION FLARE AND SMOKE

Approval No. 160.023/2/0, Hand Combination Flare and Smoke Distress

Signal, Bill of Materials No. 337 D dated September 3, 1959, manufactured by Harvell-Kilgore Corporation, Toone, Tennessee, effective January 8, 1964. (Formerly Kilgore, Inc., and Harvell-Kilgore Sales Corp., respectively.) (It supersedes Approval No. 160.023/2/0 dated July 3, 1962, to show change of name and address of manufacturer.)

LINE-THROWING APPLIANCE, SHOULDER GUN TYPE (AND EQUIPMENT)

Approval No. 160.031/5/0, Bridger 45/70 Model X shoulder gun type line-throwing appliance, assembly dwg. No. HC1, revision 1 dated February 2, 1964, manufactured by Naval Company, Route 611, Doylestown, Pennsylvania, effective February 7, 1964.

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/142/1, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c)(1)(i), manufactured by Henry Manufacturing Co., 1310 Marquette Avenue, Minneapolis 3, Minnesota, effective March 6, 1964. (It is an extension of Approval No. 160.048/142/1 dated December 17, 1959.)

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/26/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049-4(c)(1), manufactured by Acme Products Co., 152-156 Brewery Street, New Haven, Connecticut, effective March 6, 1964. (It is an extension of Approval No. 160.049/26/0 dated March 14, 1959.)

INFLATABLE LIFE RAFTS

Approval No. 160.051/15/0, inflatable life raft, 8-person capacity, identified by general arrangement dwg. SPC-MM-8002 (Rev. 3), dated November 1, 1963, and Master Record Index S.P.C. M.M. /8 (Rev. 5), dated February 14, 1964, manufactured by Switlik Parachute Company, Inc., 1325 East State Street, Trenton 7, New Jersey, effective February 18, 1964.

Approval No. 160.051/16/0, inflatable life raft, 10-person capacity, identified by general arrangement dwg. SPC-MM-10002 (Rev. 3), dated November 1, 1963, and Master Record Index S.P.C. M.M. /10 (Rev. 5), dated February 14, 1964, manufactured by Switlik Parachute Company, Inc., 1325 East State Street, Trenton 7, New Jersey, effective February 18, 1964.

Approval No. 160.051/19/0, inflatable life raft, 20-person capacity, identified by general arrangement dwg. SPC-MM-20002 (Rev. 2), dated November 1, 1963, and Master Record Index S.P.C. M.M. /20 (Rev. 5), dated February 14, 1964, manufactured by Switlik Parachute Company, Inc., 1325 East State Street, Trenton 7, New Jersey, effective February 19, 1964.

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/31/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective March 6, 1964. (It is an extension of Approval No. 160.052/31/0 dated March 14, 1959.)

Approval No. 160.052/32/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective March 6, 1964. (It is an extension of Approval No. 160.052/32/0 dated March 14, 1959.)

Approval No. 160.052/33/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective March 6, 1964. (It is an extension of Approval No. 160.052/33/0 dated March 14, 1959.)

Approval No. 160.052/190/1, Type II, Model 4155, adult unicellular plastic foam buoyant vest, dwg. No. 1003 (sheets 1 and 2), Rev. 3 dated February 20, 1964, manufactured by Ero Manufacturing Company, 308 S. Williams Street, Hazlehurst, Georgia, effective February 28, 1964. (It supersedes Approval No. 160.052/190/0 dated December 5, 1962, to show change in construction.)

Approval No. 160.052/191/1, Type II, Model 4160, child medium unicellular plastic foam buoyant vest, dwg. No. 1004 (sheets 1 and 2), Rev. 3 dated February 20, 1964, manufactured by Ero Manufacturing Company, 308 S. Williams Street, Hazlehurst, Georgia, effective February 28, 1964. (It supersedes Approval No. 160.052/191/0 dated December 5, 1962, to show change in construction.)

Approval No. 160.052/192/1, Type II, Model 4165, child small unicellular plastic foam buoyant vest, dwg. No. 1005 (sheets 1 and 2), Rev. 3 dated February 20, 1964, manufactured by Ero Manufacturing Company, 308 S. Williams Street, Hazlehurst, Georgia, effective February 28, 1964. (It supersedes Approval No. 160.052/192/0 dated December 5, 1962, to show change in construction.)

Approval No. 160.052/277/0, Type II Model SFM-300, adult molded vinyl-dipped unicellular plastic foam buoyant vest, dwg. No. 5406-XA, Rev. 2 dated February 13, 1964, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective February 18, 1964.

Approval No. 160.052/278/0, Type II, Model SFM-320, child medium molded vinyl-dipped unicellular plastic foam buoyant vest, dwg. No. 5457-BA, Rev. 2 dated February 13, 1964, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective February 18, 1964.

Approval No. 160.052/279/0, Type II, Model SFM-310, child small molded vinyl-dipped unicellular plastic foam buoyant vest, dwg. No. 5458-BA, Rev. 2 dated February 13, 1964, manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, 29604, effective February 18, 1964.

Approval No. 160.052/286/0, Type II, Model NP, adult unicellular plastic foam buoyant vest, dwg. Nos. 21 and 22, Rev. 1 dated June 24, 1963, manufactured by Noble Products Company, Box 327, Caldwell, Ohio, effective March 4, 1964.

Approval No. 160.052/287/0, Type II, Model MP, child medium unicellular plastic foam buoyant vest, dwg. Nos. 21 and 23, Rev. 1 dated June 24, 1963, manufactured by Noble Products Company, Box 327, Caldwell, Ohio, effective March 4, 1964.

Approval No. 160.052/288/0, Type II, Model OP, child small unicellular plastic foam buoyant vest, dwg. Nos. 21 and 24, Rev. 1 dated June 24, 1963, manufactured by Noble Products Company, Box 327, Caldwell, Ohio, effective March 4, 1964.

EMERGENCY LOUDSPEAKER SYSTEMS

Approval No. 161.004/1/0, Galbraith marine emergency loudspeaker system, Type E-27500, amplifier panel assembly dwg. No. E-27506, manufactured by Galbraith-Pilot Marine Corp., Division of Marine Electric Corp., 600 Fourth Avenue, Brooklyn 15, New York, effective January 29, 1964.

TELEPHONE SYSTEMS, SOUND-POWERED

Approval No. 161.005/58/0, telephone station identification panel, 2-circuit, manual reset, splashproof, dwg. No. 28-02, Alt. 0 dated June 16, 1958, manufactured by Hose-McCann Telephone Co., Inc., 25th Street & 3rd Avenue, Brooklyn 32, New York, effective March 6, 1964. (For use with sound-powered telephone stations to identify visually the station called.) (It is an extension of Approval No. 161.005/58/0 dated March 14, 1959.)

Approval No. 161.005/59/0, telephone station identification panel, 3-circuit, manual reset, splashproof, dwg. No. 28-03, Alt. 0 dated June 23, 1958, manufactured by Hose-McCann Telephone Co., Inc., 25th Street & 3rd Avenue, Brooklyn 32, New York, effective March 6, 1964. (For use with sound-powered telephone stations to identify visually the station called.) (It is an extension of Approval No. 161.005/59/0 dated March 14, 1959.)

Approval No. 161.005/60/0, sound-powered telephone station, selective ringing, common talking, 11 stations maximum, nonwatertight, with self-contained hand generator bell, Model SHD, bulkhead mounting, dwg. No. 57-01, Alt. 0 dated July 2, 1958, manufactured by Hose-McCann Telephone Co., Inc., 25th Street & 3rd Avenue, Brooklyn 32, New York, effective March 6, 1964. (For use in officers' quarters and radio room.) (It is an extension of Approval No. 161.005/60/0 dated March 14, 1959.)

Approval No. 161.005/61/0, telephone station identification panel, single-circuit, manual reset, splashproof, dwg. No. 28–01, Alt. 0 dated June 11, 1958, manufactured by Hose-McCann Telephone Co., Inc., 25th Street & 3d Avenue, Brooklyn 32, New York, effective March 6, 1964. (For use with sound-powered telephone stations to identify visually the station called.) (It is an extension of Approval No. 161.005/61/0 dated March 14, 1959.)

FLASHLIGHTS, ELECTRIC, HAND

Approval No. 161.008/5/0, No. 1918 watertight flashlight, Type I, Size No. 2 (2-cell), identified by assembly dwg. No. F–896–3C dated September 27, 1948 and revised October 6, 1948, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, New Jersey, effective February 7, 1964. (Each flashlight shall be plainly and permanently marked with the name of the manufacturer and above model number.) (It is an extension of Approval No. 161.008/5/0 dated February 8, 1959.)

Approval No. 161.008/6/0, No. 1925 watertight flashlight, Type I, Size No. 3 (3-cell), identified by assembly dwg. No. F–896–3C dated September 27, 1948, and revised October 6, 1948, manufactured by Bright Star Industries, 600 Getty Avenue, Clifton, New Jersey, effective February 7, 1964. (Each flashlight shall be plainly and permanently marked with the name of the manufacturer and above model number.) (It is an extension of Approval No. 161.008/6/0 dated February 8, 1959.)

FLAME ARRESTERS, BACKFIRE (FOR CARBURETORS)

Approval No. 162.015/37/0, Type 444 backfire flame arrester for carburetors, dwg. Nos. 444 dated July 16, 1958, and FM–6444 dated May 6, 1956, manufactured by Dearborn Marine Engines, Inc., 31465 Shephenson Highway, Royal Oak 4, Michigan, effective March 3, 1964. (It is an extension of Approval No. 162.015/37/0 dated March 14, 1959.)

VALVES, PRESSURE-VACUUM RELIEF AND SPILL

Approval No.162.017/65/3, Figure No. 110, pressure-vacuum relief valve, atmospheric pattern, weight-loaded poppets, bronze-Ni-Resist Type 2 (20 percent Nickel Cast Iron) and stainless steel Type 304, dwg. No. 110–C, Alt. 3 dated July 19, 1955, approved for 4", 5", and 6" sizes, manufactured by Mechanical Marine Co., Inc., 45–15 37th Street, Long Island City 1, New York, effective March 3, 1964. (It is an extension of Approval No. 162.017/65/3 dated March 14, 1959, and change of address of manufacturer.)

Approval No. 162.017/68/1, Figure No. 240, pressure-vacuum relief valve, enclosed pattern, weight-loaded poppet, nickel cast iron bronze 85–5–5–5 (B62, Grade 4A) or stainless steel (Type 304) bodies, dwg. No. 240–A, Alt. 1 dated January 20, 1959, approved for 4" size, manufactured by Mechanical Marine Co., Inc., 45–15 37th Street, Long Island City 1, New York, effective March 3, 1964. (It is an extension of Approval No. 162.017/68/1 dated June 20, 1959, and change of address of manufacturer.)

Approval No. 162.017/70/1, Figure No. 260, pressure only relief valve, enclosed pattern, weight-loaded poppet, nickel cast iron bronze 85–5–5–5 (B62, Grade 4A) or stainless steel (Type 304) bodies, dwg. No. 260–A, Alt. 1 dated January 20, 1959, approved for 4" size, manufactured by Mechanical Marine Co., Inc., 45–15 37th Street, Long Island City 1, New York, effective March 3, 1964. (It is an extension of Approval No. 162.017/70/1 dated June 20, 1959, and change of address of manufacturer.)

APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/57/0, No. 36 Vulcan range for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 11–(57–1.1, –2.1, –4.1, –6.1 and –60–1.0) .001, manufactured by Vulcan-Hart Manufacturing Co., 3600 North Point Boulevard, Baltimore 22, Maryland, effective March 3, 1964. (It reinstates and is an extension of Approval No. 162.020/57/0 which expired on December 15, 1963.)

Approval No. 162.020/58/0, 9000 Series range for liquefied petroleum gas service, approved by the American Gas Association, Inc., under Certificate No. 1–917–57.001, manufactured by Caloric Appliance Corp., Topton, Pennsylvania, effective March 3, 1964. (It is an extension of Approval No. 162.020/58/0 dated March 25, 1959.)

BOILERS, AUXILIARY, AUTOMATICALLY CONTROLLED PACKAGED

Approval No. 162.026/2/0, Clayton steam generator, Model RO–175, light oil fired (fuel no heavier than standard No. 2, gravity 30–48 API at 60° F.), maximum operating pressure 150 p.s.i., 175 boiler horsepower, manufactured by Clayton Manufacturing Company, P.O. Box 550, El Monte, California, effective February 28, 1964. (Plans approved November 6, 1963. Performance test performed January 16, 1964.)

Approval No. 162.026/3/0, Clayton steam generator, Model RO–65, light oil fired (fuel no heavier than standard No. 2, gravity 30–48 API at 60° F.), maximum operating pressure 150 p.s.i., 65 boiler horsepower, manufactured by Clayton Manufacturing Company, P.O. Box 550, El Monte, California, effective February 28, 1964. (Plans approved September 5, 1963. Performance tests performed December 30, 1963.)

EXTINGUISHERS, SEMIPORTABLE, DRY-CHEMICAL TYPE

Approval No. 162.032/8/1, Model D15a Fire Boss Skid Units, 1500-lb. compatible dry chemical semiportable fire extinguisher, with or without Remote Hose Reels and Remote Control Station, dwg. No. FD–3000 and Drawing List FD–3079 (Sheets 1 through 3), Rev. B dated July 3, 1963, and Instruction Manual dated February 28, 1964 (Coast Guard classification: Type B, Size V; and Type C, Size V), manufactured by Fire Control Engineering Co., 6000 Camp Bowie Boulevard, Fort Worth 16, Texas, effective February 28, 1964. (It supersedes Approval No. 162.032/8/0 dated March 10, 1961, to show change in construction.)

STRUCTURAL INSULATIONS

Approval No. 164.007/26/0, "Fiberglas Insulation PF–CG", glass wool type structural insulation identical to that described in National Bureau of Standards Test Report No. TG10210–1536: FP2661 dated December 1, 1948, bats and blankets approved for use without other insulating material to meet Class A–60 requirements in a 4-inch thickness and 6 pounds per cubic foot, manufactured by Owens-Corning Fiberglas Corp., Toledo 1, Ohio, effective February 7, 1964. (It is an extension of Approval No. 164.007/26/0 dated February 8, 1959.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/37/0, "Foster Insulfas Sealer" composition type incombustible material consisting solely of Foster 31126 Non-combustible Coating and Sealfas Open Weave Class Cloth, identifical to that referred to in National Bureau of Standards Report No. TG10210–1974: FP3363, dated April 30, 1956, manufactured by Benjamin Foster Co., 4632–37 W. Girard Avenue, Philadelphia 11, Pennsylvania, effective February 18, 1964. (Formerly "Fiberseal"; also formerly "Foster Fiberseal Sealer".) (It supersedes Approval No. 164.009/37/0 dated September 16, 1963, to show change of name of product.)

Approval No. 164.009/78/0, "Foster Insulfas Adhesive" composition type incombustible material, identical to that referred to in National Bureau of Standards Report No. TG10210–2107: FR3634 dated December 3, 1963, manufactured by Benjamin Foster Co., 4635–37 W. Girard Avenue, Philadelphia 11, Pennsylvania, effective February 18, 1964.

PART II—TERMINATIONS OF APPROVAL OF EQUIPMENT, INSTALLATIONS OR MATERIALS

LIFEBOATS

Termination of Approval No. 160.035/39/3, 24.0′ x 8.0′ x 3.58′ steel, motor-propelled lifeboat, without radio cabin (Class B), 37-person capacity, identified by construction and arrangement dwg. No. 80101 dated April 9, 1956, and revised October 18, 1956, and construction and arrangement dwg. No. 80204 dated April 10, 1958, and revised October 22, 1958, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, New Jersey, effective March 14, 1964. (Expiration and termination of Approval No. 160.035/39/3 dated March 14, 1959.)

Termination of Approval No. 160.035/54/2, 26′ x 8.3′ x 3.6′ aluminum, oar-propelled lifeboat, 49-person capacity, identified by construction and arrangement dwg. No. 2815–A dated March 5, 1953, and revised November 20, 1958, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, New Jersey, effective March 14, 1964. (Expiration and termination of Approval No. 160.035/54/2 dated March 14, 1959.)

Termination of Approval No. 160.035/383/0, 24.0′ x 8.63′ x 3.88′ steel, oar-propelled lifeboat, 47-person capacity,

identified by construction and arrangement dwg. No. 80201 dated February 8, 1958, and revised January 13, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, New Jersey, effective March 14, 1964. (Expiration and termination of Approval No. 160.035/383/0 dated March 14, 1959.)

Termination of Approval No. 160.035/384/0, 28' x 9.79' x 4.13' aluminum, hand-propelled lifeboat, 69-person capacity, with built-in air tanks, identified by general arrangement dwg. No. 28-9A, Rev. C dated November 20, 1958, manufactured by Marine Safety Equipment Corp., Point Pleasant, New Jersey, effective March 14, 1964. (Expiration and termination of Approval No. 160.035/384/0 dated March 14, 1959.)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.047/445/0, Type I, Model AK–1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by P. J. Gould Company, 440 N. Wells St., Chicago 10, Ill., effective March 14, 1964. (Termination of Approval No. 160.047/445/0 dated August 18, 1960; item no longer manufactured.)

Termination of Approval No. 160.047/446/0, Type I, Model CKM–1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by P. J. Gould Company, 440 N. Wells St., Chicago 10, Ill., effective March 14, 1964. (Termination of Approval No. 160.047/446/0 dated August 18, 1960; item no longer manufactured.)

Termination of Approval No. 160.047/447/0, Type I, Model CKS–1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by P. J. Gould Company, 440 N. Wells Street, Chicago 10, Ill., effective March 14, 1964. (Termination of Approval No. 160.047/447/0 dated August 18, 1960; item no longer manufactured.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.048/132/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i); manufactured by Protection Products Co., Division of Ero Manufacturing Co., 2637–2669 West Polk Street, Chicago 12, Illinois, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/132/0 dated March 14, 1959.)

Termination of Approval No. 160.048/133/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i); manufactured by Burlington Mills, Inc., Burlington, Wisconsin, for Herter's Inc., Waseca, Minnesota, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/133/0 dated March 14, 1959.)

Termination of Approval No. 160.048/134/0, special approval for 13¼" x 21¾" x 2" rectangular kapok buoyant cushion, 25-oz. kapok, U.S.C.G. Specification Subpart 160.048; manufactured by The Howard Zink Corp., 5550 Paramount Boulevard, Long Beach 5, California, for Jack Cole Co., 746 West 17th Street, Costa Mesa, California, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/134/0 dated March 14, 1959.)

Termination of Approval No. 160.048/137/1, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i), manufactured by P. J. Gould Co., 440 North Wells Street, Chicago 10, Illinois, effective March 14, 1964. (Termination of Approval No. 160.048/137/1 dated December 17, 1959; item no longer manufactured.)

Termination of Approval No. 160.048/139/0, special approval for 14" x 17" x 2" rectangular, ribbed-type kapok buoyant cushion, 21-oz. kapok, Atlantic-Pacific Mfg. Corp., dwg. No. 72755 dated July 27, 1955; manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, New York, for Sears, Roebuck and Company, 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/139/0 dated March 14, 1959.)

Termination of Approval No. 160.048/140/0, special approval for 15" x 15" x 2" rectangular kapok buoyant cushion, 20-oz. kapok, U.S.C.G. Specification Subpart 160.048; manufactured by Siegmund Werner, Inc., 225 Belleville Avenue, Bloomfield, N.J., for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/140/0 dated March 14, 1959.)

Termination of Approval No. 160.048/143/0, special approval for 15" x 18" x 2" rectangular kapok buoyant cushion, 24-oz. kapok, dwg. No. BC–102, sheets 1, 2, and 3 dated November 17, 1958, manufactured by W. L. Dumas Manufacturing Co., 14 A Street Northwest, Miami, Oklahoma, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/143/0 dated March 14, 1959.)

Termination of Approval No. 160.048/149/0, group approval for rectangular and trapezoidal kapok bouyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i); manufactured by Protection Products Co., Division of Ero Manufacturing Co., 714–718 West Monroe St., Chicago 6, Illinois, for Voedisch Brothers, Inc., 1639 North Wells Street, Chicago 14, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.048/149/0 dated March 14, 1959.)

BOUYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Termination of Approval No. 160.052/34/0, Type I, Model AP, adult unicellular plastic foam bouyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/34/0 dated March 14, 1959.)

Termination of Approval No. 160.052/35/0, Type I, Model GPM, child unicellular plastic foam bouyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/35/0 dated March 14, 1959.)

Termination of Approval No. 160.052/36/0, Type I, Model CPS, child unicellular plastic foam bouyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by Style-Crafters, Inc., P.O. Box 8277, Station A, Greenville, South Carolina, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/36/0 dated March 14, 1959.)

Termination of Approval No. 160.052/37/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by The Safegard Corp., Box 14037, P.O. Annex, Cincinnati, Ohio, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/37/0 dated March 14, 1959.)

Termination of Approval No. 160.052/38/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by The Safegard Corp., Box 14037, P.O. Annex, Cincinnati, Ohio, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/38/0 dated March 14, 1959.)

Termination of Approval No. 160.052/39/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052; manufactured by The Safegard Corp., Box 66, Station B, Cincinnati 22, Ohio, for Sears, Roebuck and Co., 925 South Homan Avenue, Chicago 7, Illinois, effective March 14, 1964. (Expiration and termination of Approval No. 160.052/39/0 dated March 14, 1959.)

Dated: April 21, 1964.

[SEAL] G. A. KNUDSEN,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 64-4234; Filed, Apr. 28, 1964; 8:47 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE (INSTALLATIONS AND LOGISTICS)

Delegation of Authority Regarding Family Housing

The Deputy Secretary of Defense approved the following delegation of authority on April 20, 1964:

Pursuant to the authority vested in the Secretary of Defense by section 133(d) of Title 10, United States Code, there is hereby delegated to the Assistant Secretary of Defense (Installations and Logistics) the authority of the Secretary of Defense to (i) construct family housing and trailer court facilities, (ii) accomplish alterations, additions, expansions or extensions of family housing, (iii) enter into rental guaranty agreements, (iv) lease housing facilities for assignment as public quarters, (v) determine requirements for four-bedroom family housing units, (vi) exempt inadequate quarters from the requirement for disposition, and (vii) take other actions for the provision of family housing which are authorized by Title V, Public Law 87–554, and Title V, Public Law 88–174, or as may be hereafter authorized by provisions of the annual military construction authorization acts. These authorities may be redelegated, as appropriate, in accordance with criteria established by the Assistant Secretary of Defense (Installations and Logistics).

