

FEDERAL REGISTER

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Agencies in this issue—

Agricultural Research Service
Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Aeronautics Board
Civil Service Commission
Commerce Department
Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Food and Drug Administration
Housing and Home Finance Agency
Immigration and Naturalization
Service
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Public Health Service
Securities and Exchange Commission
Small Business Administration

Detailed list of Contents appears inside.



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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Entire Executive Civil Service

Section 213.3102 is amended to show the exception under Schedule A of certain temporary positions when filled by persons participating in programs established to encourage youth to resume or continue their education. The positions covered are paid at the equivalent of the minimum wage established by the Fair Labor Standards Amendments of 1961, currently \$1.25 an hour, and involve laboring or other routine work. Participants must be at least 16 years old and must be certified by a local organization cooperating with a Federal agency in alleviating youth problems. The Schedule A exception, which may be used only for specific programs and locations identified by the Civil Service Commission, is effective upon publication in the *FEDERAL REGISTER*. Paragraph (v) is added to § 213.3102 as set out below.

§ 213.3102 Entire executive civil service.

(v) Between June 1, 1965, and September 30, 1965, temporary positions whose pay has been fixed at the equivalent of the minimum wage established by the Fair Labor Standards Amendments of 1961 (currently \$1.25 an hour) and whose duties involve laboring work or other work of a routine nature requiring primarily physical effort and no specific knowledges or skills, when filled by persons participating in a program established to encourage youth to resume or continue their education. A person may not be appointed under this authority (1) unless he has reached his 16th birthday and is certified by a local organization cooperating with a Federal agency in alleviating youth problems; or (2) for more than 700 hours. This authority may be used only for those specific programs and locations identified by the Commission.

(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, 1954-58 Comp., p. 218)

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

[F.R. Doc. 65-5103; Filed, May 18, 1965;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 63-SW-82]

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

Alteration of Federal Register Document

On April 27, 1965, Federal Register Document 65-4337 was published (30 F.R. 5827) which, in part, designated the Fort Worth, Tex. (Meacham Field), control zone, effective 0001 e.s.t., July 22, 1965.

Subsequent to the publication of this rule in the *FEDERAL REGISTER*, it was determined that the Fort Worth, Tex., radio beacon, upon which the control zone extension to the north is based, will be relocated to the Meacham Field ILS outer marker site on or about June 24, 1965. As a result of this relocation, the north extension is eliminated herein.

Since this change is less restrictive in nature and imposes no additional burden on any person, notice and public procedures hereon are unnecessary and the effective date of the final rule may be retained as initially adopted.

In consideration of the foregoing, paragraph 7 of Federal Register Document No. 65-4337 is amended, effective immediately, to read as follows:

"In § 71.171 (29 F.R. 17581), the following control zone is added: Fort Worth, Tex. (Meacham Field). That airspace within a 5-mile radius of Meacham Field (latitude 32°49'00" N., longitude 97°21'35" W.); within a 5-mile radius of Carswell AFB (latitude 32°46'20" N., longitude 97°26'30" W.); and within 2 miles each side of the Meacham Field ILS localizer S course, extending from Meacham Field to 6 miles S; excluding the portion W of longitude 97°24'00" W."

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

Issued in Fort Worth, Tex., on May 12, 1965.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 65-5230; Filed, May 18, 1965;
8:45 a.m.]

[Airspace Docket No. 65-WE-7]

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

Modification of Amendment to Control Zone Designation

On March 17, 1965, there was published in the *FEDERAL REGISTER* (30 F.R. 3516)

an amendment to Part 71 of the Federal Aviation Regulations designating a control zone at Napa, Calif.

Subsequent to the publication of the amendment, it was determined that the Federal Aviation Agency control tower at Napa County Airport would become operational during the month of July 1965. Therefore, on April 30, 1965, there was published in the *FEDERAL REGISTER* (30 F.R. 6113) a modification to the previous amendment of Part 71 of the Federal Aviation Regulations, changing the effective date for the commissioning of the Napa, Calif., control zone from June 24, 1965, to July 22, 1965.

Subsequent to the publication of the modification of the amendment additional delay in the commissioning of the Federal Aviation Agency control tower at Napa Airport has been encountered. Therefore, action is taken herein to change the effective date of the rule to August 19, 1965.