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 64–4235; Filed, Apr. 28, 1964; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Land

APRIL 21, 1964.

The Department of Defense filed an application for withdrawal from all forms of appropriation under the public land laws, including the Taylor Grazing Act, the mining and mineral leasing laws, and disposal of material under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601–604), as amended, serial number R 04221 on December 2, 1963.

Notice of proposed withdrawal and reservation of the land under this application, R 04221, was published as F.R. Doc. 63–12867; filed, Dec. 11, 1963; 8:50 a.m., on page 13466 of December 12, 1963 issue, Volume 28, No. 240.

The applicant agency has amended its application to delete therefrom certain of the lands originally filed for. Therefore, pursuant to the regulations contained in 43 CFR 2311.0–3(d), (formerly Part 295), those lands deleted from the original application will at 10:00 a.m., on May 30, 1964, be relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 17 S., R. 5 E.,
Sec. 23, lot 1, and N½;
Sec. 24, lots 1, 4, 5, 7, 10, 11, 14, 24, and 26 and N½NE¼;
Sec. 25, E½;
Sec. 26, lots 4, 5, and 8.

The areas described aggregate 903.94 acres.

GLENDON E. COLLINS,
Acting Land Officer Manager.

[F.R. Doc. 64–4214; Filed, Apr. 28, 1964; 8:45 a.m.]

National Park Service

[Order 1]

FORT DONELSON NATIONAL MILITARY PARK

Administrative Assistant and Historian Delegation of Authority Regarding Execution of Purchase Orders for Supplies, Equipment or Services

1. The Administrative Assistant, Fort Donelson National Military Park, may issue purchase orders not in excess of $500.00 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

2. The Historian, Fort Donelson National Military Park, may issue purchase orders not in excess of $500.00 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

(National Park Service Order No. 14 (19 F.R. 8824, as amended); 39 Stat. 535, 16 U.S.C., sec. 2; Southeast Region Order No. 3 (21 F.R. 1493))

Dated: April 8, 1964.

R. G. HOPPER,
Superintendent.

[F.R. Doc. 64–4233; Filed, Apr. 28, 1964; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14945; Order E–20734]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of April 1964.

An agreement adopted by Joint Conference 1–2 of the International Air Transport Association relating to specific commodity rates; Docket No. 14945, Agreement C.A.B. 17633, R–7.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conference 1–2 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreement, adopted pursuant to unprotested notices to the carriers, names an additional specific commodity rate as set forth below:

C.A.B. agreement 17633	IATA memorandum JT12/ rates	Commodity item	Rates
R–7	3011	7103	70/50/47 cents per kilogram; minimum weight, 45/500/1000 kilograms, respectively; between New York and Lisbon.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the above-described agreement to be adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is conditioned as hereinafter ordered:

Accordingly, it is ordered, That Agreement C.A.B. 17633, R–7, is approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

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

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64–4249; Filed, Apr. 28, 1964; 8:47 a.m.]

[Docket No. 13777; Order E–20735]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 24th day of April 1964.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates; Docket No. 13777, Agreement C.A.B. 17666, R–14.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and

other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA memoranda, names an additional specific commodity rate as set forth below:

C.A.B. agreement 17666	IATA memorandum TC1/ rates	Commodity item	Rates
R-14	1952	100	18 cents per kilogram; minimum weight, 100 kilograms, Panama City to Caracas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement C.A.B. 17666, R–14, be approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

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

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64–4250; Filed, Apr. 28, 1964; 8:47 a.m.]

[Docket No. 15035]

AIR GASPE INC.

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 6, 1964, at 9:30 a.m., e.d.s.t., in Room 701, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on March 25, 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 23, 1964.

[SEAL] JOSEPH L. FITZMAURICE,
Hearing Examiner.

[F.R. Doc. 64–4251; Filed, Apr. 28, 1964; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14748 etc.; FCC 64M–345]

CHARLES COUNTY BROADCASTING CO., INC., ET AL.

Order Relating to Procedural Dates

In re applications of Charles County Broadcasting Co., Inc., La Plata, Maryland, Docket No. 14748, File No. BP–14748; Dorlen Broadcasters, Inc., Waldorf, Maryland, Docket No. 14749, File No. BP–15287; for construction permits, and Dorlen Broadcasters, Inc., Waldorf, Maryland, Docket No. 15202, File No. BRH–1209; for renewal of license of station WSMD (FM).

A hearing conference having been held on April 23, 1964, and it appearing from the record made therein that certain agreements were reached and certain rulings made which should be formalized by order:

It is ordered, This 23d day of April 1964, that:

(1) The direct affirmative cases of the applicants on the standard comparative issue added by the Review Board's order released April 14, 1964, and the Hearing Examiner's order released April 16, 1964, shall be presented entirely in the form of sworn, written exhibits, copies of which shall be served on all other parties hereto and the Hearing Examiner on or before June 26, 1964;

(2) Any party wishing to call for cross-examination any witnesses sponsoring another party's exhibit shall give notification thereof on or before July 10, 1964; and,

It is further ordered, That hearing shall recommence on July 14, 1964, commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: April 24, 1964.

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

[F.R. Doc. 64–4246; Filed, Apr. 28, 1964; 8:47 a.m.]

[Docket Nos. 15265, 15266; FCC 64R–218]

COMMUNITY BROADCASTING SERVICE, INC., ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Community Broadcasting Service, Inc., Vineland, New Jersey, Docket No. 15265, File No. BPH–3949; Mortimer Hendrickson and Vivian Eliza Hendrickson, Vineland, New Jersey, Docket No. 15266, File No. BPH–4165; for construction permits.

1. Community Broadcasting Service, Inc., requests enlargement of issues to determine whether the staff proposed by Mortimer Hendrickson and Vivian Eliza Hendrickson is adequate to operate their proposed new FM station at Vineland, New Jersey.[1] Community contends that there is a discrepancy in the staff proposal between that in the application and in the Hendricksons' opposition to a petition to enlarge issues previously filed with reference to Hendricksons' financial qualifications; that although the Hendricksons propose a staff of nine persons in the application, they actually propose a staff of one full-time and eight part-time persons; and that there is a serious question as to whether this staff is adequate to operate the proposed FM station and Station WDVL, citing Birney Imes, Jr., 27 FCC 225, 17 RR 419 (1959). As for good cause for filing the petition at this time, Community contends that it did not see the need for the issue until Hendricksons filed their opposition to the petition to enlarge issues with respect to their financial qualification.

2. The Hendricksons, in an opposition to which they attach a personnel schedule, contend that Community fails to make any factual showing as to the necessity for the requested issues; that the application form does not require a showing as to whether the proposed staff will be full-time or part-time nor is there any need to indicate in the affidavit to what extent the employees would be part-time; and that Community merely engages in argument and speculation as to why it may not be adequate. They further contend that Community has not attempted to allege any facts showing how many employees, part-time or full-time, will be required for the proposed operation, or to indicate that the various required duties in connection with the Hendricksons' proposed AM–FM operation could not be performed with the staff proposed. Community replies that the Hendricksons personnel schedule supports the need for the enlargement of issues in that data in the schedule conflicts with information in the "Notes" as to the number of hours the Hendricksons will work; and that it will be necessary to ascertain the days and hours that the Hendricksons will be present at the station in order to determine the adequacy of the staff in relation to specific proposed program and station operation.

3. The Review Board finds that good cause has been shown by Community for filing its petition at this time since the alleged discrepancy did not come to light until the Hendricksons filed an opposition to another petition. The question of the adequacy of the Hendricksons' staff proposal cannot be satisfactorily resolved on the basis of allegations in the interlocutory pleadings; it should be de-

[1] The Review Board has before it for consideration (a) a petition to enlarge issues filed March 5, 1964, by Community Broadcasting Service, Inc., (b) an opposition filed March 16, 1964, by Mortimer Hendrickson and Vivian Eliza Hendrickson, and (c) a reply filed March 26, 1964, by Community Broadcasting Service, Inc.

termined on the basis of an evidentiary record. Thus, the petition to enlarge issues will be granted.

Accordingly, it is ordered, This 16th day of April 1964, that the petition to enlarge issues filed March 5, 1964, by Community Broadcasting Service, Inc., is granted; and

It is further ordered, That the Commission's Order of Designation (Mimeo No. 46004), released January 21, 1964, is amended by the addition of the following issue: "To determine whether the staff proposed by Mortimer Hendrickson and Vivian Eliza Hendrickson is adequate to operate their proposed FM station in conjunction with Station WDVL at Vineland, New Jersey."

Released: April 17, 1964.

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

[F.R. Doc. 64-4247; Filed, Apr. 28, 1964; 8:47 a.m.]

[Docket Nos. 15260, 15261; FCC 64M-343]

COOSA VALLEY RADIO CO. AND ROME BROADCASTING CORP.

Order Continuing Hearing

In re applications of Coosa Valley Radio Company, Rome, Georgia, Docket No. 15260, File No. BPH-4108; Rome Broadcasting Corporation, Rome, Georgia, Docket No. 15261, File No. BPH-4136; for construction permits.

The Hearing Examiner having under consideration the matters discussed at the further prehearing conference held April 22, 1964;

It appearing, that, by order released March 24, 1964, the Hearing Examiner continued the commencement of hearing from April 13 to June 22, 1964; and

It further appearing, that said continuance was ordered as a result of a motion filed March 18, 1964 by Rome Broadcasting Corporation, urging continuance because of the preparation of a petition for rule making looking toward the allocation of another FM channel to Rome, Georgia, a petition then expected to be filed "within the next two-week period"; and

It further appearing, that as of this date no such petition has been filed with the Commission and that undue further delay in filing is unwarranted; and

It further appearing, that counsel for Rome Broadcasting Corporation stated at the further prehearing conference that the delay in filing is due solely to the consulting engineer's other commitments but that every effort will be made to submit this petition by not later than April 30, 1964;

It is ordered, This 22d day of April 1964, in view of all of the foregoing, that (1) counsel for Rome Broadcasting Corporation shall file with the Commission a petition for rule making of the nature indicated above not later than by April 30, 1964, and (2) in the event no such petition is filed as of that date, the following procedural schedule shall control:

Exchange of written exhibits in support of applicants' direct cases	June 1, 1964
Notification of witnesses, if any, desired for cross-examination	June 15, 1964

It is further ordered, That the hearing herein, presently scheduled to commence on June 22, 1964, is continued to 10:00 a.m., July 1, 1964.

Released: April 23, 1964.

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

[F.R. Doc. 64-4248; Filed, Apr. 28, 1964; 8:47 a.m.]

[Canadian List No. 186]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes and Corrections in Assignments

APRIL 10, 1964.

Notification under the provisions of Part III section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignments of Canadian Broadcast Stations Modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph No. 47214-3) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power	Antenna	Schedule	Class	Expected date of commencement of operation
		630 kc/s				
CFCO (change in daytime pattern from that notified on List 179).	Chatham, Ontario	10kwD/1kwN	DA-2	U	III	EIO 4-1-64.
		900 kc/s				
CHNO (correction of call sign shown on recapitulative list dated Dec. 31, 1963).	Sudbury, Ontario	10kwD/1kwN	DA-2	U	II	
		980 kc/s				
CKRM (correction of mode of operation shown on recapitulative list dated Dec. 31, 1963).	Regina, Saskatchewan	10kwD/5kwN	DA-2	U	III	
		1050 kc/s				
CJNB	North Brattleford, Saskatchewan.	10kw	DA-N	U	II	NIO on new frequency.
		1230 kc/s				
CKTK (assignment of call letters).	Kitimat, British Columbia.	1kwD/0.25kwN	ND	U	IV	
		1240 kc/s				
CFVR (PO: 1240 kc 0.25kw ND).	Abbotsford, British Columbia.	1kwD/0.25kwN	ND	U	IV	EIO 4-1-65.
		1240 kc/s				
CJAV (PO: 1240kc 0.25kw ND).	Port Alberni, British Columbia.	1kwD/0.25kwN	ND	U	IV	EIO 4-1-65.
		1240 kc/s				
CJWA (assignment of call letters).	Wawa, Ontario	1kwD/0.25kwN	ND	U	IV	
		1250 kc/s				
CHSM (assignment of call letters).	Steinbach, Manitoba	10kw	DA-2	U	III	
		1270 kc/s				
CHWK (PO: 1270kc 10kw DA-1).	Chilliwack, British Columbia.	10kw	DA-N	U	III	EIO 4-1-65.
		1460 kc/s				
CJNB (delete assignment—vide 1050 kc).	North Battleford, Saskatchewan.	10kw	DA-N	U	III	

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

[F.R. Doc. 64-4245; Filed, Apr. 28, 1964; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

FARRELL LINES INC. AND NIGERIAN NATIONAL SHIPPING 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 9343 between Farrell Lines Incorporated and the Nigerian National Shipping Line establishes a rate tender to the Nigerian Produce Marketing Company, established under Nigerian Law, for movement of Nigerian produce from Nigerian ports to U.S. Atlantic, Gulf, Pacific and Great Lakes ports and Canadian Atlantic, Pacific and Great Lakes

ports, subject to acceptance by the Nigerian Produce Marketing Company. The agreement also provides for an agency arrangement between the parties and permits the Nigerian National Shipping Line to allocate tonnage to carriers other than Farrell who have regularly served the trade.

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 24, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-4238; Filed, Apr. 28, 1964; 8:47 a.m.]

MOORE-McCORMACK 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 9320-1 between Moore-McCormack Lines and The Oceanic Steamship Company modifies the basic Agreement 9320 to extend the coverage of the agreement to provide for general passenger sales representation by Oceanic for Moore-McCormack in certain islands of the South Pacific including Pago Pago, Samoa; Suva, Fiji; Papeete, Tahiti; and Noumea, New Caledonia.

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 24, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-4240; Filed, Apr. 28, 1964; 8:47 a.m.]

MEMBER LINES OF GULF/SOUTH AND EAST AFRICAN 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 7780-5 between the member lines of the Gulf/South and East African Conference amends the basic agreement to provide for meetings to be held in New York City as well as in New Orleans.

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 24, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-4239; Filed, Apr. 28, 1964; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-673]

ALUMINUM COMPANY OF AMERICA

Notice of Filing of Application for Exemption

APRIL 23, 1964.

Notice is hereby given that Aluminum Company of America ("Alcoa"), 1501 Alcoa Building, Pittsburg 19, Pennsylvania, has filed with this Commission an application, pursuant to section 3(a)(3) of the Public Utility Holding Company Act of 1935 ("Act"), for exemption of it as a holding company and of its subsidiary companies, as such, on the ground that it is only incidentally a holding company. Alcoa has heretofore been granted an exemption pursuant to section 3(a)(3) of the Act, by order issued in 1939. (Aluminum Company of America et al., 5 S.E.C. 640.) Alcoa's stated reason for filing the present application is to update the facts so as to reflect certain changes which have occurred since 1939, and to secure reaffirmation of its exempt status.

All interested persons are referred to the application, on file at the office of the Commission, for a description of Alcoa and its subsidiary companies, the nature of their businesses and operations, and of the facts in support of the application, which are summarized below.

Alcoa is engaged, directly and through subsidiary companies, in the production and sale of aluminum and aluminum products, the mining and processing of raw materials related thereto, and in various other operations. Such activities are carrier on extensively in the United States and in foreign countries.

The aluminum operations of Alcoa require large amounts of electric energy. A portion of these requirements (approximately 2,473 million Kwh in 1963) is generated by Alcoa, a portion is purchased from subsidiary companies, and some energy is purchased from nonaffiliated companies. Six of Alcoa's subsidiary companies are engaged in the generation, transmission or distribution of electric energy. A brief description of these companies, all the securities of which are owned by Alcoa, is presented below.

Alcoa Generating Corporation ("Alcoa Generating") owns an electric generating plant which is located adjacent to Alcoa's Warrick plant near Evansville, Indiana, and is operated by Southern Indiana Gas and Electric Company ("Southern Indiana"), a nonaffiliated company. During 1963, a total of 977,991,100 Kwh was generated and 15,537,000 Kwh was purchased. Of this total, 604,869,100 Kwh (61 percent) was sold to Alcoa and 388,659,000 Kwh was sold to Southern Indiana pursuant to power interchange agreements. It is stated that Alcoa's Warrick plant is only partially completed and that upon completion it will require substantially all of Alcoa Generating's output. In 1963 the generating company's revenues amounted to $7,101,203, of which $5,215,232 were derived from sales to Alcoa and the balance from sales to Southern Indiana. At December 31, 1963, its net plant account amounted to $33,898,421 per books, after deducting applicable reserves of $22,202,260.

Cedars Rapids Transmission Company, Limited ("Cedars Transmission"), a Canadian corporation, owns and operates an electric transmission line extending from a hydro-electric plant owned by a nonaffiliated company in Quebec, Canada, to the United States-Canadian boundary. Cedars Transmission purchases power from this Canadian nonaffiliated company for resale. Of a total of 494,683,000 Kwh purchased in 1963, Cedars Transmission sold 222,560,000 Kwh (45 percent) to Alcoa at the United States-Canadian border, for use in Alcoa's plant at Massena, New York; and 10,516,000 Kwh (2 percent) to Long Sault, Inc. ("Long Sault", formerly St. Lawrence River Power Company), an affiliated company. The balance of available power was sold by Cedars Transmission to a nonaffiliated Canadian company, St. Lawrence Power Company Inc., for distribution in the City of Cornwall, Ontario. Cedars Transmission's revenues in 1963 amounted to $1,460,206, of which $896,053 (61.4 percent) were derived from sales to the nonaffiliated distribution company. At December 31, 1963, its net electric plant per books amounted to $496,180, after deducting applicable reserves of $391,298.

Long Sault owns and operates a transmission line connecting at the interna-

tional boundary with the transmission line of Cedars Transmission and extending to Massena, New York, and a waterworks plant used to supply water to Alcoa. It also purchases and sells relatively small amounts of electric energy for its own account. Its primary business consists of the transmission of power to Alcoa's Massena plant, which power is purchased by Alcoa from Cedars Transmission and from a nonaffiliate; small amounts of power are also transmitted for and sold to nonaffiliates. During 1963, Long Sault transmitted 1,930,953,000 Kwh of energy for Alcoa and a small amount for a nonaffiliate; of a total of 210,793,000 Kwh of energy purchased, about 95 percent was sold to Alcoa. Of Long Sault's total operating revenues in 1963, $1,443,319 (86 percent) were derived from its electric operations, and all but $33,390 thereof represented services rendered and sales made to Alcoa. At December 31, 1963, Long Sault's net electric plant amounted to $2,871,773 per books, after deducting applicable reserves of $2,271,498.

Nantahala Power and Light Company ("Nantahala"), owns and operates 11 hydro-electric plants and a distribution system serving an area of some 2,058 square miles in the western portion of North Carolina. Of a total of 340,594,800 Kwh net generation in 1963, 105,440,570 Kwh (31 percent) was made available to Alcoa for its smelting plant at Alcoa, Tennessee, through agreements with Tapoco Inc. ("Tapoco", formerly Knoxville Power Company), an affiliated company, and the Tennessee Valley Authority ("TVA"), with whose systems the major plants of Nantahala are integrated; and 209,581,241 Kwh (62 percent) of Nantahala's net generation was distributed directly to the public and to nonaffiliates. Nantahala's revenues in 1963 amounted to $3,907,173, of which $3,101,978 (79 percent) represented sales to others than Alcoa; at December 31, 1963, its net plant per books amounted to $13,366,604, after deducting applicable reserves of $22,691,413. Nantahala is subject to the jurisdiction of the North Carolina Public Utilities Commission.

Tapoco owns and operates four hydro-electric plants in Tennessee and North Carolina. All the electric energy produced by Tapoco (amounting, in 1963, to 1,414,422,240 Kwh) was delivered into the Nantahala-Tapoco-TVA interconnected systems pursuant to the agreements previously mentioned. From these systems Tapoco received 1,533,453,670 Kwh, all of which was sold to Alcoa. In 1963, Tapoco's revenues aggregated $5,161,533; its net electric plant per books at December 31, 1963, amounted to $20,311,063, after deducting applicable reserves of $27,641,101.

Yadkin, Inc. ("Yadkin", formerly Carolina Aluminum Company) owns and operates four hydro-electric plants near Badin, North Carolina, and purchases power from others. In 1963, Yadkin generated 740,391,722 Kwh of electric energy and received 18,172,000 Kwh through interchange agreements with nonaffiliates. Of the total, 196,358,958 Kwh (26 percent) were sold to Alcoa for use at its Badin, North Carolina, smelting plant; 526,344,000 Kwh (69 percent) were delivered to nonaffiliated electric companies under interchange and sales agreements; and the balance was accounted for as system losses. It is stated that Alcoa's Badin plant is in the process of extensive remodeling, that its power requirements are currently curtailed, and that upon completion of the remodeling it will require substantially the entire power capacity of Yadkin. In 1963, Yadkin's revenues amounted to $3,789,876, of which $2,775,508 (73 percent) were derived from transactions with Alcoa and the balance from transactions with nonaffiliates. At December 31, 1963, its net electric plant per books amounted to $20,296,430, after deducting related reserves of $13,872,510.

At December 31, 1963, the consolidated assets of Alcoa and consolidated subsidiary companies amounted to $1,463,752,348, after deduction of reserves for depreciation, depletion, etc. At the same date the combined assets of Alcoa's six electric utility subsidiary companies amounted to $96,225,336, after deducting reserves for depreciation, etc. In 1963, Alcoa's consolidated gross revenues amounted to $980,309,806. The combined revenues of its electric utility subsidiary companies amounted to approximately $23 million, of which approximately $7 million were derived from transactions with others than Alcoa.

Notice is further given that any interested person may, not later than May 20, 1964, request in writing that a hearing be held in respect of the application, stating the nature of his interest, the reasons for the request, and the issues of fact or law which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served, personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the address noted first above, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as amended, may be granted or the Commission may take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 64-4215; Filed, Apr. 28, 1964; 8:45 a.m.]

[File No. 70-4204]

IROQUOIS GAS CO. ET AL.

Notice of Proposed Issuance of Short-Term Notes to Banks and Proposed Intra-System Issuance of Short-Term Notes

APRIL 22, 1964.

In the matter of Iroquois Gas Corporation, Pennsylvania Gas Company, United Natural Gas Company, National Fuel Gas Company, 30 Rockefeller Plaza, New York, New York, 10020; File No. 70-4204.

Notice is hereby given that National Fuel Gas Company ("National"), a registered holding company, and three of its gas utility subsidiary companies, Iroquois Gas Corporation ("Iroquois"), Pennsylvania Gas Company ("Penn"), and United Natural Gas Company ("United"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 6(b), 7, 9(a), 10, 12(b), and 12(f) of the Act and Rules 43 and 45 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

National proposes to issue, from time to time between July 1, 1964, and December 31, 1964, unsecured promissory notes to the Chase Manhattan Bank ("Chase") in an aggregate face amount not to exceed $12,500,000 outstanding at any one time. The notes will be dated when issued, will mature on December 31, 1965, will bear interest, payable quarterly, at the prime commercial rate (currently 4½ percent), and will be prepayable, in whole or in part, at any time without penalty, except that a premium of ⅜ of 1 percent must be paid if the prepayment results from borrowings from a bank other than Chase.

Iroquois and Penn propose, from time to time between July 1, 1964, and December 31, 1964, to issue to National, and National proposes to acquire, unsecured promissory notes not to exceed an aggregate face amount of $10,900,000 in the case of Iroquois and $1,600,000 with respect to Penn to be outstanding at any one time. National intends to use the $12,500,000 proceeds of its above-described borrowings from Chase to acquire the notes of Iroquois and Penn. When National borrows from Chase, it will lend such amount to Iroquois and to Penn, as evidenced by their companion notes, on the same day, at the same prime rate, and subject to the same general terms and conditions, except that no prepayment penalty will be incurred by Iroquois and Penn in respect of their notes under any circumstances.

Penn also proposes to issue from time to time during 1964 not in excess of $2,200,000 face amount of unsecured short-term notes to the following banks: First National Bank of Erie, Erie, Pennsylvania, $650,000, and Warren National Bank, Warren, Pennsylvania, $1,550,000. These notes are to be dated as of the date of issue, are to mature not later than nine months from the date thereof, are to bear interest at the prime rate in effect at Chase on the date of issue of each note, and are to be prepayable at any time, in whole or in part, without penalty or premium. The proposed notes will aggregate about 11 percent of the principal amount and par value of Penn's other securities outstanding, and any amount in excess of 5 percent may be issued only

pursuant to an order under section 6(b) of the Act.

United proposes to issue from time to time during 1964 not in excess of $3,700,000 face amount of unsecured short-term notes to the following banks, the maximum amount to be borrowed and outstanding at any one time for each such bank being as follows:

Northwest Pennsylvania Bank & Trust Co., Oil City, Pa.	$500,000
First Seneca Bank & Trust Co., Oil City, Pa.	500,000
The Pennsylvania Bank & Trust Co., Titusville, Pa.	500,000
McDowell National Bank, Sharon, Pa.	270,000
First National Bank of Mercer County, Greenville, Pa.	150,000
The Exchange Bank & Trust Company, Franklin, Pa.	150,000
Mellon National Bank & Trust Co., Pittsburgh, Pa.	1,630,000
Total	3,700,000

These notes are to be dated as of the date of issue, are to mature not later than nine months from the date thereof, are to bear interest at the prime rate of interest in effect at Chase on the date of issuance of each such note, and are to be prepayable at any time, in whole or in part, without penalty or premium. The proposed notes will aggregate 9.2 percent of the principal amount and par value of United's other securities outstanding, and any amount in excess of 5 percent may be issued only pursuant to an order under section 6(b) of the Act.

The proceeds from the aforesaid issuances of notes are to be used by Iroquois, Penn, and United, together with funds available from current operations, for additions to utility plant, for treasury reimbursements for capitalized construction expenditures, and for underground storage gas inventories. Construction expenditures for 1964 are estimated at $7,830,000 for Iroquois, $2,863,000 for Penn, and $5,511,000 for United.

The joint application-declaration states that the Public Service Commission of New York has jurisdiction over the proposed issuance of promissory notes by Iroquois and their sale to National, and that the Pennsylvania Public Utility Commission has jurisdiction over the proposed issuance of promissory notes by Penn and their sale to National. Copies of the requisite State commission orders are to be filed by amendment.

Expenses to be incurred by the companies in connection with the proposed transactions are estimated to aggregate $6,200, including filing fees of $2,500, and counsel fees and expenses of $2,250.

Notice is further given that any interested person may, not later than May 13, 1964, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 64-4216; Filed, Apr. 28, 1964; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3894 etc.]

ATLANTIC REFINING CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

APRIL 21, 1964.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 18, 1964.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE, *Secretary.*

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3894 D 4-10-64	The Atlantic Refining Co. (Operator), et al.	Arkansas Louisiana Gas Co., North Lansing Field, Harrison County, Tex.	12.5541	14.65
G-5377 C 4-9-64	Skelly Oil Co. (Operator), et al.	El Paso Natural Gas Co., Dollarhide Queen Sand Unit, Lea County, N. Mex.	[3] 5.5 [4] 9.0	14.65 14.65
G-6352 C 4-10-64	Continental Oil Co.	United Gas Pipe Line Co., South Cabeza Creek Field, Goliad County, Tex.	12.1848	14.65
G-10318 D 4-10-64	The Atlantic Refining Co.	El Paso Natural Gas Co., acreage in Andrews County, Tex.	Assigned	----
G-12003 D 12-9-60	Socony Mobil Oil Co., Inc.	Phillips Petroleum Co., acreage in Sherman County, Tex.	[5] Assigned	----
G-14997 C 4-9-64	Allegheny Land & Mineral Co.	Hope Natural Gas Co., Union District, Ritchie County, W. Va.	22.0	15.325
G-15714 C 4-9-64	Humble Oil & Refining Co.	Transwestern Pipeline Co., acreage in Ochiltree County, Tex.	17.0	14.65
G-15791 10-27-61 [6]	Sun Oil Co.	Transwestern Pipeline Co., acreage in Hemphill County, Tex.	17.0	14.65
G-18785 E 4-14-64	Socony Mobil Oil Co., Inc. (successor to BBM Drilling Co.).	El Paso Natural Gas Co., Spraberry Field, Midland County, Tex.	10.096	14.65
CI60-32 3-18-64 [5]	Texaco Inc. (Operator), et al.	El Paso Natural Gas Co., LaBarge Unit No. 5 Well, Lincoln and Sublette Counties, Wyo.	15.384	15.025
CI60-175 C-4-13-64	Pubco Petroleum Corp. (Operator), et al.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	12.2295	15.025
CI60-234 C 4-9-64	Carl E. Smith, Inc.	Hope Natural Gas Co., various leases, Smithfield District, Roane County, W. Va.	25.0	15.325
CI60-702 B 6-6-60 [6] (G-4421)	Hassie Hunt Trust	United Gas Pipe Line Co., acreage in Karnes and Goliad Counties, Tex.	Depleted	----
CI61-118 10-21-63 [5]	Texaco Inc. (Operator), et al.	Natural Gas Pipeline Co., of America, Encino, Petronilla, and Luby Fields, San Patricio and Nueces Counties, Tex.	15.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.

See footnotes at end of table.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI61-516 [7] C 8-30-62 C 2-7-63 C 5-13-63 C 1-27-64	Pan American Petroleum Corp.	Michigan-Wisconsin Pipe Line Co., acreage in Woodward County, Okla.	[8] 17.0	14.65
		Acreage in Major County, Okla.	15.0	14.65
CI61-691 D 4-13-64	Sinclair Oil & Gas Co. (Operator), et al.	Michigan-Wisconsin Pipe Line Co., Woodward area of Dewey, Major, Woods, and Woodward Counties, Okla.	Uneconomical	
CI61-752 [7] C 9-10-62	The Atlantic Refining Co.	Michigan-Wisconsin Pipe Line Co., acreage in Woodward County, Okla.	[8] 17.0	14.65
CI63-148 [7] A 8-2-62 7-24-63	The Pure Oil Co.	do	[8] 17.0	14.65
CI63-336 [7] A 9-10-62 5-27-63	Pan American Petroleum Corp.	do	[8] 17.0	14.65
CI63-337 [7] A 9-10-62 5-27-63	do	do	[8] 17.0	14.65
CI63-464 C 4-9-64 [9]	Socony Mobil Oil Co., Inc.	Transcontinental Gas Pipe Line Corp., LaGloria Field, Jim Wells and Brooks Counties, Tex.	8.89088	14.65
CI63-470 C 4-9-64 [9]	do	Natural Gas Pipeline Co. of America, LaGloria Field, Jim Wells and Brooks Counties, Tex.	[10] 10.8231 9.998856	14.65 14.65
CI63-1028 E 4-10-64	Sterling Natural Gas Corp. (successor to Cardinal Drilling Co., Inc.).	Texas Eastern Transmission Corp., Monroe Field, Ouachita Parish, La.	15.75	15.025
CI63-1410 A 5-16-63	Falcon Seaboard Drilling Co., et al. [11]	Michigan-Wisconsin Pipe Line Co., North Oakdale Field, Woodward area, Woods County, Okla.	15.0	14.65
CI63-1468 C 4-15-64	LaGloria Oil and Gas Co.	Arkansas Louisiana Gas Co., Waukomis area, Garfield County, Okla.	16.8 [12] 15.0	14.65
CI64-582 4-10-64 [5]	Hunt Oil Co. (Operator), et al.	Texas Gas Transmission Corp., Cotton Valley Field, Webster Parish, La.	12.0	15.025
CI64-865 A 1-30-64 4-8-64 [13]	Tex-Star Oil & Gas Corp.	El Paso Natural Gas Co., Martinez Unit, LaPlata County, Colo.	13.0	15.025
CI64-1160 B 4-3-64	The Superior Oil Co.	Cities Service Gas Co., Whiterock Field, Noble County, Okla.	Assigned	
CI64-1185 A 4-9-64	Toreador Royalty Corp.	Kansas-Colorado Utilities, Inc., acreage in Stanton County, Kans.	13.5	14.65
CI64-1186 A 4-9-64	Secure Trusts	Northern Natural Gas Co., McKinney (Council Grove) Area, Meade County, Kans.	16.0	14.65
CI64-1187 B 4-8-64	Midwest Oil Corp., et al.	Hope Natural Gas Co., Guilbeau Unit, South Bosco Field, Acadia Parish, La.	Depleted	
CI64-1188 A 4-8-64	Gilcrease Operating Co.	J. A. Heard d.b.a. Heard Oil & Gas (successor to J. A. Heard, trustee), Quinto Creek Field Area, Jim Wells County, Tex.	6.0	14.7
CI64-1189 A 4-6-64	Harry C. Boggs d.b.a. Harry C. Boggs Natural Gas Co. [14] (partial succession).	Hope Natural Gas Co., Salt Sand-Big Injun Sand Fields, Roane County, W. Va.	20.9	15.325
CI64-1190 A 4-9-64	W. L. Moody III, d.b.a. Moody Properties (Operator), et al.	J. A. Heard d.b.a. Heard Oil & Gas (successor to J. A. Heard, trustee) Quinto Creek Field Area, Jim Wells County, Tex.	10.0	14.7
CI64-1191 A 4-9-64	do	do	10.0	14.7
CI64-1192 A 4-9-64	Union Producing Co.	United Gas Pipe Line Co., Strauch-Wilcox, San Domingo and West Tuleta Fields, Bee County, Tex.	15.615	14.65
CI64-1193 B 4-9-64	Cabot Corporation (GLC)	Hope Natural Gas Co., acreage in Calhoun County, W. Va.	[15] Declined in pressure	
CI64-1194 A 4-10-64	Orion Oil Company (Operator), et al.	Transcontinental Gas Pipe Line Co., South Longhorn Field, Duval County, Tex.	9.649701	14.65
CI64-1195 B 4-10-64	J. C. Baker, agent for Gregory Gas Co.	Hope Natural Gas Co., Glade District, Webster County, W. Va.	Uneconomical	
CI64-1196 B 4-10-64	T. J. Garrity, et al.	Hope Natural Gas Co., Murphy District, Ritchie County, W. Va.	Uneconomical	
CI64-1197 A 4-9-64	Associated Oil & Gas Co. (Operator), et al.	Lone Star Gathering Co., Solebert (Wilcox) Field, Goliad County, Tex.	15.0	14.65
CI64-1198 A 4-10-64	Pan American Petroleum Corp.	Lone Star Gas Co., Penn-Griffith Field, Rusk County, Tex.	14.69	14.65
CI64-1199 A 4-10-64	Skelly Oil Co.	Arkansas Louisiana Gas Co., Sibley Field, Webster Parish, La.	13.45	15.025
CI64-1200 A 4-13-64	Cherokee Gas Corp.	Texas Gas Transmission Corp., Midland Field, Muhlenberg County, Ky.	15.0	15.025
CI64-1201 A 4-13-64	W. C. McBride, Inc., et al.	United Gas Pipe Line Co., Yougeen Field, Bee County, Tex.	16.4	14.65
CI64-1202 A 4-13-64	Chambers & Kennedy	Northern Natural Gas Co., Hunt-Baggett (Canyon) Field, Crockett County, Tex.	16.0	14.65
CI64-1203 A 4-13-64	Continental Oil Co.	Panhandle Eastern Pipe Line Co., S. E. Alva Field, Woods County, Okla.	15.0	14.65
CI64-1204 A 4-13-64	Texaco Inc.	Arkansas Louisiana Gas Co., Centrahoma Field, Coal County, Okla.	15.0	14.65
CI64-1205 A 4-13-64	Continental Oil Co.	Natural Gas Pipeline Co. of America, Mutual Area, Woodward County, Okla.	17.0	14.65
CI64-1206 A 4-13-64	do	H. L. Hutton, Tonkawa Chat Field, Kay County, Okla.	3.0	14.65
CI64-1207 A 4-13-64	H. L. Hutton	Arkansas Louisiana Gas Co., South Braman Field, Kay County, Okla.	11.0	14.65
CI64-1208 A 4-13-64	Robbins Petroleum Corp. (Operator), et al.	Lone Star Gas Co., Peatown, North Field, Gregg County, Tex.	14.49	14.65
CI64-1209 B 4-15-64	Southeastern Gas Co. (formerly Hamilton Gas Corp.).	Hope Natural Gas Co., Hamilton District, Nicholas County, W. Va.	Depleted	
CI64-1210 B 4-15-64	George R. Brown (Operator), et al.	Texas Eastern Transmission Corp., South Lucky Field, Matagorda County, Tex.	Depleted	
CI64-1211 A 4-16-64	Fred V. Shadid, et al.	El Paso Natural Gas Co., South Erick Field, Greer County, Okla.	13.0	14.65
CI64-1212 A 4-15-64	Benson-Montin-Greer Drilling Corp. (successor to The British-American Oil Producing Co.) (partial succession).	El Paso Natural Gas Co., Gallegos Gallup Sand Unit, San Juan County, N. Mex.	12.0	15.025
CI64-1213 A 4-16-64	Shell Oil Co.	Natural Gas Pipeline Co. of America, Fox 1-4 Unit, Northwest Chester Field, Woodward Area, Woodward County, Okla.	17.0	14.65
CI64-1214 B 4-16-64	George R. Brown (Operator), et al.	Tennessee Gas Transmission Co., Sublime Field, Colorado County, Tex.	Depleted	
CI64-1215 A 4-16-64	Colorado Oil and Gas Corp., Operator.	Florida Gas Transmission Co., Savoy Field, St. Landry Parish, La.	15.0	15.025
CI64-1216 A 4-15-64	Shell Oil Co.	Kansas-Colorado Utilities, Inc., West Sparks Field, Stanton County, Kans.	13.5	14.65
CI64-1217 B 4-16-64	Sunray DX Oil Co.	Cities Service Gas Co., acreage in Woodward County, Okla.	Depleted	
CI64-1218 A 4-16-64	Marathon Oil Co.	Garfield Gas Gathering Co., Divide Creek Area, Mesa and Garfield Counties, Colo.	15.0	15.025

See footnotes at end of table.

[1] Rate in effect under E. A. Culbertson and Wallace W. Irwin FPC GRS No. 1 (Docket No. G-6716).
[2] Rate in effect under Gulf Oil Corp. FPC GRS No. 64 (Docket No. G-11635).
[3] Presently effective rate of 10.59238 subject to refund in Docket No. RI62-178. The acreage is nonproductive, therefore no refund obligation.
[4] Amendment filed to reflect reclassification of previously dedicated acreage from nonproductive to productive.
[5] Applicant filed amendment to correctly reflect its status as Operator and include the interest of coowners.
[6] Application to abandon filed in Docket No. CI60-702 will be treated as a petition to amend the certificate in Docket No. G-4421 to permit partial abandonment. Docket No. CI60-702 will be canceled.
[7] Pertaining to that portion of the application related to acreage in the Panhandle Area of Oklahoma. Certificates issued 3-30-64, as to Oklahoma "Other" Area.
[8] As a result of motions for severance from the G-19417, et al., proceedings the applicants have expressed a willingness to accept permanent certificates, conditioned on the same basis as their respective temporary certificates, i.e. Opinion No. 353, for the Panhandle Area.
[9] Adds interest acquired from Wiltex Corp.
[10] Wiltex Corporation's last filed rate.
[11] Applicant agreed to accept a permanent certificate conditioned as provided in the Commission's Opinion No. 353.
[12] Applicant agreed to accept a permanent certificate at 15.0 cents/Mcf.

[9] Original application noticed at an initial price of 14.0 cents/Mcf. Applicant amended its application to provide for an initial price of 13.0 cents/Mcf. As a result of the notice issued in Docket Nos. G-7004, et al., and published in the FEDERAL REGISTER on February 15, 1964 (29 F.R. 2529), The Public Utilities Commission, of the State of California intervened in this proceeding.

[10] Successor to Commonwealth Gas Corp.

[11] Rate of 23.4 cents/Mcf involved in suspension proceeding in Docket No.. RI61-308.

[F.R. Doc. 64-4154; Filed, Apr. 28, 1964; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 302]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

APRIL 24, 1964.

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

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 3379 (Deviation No. 3), SNYDER BROS. MOTOR FREIGHT, INC., 363 Stanton Avenue, Post Office Box 830, Akron, Ohio, filed April 16, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, between Fredericksburg, Va., and Richmond, Va., over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Fredericksburg over U.S. Highway 1 to Petersburg, Va., and return over the same route.

No. MC 29130 (Deviation No. 6), THE ROCK ISLAND MOTOR TRANSIT CO., 2744 Southeast Market Street, Post Office Box 1355, Des Moines 5, Iowa, filed April 13, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Minneapolis-St. Paul, Minn., over Interstate Highway 35 to Kansas City, Mo.-Kans., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Des Moines, Iowa, over U.S. Highway 69 to Ames, Iowa, thence over U.S. Highway 30 to Colo, Iowa, thence over U.S. Highway 64 via Albert Lea, Minn., to Owatonna, Minn. (also from Albert Lea over U.S. Highway 16 to Austin, Minn., thence over U.S. Highway 218 to Owatonna), and thence over U.S. Highway 65 to Minneapolis; from Farmington, Minn., over Minnesota Highway 218 to St. Paul; and, from Kansas City, Mo., over Alternate U.S. Highway 69 to junction U.S. Highway 69, thence over U.S. Highway 69 to Des Moines, and return over the same routes.

No. MC 41792 (Deviation No. 1), HOLDCROFT TRANSPORTATION CO., 32d Street and U.S. Highway North, Sioux City, Iowa, filed April 12, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Sioux City, Iowa, over Interstate Highway 29 to Omaha, Nebr., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Sioux City over U.S. Highway 73 to junction U.S. Highway 77 (formerly U.S. Highway 73W), thence over U.S. Highway 77 to junction Nebraska Highway 32 (formerly U.S. Highway 73W) thence over Nebraska Highway 32 to junction U.S. Highway 73, and thence over U.S. Highway 73 to Omaha, and return over the same route.

No. MC 52709 (Deviation No. 14), RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo., 80216, filed April 10, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Las Vegas, Nev., and junction Interstate Highway 15 and U.S. Highway 99, at or near Colton, Calif., over Interstate Highway 15, for operating convenience only. The notice indicates that the carrier is presently authorized to transport these same commodities over a pertinent service route as follows: From Los Angeles, Calif., over U.S. Highway 99 to junction U.S. Highway 91, at or near Colton, thence over U.S. Highway 91 to Las Vegas, and return over the same route.

No. MC 105807 (Deviation No. 1), RED BALL EXPRESS CO., 6666 Red Ball Expressway, Omaha, Nebr., filed April 13, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Omaha, Nebr., over Interstate Highway 80 to junction U.S. Highway 66, near Joliet, Ill., thence over U.S. Highway 66 to Chicago, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Omaha over U.S. Highway 6 to Moline, Ill., thence over Illinois Highway 92 to junction U.S. Highway 34, thence over U.S. Highway 34 to Chicago; and, from Omaha over U.S. Highway 6 to Council Bluffs, Iowa, thence over U.S. Highway 75 to Missouri Valley, Iowa, thence over U.S. Highway 30 to junction Alternate U.S. Highway 30 and thence over Alternate U.S. Highway 30 to Chicago, and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 166), GREYHOUND LINES, INC., 219 East Short Street, Lexington, Ky., filed April 12, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Lake City, Fla., over U.S. Highway 90 to junction Interstate Highway 75, thence over Interstate Highway 75 to junction Sunshine State Parkway, west of Wildwood, Fla., thence over Sunshine State Parkway to junction U.S. Highway 301, thence over U.S. Highway 301 to Wildwood, also over the following access routes: (1) from junction Interstate Highway 75 and Florida Highway 47 over Florida Highway 47 to Lake City; (2) from Alachua, Fla., over U.S. Highway 27 and Florida Highways 235 and 241 to junction Interstate Highway 75; (3) from Gainesville, Fla., over Florida Highways 24, 26, and 121 to junction Interstate Highway 75; (4) from Ocala, Fla., over U.S. Highway 27 and Florida Highways 40 and 200 to junction Interstate Highway 75; and (5) from Wildwood over Florida Highway 44 and unnumbered highways to junction Interstate Highway 75; and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over pertinent service routes as follows: From Gainesville over U.S. Highway 441 via Ocala to Belleview, thence over U.S. Highway 301 via Wildwood to Dade City, Fla.; from Chiefland, Fla., over alternate U.S. Highway 27 via Bronson, Fla., to Williston, Fla., thence over U.S. Highway 27 to Ocala; from junction Florida Highways 200 and 484, over Florida Highway 200 to Hernando, Fla.; from Lake City, over U.S. Highway 41 to High Springs, Fla., thence over U.S. Highway 441 to Gainesville, thence over Florida Highway 26 to Sannin, Fla.; from Gainesville over Florida Highway 24 to Cedar Keys, Fla.; and from Inverness over Florida Highway 44 to Leesburg, Fla., thence over U.S. Highway 441 to Tavares, Fla., and return over the same routes.

No. MC 107109 (Deviation No. 6), INDIANAPOLIS AND SOUTHEASTERN TRAILWAYS, INC., 1318 North Capital Avenue, Indianapolis, Ind., filed April 16, 1964. Applicant's attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: Between junction Indiana Highway 229 and Interstate Highway 74

and Dent, Ohio, over Interstate Highway 74, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Indianapolis, Ind., over U.S. Highway 421 to Greensburg, Ind., and thence over Indiana Highway 46 to junction U.S. Highway 52, and thence over U.S. Highway 52 to Cincinnati, Ohio, and return over the same route.

No. MC 107109 (Deviation No. 7), INDIANAPOLIS AND SOUTHEASTERN TRAILWAYS, INC., 1318 North Capital Avenue, Indianapolis, Ind., filed April 16, 1964. Applicant's attorney: James E. Wilson, 716 Perpetual Building, 1111 E Street NW., Washington 4, D.C. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From Hammond, Ind., over U.S. Highway 41 to junction U.S. Highway 52, thence over U.S. Highway 52 to La Fayette, Ind., and (B) from junction U.S. Highway 41 and Interstate Highway 94, over Interstate Highway 94 to junction U.S. Highway 30; and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Hammond over Indiana Highway 130 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 421, thence over U.S. Highway 421 to junction Indiana Highway 43, and thence over Indiana Highway 43 to La Fayette, and return over the same route.

By the Commission.

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

[F.R. Doc. 64-4224; Filed, Apr. 28, 1964; 8:45 a.m.]

[Notice 632]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 24, 1964.

Section A. The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Section B. The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., United States standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING

SECTION A

No. MC 1801 (Sub-No. 18), filed April 23, 1964. Applicant: FORD VAN LINES, INC., 56th and Cornhusker Highway, Lincoln, Nebr. Applicant's attorney: Jack Devoe, 214 Sharp Building, Lincoln 8, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Alaska, and (2) between points in Alaska, on the one hand, and, on the other, points in the United States (except points in Hawaii).

HEARING: May 18, 1964, in Room 117, Federal Office Building, 909 First Avenue, Seattle, Wash., before Examiner F. Roy Linn.

No. MC 1931 (Sub-No. 6), filed April 20, 1964. Applicant: MOLLERUP VAN SERVICE, INC., 2900 South Main Street, Salt Lake City, Utah. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Alaska and (2) between points in Alaska, on the one hand, and, on the other, points in the United States.

HEARING: May 18, 1964, in Room 117, Federal Office Building, 909 First Avenue, Seattle, Wash., before Examiner F. Roy Linn.

No. MC 21170 (Sub-No. 48), filed April 21, 1964. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Applicant's attorney: Jack H. Blanshan, 3½ West Main Street, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat poducts, and meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in Sections A, B, and C, of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Columbus Junction, Iowa, to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Kansas, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 31024 (Sub-No. 31), filed April 21, 1964. Applicant: NEPTUNE WORLD-WIDE MOVING, INC., 55 Weyman Avenue, New Rochelle, N.Y. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Alaska and (2) between points in Alaska, on the one hand, and, on the other, points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Illinois, Maine, Maryland, Michigan, Minnesota, Missouri, North Carolina, New Hampshire, Ohio, Tennessee, Wisconsin, Mississippi, Kentucky, Indiana, Georgia, Alabama, South Carolina, Iowa, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: May 18, 1964, in Room 117, Federal Office Building, 909 First Avenue, Seattle, Wash., before Examiner F. Roy Linn.

No. MC 111812 (Sub-No. 242) (REPUBLICATION), filed March 25, 1964, published in FEDERAL REGISTER issue of April 8, 1964, and republished this issue. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in Sections A, B, & C, of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and 766, from Columbus Junction, Iowa, to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Kansas, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: Common control may be involved. The purpose of this republication is to assign the application for hearing.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 113362 (Sub-No. 38), filed April 17, 1964. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's attorney: Marshall D. Becker, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses*, as described in Sections A, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plant site of Rath Packing Co., located at Columbus Junction, Iowa, to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, and the District of Columbia.

NOTE: Applicant states that the proposed operations will be restricted to traffic originating at the plant site of Rath Packing Co., Columbus Junction, Iowa.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

SECTION B

No. MC 67234 (Sub-No. 2) (AMENDMENT), filed October 22, 1958, published in FEDERAL REGISTER issue of March 18, 1964, amended March 23, 1964, and republished, as amended, this issue. Applicant: UNITED VAN LINES, INC., 7808 Maplewood Industrial Court, Maplewood 17, Mo. Applicant's attorney: G. M. Rebman, Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in Alaska, and (2) between points in the United States, on the one hand, and, on the other, points in Alaska.

NOTE: The purpose of this republication is to correctly set forth the proposed operation and to add applicant's attorney.

HEARING: May 18, 1964, at the Federal Office Building, Seattle, Wash., before Examiner F. Roy Linn.

No. MC 107107 (Sub-No. 293), filed December 6, 1963. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Post Office Box 65, Allapattah Station, Miami, Fla., 33142. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from points in Dallam and Hartley Counties, Tex., to points in Alabama, Connecticut, the District of Columbia, Florida, Georgia, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee (except Memphis), and Virginia.

HEARING: June 4, 1964, at the Baker Hotel, Dallas, Tex., before Examiner William A. Royall.

No. MC 113024 (Sub-No. 36) (AMENDMENT), filed June 7, 1963, published in FEDERAL REGISTER issue of June 19, 1963, amended January 24, 1964, and republished, as amended, this issue. Applicant: ARLINGTON J. WILLIAMS, INC., 152 Killoran Drive, New Castle, Del. Applicant's attorney: Samuel W. Earnshaw, 983 National Press Building, Washington 4, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clothing, dry goods, drugs, toilet preparations, materials and supplies used in production and distribution of sewn and latex products, including packing and packaging materials therefor*, and *empty trailers*, between Newnan and Atlanta, Ga., for the account of International Latex Corporation, only.

NOTE: The purpose of this republication is to restrict the proposed operation to the account of International Latex Corporation.

HEARING: June 3, 1964, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga.; before Joint Board No. 101.

No. MC 113024 (Sub-No. 39) (AMENDMENT), filed September 30, 1963, published in FEDERAL REGISTER issue of October 30, 1963, amended January 24, 1964, and republished, as amended, this issue. Applicant: ARLINGTON J. WILLIAMS, INC., 152 Killoran Drive, New Castle, Del. Applicant's attorney: Samuel W. Earnshaw, 983 National Press Building, Washington 4, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Clothing, dry goods, drugs, toilet preparations, materials and supplies used in production and distribution of sewn and latex products, including packing and packaging materials therefor*, and *empty trailers*, (1) between La Grange and Manchester, Ga., and Lafayette, Ala., on the one hand and, on the other, Atlanta, Ga., and (2) between La Grange, Manchester, Newnan and Atlanta, Ga. and Lafayette, Ala., on the one hand, and, on the other, Austell, Ga., for the account of International Latex Corporation, only.

NOTE: The purpose of this republication is to restrict the proposed operation to the account of International Latex Corporation.

HEARING: June 3, 1964, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 157.

No. MC 119990 (Sub-No. 1) (CORRECTION), filed April 29, 1963, published in FEDERAL REGISTER, issue of April 15, 1964, and republished as corrected this issue. Applicant: MERCHANTS DELIVERY CO. (a corporation), 1212 East 18th Street, Kansas City, Mo. Applicant's attorney: Lee Reeder, Suite 1010, 1012 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading), from, to, and between points within following described area, and points located on or within five (5) miles of the following highways, from St. Joseph, Mo., over U.S. Highway 59 to Atchinson, Kans., thence over U.S. Highway 73 to junction Kansas Highway 20, thence over Kansas Highway 20 to junction U.S. Highway 75, thence over U.S. Highway 75 to U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 77, thence over U.S. Highway 77, to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 59, thence over U.S. Highway 59 to junction U.S. Highway 169, thence over U.S. Highway 169 to junction U.S. Highway 160, thence over U.S. Highway 160 to U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 166, thence over U.S. Highway 166 to U.S. Highway 59, thence over U.S. Highway 59, to Oklahoma Highway 10, thence over Oklahoma Highway 10 to junction Oklahoma Highway 10C, thence over Oklahoma Highway 10C to junction Missouri-Oklahoma State line, thence south on Missouri-Oklahoma State line to junction U.S. Highway 60, thence over U.S. Highway 60, to junction U.S. Highway 71, thence over U.S. Highway 71 to Harrisonville, thence over Missouri Highway 2 to junction Missouri Highway 131, thence over Missouri Highway 131 to junction Missouri Highway 58, thence over Missouri Highway 58 to U.S. Highway 50, thence over U.S. Highway 50 to Jefferson City, thence over U.S. Highway 63 to U.S. Highway 36, thence over U.S. Highway 36, to St. Joseph, Mo., to the point of beginning.

NOTE: Applicant states the proposed service is restricted to (a) no service shall be rendered in the transportation of any package or article weighing more than fifty (50) pounds or exceeding 110 inches in length and girth combined, and each package or article shall be considered as a separate and distinct shipment, (b) no service shall be rendered between department stores, mail order stores, specialty shops and retail stores and the branches or warehouses of such stores, or between department stores, mail order stores, specialty shops and retail stores or the branches or warehouses thereof, on the one hand, and, on the other, the premises of the customers of such stores, and (c) no services shall be provided in the transportation of packages or articles weighing in the aggregate more than seventy (70) pounds from any one consignor to any one consignee on any one day.

NOTE: The purpose of this republication is to reflect the application is to be heard before a Joint Board, rather than an Examiner.

HEARING: Remains as assigned May 25, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Joint Board No. 180, or if the Joint Board waives its right to participate, before Examiner Theodore M. Tahan.

No. MC 120257 (Sub-No. 3) (CORRECTION), filed December 17, 1963, published in FEDERAL REGISTER issue of April 1, 1964, and republished as corrected this issue. Applicant: K. L. BREEDEN AND SONS, INC., 401 Alamo Street, Terrell, Tex. Applicant's attorney: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipe fittings, pipe connections*, and *pipe couplings* (except those used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts), from Lone Star and Bond, Tex. to points in Kansas, Missouri, Tennessee, Mississippi, Alabama, Florida, and Georgia, and *returned and rejected shipments thereof*, on return.

NOTE: The purpose of this republication is to add Bond, Tex., which was inadvertently omitted.

HEARING: Remains as assigned May 20, 1964, at the Baker Hotel, Dallas, Tex., before Examiner Laurence E. Masoner.

NOTICE OF FILING OF PETITIONS

No. MC 1984 (PETITION FOR WAIVER OF RULE 1.101(e) AND FOR LEAVE TO FILE PETITION FOR MODIFICATION OF CERTIFICATE AND PETITION FOR MODIFICATION, CLARIFICATION AND AMENDMENT OF CERTIFICATE), filed April 13, 1964. Petitioner: RUSHTON EXPRESS CO., INC., Paterson, N.J. Petitioner's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Petitioner holds Certificate 1984, dated June 1, 1949. The portion of said certificate sought to be changed, reads: "Textile mill machinery and equipment, over irregular routes, between points and places in New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, and Virginia." By the instant petitioner requests that upon waiver of Rule 1.101(e) and consideration of this petition that an order issue amending and modifying "Textile Mill Machinery and equipment" to read: "Commodities, the transportation of which because of size or weigth requires the use of special

equipment, and of related machinery parts and equipment when their transportation is incidental to the transportation of commodities which by reason of size or weigth require special equipment." Any person or persons desiring to participate in this proceeding may, within 30 days from the date of this publication, become a party to this proceeding by filing representations supporting or opposing the relief sought by this petitioner.

No. MC 37500 (PETITION FOR WAIVER OF THE PROVISIONS OF SECTION 1.101(3) OF THE GENERAL RULES OF PRACTICE, FOR RECONSIDERATION OF THE ORDER DATED OCTOBER 14, 1959, REVOKING CERTIFICATE, AND FOR REINSTATEMENT THEREOF), filed April 13, 1964. Petitioner: ESOR BUS CO., INC., 4237 Liberty Avenue, North Bergen, N.J. Petitioner's attorney: LeRoy Dansiger, 334 King Road, North Burnswick, N.J. Petitioner held a Certificate authorizing the transportation, as a motor common carrier, in interstate or foreign commerce of passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Hudson and Bergen Counties, N.J., to New York, N.Y., and points in Orange, Rockland, Sullivan, Westchester, and Nassau Counties, N.Y., and return. On October 14, 1959, in No. MC–C–2660, petitioner's certificate was revoked for failure to file evidence of insurance. By the instant petition, petitioner requests waiver of the provisions of § 1.101(e) of the general rules of practice; that the order of October 14, 1959, be vacated upon such terms and conditions as to the Commission may seem just and proper; or, in the alternative, that the matter be set down for hearing and an opportunity afforded to show cause why such order should be vacated. Any person or persons desiring to participate in this proceeding may, within 30 days from the date of this publication, become a party to this proceeding by filing representations supporting or opposing the relief sought by petitioner.

No. MC 60186 and MC 93421 (PETITION FOR MODIFICATION OF CERTIFICATE, AND FOR CANCELLATION, CONCURRENTLY WITH SUCH MODIFICATION, OF PERMIT ISSUED IN NO. MC 93421), filed April 9, 1964. Petitioner: NELSON FREIGHTWAYS, INC., 1400 Walnut Street, Camden, N.J. Petitioner's attorneys: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass., and Vernon V. Baker, 821 Transportation Building, Washington 6, D.C. Petitioner, Nelson Freightways, Inc. (which is the present name of the corporation formerly known as R. A. Byrnes, Incorporated), on and prior to June 1, 1935, and continuously since that date, has operated in interstate or foreign commerce as a motor common carrier, in MC 60186, of general commodities, and as a motor contract carrier, in MC 93421, of certain named commodities. On April 11, 1941, the Commission issued petitioner in No. MC 60186, a certificate authorizing, inter alia, the transportation, over irregular routes, of general commodities, except explosives, poles, canned foods, and commodities used in canning or processing food, from and to specified points in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia. On April 25, 1941, the Commission issued petitioner in No. MC 93421, a permit authorizing certain operations as a contract carrier, and on May 14, 1958, issued a superseding permit (embracing No. MC 93421 Sub-1) (*R. A. BYRNES, Inc.—Ext.—Canned Goods*, 68 M.C.C. 57), authorizing operations, over irregular routes, as a contract carrier of canned goods, commodities used in canning or processing food, and returned or rejected shipments of canned goods, from and to specified points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia. By the instant petition, petitioner prays (1) that the proceeding in No. MC 60186 be reopened and the certificate issued therein be modified by eliminating from the commodities excepted from general commodities "canned foods, and commodities used in canning or processing food"; and (2) concurrently with, but conditioned upon modification of the certificate as aforesaid, that the permit issued May 14, 1958, in No. MC 93421 (embracing No. MC 93421 Sub-1), be canceled. Any person or persons desiring to participate in this proceeding may, within 30 days from the date of this publication, become a party to this proceeding by filing representations supporting or opposing the relief sought by petitioner.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC–F–8575 (CARTWRIGHT'S MOVING & STORAGE, INC.—PURCHASE (PORTION)—DOUGLAS W. LAMBERT), published in the October 23, 1963, issue of the FEDERAL REGISTER, on page 11339. Amendment to the application filed April 16, 1964, to include the following additional operating authority sought to be purchased: *Household goods*, as a *common carrier* over irregular routes, between Birmingham, Ala., and points in Alabama, within 100 miles of Birmingham, not including Montgomery, Ala., on the one hand, and, on the other, points in Alabama, Georgia, Tennessee, North Carolina, Mississippi, Florida, Louisiana, and Arkansas.

No. MC–F–8721. Authority sought for purchase by GRAF BROS., INC., 180 Main Street, Salisbury, Mass., of the operating rights of ACTIVE TRUCKING, INC., 100 Massapoag Avenue, Sharon, Mass., and for acquisition by HENRY GRAF, JR., 14 Allen Street, Newburyport, Mass., and FRED WM. GRAF, 27 Rolfes Lane, Newbury, Mass., of control of such rights through the purchase. Applicants' attorneys: Kenneth B. Williams, 111 State Street, Boston, Mass., and Francis E. Barrett, Jr., 182 Forbes Road, Braintree, Mass. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Providence, R.I., and Boston, Mass., serving certain intermediate and off-route points; and *automobile parts, accessories, tires*, and *tubes*, over irregular routes, between Boston and Cambridge, Mass., on the one hand, and, on the other, Bristol, Central Falls, East Greenwich, East Providence, Hope Valley, North Providence, Pawtucket, Providence, Smithfield, Wakefield, Warren, Warwick, Westerly, West Warwick, and Wickford, R.I. Vendee is authorized to operate as a *common carrier* in all States east of the Mississippi River. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8722. Authority sought for control by ALLEN E. KROBLIN, 716 West Sixth Street, Sumner, Iowa, of TAKIN BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa. Applicants' attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver, Colo. Operating rights sought to be controlled: (A) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Chicago, Ill., and Omaha, Nebr., serving all intermediate points in Iowa without restriction, and the off-route point of Joliet, Ill., restricted to pick-up only of *wall paper* and *steel wire*, between Iowa City, Iowa, and Cedar Rapids, Iowa, between Marengo, Iowa, and Belle Plaine, Iowa, between Marshalltown, Iowa, and Des Moines, Iowa, between Avoca, Iowa, and Des Moines, Iowa, serving all intermediate points, various alternate routes for operating convenience only; *packinghouse products* and *fresh meat*, between Omaha, Nebr., and Arcadia, Iowa, serving all intermediate and certain off-route points; *general commodities*, except livestock, Classes A and B explosives, household goods as defined by the Commission, hay, machinery requiring special equipment, and commodities in bulk, between Chicago, Ill., and Mason City, Iowa, serving all intermediate and certain off-route points, RESTRICTION: Service on the immediately above-specified route between Waterloo and Mason City, Iowa, is restricted to traffic which has been originated or received through interchange by said carrier for transportation to or from points beyond Waterloo on its other existing routes, one alternate route for operating convenience only; *packinghouse products* and *dairy products*, in truckload lots, over regular and irregular routes, from Iowa points to Chicago, Ill., serving the intermediate points of Manchester and Dubuque, Iowa, restricted to pickup only; *butter, eggs, dressed poultry*, and *agricultural commodities*, from Avoca, Exira, and Harlan, Iowa, to Chicago, Ill., serving no intermediate points; *fresh meats, packinghouse products*, and *packinghouse sup-*

plies, over irregular routes, between Dunlap, Iowa, and Panama, Persia, and Portsmouth, Iowa, between Denison, Iowa, and Deloit, Iowa, between Arcadia, Iowa, and Botna, and Irwin, Iowa, between Harlan, Iowa, and Panora, Iowa.

RESTRICTION: Service under the authority specified immediately above is restricted to transportation of traffic moving to or from Omaha, Nebr.

GENERAL RESTRICTION: The operating authority granted in Section (A) is restricted against the transportation of traffic between Omaha, Nebr., on the one hand, and, on the other, Waterloo, Cedar Falls, Charles City, and Mason City, Iowa, which originates at and is destined to the points named; (B) *general commodities*, excepting, among others, household goods and commodities in bulk, over regular routes, between Iowa Falls, Iowa, and Mason City, Iowa, serving all intermediate points, between Thornton, Iowa, and Mason City, Iowa, serving the intermediate point of Swaledale, Iowa, from Mason City, Iowa, to Austin, Minn., serving no intermediate points, between Mason City, Iowa, and Grafton, Iowa, serving the intermediate point of Plymouth, Iowa, between La Crescent, Minn., and Davis Corners, Iowa, serving all intermediate points, except that service is not authorized between intermediate points in Minnesota, or between La Crosse, Wis., on the one hand, and, on the other, points on such route, other than Winona, one alternate route for operating convenience only; *general commodities*, between Mason City, Iowa, and Osage, Iowa, between Osage, Iowa, and Stacyville, Iowa, between Osage, Iowa, and Waterloo, Iowa, serving all intermediate points, and the off-route point of Orchard, Iowa, between Riceville, Iowa, and La Crosse, Wis., serving all intermediate points except that service is not authorized from La Crosse to Minnesota points nor from Minnesota points to La Crosse; *livestock*, from Grafton, Iowa, to Austin, Minn., serving intermediate and off-route points within 10 miles of Grafton, for pickup only; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Hampton, Iowa, on the one hand, and, on the other, Latimer, Coulter, Alexander, Rowan, Hansell, Dumont, Sheffield, Dows, and Geneva, Iowa; (C) *general commodities*, excepting, among others, household goods and commodities in bulk, over regular routes, between Cedar Falls, Iowa, and Iowa Falls, Iowa, serving no intermediate points, GENERAL RESTRICTION: The authority granted in Section (C) and the regular route authority granted in Section (A) between Cedar Falls, Iowa, and Mason City, Iowa, and that in Section (B) between Mason City and Iowa Falls, Iowa, shall be construed as comprising only a single operating right as between Cedar Falls and Iowa Falls; *general commodities*, except livestock, Class A and B explosives (not including small fireworks), hay, machinery requiring special equipment, and commodities in bulk, over an alternate route for operating convenience only; *meats, meat products and meat byproducts*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, over a regular route from Spencer, Iowa, to Mason City, Iowa, serving no intermediate points, RESTRICTION: The authority granted herein shall not be joined or tacked to any of carrier's otherwise authorized operating rights for the purpose of rendering any through transportation service of the above-mentioned commodities to destinations in Minnesota or to La Crosse, Wis. ALLEN E. KROBLIN holds no authority from this Commission. However, he is affiliated with KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa, which is authorized to operate as a *common carrier* in Iowa, Illinois, Missouri, Michigan, Indiana, Oklahoma, Kansas, Colorado, Nebraska, Arkansas, Texas, Ohio, Indiana, Pennsylvania, New York, Minnesota, South Dakota, Wisconsin, Florida, New Jersey, California, Virginia, Maryland, Massachusetts, South Carolina, Delaware, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, West Virginia, North Dakota, Alabama, Tennessee, Louisiana, Mississippi, Kentucky, Wyoming, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8725. Authority sought for control by WALTER A. RONEY, Post Office Box 2204, Dearborn, Mich., of BOULEVARD TRANSFER CO., 26380 Van Born Road, Dearborn, Mich. Applicants' attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit 26, Mich. Operating rights sought to be controlled: *Supplies used in construction work*, as a common carrier over irregular routes, between Detroit, Mich., on the one hand, and, on the other, points in Michigan; *roofing, plasterboard*, and *wallboard*, between points in that part of Michigan located on and within a line commencing at Michigan Highway 59 at Lake St. Clair, and extending westerly along Michigan Highway 59 to junction U.S. Highway 23, thence along U.S. Highway 23 to junction Michigan Highway 50, and thence along Michigan Highway 50 to Monroe, Mich., including Monroe, on the one hand, and, on the other, points in Michigan; *heavy machinery and equipment* the transportation of which because of size or weight, requires the use of special equipment, between Detroit, Mich., on the one hand, and, on the other, points in Michigan; *plating equipment and supplies*, used in connection with plating, from Detroit, Mich., to points in that part of Michigan located on and within a line commencing at the most easterly point of the Michigan-Ohio State line, and extending along said State line to junction U.S. Highway 223, thence along U.S. Highway 223 to junction U.S. Highway 127, thence along U.S. Highway 127 to Lansing, Mich., thence northeasterly along Michigan Highway 78 to Flint, Mich., and thence along Michigan Highway 21 to Port Huron, Mich., including Port Huron; and *steel fuel tanks* and *fuel tank accessories*, in lowboy trailers, between Romulus, Mich., on the one hand, and, on the other, points in Michigan, from Romulus, Mich., to points in Ohio, Indiana, Illinois, Wisconsin, Minnesota, and Kentucky. WALTER A. RONEY holds no authority from this Commission. However, he is affiliated with CARTAGE SERVICES, INC., 26380 Van Born Road, Dearborn, Mich., which is authorized to operate as a *common carrier* in Michigan, and Ohio, and as a *contract carrier* in Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8726. Authority sought for control and merger by TRAVELERS MOTOR FREIGHT, INC., 1149 Kenmore Boulevard, Akron, Ohio, 44314, of the operating rights and property of M. & J. TRUCKING CO., INC., Post Office Box 186, Chester, W. Va., and for acquisition by IRVING HALPER, 1890 East 107th Street, Cleveland, Ohio, of control of such rights and property through the transaction. Applicants' attorneys: Charles R. Iden, 500 First National Tower, Akron, Ohio, 44308, and Noel George, 44 East Broad Street, Columbus, Ohio. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Toronto, Ohio, and Pittsburgh, Pa., and Bellaire, Ohio, and Wheeling, W. Va., serving all intermediate points, between Pittsburgh, Pa., and Weirton, W. Va., serving all intermediate points in West Virginia, and serving the off-route points of Moundsville, W. Va., Beaver Falls, Monaca, and New Kensington, Pa., and points in Allegheny County, Pa., except that service to and from Toronto, Ohio, is restricted to pickup and delivery of traffic moving to or from points other than Beaver Falls, Monaca, New Kensington, Pa., and points in Allegheny County, Pa.; between Steubenville, Ohio, and Holidays Cove, W. Va., between Steubenville, Ohio, and West Virginia Highway 2, between Bridgeport, Ohio, and Wheeling, W. Va., between Bellaire, Ohio, and Wheeling, W. Va., serving no intermediate or terminal points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between points in Hancock and Brooke Counties, W. Va., on the one hand, and, on the other, points in that part of Ohio north and east of a line beginning at the Ohio-West Virginia State line and extending along U.S. Highway 40 to Zanesville, Ohio, thence along Ohio Highway 77 to Trinway, Ohio, thence along Ohio Highway 16 to Coshocton, Ohio, thence along Ohio Highway 76 to Wooster, Ohio, thence along Ohio Highway 3 to Medina, Ohio, thence along Ohio Highway 18 to Mallet Corner, Ohio, and thence along Ohio Highway 252 to Lake Erie, including points on the indicated portions of the highways specified. TRAVELERS MOTOR FREIGHT, INC., is authorized to operate as a *common carrier* in West Virginia, Ohio, New Jersey, New York, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC–F–8724. Authority sought for control by UNION BUS LINES, INC., 315 Continental Avenue, Dallas, Tex., 75207,

of WINTER GARDEN BUS LINES, INC., Box 1041, Eagle Pass, Tex., and for acquisition by TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex., 75207, of control of WINTER GARDEN BUS LINES, INC., through the acquisition by UNION BUS LINES, INC. Applicants' attorneys: Carl B. Callaway, and Warren A. Goff, 315 Continental Avenue, Dallas, Tex., 75207. Operating rights sought to be controlled: Passengers, and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a *common carrier*, over regular routes, between Eagle Pass, Tex., and Laredo, Tex., between Eagle Pass, Tex., and Dilley, Tex., between Eagle Pass, Tex., and El Indio, Tex., between Eagle Pass, Tex., and Brackettville, Tex., between junction U.S. Highway 277, and Texas Farm Road 191, and Carrizo Springs, Tex., between Eagle Pass, Tex., and Del Rio, Tex., serving all intermediate points. UNION BUS LINES, INC., is authorized to operate as a *common carrier* in Texas. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

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

[F.R. Doc. 64-4225; Filed, Apr. 28, 1964; 8:46 a.m.]

[Notice 633]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

APRIL 24, 1964.

Section A. The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Section B. The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING

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

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

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

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

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

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

SECTION A

No. MC 3114 (Sub-No. 22), filed April 17, 1964. Applicant: T. H. COMPTON, INC., Great Cacapon, W. Va. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the outlet to the Plantation Oil Line Company, located at or near Newington, Va., to points in Maryland, West Virginia and the District of Columbia.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 106775 (Sub-No. 16), filed April 20, 1964. Applicant: HEAVY HAULERS, INC., 9520 Easthaven Boulevard, Houston, Tex., 77060. Applicant's attorney: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipe fittings, pipe connections, and pipe couplings* (except those used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products), from Lone Star and Bond, Tex. to points in Missouri, Tennessee, Alabama, Florida, and Georgia, and *returned or rejected shipments*, on return.

NOTE: Common control may be involved.

HEARING: May 20, 1964, at the Baker Hotel, Dallas, Tex., before Examiner Laurence E. Masoner.

No. MC 109557 (Sub-No. 12), filed April 21, 1964. Applicant: WILLETT BROS. TRANSPORTATION INC., 315 Carver Avenue NE., Post Office Box 972, Roanoke, Va. Applicant's attorney: Frank B. Hand, Jr., 921 17th Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, Kerosene and fuel oil*, in bulk, in tank vehicles, from Montvale, Va., to points in Buchanan and Tazewell Counties, Va., and in West Virginia.

HEARING: May 25, 1964, at the Federal Building, 400 Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

No. MC 123067 (Sub.-No. 23), filed April 17, 1964. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's attorney: James E. Wilson, 1111 E Street, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, from the terminals of the Colonial Pipe Line located in Fairfax and Prince William Counties, Va., to points in the District of Columbia, Delaware, Maryland, and West Virginia, and *rejected shipments* on return.

NOTE: Common control may be involved.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

No. MC 123067 (Sub-No. 24), filed April 17, 1964. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the terminal of the Colonial Pipe Line, located at or near Montvale, Va., to points in West Virginia and to points in Tazewell County, Va., and *rejected shipments*, on return.

NOTE: Common control may be involved.

HEARING: May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 245, or, if the Joint Board waives its right to participate, before Examiner Leo M. Pellerzi.

No. MC 123156 (Sub-No. 2), filed April 16, 1964. Applicant: RAND'S TRANSPORT, INC., Hammonds Ferry Road, Linthicum, Md. Applicant's attorney: Walter T. Evans, Pennsylvania Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, from distribution outlets of Plantation Pipe Line Co., located at points in Virginia and Maryland, to points in Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia, and *returned and rejected shipments*, on return.

HEARING: May 11, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo M. Pellerzi.

SECTION B

No. MC 3114 (Sub-No. 20) (AMENDMENT), filed August 25, 1963, published in FEDERAL REGISTER issue of April 15, 1964, amended April 17, 1964, and republished as amended this issue. Applicant: T. H. COMPTON, INC., Great Cacapon, W. Va. Applicant's attorney: Dale C.

Dillon, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from terminals on the Colonial Pipe Line located in Fairfax City and Fairfax County, Va., to points in Maryland and West Virginia.

NOTE: The purpose of this republication is to broaden the destination territory.

HEARING: Remains as assigned May 25, 1964, at the Federal Building, 400 North Eighth Street, Richmond, Va., before Joint Board No. 63, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

By the Commission.

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

[F.R. Doc. 64-4226; Filed, Apr. 28, 1964; 8:46 a.m.]

[Notice 4]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OF REGISTRATION

APRIL 24, 1964.

The following applications are filed under section 206(a)(7) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.244, of the Commission's rules of practice published in the FEDERAL REGISTER, issue of December 8, 1962, page 12188, which provides, among other things, that protests to the granting of an application may be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. Protests shall set forth specifically the grounds upon which they are made and contain a concise statement of the interest of the protestant in the proceeding. Protests containing general allegations may be rejected. A protest filed under these special rules shall be served upon applicant's representative (or applicant, if no practitioner representing him is named). The original and six copies of the protests shall be filed with the Commission.

The special rules do not provide for publication of the operating authority, but the applications are available at the Commission's office in Washington, D.C., and the field offices.

Applications not included in this publication will be published at a later date.

MASSACHUSETTS

No. MC 99350 (Sub-No. 1) (REPUBLICATION), filed February 12, 1963, published in FEDERAL REGISTER issue October 2, 1963, and republished this issue. Applicant: VINCENT JAMES SARDO, doing business as CHARLES SARDO TRUCKING, 485 Washington Ave., Revere, Mass., and SALVATORE A. IMBRESCIA, doing business as PAN STATE EXPRESS, 220 Broadway, Revere, Mass., joint applicants.

NOTE: The purpose of this republication is to show Salvatore A. Imbrescia, doing business as Pan State Express, as joint applicant.

No. MC 120818 (Sub-No. 1) (REPUBLICATION), filed February 12, 1963, published in FEDERAL REGISTER issue October 2, 1963, and republished this issue. Applicant: RHUE'S EXPRESS OF BROCKTON, INC., 960 Temple Street, Whitman, Mass., and CAPEWAY FREIGHT LINES, INC., 960 Temple Street, Whitman, Mass., joint applicants.

NOTE: The purpose of this republication is to show Capeway Freight Lines, Inc., as joint applicant.

MICHIGAN

No. MC 1395 (Sub-No. 5) (REPUBLICATION), filed December 26, 1962, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: ALBERT VAN ZOEREN, doing business as ALVAN MOTOR FREIGHT, 1015 West Paterson Street, Kalamazoo, Mich., and CHARLES A. VAN ZOEREN, doing business as ALVAN MOTOR FREIGHT, 1015 West Paterson Street, Kalamazoo, Mich., joint applicants.

NOTE: The purpose of this republication is to show Charles A. Van Zoeren, doing business as Alvan Motor Freight, as joint applicant.

No. MC 14117 (Sub-No. 2) (REPUBLICATION), filed January 11, 1963, published in FEDERAL REGISTER June 12, 1963, and republished this issue. Applicant: GOLDEN & BOTER TRANSFER CO., a corporation, 55 Market Street, Grand Rapids, Mich., and G & B TRANSPORTATION CO., 55 Market Street, Grand Rapids, Mich., joint applicants. Applicant's attorney: William D. Parsley, Union Savings and Loan Building, 117 West Allegan Street, Lansing 23, Mich.

NOTE: The purpose of this republication is to show G & B Transportation Company, as joint applicant.

PENNNSYLVANIA

No. MC 99739 (Sub-No. 2) (REPUBLICATION), filed January 9, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: LOUIS J. PARADISE-THIRD NATIONAL BANK AND TRUST CO. OF SCRANTON, EXECUTOR, doing business as, PARADISE TRUCKING CO., Mill Street, Dunmore, Pa., and CATHERINE M. PARADISE, doing business as, PARADISE TRUCKING CO., Mill Street, Dunmore, Pa., joint applicants.

NOTE: The purpose of this republication is to show Catherine M. Paradise, doing business as, Paradise Trucking Company, as joint applicant.

TENNESSEE

No. MC 56553 (Sub.-No. 12) (REPUBLICATION), filed January 14, 1964, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: PULASKI HIGHWAY EXPRESS, INC., 612 Hamilton Avenue, Nashville, Tenn., and PULASKI HIGHWAY EXPRESS, INC., 612 Hamilton Avenue, Nashville, Tenn., and ELK VALLEY FREIGHT LINE, INC., 524 Hagan Street, Nashville, Tenn., joint applicants.

NOTE: The purpose of this republication is to show Elk Valley Freight Line, Inc. as joint applicant in the matter of the BOR-99 proceeding, so far as Certificates Nos. 272-A, 272-B and 272-C are involved.

TEXAS

No. MC 56794 (Sub-No. 3) (REPUBLICATION), filed February 8, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: ATLAS HAULERS INC., 5225 South Lamar Street, Dallas, Tex., and ROLAND CASH, doing business as ATLAS HAULERS CO., 3007 McGowan, Dallas, Tex., joint applicants.

NOTE: The purpose of this republication is to show Roland Cash, doing business as Atlas Haulers Co., as joint applicant.

No. MC 85715 (Sub-No. 1) (REPUBLICATION), filed February 1, 1963, published in FEDERAL REGISTER issue June 12, 1963, and republished this issue. Applicant: J. V. HARRISON TRUCK LINES, INC., 720 Terminal—Post Office Box 15057, Houston, Tex., and J. V. HARRISON, 720 Terminal—Post Office Box 15057, Houston, Tex., joint applicants.

NOTE: The purpose of this republication is to show J. V. Harrison, as joint applicant.

By the Commission.

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

[F.R. Doc. 64-4227; Filed, Apr. 28, 1964; 8:46 a.m.]

[Notice 634]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

APRIL 24, 1964.

The following applications are governed by § 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protest not in reasonable compliance with the requirements of the rules may be rejected. The original and six (6) copies of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative if named. If the protest inclues a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these

[1] Copies of § 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

No. MC 7523 (Sub-No. 9), filed April 13, 1964. Applicant: VENTURA TRANSFER CO., a corporation, 3440 East South Street, Long Beach 5, Calif. Applicant's attorney: Phil Jacobson, 510 West Sixth Street—Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, between points in California.

NOTE: Applicant holds authority in its Sub-7 Certificate for the above, subject to the following conditions: (1) Service is not authorized from points in Los Angeles, Orange, and Venturia Counties, Calif., to points in California which are ports of entry on the United States-Mexico boundary line. (2) Service is not authorized from points in Los Angeles and Orange Counties, Calif., to points in the Los Angeles Harbor, Calif., Commercial Zone, as defined by the Commission. (3) Service from points in Ventura County, Calif., to points in the Los Angeles Harbor, Calif., Commercial Zone, as defined by the Commission, shall be confined to shipments originated by carrier at Oxnard, Calif., or at points within 4 miles thereof. (4) Service is not authorized for the movement of liquid petroleum gases, in bulk, in tank vehicles, from points in Los Angeles, Orange, Ventura, Santa Barbara, San Luis Obispo, Kern, Kings, Tulare, and Fresno Counties, Calif., to United States-Mexico ports of entry at San Ysidro, Tecate, and Calexico, Calif. (5) Service is not authorized from points in San Diego County, Calif., or from Colton and Niland, Calif., to United States-Mexico ports of entry at Andrade, Calexico, San Ysidro, and Tecate, Calif. (6) The authority granted herein shall not be tacked or joined directly or indirectly with any other authority now held by carrier for the purpose of performing through service from Bakersfield and Kettleman City, Calif., and points within 50 miles thereof, and from Mojave, Calif., to points in Nevada. The purpose of the instant application is to remove restrictions (1), (4), and (5) listed above. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 15511, (Sub-No. 19), filed April 6, 1964. Applicant: CARSTENSEN FREIGHT LINES, INC., Post Office Box 878, Clinton, Iowa, 52733. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Explosives*, between Savanna, Ill., on the one hand, and, on the other, the Savannah Ordnance Depot, Ill.

NOTE: Applicant states that the proposed service will be subject to the restriction that all traffic shall have a prior or subsequent movement by rail. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 16682 (Sub-No. 63), filed April 15, 1964. Applicant: MURAL TRANSPORT, INC., 2900 Review Avenue, Long-Island City 1, N.Y. Applicant's attorney: S. S. Eisen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hospital equipment*, crated and uncrated, from points in Los Angeles County, Calif., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant reqeusts it be held at Los Angeles, Calif.

No. MC 21170 (Sub-No. 47), filed April 21, 1964. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Applicant's attorney: Jack H. Blanshan, 3½ West Main Street, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products*, and *articles distributed by meat packinghouses*, from the plant site of Armour and Company, located near Emporia, Kans., to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Kansas, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 22179 (Sub-No. 6), filed April 6, 1964. Applicant: DUDLEY E. FREEMAN, doing business as FREEMAN TRUCK LINE, Jackson Avenue, Oxford, Miss. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those in bulk, those requiring special equipment, those of unusual value, Classes A and B explosives, livestock and household goods as defined by the Commission), (1) between Grenada, Miss. and Louisville, Miss.; from Grenada over U.S. Highway 51 to Winona, Miss., thence over Mississippi Highway 35 to junction Mississippi Highway 14, thence over Mississippi Highway 14 to Louisville, Miss., thence over Mississippi Highway 15 to Mathiston, Miss. and thence over U.S. Highway 82 to Winona, and return over the same route, serving the intermediate points of Kosciusko and Ackerman, Miss., and (2) between Ackerman, Miss. and Kosciusko, Miss.; from Ackerman over Mississippi Highway 12, and return over the same route, serving no intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kosciusko or Jackson, Miss.

No. MC 30844 (Sub-No. 148), filed April 13, 1964. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Egg cartons*, knocked down, from Morris, Ill., to New Hampton, Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 35835 (Sub-No. 18), filed April 13, 1964. Applicant: JENSEN TRANSPORT, INC., 300 Ninth Avenue SE., Independence, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from Keokuk, Iowa, to points in Arkansas, Illinois, Kansas, Kentucky, Minnesota, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 44761 (Sub-No. 6), filed April 14, 1964. Applicant: LEE BROS., INC., 3659 South Normal Avenue, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packing houses* (other than commodities, in bulk, in tank vehicles), as described in sections A, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the site of the plant of Agar Packing Company, at or near Monmouth, Ill., to points in Indiana, Ohio, Pennsylvania, and the Lower Peninsula of Michigan.

No. MC 46280 (Sub-No. 53), filed April 17, 1964. Applicant: DARLING FREIGHT, INC., 4000 Division Avenue South, Grand Rapids 8, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Minneapolis, St. Paul, South St. Paul, Inver Grove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron's Lake, Fort Snelling, State Fairgrounds, Bloomington, and Plymouth, Minn.

NOTE: If a hearing is deemed necessary applicant requests it be held at Minneapolis, Minn.

No. MC 48958 (Sub-No. 73), filed April 17, 1964. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., doing business as I.C.X, a corporation, 510 East 51st Avenue, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Shipper-owned or United States Government-owned compressed gas trailers loaded with compressed gas or empty, and general commodities* (ex-

cept livestock, household goods as defined by the Commission, and those injurious or contaminating to other lading), between Denver, and Walsenburg, Colo., and Junction U.S. Highway 84 and New Mexico Highway 17 (approximately two (2) miles south of Chama, N. Mex.), (1) from Denver over U.S. Highway 285 to junction Colorado Highway 112 (approximately twelve (12) miles north of Monte Vista), thence over Colorado Highway 112 to Junction 160 located at Del Norte, Colo., (2) from Junction U.S. Highway 285 and Colorado Highway 112, thence over U.S. Highway 285 to junction U.S. Highway 160 located at Monte Vista, (3) from junction U.S. Highway 285 and Colorado Highway 17 approximately five (5) miles south of Villa Grove) over Colorado Highway 17 to junction U.S. Highway 160 located at Alamosa, and (4) from Walsenburg, over U.S. Highway 160 to junction U.S. Highway 84, located at Pagosa Springs, Colo., thence over U.S. Highway 84 to junction New Mexico Highway 17 (approximately two (2) miles south of Chama, N. Mex.), serving no intermediate points, but serving as off-route points all points in Rio Arriba County, N. Mex.

NOTE: Applicant states that the proposed service will be restricted against traffic having an origin or destination on U.S. Highway 550 in New Mexico, and that no duplicate authority is sought. If a hearing is deemed necessary applicant requests it be held at Denver, Colo.

No. MC 50544 (Sub-No. 55), filed April 13, 1964. Applicant: THE TEXAS AND PACIFIC MOTOR TRANSPORT CO., a corporation, 1507 Pacific Avenue, Dallas 1, Tex. Aplicant's attorney: Tom L. Farmer (same adress as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, serving Monument and Oil Center, N. Mex., and points within a five (5) mile radius of each, as off-route points in connection with applicant's authorized regular-route operations between Monahans, Tex., and Lovington, N. Mex.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Hobbs, N. Mex.

No. MC 52709 (Sub-No. 241), filed April 16, 1964. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine* and *brandy*, in bulk, in tank vehicles, from points in California to points in Berrien County, Mich.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 59367 (Sub-No. 15), filed April 15, 1964. Applicant: DECKER TRUCK LINE, INC., Post Office Box 915, Fort Dodge, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), (1) from Denison and Sioux City, Iowa, to points in Illinois, Wisconsin, and the upper peninsula of Michigan, (2) from Fort Dodge, Iowa, to points in Illinois and the upper peninsula of Michigan, (3) from Spencer and Storm Lake, Iowa, to points in Wisconsin, and the upper peninsula of Michigan, and (4) from Perry, Iowa, to points in Wisconsin, the upper peninsula of Michigan, and Illinois (except those in the Chicago, Ill., commercial zone, as defined by the Commission).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 61403 (Sub-No. 106), filed April 17, 1964. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magnetite iron ore, magnetite and processed magnetite*, in bulk, in tank and hopper vehicles, and in bags, from points in Avery, Mitchell, and Watauga Counties, N.C., and Carter, Unicoi, Greene, Washington, and Johnson Counties, Tenn., to points in the United States except Alaska and Hawaii.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C. Common control may be involved.

No. MC 63063 (Sub-No. 4), filed April 14, 1964. Applicant: UNITED PARCEL SERVICE, INC., 643 West 43d Street, New York, N.Y. Applicant's attorney: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are sold by department stores*, between New York, N.Y., and New Haven, Conn.

NOTE: Applicant states the proposed operation will be limited to Macy's New York, a division of R. H. Macy & Co., Inc. Applicant holds common carrier authority in MC 116200 and Subs thereto; therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 65392 (Sub-No. 77), filed April 16, 1964. Applicant: AUTOMOBILE SHIPPERS INC., 9760 Van Dyke, Detroit 13, Mich. Applicant's attorney: George S. Dixon, Suite 1700, One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles, trucks, bodies, cabs and chassis, and parts thereof*, moving therewith, in secondary movements, in truckaway and driveaway service, from Pittsburgh, Pa., to points in Garrett, Alleghany and Washington Counties, Md., District of Columbia, and in West Virginia.

NOTE: Applicant states that the proposed operations will be restricted to traffic originating at Chrysler Corporation manufacturing and assembly plants, having had an immediately prior movement to Pittsburgh by rail carrier. It further states that no duplication of existing authority is sought. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 65525 (Sub-No. 16), filed April 16, 1964. Applicant: WHITE BROTHERS TRUCKING CO., a corporation, Box 96, Wasco, Ill. Applicant's attorney: Walter N. Bieneman, Suite 1700, One Woodward Avenue, Detroit, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete slabs and beams, of such size and weight as to require the use of special equipment, and accessories, and materials incidental to the installation thereof*, (1) from Livonia, Mich., to points in Ohio, Indiana, Pennsylvania, and Kentucky, (2) from Kent, Ohio, to points in Michigan, Kentucky, Indiana, and Pennsylvania, and (3) from Dayton, Ohio, to points in Michigan, Indiana, Pennsylvania, and Kentucky, and *returned and rejected shipments, supplies, and materials, incidental to the manufacture of prestressed concrete slabs, and beams*, on return.

No. MC 76436 (Sub-No. 17), filed April 8, 1964. Applicant: SKAGGS TRANSFER, INC., 2400 Ralph Avenue, Louisville, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities injurious or contaminating to other lading, and commodities which require special equipment), (1) between Munfordville, Ky., and Hardyville, Ky., over Kentucky Highway 88, serving all intermediate points, restricted against service between Munfordville and Louisville, Ky., (2) between Munfordville, Ky., and Bowling Green, Ky., over U.S. Highway 31W, serving all intermediate points, (3) between Horse Cave, Ky., and junction U.S. Highway 31E and Kentucky Highway 218, over Kentucky Highway 218, serving all intermediate points, (4) between Brownsville, Ky., and Edmonton, Ky.: From Brownsville over Kentucky Highway 70 to junction U.S. Highway 68, thence over U.S. Highway 68 to Edmonton, and return over the same route, serving all intermediate points, (5) between Glasgow, Ky., and junction Kentucky Highway 90 and U.S. Highway 31W, over Kentucky Highway 90, serving all intermediate points, (6) between Park City, Ky., and Bonayr, Ky., over Kentucky Highway 255, serving all intermediate points, (7) between Hays, Ky., and Brownsville, Ky., over Kentucky Highway 259, serving all intermediate points, (8) between Scottsville, Ky., and Rhoda, Ky., over Kentucky Highway 101, serving all intermediate points, (9) between Auburn, Ky., and Middleton, Ky., over Kentucky Highway 103, serving all intermediate points, and (10) between Franklin, Ky., and the Kentucky-Tennessee State line, over U.S. Highway 31W, serving all intermediate points, (11) between Louisville, Ky., and Munfordville, Ky., over U.S. Highway 31W, serving no intermediate points, as an alternate route for

operating convenience only, in connection with applicant's authorized regular-route operations, and (12) between junction Kentucky Highway 61 and U.S. Highway 31E, approximately 5 miles northwest of Buffalo, Ky., and the junction of U.S. Highway 31E and Kentucky Highway 470, at a point approximately 6 miles southwest of Buffalo, over U.S. Highway 31E, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations.

NOTE: Applicant states that if the authority sought is granted, the following routes presently held as alternate routes, should be canceled: (1) between junction Kentucky Highway 218 and U.S. Highway 31W at Horse Cave, and junction Kentucky Highway 218 and U.S. Highway 31E near Seymour, Ky., over Kentucky Highway 218, and (2) between Louisville and Bowling Green, Ky., over U.S. Highway 31W. If a hearing is deemed necessary, applicant requests it be held at Bowling Green, Ky.

No. MC 76436 (Sub-No. 18), filed April 13, 1964. Applicant: SKAGGS TRANSFER, INC., 2400 Ralph Avenue, Louisville, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities injurious or contaminating to other lading, and commodities which require special equipment), (1) between the site of the Princeton Company plant near Princeton, Ky., and Nashville, Tenn.: From the site of the Princeton Company plant near Princeton, over Kentucky Highway 128 to junction Kentucky Highway 91, thence over U.S. Highway 41 to Nashville, and return over the same route, serving all intermediate points in Kentucky, (2) between the site of the Princeton Company plant near Princeton, Ky., and Elizabethtown, Ky.,: (a) From the site of the Princeton Company plant near Princeton, over Kentucky Highway 128 to junction Kentucky Highway 91, thence over Kentucky Highway 91 to Princeton, thence over U.S. Highway 62 to Elizabethtown, and return over the same route, serving no intermediate points, and serving Elizabethtown, Ky., for joinder only, (b) from the site of the Princeton Company plant near Princeton, over Kentucky Highway 128 to junction Kentucky Highway 91, thence over Kentucky Highway 91 to junction the Western Kentucky Turnpike, thence over the Western Kentucky Turnpike to Elizabethtown, and return over the same route, serving no intermediate points and serving Elizabethtown, for joinder only, and (3) between Hopkinsville, Ky., and the junction of U.S. Highway 41 and the Western Kentucky Turnpike near Nortonville, Ky.: From Hopkinsville over U.S. Highway 41 to the junction U.S. Highway 41 and the Western Kentucky Turnpike near Nortonville, and return over the same route, serving no intermediate points, serving the junction of U.S. Highway 41 and the Western Kentucky Turnpike near Nortonville, Ky., for joinder only, as an alternate route for operating convenience only, in connection with authorized regular route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 78400 (Sub-No. 21), filed April 15, 1964. Applicant: BEAUFORT TRANSFER CO., a corporation, Post Office Box 102, Gerald, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street., Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel bars, plate or sheet steel, coil or strip steel, hot or cold rolled steel, and steel tubing*, between Gerald, Mo., on the one hand, and, on the other, points in Kentucky, Tennessee, Alabama, Mississippi, Louisiana, Texas, Wisconsin, Georgia, Minnesota, Colorado, and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 89782 (Sub-No. 8), filed April 13, 1964. Applicant: ARTHUR V. STORDAHL, doing business as STORDAHL TRUCK LINES, Thief River Falls, Minn. Applicant's attorney: Alan Foss, 502 First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk), (1) between St. Paul, Minn., and Spooner (Baudette) Minn.: from St. Paul over U.S. Highway 10 to junction U.S. Highway 59, thence over U.S. Highway 59 to junction Minnesota Highway 32 at Thief River Falls, Minn., thence over Minnesota Highway 32 to junction Minnesota Highway 11 at Greenbush, Minn., thence over Minnesota Highway 11 to Spooner, and return over the same route, serving all intermediate points (except those between South St. Paul and Thief River Falls, Minn.), and the off-route points of Minneapolis and South St. Paul, Minn., (2) between junction Minnesota Highway 32 and U.S. Highway 59, and the international boundary line between the United States and Canada, over U.S. Highway 59, serving all intermediate points, (3) between junction Minnesota Highway 11 and Minnesota Highway 89, and Grygla, Minn., over Minnesota Highway 89, serving all intermediate points, (4) between junction Minnesota Highway 89 and Minnesota Highway 11, and the international boundary line between the United States and Canada: From junction Minnesota Highway 89 and Minnesota Highway 11, over Minnesota Highway 11 to Fox, Minn., thence over Minnesota Highway 89 to the international boundary line between the United States and Canada, and return over the same route, serving all intermediate points, (5) between Oslo, Minn., and Grygla, Minn.: From Oslo over Minnesota Highway 1 to junction Minnesota Highway 219, thence over Minnesota Highway 219 to junction Minnesota Highway 89, thence over Minnesota Highway 89 to Grygla, and return over the same route, serving all intermediate points and the off-route point of Viking, Minn. (except that no service shall be provided between the Twin Cities Metropolitan area, on the one hand, and, Warren, Minn., on the other, (6) between junction Minnesota Highway 1 and Minnesota Highway 219, and Clearbrook, Minn.: From junction Minnesota Highway 1 and Minnesota Highway 219 south over County State Aid Road No. 24 to junction County State Aid Road No. 3, thence over State Aid Road No. 3 to junction Minnesota Highway 222 at Oklee, Minn., thence over Minnesota Highway 222 to junction Minnesota Highway 92, thence over Minnesota Highway 92 to Clearbrook, and return over the same route, serving the intermediate points of Trail, Gully, and Gonvick, Minn., (7) between Warroad, Minn., and the international boundary line between the United States and Canada; from Warroad over Minnesota Highway 11 to junction Minnesota Highway 313, thence over Minnesota Highway 313 to the international boundary line between the United States and Canada, and return over the same route, serving all intermediate points, (8) between Roseau, Minn., and the international boundary line between the United States and Canada, over Minnesota Highway 310, serving all intermediate points, (9) between junction U.S. Highway 2 and Minnesota Highway 32, and Thief River Falls, Minn., over Minnesota Highway 32, serving all intermediate points, and (10) between junction U.S. Highway 2 and U.S. Highway 59, and junction U.S. Highway 2 and U.S. Highway 32, over U.S. Highway 2, serving no intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 97116 (Sub-No. 4), filed April 8, 1964. Applicant: WILLIAM BROWN WILLS AND LORNE R. WILLS, doing business as W. B. WILLS AND SON, Main Street, Belleville, Pa. Applicant's attorney: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, moving in express service, between Lewistown, Burnham, Reedsville, and Belleville, Pa., on traffic having a prior or subsequent out-of-state movement.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 97116 (Sub-No. 5), filed April 8, 1964. Applicant: WILLIAM BROWN WILLS AND LORNE R. WILLS, doing business as W. B. WILLS AND SONS, Main Street, Belleville, Pa. Applicant's attorney: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural or farm implements and machinery, and parts and accessories therefor*, and *supplies, materials and equipment* used in the manufacture, assembly and distribution of agricultural or farm implements and machinery, (1) between Belleville and Lewistown, Pa., and (2) between Belleville and Lewistown, Pa., on the one hand, and, on the other, Intercourse, Lancaster, Mountville, and

New Holland, Pa., on traffic having a prior or subsequent out-of-state movement.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 103066 (Sub-No. 19) (AMENDMENT), filed March 27, 1964, published in FEDERAL REGISTER issue of April 15, 1964, amended April 20, 1964, and republished as amended this issue. Applicant: STONE TRUCKING CO., a corporation, Post Office Box 2014, Tulsa, Okla. Applicant's attorney: Austin L. Hatchell, Suite 1102, Perry-Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe, pipeline machinery, materials* and *supplies* used in connection with the construction, operation, maintenance, servicing, repair and dismantling of pipelines, between points in the United States.

NOTE: The purpose of this republication is to delete the restriction. Applicant states no duplicating authority is requested. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Dallas, Tex.

No. MC 105353 (Sub-No. 6), filed April 16, 1964. Applicant KEITH S. MERRITT, doing business as MERRITT PACKING AND CRATING SERVICE, 4700 Ivy Street, Denver, Colo. Applicant's attorney: John H. Lewis, The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, (1) between points in Adams, Arapahoe, Jefferson, and Denver Counties, Colo., (2) between points within a ten (10) mile radius of Colorado Springs, Colo., and (3) between points in Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 106407 (Sub-No. 18), filed April 16, 1964. Applicant: T. E. MERCER TRUCKING CO., a corporation, 920 North Main Street, Fort Worth, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, tubing fittings, and plasticizers, solvents and increasing, reducing, removing, thickening, and thinning compounds*, from Magnolia, Ark., to points in Texas, New Mexico, and Arizona.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Fort Worth, Tex.

No. MC 107107 (Sub-No. 303), filed April 13, 1964. Applicant: ALTERMAN TRANSPORT LINES, INC., Post Office Box 458, Allapattah Station, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned citrus products*, from Waycross, Ga., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Delaware, Kansas, Kentucky, Louisiana, Michigan, Minnesota, New York, Mississippi, Missouri, Nebraska, North Carolina, South Dakota, Oklahoma, South Carolina, Tennessee, Texas, Virginia, Wisconsin, Massachusetts, Connecticut, Rhode Island, Pennsylvania, West Virginia, North Dakota, District of Columbia, New Jersey, Ohio, and points in Maryland.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Orlando or Jacksonville, Fla.

No. MC 107403 (Sub-No. 548) (AMENDMENT), filed March 27, 1964, published in FEDERAL REGISTER, issue April 15, 1964, and republished as amended this issue. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, between points in Knox and Perry Counties, Ohio, on the one hand, and, on the other, points in Pennsylvania, West Virginia, Kentucky, Indiana, and Michigan.

NOTE: The purpose of this republication is to delete the words "in bulk" from the commodity description. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 107643 (Sub-No. 67), filed April 14, 1964. Applicant: ST. JOHNS MOTOR EXPRESS CO., a corporation, 10145 North Portland Road, Portland, Oreg. Applicant's attorney: Robert R. Hollis, 1121 Equitable Building, Portland 4, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, between points in Multnomah County, Oreg., on the one hand, and, on the other, points in Oregon and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 107678 (Sub-No. 35), filed April 13, 1964. Applicant: HILL & HILL TRUCK LINE, INC., 13025 Sarah Lane, Houston, Tex. Applicant's attorney: Joe G. Fender, 2033 Norfolk Street, Houston 6, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Earth drilling machinery, equipment, materials and supplies* (except when used in or in connection with, the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products), (1) between points in New Mexico, Oklahoma, Louisiana, Kansas, and Texas, (2) between Houston, Tex., on the one hand, and, on the other, points in Wyoming, and Montana, (3) between points in Texas, on the one hand, and, on the other, points in North Dakota, on the west of North Dakota Highway 30, and those points in South Dakota, west of the Missouri River, and on and north of U.S. Highway 14, (4) between points in Texas (except Houston), on the one hand, and, on the other, points in Montana, and Wyoming, (5) between points in Texas, and Oklahoma, on the one hand, and, on the other, points in Nevada, (6) between points in Alaska, on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, Wyoming, Nebraska, Nevada, Utah, Colorado, Kansas, New Mexico, Oklahoma, Texas, and Louisiana, (7) between Casper, Wyo., on the one hand, and, on the other, points in Colorado, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming, (8) between points in Alabama, Arkansas, Florida, Georgia, and Mississippi, and (9) between points in Alabama, Arkansas, Florida, Georgia, and Mississippi, on the one hand, and, on the other, points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas.

NOTE: Applicant states that it presently holds Mercer authority between all the areas involved in the instant application. If a hearing is deemed necessary, applicant requests it be held at Houston, Texas.

No. MC 107871 (Sub-No. 28), filed April 14, 1964. Applicant: BONDED FREIGHTWAYS, INC., 441 Kirkpatrick Street West, Post Office Box 1012, Syracuse 2, N.Y. Applicant's attorney: Herbert M. Canter, 345 South Warren Street, Syracuse 2, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Sodium sulfite, sodium bisulfate, sodium hyposulfite and aluminum sulfate*, dry, in bulk, from Claymont, Del., to Rochester, N.Y., and (2) *soda ash, dry*, in bulk, from Solvay, N.Y., to Claymont, Del.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 108194 (Sub-No. 9), filed April 16, 1964. Applicant: WILLIAM B. MEYER, INC., 30 Moffitt Street, Stratford, Conn. Applicant's attorney: Paul J. Goldstein, 109 Church Street, New Haven, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, between Bridgeport, Conn., and points within 15 miles of Bridgeport, on the one hand, and, on the other, points in Connecticut.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Haven, Conn.

No. MC 108453 (Sub-No. 26) (CORRECTION), filed April 2, 1964, published in FEDERAL REGISTER, issue April 15, 1964, and republished as corrected this issue. Applicant: G & A TRUCK LINE, INC., 404 West Peck Avenue, White Pigeon, Mich. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW., Washington 36, D.C.

NOTE: The purpose of this republication is to show that applicant proposes to conduct operations as a contract carrier, not as a common carrier as previously published.

No. MC 109708 (Sub-No. 34), filed April 10, 1964. Applicant: ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 401 Highland Street, Frederick, Md. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vinegar and vinegar stock*, in bulk, in tank vehicles, from Kent City, Mich., to Atlanta, Ga.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110333 (Sub-No. 6), filed April 13, 1964. Applicant: GARRISON ELEVATOR COMPANY, INC., Post Office Box 207, Flora, Ind. Applicant's attorney: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds, and animal and poultry feed ingredients*, in bulk, from Louisville, Ky., to points in Indiana and Illinois.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Louisville, Ky.

No. MC 110525 (Sub-No. 643), (AMENDMENT), filed March 6, 1964, published in FEDERAL REGISTER, issue March 18, 1964, and republished as amended this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, 600 Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from points in Pennsylvania and New York, on the Allegheny Pipeline Co. and Texas Eastern Transmission Corporation (Little Big Inch Division) pipelines, and points in Cortland, Steuben, and Washington Counties, N.Y., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: The purpose of this republication is to add the counties specified above to the origin territory. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 112497 (Sub-No. 225), filed April 13, 1964. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. Applicant's attorneys: E. Stephen Heisley and Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: (1) *Anhydrous hydrofluoric acid*, in bulk, in tank vehicles, from Baton Rouge, La., to points in Montana and New Mexico, and (2) *liquid aluminum sulfate*, in bulk, in tank vehicles, from Marrero, La. to points in Alabama.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 112520 (Sub-No. 102), filed Arpil 15, 1964. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* and *acids*, in bulk, from Avondale, La., to points in Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 114897 (Sub-No. 49) (AMENDMENT), filed March 2, 1964, published in FEDERAL REGISTER issue March 18, 1964, amended April 20, 1964, and republished as amended this issue. Applicant: WHITFIELD TANK LINES, INC., 300–316 North Clark Road, Post Office Box 9897, El Paso, Tex. Applicant's attorney: O. Russell Jones, 207 Bokum Building, 142 West Palace Avenue, Santa Fe, N. Mex. Authority sought to operate as as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals, acids, fertilizer solutions and anhydrous ammonia*, in bulk, in tank vehicles, and (2) *fertilizer*, in bulk, in tank and hopper vehicles, between points in Arizona on the one hand, and, on the other, points in New Mexico and points in Texas on and west of U.S. Highway 277.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Santa Fe, N. Mex. The purpose of this republication is to add points in Texas on and west of U.S. Highway 277, to the territorial portion of the application.

No. MC 112617 (Sub-No. 174), filed April 13, 1964. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, 600 Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products, chemicals, and oils*, in bulk, between points in California, on the one hand, and, on the other, points in Kentucky.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 113192 (Sub-No. 8), (CORRECTION), filed April 7, 1964, published FEDERAL REGISTER issue April 22, 1964, corrected and republished this issue. Applicant: A. E. KNAPP, doing business as SCHUELKE TRUCKING, Hortonville Road, New London, Wis.

NOTE: The purpose of this republication is to correctly show the applicant's business title, which was inadvertently omitted from the previous publication. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 113784 (Sub-No. 16), filed March 16, 1964. Applicant: CANAL CARTAGE LIMITED, Quigley Road, Hamilton, Ontario, Canada. Applicant's attorney: William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk* (other than cement, dry sugar, and liquid commodities), including *scrap metal, metal slabs, metal pigs and grinding balls*, in dump vehicles and tank vehicles, between ports of entry on the International Boundary line between the United States and Canada, located in the states of Michigan, Minnesota, and New York, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, New Jersey, New York, Ohio, and Pennsylvania.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 113908 (Sub-No. 142), filed April 17, 1964. Applicant: ERICKSON TRANSPORT CORP., 706 West Tampa, Post Office Box 3180, Springfield, Mo., 65804. Applicant's attorney: Turner White III, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplements*, from Springfield, Mo., to Berlin and Parsonburg, Md., and Huron, Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 114194 (Sub-No. 68) (CORRECTION), filed February 14, 1964, published FEDERAL REGISTER, issue of March 4, 1964, republished as clarified April 22, 1964, and republished as corrected this issue. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill.

NOTE: The reason for republication is to show applicant's correct address as shown above, in lieu of East St. Louis, Mo., shown in previous publication, in error.

No. MC 114541 (Sub-No. 9), filed April 13, 1964. Applicant: FLORIDA FROZEN FOOD EXPRESS LIMITED, 964 Middlegate Road, Cooksville, Ontario, Canada. Applicant's attorney: Lester M. Bridgeman, 1030 Woodward Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel crushing balls*, from the port of entry on the International Boundary line between the United States and Canada, located at or near Niagara Falls, N.Y., to points in Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115840 (Sub-No. 10), filed April 14, 1964. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Conduit and pipe, composed of cement and asbestos fiber, and fittings, parts, and accessories thereof*, from Ragland, Ala., and points within 3 miles thereof, to points in Mississippi, Louisiana, Arkansas, Texas, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Alabama, Tennessee, Missouri, Oklahoma, and Kansas, and *returned, damaged, and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Atlanta, Ga.

No. MC 115841 (Sub-No. 170), (CORRECTION), filed April 2, 1964, published FEDERAL REGISTER, issue of April 15, 1964, and republished as corrected this issue. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cotton, textiles*, and *textile products*, made of natural or synthetic fibres, *metallic yarn, dry goods, rugs, carpeting, carpeting products*, and

manufactured textile products, between points in North Carolina and South Carolina, on the one hand, and, on the other, points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C. The purpose of this republication is to show applicant's correct docket number as shown above, in lieu of (Sub-No. 171), which was in error.

No. MC 115841 (Sub-No. 172), filed April 17, 1964. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs*, from points in Pike and Spaulding Counties, Ga., to points in Arkansas, Mississippi, Louisiana, Tennessee, Kentucky, Texas, Oklahoma, Missouri, Kansas, Nebraska, Iowa, Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Ohio.

NOTE: Applicant states the above proposed operations will be restricted against tacking or interlining at points of origin, and against commodities in bulk in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116273 (Sub-No. 24), filed April 15, 1964. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. Applicant's attorney: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lead oxide*, in bulk, in tank or hopper-type vehicles, from Chicago, Ill., to points in Ohio, Kentucky, West Virginia, New York, Michigan, New Jersey, and Pennsylvania.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116725 (Sub-No. 8), filed April 20, 1964. Applicant: JOHN S. KELLER, 855 Maple Avenue, Harleysville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* as described in Section B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Minnesota and Wisconsin to Harleysville and Franconia Township, Montgomery County, Pa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa. or Washington, D.C.

No. MC 116958 (Sub-No. 1), filed April 10, 1964. Applicant: SALVATORE TRUCKING & TRUCK LEASING CORP., 915 Douglas Terrace, Union, N.J. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by wholesale grocery houses*, from the site of shipper's plant located at Bayonne, N.J., to points in Fairfield, Hartford, Litchfield, Middlesex, New Haven, and Tolland Counties, Conn., Bergen, Camden, Hudson, Mercer, Middlesex, Monmouth, Morris, Ocean, Somerset, Sussex, and Warren Counties, N.J., Albany, Columbia, Dutchess, Greene, Orange, Putnam, Rensselaer, Rockland, Sullivan, Ulster, and Westchester Counties, N.Y., and Carbon, Lehigh, Montgomery, Northampton, and Philadelphia Counties, Pa.

NOTE: Applicant states it presently holds authority as a contract carrier to transport from New York, N.Y., the same commodities to destination points covered by this application. The purpose of this application is to serve shipper from its plant in Bayonne, N.J., to same destination points as contained in its present permit. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 117136 (Sub-No. 19), filed April 13, 1964. Applicant: BUSY BEE, INC., Post Office Box 3113, Eugene, Oreg. Applicant's attorney: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland 10, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laminated wood products and lumber and timbers*, fabricated and not fabricated, and *connecting hardware items* for the foregoing, from points in Multnomah County, Oreg., to points in Nevada, Arizona, and Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 117823 (Sub-No. 24), filed April 15, 1964. Applicant: RALPH F. DUNKLEY, doing business as DUNKLEY DISTRIBUTING CO., 240 West California Avenue, Salt Lake City 15, Utah. Applicant's attorney: Lon Rodney Kump, 716 Newhouse Building, Salt Lake City, Utah, 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* in vehicles equipped with temperature control devices, (1) from Compton, Calif. to Salt Lake City, Ogden, Provo, and Logan, Utah, and points in Idaho, Wyoming, and Montana, and (2) from storage facilities located at Salt Lake City, Utah to points in Idaho, Wyoming, and Montana.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, Calif.

No. MC 117136 (Sub-No. 20), filed April 13, 1964. Applicant: BUSY BEE, INC., Post Office Box 3113, Eugene, Oreg. Applicant's attorney: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland 10, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Douglas County, Oreg. to points in Nevada.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Portland, Oreg.

No. MC 117883 (Sub-No. 34), filed April 14, 1964. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Applicant's attorney: Taylor C. Burneson, 3430 Le Veque-Lincoln Tower, Fifty West Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat-packing houses*, as described by the Commission in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *supplies, equipment, and materials used by meat-packing houses in the conduct of their business*, between the plant site of the Agar Packing Company, located at or near Monmouth, Ill., on the one hand, and, on the other, points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: Applicant states the proposed service is to be restricted to the transportation of shipments originating at, or destined to, the aforesaid plant of Agar Packing Co., and against the transportation of hides and commodities in bulk, in tank vehicles.

No. MC 118196 (Sub-No. 20), filed April 15, 1964. Applicant: RAYE AND COMPANY TRANSPORTS, INC., Highway 71 North, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, (1) from Shelbyville and Decatur, Ill., and points in Iowa and Nebraska to points in Wyoming, Idaho, Montana, Utah, Nevada, Oregon, Washington, Colorado, California, New Mexico and Arizona, and (2) from Hannibal and Carthage, Mo., to points in Colorado, New Mexico, Arizona, and California.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis Mo.

No. MC 118535 (Sub-No. 17), filed April 13, 1964. Applicant: JIM TIONA, JR., Post Office Box 127, Butler, Mo. Applicant's attorney: Carll V. Kretsinger, Suite 510 Professional Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry animal and poultry feeds and ingredients thereof*, (except in tank or hopper type vehicles), from Kansas City, Mo., to points in Kentucky, and *damaged and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 119268 (Sub-No. 32), filed April 13, 1964. Applicant: OSBORN, INC., Post Office Box 649, Gadsden, Ala. Applicant's representative: M. H. Stephens (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in the lower peninsula of Michigan, to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 119531 (Sub-No. 21), filed April 13, 1964. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a

common carrier, by motor vehicle, over irregular routes, transporting: *Barrels* and *drums*, and *inserts* and *liners* for barrels and drums, from Chicago, Ill., to points in Indiana, Ohio, Michigan, Tennessee, Missouri, Wisconsin, West Virginia, and Kentucky.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119641 (Sub-No. 44), filed April 16, 1964. Applicant: RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, as described in Appendix V to *Descriptions in Motor Carrier Certificates*, Ex Parte MC-45, from Kokomo, Ind., to points in Iowa west of U.S. Highway 69, and *damaged and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 119777 (Sub-No. 24), filed April 17, 1964. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer 31, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, and *iron and steel articles*, as described in Appendix V (except those which because of size or weight require special equipment), between Cincinnati, Ohio, on the one hand, and, on the other, New Orleans, La., and points in Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119815 (Sub-No. 1), filed April 13, 1964. Applicant: INTERSTATE HIGHWAY EXPRESS, INC., 1518 L Street, Bedford, Ind. Applicant's attorney: Ferdinand Born, 1017 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sheets*, corrugated or not corrugated, and *aluminum pipe* or *tubing*, with or without asphalt coating, from Bedford, Ind., to points in Illinois, Ohio, Kentucky, West Virginia, and the St. Louis, Mo., Commercial Zone, and *refused* and *rejected* shipments on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 123407 (Sub-No. 12), filed April 16, 1964. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. Applicant's attorney: Michael E. Miller, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, wallboard, pulpboard and insulation and insulation materials*, from Duluth, Cloquet, Bemidji, and Virginia, Minn., to points in Indiana, Michigan, Ohio, and Pennsylvania.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 123408 (Sub-No. 12), filed April 13, 1964. Applicant: FOOD HAULERS, INC., 600 York Street, Elizabeth, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, and in connection therewith, *equipment, materials, and supplies used in the conduct of such businesses*, between Elizabeth, N.J., on the one hand, and, on the other, points in Maryland, and New London, Windham, and Tolland Counties, Conn., Kent and Sussex Counties, Del., and Hampden County, Mass.

NOTE: Applicant states that the proposed service is to be performed under contract with Wakefern Food Corp. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123639 (Sub-No. 21), filed April 14, 1964. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver 16, Colo. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery goods*, from Denver, Colo., to Indianapolis, Ind., Dayton, Ohio, Louisville, Ky., and Boston, Mass.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124251 (Sub-No. 6), filed April 9, 1964. Applicant: JACK JORDAN, INC., Post Office Box 2044, Highway 41 North, Dalton, Ga. Applicant's attorney: Ariel V. Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feldspathic sand*, in bags and bulk, from points in Spartanburg County, S.C., to points in Georgia and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Spartanburg, S.C.

No. MC 124886 (Sub-No. 1) (CORRECTION), filed March 29, 1964, published in FEDERAL REGISTER issue of April 15, 1964, and republished as corrected this issue. Applicant: PHILIP PICARIELLO, doing business as P & F CARRIERS, 478 Farnham Avenue, Lodi, N.J., Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. The purpose of this republication is to correct the destination city to read as follows: *Woodridge*, N.J., rather than Woodbridge, N.J.

No. MC 124952 (Sub-No. 3), filed April 13, 1964. Applicant: RUSSELL F. HASINBILLER, doing business as R & H TRANSPORT, Rural Route 1, Berne, Ind. Applicant's attorney: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Thermal insulation products, lost circulation materials, and machinery, and materials, used in applying thermal insulation products and lost circulation materials*, from Bluffton, Ind., to points in Arkansas, Connecticut, Delaware, Illinois, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and *institutional news and aluminum sulphate*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 125368 (Sub-No. 6), filed April 17, 1964. Applicant: CONNELL TRANSPORT CO., INC., Post Office Box 846, Warren, Ohio. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts*, and *articles distributed by meat packinghouses*, other than commodities in bulk, in tank vehicles, as described in Sections A, C, and D, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plant site of Agar Packing Company, at or near Monmouth, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, District of Columbia, West Virginia, and Delaware.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 111442, and subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125988 (Sub-No. 2) (CORRECTION), filed April 3, 1964, published FEDERAL REGISTER issue April 15, 1964, corrected and republished this issue. Applicant: A. GORNO, INC., 12451 Haggerty Road, Belleville, Mich. Applicant's attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit, Mich.

NOTE: The purpose of this republication is to show the applicant proposes to operate as a contract carrier, in lieu of common carrier as erroneously shown in previous publication. If a hearing is deemed necessary applicant requests it be held at Detroit, Mich.

No. MC 126155 (CORRECTION), filed March 27, 1964, published in FEDERAL REGISTER issue of April 15, 1964, and republished as corrected this issue. Applicant: GLEN R. WALL, Lanark, Ill. The purpose of this republication is to correctly set forth the origin point as *West Branch*, Iowa, rather than West Bank, Iowa, as previously published.

No. MC 126163 (CORRECTION), filed April 6, 1964, published in FEDERAL REGISTER issue of April 22, 1964, republished as corrected this issue. Applicant: HAROLD COPP, doing business as COPP TRUCKING, Rural Route 1, Columbia City, Ind. Applicant's attor-

ney: Robert C. Smith, 512 Illinois Building, Indianapolis, Ind. The purpose of this republication is to indicate the correct docket number as above. The number was shown as MC 126123 in previous publication through error.

No. MC 126171, filed April 14, 1964. Applicant: THADDEUS A. GORSKI, doing business as GORSKI BULK TRANSPORT, Box 700, Harrow, Ontario, Canada. Applicant's attorney: Eugene C. Ewald, Suite 1700, 100 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crude ammonia liquor*, in bulk, in tank vehicles, (a) from the plant site of the Semet-Solvay Division of the Allied Chemical and Dye Corp., at or near Buffalo (Harriet), N.Y., to the port of entry on the United States-Canada boundary line, at or near Buffalo, N.Y., and (b) from Cleveland, Ohio, to the port of entry on the United States-Canada boundary line, at or near Detroit, Mich. (2) *Dicalcium phosphate* in bags, from Trenton, Mich., to the United States-Canada boundary line at or near Detroit, Mich., and at or near Port Huron, Mich. (3) *Nitrogen solutions* and *anhydrous ammonia*, in bulk, in tank trailers, from Lima and South Point, Ohio, to the United States-Canada boundary line at or near Detroit, Mich., and at or near Port Huron, Mich. (4) *Superphosphate*, in bulk, in hopper or dump vehicles, from Detroit, Mich., and Buffalo, N.Y., to the United States-Canada boundary line at or near Detroit, Mich., at or near Port Huron, Mich.; and at or near Buffalo, N.Y. (5) *Urea*, in bags and in bulk, from Lima and South Point, Ohio, to the United States-Canada boundary line at or near Detroit, Mich., and at or near Port Huron, Mich. (6) *Superphosphate*, in bulk, in hopper or dump vehicles, from Detroit, Mich., and Buffalo, N.Y., to the United States-Canada boundary line at or near Detroit, Mich., and at or near Port Huron, Mich. (7) *Sodium Sesquicarbonate* in bulk and in bags, straight or in mixed loads, in hopper loading and unloading vehicles, from Syracuse, N.Y., to ports of entry on the United States-Canada boundary line on the Niagara River. (8) *Bicarbonate of soda*, in bulk and in bags, in straight or in mixed loads, in hopper loading and unloading vehicles, from Syracuse, N.Y., to ports of entry on the United States-Canada boundary line on the Niagara River. (9) *Urea*, in bulk and in bags, in straight or in mixed loads, in hopper loading and unloading vehicles, from ports of entry on the United States-Canada boundary line at Detroit and Port Huron, Mich., and Buffalo, N.Y., to points in New York, Pennsylvania, New Jersey, Connecticut, Massachusetts, Michigan, Ohio, Indiana, and Illinois, and points in Kenosha, Racine, and Milwaukee Counties, Wis. (10) *Urea*, in bags or in bulk, in straight or mixed loads, in hopper type equipment, from points on the United States-Canada boundary line, at ports of entry at Detroit and Port Huron, Mich., and Buffalo, N.Y., to points in Kenosha, Racine and Milwaukee Counties, Wis., and points in Connecticut, Illinois, Indiana, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, and Ohio. (11) *Urea* (other than liquid), from ports of entry on the International boundary line between the United States and Canada at Buffalo and Niagara Falls, N.Y., and Detroit and Port Huron, Mich., to points in Vermont, West Virginia, Virginia, Kentucky, Wisconsin, Missouri, Iowa, and Minnesota. (12) *Ammonium nitrate, calcium carbide, calcium cyanamide and calcium cyanide* (other than liquid), from the four named ports of entry to points in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Pennsylvania, Ohio, Indiana, Illinois, Michigan, Vermont, West Virginia, Virginia, Kentucky, Wisconsin, Missouri, Iowa, and Minnesota.

NOTE: Applicant states that this is an application for conversion from contract carrier to common carrier of the authority issued and recommended to be issue in MC-116702 and Sub numbers. If a hearing is deemed necessary applicant requests it be held at Detroit, Mich.

No. MC 126175, filed April 10, 1964. Applicant: ALLAN GERKE, doing business as GERKE'S TRANSFER, Tomah, Wis. Applicant's attorney: Claude J. Jasper, Suite 301 Provident Building, 111 South Fairchild Street, Madison, Wis., 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Camp Douglas, Wis., and Sparta, Wis., from Camp Douglas over U.S. Highway 12 through Tomah, Wis., to junction Wisconsin Highway 21 (also, from Tomah, Wis., over U.S. Highway 16 to Sparta), thence over Wisconsin Highway 21 to Sparta, and return over the same routes, serving all intermediate points.

NOTE: Applicant states the above proposed operations will involve shipments having a prior or subsequent movement by motor common carrier. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 126176, filed April 10, 1964. Applicant: HAROLD FISHER, doing business as FISHER'S MOVING & STORAGE, 600 East Walnut Street, Blytheville, Ark. Applicant's attorney: H. G. Partlow, Jr., 313 North Second Street, Blytheville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods, and empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified, between points in Mississippi County, Ark., that part of Craighead County, Ark., on and east of Arkansas Highway 135, that part of Poinsett County, Ark., east of U.S. Highway 63, and that part of Crittenden County, Ark., north of Arkansas Highway 42, and U.S. Highway 61, on the one hand, and, on the other, points in Arkansas bounded on the west by U.S. Highway 67 and on the south by U.S. Highway 79, Arkansas Highway 11 and U.S. Highway 70, serving Helena, Ark., as an off-route point.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Blytheville, Ark.

No. MC 126177 filed April 10, 1964. Applicant: CHARLES TEESLINK, 127 Skyland Drive, Cornelia, Ga. Applicant's attorney: Monty Schumacher, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Poultry meal*, in bulk, from Cornelia, Ga., to Battle Creek, Mich., and *exempt agricultural commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 126178 filed April 10, 1964. Applicant: HENRY W. TAYLOR AND HOMER M. WILLIAMS, doing business as T AND W TRUCKING SERVICE, 220 E. Rogers Street, Harrison, Ark. Applicant's attorney: John H. Joyce, 26 North College Street, Fayetteville, Ark. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hardwood flooring*, finished, prefinished and rough, *linoleum, carpeting, and other materials and supplies* used in connection with installation and construction of floors, (1) from Little Rock and Harrison, Ark., to Kansas City, Mo., Grand Forks Air Force Base, located approximately 15 miles west of Grand Forks, N. Dak., and Minot Air Force Base, located approximately 14 miles north of Minot, N. Dak., and (2) from Kansas City, Mo., to Grand Forks Air Base, located approximately 15 miles west of Grand Forks, N. Dak., and Minot Air Force Base, located approximately 14 miles north of Minot, N. Dak., and *refused, rejected, or damaged shipments thereof and exempt commodities*, in (1) and (2) above, on return.

NOTE: Applicant states that the proposed service is to be performed under a continuing contract with McIntyre Flooring Co., Inc., of Kansas City, Mo. If a hearing is deemed necessary, applicant requests that it be held at Little Rock, Ark.

No. MC 126180 filed April 15, 1964. Applicant: SAM'S 24 HOUR TOWING SERVICE, INC., 9500 Franklin Avenue, Franklin Park, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, repossessed, and stolen motor vehicles, and buses, tractors, trailers, and trucks* for replacement of wrecked, disabled, repossessed, and stolen motor vehicles, between Chicago, Ill., on the one hand, and, on the other, points in Indiana and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 126183, filed April 13, 1964. Applicant: L. S. BOWER, R. L. BOWERS AND R. E. ROBINSON, doing business as BOWERS & SON, 2030 Blake Street, Denver, Colo. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver, Colo., 80202. Authority sought to operate as a *common car-*

rier, by motor vehicle, over irregular routes, transporting: *Store and office furnishings, fixtures, and equipment* (all uncrated, except for component parts moving with uncrated principal items, or service to be confined to moves where the commodities are set in location or picked up from location), between Denver, and points in Denver County, Colo., on the one hand, and, on the other points in Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 126187, filed April 15, 1964. Applicant: ROBERT W. FOUNTAIN, Pickford, Mich. Applicant's attorney: C. W. Coates, 311 Central Savings Bank Building, Sault Ste. Marie, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including U.S. mail and newspapers*, between Hessel, Mich., and Sault Ste. Marie, Mich.: from Hessel over Michigan Highway 134 to Cedarville, Mich., thence over Michigan Highway 129 to Sault Ste. Marie, and return over the same route, serving the intermediate points of Cedarville and Pickford, Mich.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 126188, filed April 15, 1964. Applicant: GEORGE OBERT, doing business as GEORGE OBERT & SONS, 824 South Van Buren Street, Newton, Ill. Applicant's attorney: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty containers and boxes*, knocked down, from Newton, Ill. to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin, and *exempt commodities* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 126189, filed April 13, 1964. Applicant: L. C. B. YOUNG, L. C. B. YOUNG, JR., C. S. STEVENS, AND PAUL B. BILLINGS, doing business as OSCEOLA TRANSIT COMPANY, 401 Elm Circle, Osceola, Ark. Applicant's attorney: James N. Clay, III, 340 Sterick Building, Memphis, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and vegetable oils, and blends thereof*, in bulk, in tank vehicles, between points in Mississippi and Jackson Counties, Ark., on the one hand, and, on the other, points in Shelby County, Tenn.

NOTE: Applicant states the proposed service will be under continuing contract with Hunt-Wesson Sales Company, a Division of Hung Food & Industries, Inc., and Osceola Foods, Inc. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 126190, filed April 10, 1964. Applicant: SAN DIEGO COUNTY TRANSFER AND STORAGE, a corporation, doing business as LA MESA TRANSFER AND STORAGE, 8336 Case Street, La Mesa, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points within a forty (40) mile radius of Solana Beach, Calif.

NOTE: Applicant states the above proposed operations will be performed for exempt freight forwarders. If a hearing is deemed necessary, applicant requests it be held at San Diego, Calif.

No. MC 126191, filed April 13, 1964. Applicant: CECIL P. MORGAN, Rural Route No. 1, Rembrandt, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Buena Vista, Cherokee, Plymouth, Clay, Palo Alto, Emmet, Pocahontas, Woodbury, Ida, Sac, and Calhoun Counties, Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Storm Lake, Iowa.

No. MC 126192, filed April 13, 1964. Applicant: TILLERS, INCORPORATED, 5580 Wadsworth Avenue, Arvada, Colo. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used furniture and household goods*, between Arvada, Colo., and points within 10 miles thereof, on the one hand, and, on the other, points in Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 126193, filed April 15, 1964. Applicant: SIGLE TRUCKING CO., a corporation, Post Office Box 332, North Lima, Ohio. Applicant's attorney: Earl N. Merwin, 85 East Gay Street, Columbus 15, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe-coating materials*, between points in Beaver Township, Mahoning County, Ohio, on the one hand, and, on the other, points in Pennsylvania, West Virginia, and Indiana.

NOTE: Applicant states that the proposed operations will be performed under a continuing contract with Pipe Line Service Corporation of Chicago, Ill. Applicant is also authorized to conduct operations as a common carrier in Certificate MC 19215 and Subs thereunder; therefore dual operations may be involved. If a hearing is deemed necessary applicant requests it be held at Columbus, Ohio.

No. MC 126197, filed April 17, 1964. Applicant: PINEY BRANCH MOTOR, INCORPORATED, U.S. Route 301, Box 36, Brandywine, Md. Applicant's attorney: Lester M. Bridgeman, Woodward Building, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Office trailers, storage trailers, house trailers, mobile homes*, and *van semi-trailers* in truckaway service, in secondary movements, and *office trailers* in initial movements, in truckaway service, between points in Delaware, District of Columbia, those in Maryland and West Virginia on an east of U.S. Highway 220, those in Virginia on and north of U.S. Highway 60, and points in Adams, Chester, Cumberland, Dauphin, and Lancaster Counties, Pa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 44) (CORRECTION), filed April 8, 1964 published FEDERAL REGISTER issue April 22, 1964, republished as corrected, this issue. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill. Applicant's attorney: R. J. Bernard (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, newspapers and mail*, in the same vehicle with passengers, between Hopkinsville, Ky., and junction U.S. Highway 60 and U.S. Highway 62, east of Paducah, Ky.: from Hopkinsville over Kentucky Highway 91 to junction Western Kentucky Turnpike north of Princeton, Ky., thence over Western Kentucky Turnpike to junction Kentucky Highway 278, thence over Kentucky Highway 278 to junction U.S. Highway 62 at or near Kuttawa, Ky., thence over U.S. Highway 62 to junction U.S. Highway 60 east of Paducah, Ky., and return over the same route, serving all intermediate points including the junction of U.S. Highways 60 and 62, except that no passenger shall be handled between points east of the junction of U.S. Highways 60 and 62 and Princeton, Ky., on the one hand, and, on the other, Paducah, Ky., and points beyond.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Paducah, Ky. The purpose of this republication is to show the correct name of the Western Kentucky Turnpike, rather than "Western Kentucky Parkway," as previously published.

No. MC 3647 (Sub-No. 356), filed April 16, 1964. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, (1) between Elizabeth, N.J., and New York, N.Y.: from Elizabeth over New Jersey Highway 439 and Goethals Bridge to New York, and return over the same route, serving all intermediate points. (Restriction: No passengers will be transported whose entire transportation will be between Elizabeth, N.J., and Staten Island, N.Y.) and (2) between Woodbridge Township, N.J., and New York, N.Y.: from the junction U.S. Highway 9 and New Jersey Highway 440, Woodbridge Township, over access roads, New Jersey Highway 440 and Outerbridge Crossing to New York, and return over the same route, serving all intermediate points. (Restriction: no passengers will be transported whose entire transporta-

tion will be between Perth Amboy, N.J., and Staten Island, N.Y.)

NOTE: If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC 88080 (Sub-No. 9), filed March 30, 1964. Applicant: ANZAC TRANSPORTATION CO., a corporation, Post Office Box 99, Gallup, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, baggage*, and *express*, (1) from Chinle, Ariz., to Pinon, Ariz.; from Chinle over County Highway 14 to junction of County Highway 21, thence over County Highway 21 to Pinon, and return over the same route, serving the intermediate points of Low Mountain, Blue Gap, and Salina Springs, and (2) from Chinle, Ariz., to Greasewood, Ariz.; from Chinle over County Highway 12 to junction of County Highway 18, thence over County Highway 18 to junction of County Highway 16, thence over County Highway 16 to junction of County Highway 6, thence over County Highway 6 to Greasewood, and return over the same route, serving the intermediate points of Many Farms, Round Rock, and Lukachukai, and *express*, on return, in (1) and (2) above.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 123444 (Sub-No. 4), filed April 10, 1964. Applicant: HOWARD A. BOWMAN, doing business as BOWMAN BUS SERVICE, Park View, Harrisonburg, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express* in the same vehicle with passengers, between Harrisonburg, Va., and Franklin, W. Va., over U.S. Highway 33, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests that it be held at Franklin, W. Va., or Harrisonburg, Va.

No. MC 123996 (Sub-No. 2), filed April 17, 1964. Applicant: BUCKINGHAM LIVERY, INC., 349 East 76th Street, New York 21, N.Y. Applicant's attorney: Arthur Wagner, 32 Broadway, New York 4, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Airline flight personnel and their baggage in the same vehicle*, in limousines with a seating capacity of not more than 11 passengers, between Newark Airport, Newark, N.J., and John F. Kennedy International Airport, and La Guardia Airport, New York, N.Y., on the one hand, and, on the other, points in the Borough of Manhattan, New York, N.Y., and (2) between Newark Airport, Newark, N.J., on the one hand, and, on the other, John F. Kennedy International Airport and La Guardia Airport, New York, N.Y.

NOTE: Applicant states the proposed operations in (1) and (2) above will be for the accounts of American Airlines, Inc. and Trans World Airlines, Inc. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 125880 (Sub-No. 1), filed March 2, 1964. Applicant: KEY TRANS-PORT SERVICE, INC., 30 West State Street, Granby, Mass. Applicant's attorney: Palmer S. McGee, Jr., One Constitution Plaza, Hartford, Conn., 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle, between Amherst, Mass., Williamstown, Mass., and Worcester, Mass., on the one hand, and, on the other, Bradley Field, Windsor Locks, Conn.:

(1) Between Amherst, Mass., and Bradley Field, Windsor Locks, Conn.: (a) from Amherst over Massachusetts Highway 9 to Northhampton, Mass., thence over U.S. Highway 5 to junction Massachusetts Highway 57 in Agawam, Mass., thence over Massachusetts Highway 57 to junction Massachusetts Highway 5A, thence over Massachusetts Highway 5A to the Connecticut State line, thence over U.S. Highway 5A to junction unnumbered highway known as Mapleton Road, thence over Mapleton Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction Connecticut Highway 75, thence over Connecticut Highway 75 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points, (b) from Amherst over Massachusetts Highway 9 to Northampton, Mass., thence over U.S. Highway 5 to junction Interstate Highway 90, thence over U.S. Highway 5 to junction Interstate Highway 91, thence over Interstate Highway 91 to Connecticut State line, thence over Interstate Highway 91 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points, and (c) from Amherst over Massachusetts Highway 9 to Northampton, Mass., thence over Massachusetts Highway 9 to junction Massachusetts Highway 47, thence over Massachusetts Highway 47 to South Hadley, Mass., thence over town streets to Granby, thence over U.S. Highway 202 to junction Massachusetts Highway 33, thence over Massachusetts Highway 33 to Chicopee, Mass., thence over town streets to Springfield, Mass., thence over city streets to Massachusetts Highway 57, thence over Massachusetts Highway 57 to junction Massachusetts Highway 5A, thence over Massachusetts Highway 5A to the Connecticut State line, thence over U.S. Highway 5A to junction unnumbered highway known as Mapleton Road, thence over Mapleton Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction Connecticut Highway 75, thence over Connecticut Highway 75 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points,

(2) between Williamstown, Mass., and Bradley Field, Windsor Locks, Conn.: (a) from Williamstown over Massachusetts Highway 2 to North Adams, Mass., thence over Massachusetts Highway 8 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Pittsfield, Mass., thence over U.S. Highway 7 to Lenox, Mass., thence over U.S. Highway 20 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Interstate Highway 91, thence over Interstate Highway 91 to the Connecticut State line, thence over Interstate Highway 91 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points, and (b) from Williamstown over Massachusetts Highway 2 to North Adams, Mass., thence over Massachusetts Highway 8 to junction Masachusetts Highway 9, thence over Massachusetts Highway 9 to Pittsfield, Mass., thence over U.S. Highway 7 to Lenox, Mass., thence over U.S. Highway 20 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Massachusetts Highway 10, thence over Massachusetts Highway 10 to Southwick, Mass., thence over unnumbered highway known as Point Grove Road to the Connecticut State line, thence over Point Grove Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction unnumbered highway, thence over said unnumbered highway to junction Connecticut Highway 187, thence over Connecticut Highway 187 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points and (c) from Williamstown over Massachusetts Highway 2 to North Adams, Mass., thence over Massachusetts Highway 8 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Pittsfield, Mass., thence over U.S. Highway 7 to Lenox, Mass., thence over U.S. Highway 7 to Stockbridge, Mass., thence continuing over U.S. Highway 7 to Great Barrington, Mass., thence over Massachusetts Highway 23 and town streets to South Egremont (Jug End Resort Area) and return over the foregoing routes to Stockbridge, thence over Massachusetts Highway 102 to South Lee, Mass., thence over Massachusetts Highway 102 to junction Interstate Highway 90, thence over Interstate Highway 90 to Massachusetts Highway 10, thence over Massachusetts Highway 10 to Southwick, Mass., thence over an unnumbered highway known as Point Grove Road to the Connecticut State line, thence over Point Grove Road to junction Connecticut Highway 190, thence over Connecticut Highway 190 to junction unnumbered highway, thence over said unnumbered highway to junction Connecticut Highway 187, thence over Connecticut Highway 187 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points, and

(3) Between Worcester, Mass., and Bradley Field, Windsor Locks, Conn.: (a) from Worcester over Massachusetts Highway 12 to junction Interstate Highway 90 in Auburn, Mass., thence over Interstate Highway 90 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Interstate Highway 91, thence over Interstate Highway 91 to Connecticut State line, thence over Interstate Highway 91 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all in-

termediate points, and (b) from Worcester over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Massachusetts Highway 169, thence over Massachusetts Highway 169 to Southbridge, Mass., thence over Massachusetts Highway 131 to junction Massachusetts Highway 15, thence over Massachusetts Highway 15 to Interstate Highway 90, thence over Interstate Highway 90 to junction U.S. Highway 5, thence over U.S. Highway 5 to junction Interstate Highway 91, thence over Interstate Highway 91 to Connecticut State line, thence over Interstate Highway 91 to junction Connecticut Highway 20, thence over Connecticut Highway 20 to Bradley Field, Windsor Locks, and return over the same route, serving all intermediate points.

NOTE: Applicant states that the proposed operations will be limited to the transportation of not more than 11 passengers in any one vehicle, not including the driver, and restricted to traffic orginating at or terminating at Bradley Field, Windsor Locks, Conn. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 126044 (CLARIFICATION), filed February 24, 1964, published in FEDERAL REGISTER issue April 1, 1964, clarified April 20, 1964, and republished as clarified this issue. Applicant: MONA A. HEIDENREITER, doing business as HEIDENREITER BUS SERVICE, 542 Wilson Avenue, Sheboygan Falls, Wis. Applicant's attorney: Donald E. Koehn, Ebbers Building, Sheboygan Falls, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, (1) from points in Wisconsin to points in Illinois, or (2) between points in Illinois and points in Wisconsin.

NOTE: Applicant states the proposed service will involve the transportation of nonprofit groups and organizations, many of which will be appearing in competition in various communities, located in the States of Wisconsin and Illinois. The purpose of this republication is to clarify the proposed charter operations, eliminating "beginning and ending at points in Sheboygan County, Wis.," and setting forth (1) and (2) above. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 126181, filed April 13, 1964. Applicant: CARIBOU BUS LINE LTD., Whitemouth, Manitoba, Canada. Applicant's attorney: W. C. Middleton, Beausejour, Manitoba, Canada. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations, from ports of entry on the international boundary line between the United States and Canada located at Noyes, Pine Creek, and International Falls, Minn., and Pembina, N. Dak., to points in North Dakota and Minnesota.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Fargo, N. Dak.

No. MC 126182, filed April 13, 1964. Applicant: STANLEY D. HUFFMAN, doing business as HUFFY'S BUS LINE, Post Office Box 205, South Shore, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, (1) between South Shore, Ky., and Portsmouth, Ohio: (a) from South Shore east over U.S. Highway 23 to Siloam, Ky., and return to South Shore over the above route, thence over city streets in South Shore, thence over U.S. Highway 23 to Portsmouth, and return over the same route, serving all intermediate points, and (b) from South Shore over city streets to Kentucky Highway 1134, thence over Kentucky Highway 1134 to junction Flat Hollow Road, thence over Flat Hollow Road to the Old Howerton Store Bldg., and return over said road to Kentucky Highway 1134, thence over Kentucky Highway 1134 to junction Kentucky Highway 7, thence over Kentucky Highway 7 to South Shore, thence over U.S. Highway 23 to Portsmouth. On return Old U.S. Highway 23 is followed to Fullerton, Ky., thence return over routes set forth above, serving all intermediate points.

NOTE: If a hearing is deemed necessary, applicant requests it be held at South Shore, Ky.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12903, filed April 13, 1964. Applicant: LOUIS E. WEISS, doing business as CAROL TOURS TRAVEL SERVICE, 800 South Florissant Road, Ferguson, Mo. Applicant's attorney: Richard F. Koch, 319 North Fourth Street, St. Louis 2, Mo. For a license (BMC 5) to engage in operations as a *broker* at Ferguson, Mo., in arranging for transportation in interstate or foreign commerce of *passengers and their baggage*, in groups and as individuals, between points in the United States.

No. MC 12904, filed April 14, 1964. Applicant: TRI-LEASING CORP., 93 Broad Street, Springfield, Mass. Applicant's attorney: Arthur M. Marshall, 145 State Street, Springfield 3, Mass. For a license (BMC 5) to engage in operations as a *broker* at Springfield, Mass. and Worcester, Mass., in arranging for transportation by motor vehicle, in interstate or foreign commerce, of *passengers and their baggage*, in the same vehicle, both as individuals and in groups, in round-trip operations, beginning and ending at Springfield, Mass., and Worcester, Mass., and extending to points in Maine, New Hampshire, Vermont, Rhode Island, Connecticut, New York, and New Jersey.

No. MC 12905, filed April 9, 1964. Applicant: NATIONAL TRAVEL CO. INC., 90 State Street, Boston, Mass. For a license (BMC 5) to engage in operations as a *broker* at Boston, Mass., in arranging for transportation, by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, both as individuals and in groups, between points in the United States.

APPLICATIONS FOR FREIGHT FORWARDERS

MOTOR CARRIERS OF PROPERTY

No. FF-313 (SECURITY AUTO FORWARDING CORPORATION-FREIGHT FORWARDER APPLICATION), filed April 16, 1964. Applicant: SECURITY AUTO FORWARDING CORP., 109 North Federal Highway, Fort Lauderdale, Fla. Applicant's attorney: Steadman S. Stahl, Jr., 16 Southeast Sixth Street, Fort Lauderdale, Fla. Authority sought under Section 410, Part IV of the Interstate Commerce Act, to operate as a freight forwarder, in interstate or foreign commerce through the use of the facilities of common carriers by railroad (piggyback) and motor vehicle, of all types of *motor vehicles*, other than motor vehicles which would be considered as new and having never been sold, between points in the United States including Alaska and Hawaii.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 145), filed April 13, 1964. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petrolatum and petroleum oils*, in bulk, in tank vehicles, from Gretna, La., to points in Illinois and Tennessee.

NOTE: Common control may be involved.

No. MC 531 (Sub-No. 146), filed April 13, 1964. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry silica gel catalyst*, in bulk, in pneumatic tank vehicles, from Paulsboro, N.J., to points in New Mexico, Texas, Oklahoma, Louisiana, Colorado, and Kansas.

NOTE: Common control may be involved.

No. MC 42487 (Sub-No. 598), filed March 27, 1964. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: V. R. Oldenburg, Post Office Box 5138, Chicago, Ill., 60680. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, other than small arms ammunition, livestock, and household goods as defined by the Commission), between Chicago, Ill., and St. Louis, Mo., over Interstate Highway 55, as an alternate route for operating convenience only, in connection with applicant's presently authorized regular-route operations.

NOTE: Common control may be involved.

No. MC 61403 (Sub-No. 105), filed April 17, 1964. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *comman carrier*, by motor vehicle, over irregular routes, transporting: *Plasticizers*, in bulk, in tank vehicles, from Dover, Ohio, to points in Arkansas.

NOTE: Common control may be involved.

No. MC 72069 (Sub-No. 3), filed April 7, 1964. Applicant: BLUE HEN LINES, INC., Route 2, Box 87, Milford, Del. Applicant's representative: James H.

Sweeney, 902 Spruce Avenue, Oaklyn, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk and in bags, from Cambridge, Md., to points in Maryland east of Chesapeake Bay and the Susquehanna River, and points in Delaware (except those in Sussex County and except Dover and Middletown).

NOTE: Common control may be involved.

No. MC 79135 (Sub-No. 33) (CORRECTION), filed March 20, 1964, published FEDERAL REGISTER, issue of April 8, 1964, and corrected this issue. Applicant: COSSITT MOTOR EXPRESS, INC., 63 West Kendrick Avenue, Hamilton, N.Y. The purpose of this notice is to correctly show the applicant's name, as above, in lieu of CONSOLI-MOTOR EXPRESS, INC., shown in previous publication, in error.

No MC 107002 (Sub-No. 184), filed April 13, 1964. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Highway 80 West, Jackson, Miss. Applicant's attorney: Harold D. Miller, Jr., Suite 700 Petroleum Building, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids* and *chemicals*, liquid, in bulk, in tank vehicles, from Collierville, Tenn., to points in Texas.

No. MC 107500 (Sub-No. 77), filed April 14, 1964. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: R. J. Schreiber (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Elmwood, Ill. and Peoria, Ill., from Elmwood over Illinois Highway 78 to junction Illinois Highway 8, approximately one (1) mile north of Elmwood, thence over Illinois Highway 8 to Peoria, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations.

No. MC 107500 (Sub-No. 78), filed April 15, 1964. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: R. J. Schreiber, 547 West Jackson Boulevard, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the Rathbun Reservoir Dam site, located near Rathbun, Iowa, as an off-route point in connection with applicant's authorized regular route operations between Albia and Centerville, Iowa.

NOTE: Common control may be involved.

No. MC 123393 (Sub-No. 33) (AMENDMENT), filed March 18, 1964, published in FEDERAL REGISTER, issue of April 8, 1964, amended April 16, 1964, and republished as amended this issue. Applicant: BILYEU REFRIGERATED TRANSPORT CORP., 1914 East Blaine Street, Springfield, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, and *food products in mixed shipments with commodities exempt from economic regulation* pursuant to the provisions of section 203(b)(6) of the Interstate Commerce Act, from California, Mo., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Maryland, Delaware, District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Tennessee, Kentucky, Ohio, Indiana, Michigan, Wisconsin, Illinois, Minnesota, North Dakota, South Dakota, Iowa, Nebraska, Colorado, Florida, Kansas, Oklahoma, Texas, Louisiana, and Arkansas, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo. The purpose of this republication is to add Florida as a destination State.

No. MC 126170, filed April 7, 1964. Applicant: C. C. 'SPIKE' COPLEY GARAGE, INC., 1009 Central Avenue, Charleston, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, stolen, or repossessed vehicles, and replacement vehicles for such wrecked or disabled vehicles, by means of wrecker equipment*, between Charleston, W. Va., on the one hand, and, on the other, points in Ohio, Kentucky, Virginia, Pennsylvania, and North Carolina.

MOTOR CARRIERS OF PASSENGERS

No. MC 57298 (Sub-No. 9), filed April 13, 1964. Applicant: UNION BUS LINES, INC., 315 Continental Avenue, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, their baggage, newspapers and express, in the same vehicle with passengers*, from San Antonio, Tex., over Texas Highway 346, to Poteet, Tex., thence over Texas Highway 476, to Pleasanton, Tex., and return over the same route, serving no intermediate or off-route points.

NOTE: Common control may be involved.

No. MC 59238 (Sub-No. 53), April 15, 1964. Applicant: VIRGINIA STAGE LINES, INC., 114 Fourth Street SE., Charlottesville, Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* and *express* and *newspapers*, in the same vehicle with passengers, between junction Interstate Highway 495 and Interstate Highway 66 in Fairfax County, Va. and junction Interstate Highway 495 and U.S. Highway 240 (near Bethesda, Md.); from junction Interstate Highway 66 and Interstate Highway 495 over Interstate Highway 495 to junction U.S. Highway 240, and return over the same route, serving the junction of Interstate Highway 495 and Interstate Highway 66 and junction Interstate Highway 495 and U.S. Highway 240 for joinder only.

NOTE: Common control may be involved.

No. MC 59238 (Sub-No. 54), filed April 15, 1964. Applicant: VIRGINIA STAGE LINES, INC., 114 Fourth Street SE., Charlottesville, Va. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express* and *newspapers*, in the same vehicle with passengers, between junction Interstate Highway 66 and U.S. Highway 29 near Centerville, Va., and junction Interstate Highway 495 and U.S. Highway 50; from junction Interstate Highway 66 and U.S. Highway 29 over Interstate Highway 66 to Interstate Highway 495, thence over Interstate Highway 495 to junction U.S. Highway 50, and return over the same route, serving the junction U.S. Highway 29 and Interstate Highway 66, the junction Interstate Highway 66 and Interstate Highway 495 and junction Interstate Highway 495 and U.S. Highway 50 for purposes of joinder only.

NOTE: Common control may be involved.

By the Commission.

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

[F.R. Doc. 64-4228; Filed, Apr. 28, 1964; 8:46 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

APRIL 24, 1964.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be ad-

dressed to or filed with the Interstate Commerce Commission.

State Docket No. 3681, filed April 16, 1964. Applicant: DALTON TRANSFER & STORAGE CO., INC., 3300 Second Street NW., Albuquerque, N. Mex. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, including uncrated new and used *household goods* and *furniture, dwellings, buildings* and *structures;* and *automobiles* and moveable *equipment* either by carriage or tow, within the city of Albuquerque, N. Mex., and a ten (10) mile radius thereof, under non-scheduled service, over irregular routes.

HEARING: May 18, 1964 at 9:30 a.m., in the offices of the New Mexico Motor Carriers' Association, Inc., 1500 Hannett NE., Albuquerque, N. Mex.

Request for procedural information, including the time for filing protests, concerning this application should be addressed to the New Mexico State Corporation Commission, Motor Transportation Department, Santa Fe, N. Mex., and should not be directed to the Interstate Commerce Commission.

By the Commission.

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

[F.R. Doc. 64-4229; Filed, Apr. 28, 1964; 8:46 a.m.]

[Rev. S.O. 562, Taylor's I.C.C. Order 162, Amdt. 2]

KANSAS, OKLAHOMA & GULF RAILWAY CO.

Rerouting or Diversion of Traffic

Upon further consideration of Taylor's I.C.C. Order No. 162 (Kansas, Oklahoma & Gulf Railway Company) and good cause appearing therefor:

It is ordered, That Taylor's I.C.C. Order No. 162 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date: This order shall expire at 11:59 p.m., July 31, 1964, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p.m., April 30, 1964, and 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 24, 1964.

INTERSTATE COMMERCE COMMISSION,
[SEAL] CHARLES W. TAYLOR, *Agent.*

[F.R. Doc. 64-4230; Filed, Apr. 28, 1964; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 24, 1964.

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

LONG-AND-SHORT HAUL

FSA No. 38981: *Liquid fertilizers from Kerens, Tex.* Filed by Southwestern Freight Bureau, agent (No. B-8539), for interested rail carriers. Rates on liquid fertilizers, in tank car loads, from Kerens, Tex., to specified points in Wyoming.

Grounds for relief: Market competition.

Tariff: Supplement 93 to Southwestern Freight Bureau, Agent, tariff I.C.C. 4422.

FSA No. 38982: *Joint motor-rail rates—Middlewest Motor Freight.* Filed by Middlewest Motor Freight Bureau, agent (No. 343), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in Middlewest territory; between points in Middlewest territory, on the one hand, and points in Central States and Southwestern territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: Supplement 15 to Middlewest Motor Freight Bureau, agent, tariff MF-I.C.C. 417.

FSA No. 38983: *Sulphuric acid from Copperhill, Tenn., to Zee, La.* Filed by O. W. South, Jr., agent (No. A4503), for interested rail carriers. Rates on sulphuric acid, in tank car loads, from Copperhill, Tenn., to Zee, La.

Grounds for relief: Market competition.

Tariff: Supplement 85 to Southern Freight Association, agent, tariff I.C.C. S-162.

By the Commission.

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

[F.R. Doc. 64-4223; Filed, Apr. 28, 1964; 8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—APRIL

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