Since 30 days will elapse from the time of publication of the rule as initially adopted to the new effective date, this change is made in compliance with section 4 of the Administrative Procedure Act.

In consideration of the foregoing, Airspace Docket No. 65-WE-7 is amended, effective immediately, as follows: "effective 0001 e.s.t., July 22, 1965" is deleted and "effective 0001 e.s.t., August 19, 1965" is substituted therefor.

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

Issued in Los Angeles, Calif., on May 11, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-5231; Filed, May 18, 1965;
8:45 a.m.]

[Airspace Docket No. 65-WE-50]

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

Alteration of Control Zone and Transition Area

The purpose of these amendments to Part 71 of the Federal Aviation Regulations is to alter the Winslow, Ariz., control zone and transition area.

The Winslow control zone and transition area are presently designated, in part, with reference to the Winslow RBN. This facility is being converted to an SABH, non-IFR, type beacon and the prescribed instrument approach procedure is being canceled. Therefore, action is taken herein to revoke the control zone extension and 700-foot transition area extension based on this facility.

Since these amendments are minor in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and these

RULES AND REGULATIONS

amendments may be made effective in less than 30 days.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 est. May 27, 1965, as hereinafter set forth.

1. In § 71.171 (29 F.R. 17642), the Winslow, Ariz., control zone is amended to read:

WINSLOW, ARIZ.

Within a 6-mile radius of Winslow Municipal Airport (latitude 35°01'15" N., longitude 110°43'15" W.).

2. In § 71.181 (29 F.R. 17706), the Winslow, Ariz., transition area is amended to read:

WINSLOW, ARIZ.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of Winslow Municipal Airport (latitude 35°01'15" N., longitude 110°43'15" W.), and within 2 miles each side of the Winslow VORTAC 314° radial, extending from the 9-mile radius area to 8 miles NW of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 10 miles SW and 13 miles NE of the Winslow VORTAC 154° and 334° radials, extending from 15 miles NW to 25 miles SE of the VORTAC.

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

Issued in Los Angeles, Calif., on May 11, 1965.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 65-5232; Filed, May 18, 1965;
8:46 a.m.]

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

[Reg. Docket No. 6645; Amdt. 95-128]

PART 95—IFR ALTITUDES

Miscellaneous Changes

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that 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 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 consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective June 24, 1965, as follows:

1. By amending Subpart C as follows:

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

From, to, and MEA

Dixon INT, Alaska; Sitka, Alaska, LFR; 4,000.

Section 95.264 *Red Federal airway 64* is amended to read:

From, to, and MEA
Dixon INT, Alaska; Annette Island, Alaska, LFR; 4,700.

Section 95.625 *Blue Federal airway 25* is amended to read in part:

Gulkana, Alaska LFR; *Big Delta, Alaska, LFR; **12,000. *9,200—MCA Big Delta LFR, southbound. **11,500—MOCA.

Section 95.1001 *Direct route—United States* is amended by adding:

Albany, Ga., VOR; Lumpkin INT, Ga.; *2,000. *1,900—MOCA.

Albany, Ga., VOR; Turner AFB, Ga., VOR; *1,800. *1,500—MOCA.

Alma, Ga., VOR; Brownstown INT, Ga.; *2,000. *1,400—MOCA.

Alma, Ga., VOR; Liberty, Ga., RBN; *3,000. *1,400—MOCA.

Brownstown INT, Ga., Brunswick, Ga., VOR; *1,500. *1,300—MOCA.

Brownstown INT, Ga., Navy Glync, Ga., RBN; *1,500. *1,300—MOCA.

Brownstown INT, Ga.; Waverly INT, Ga.; *2,500. *1,300—MOCA.

Brunswick, Ga., VOR; Cox INT, Ga.; *1,500. *1,300—MOCA.

Brunswick, Ga., VOR; Liberty, Ga., RBN; *2,000. *1,300—MOCA.

Brunswick, Ga., VOR; Stafford INT, Ga.; *1,500. *1,200—MOCA.

Brunswick, Ga., VOR; Starfish INT, Ga.; *2,000. *1,200—MOCA.

Cox INT, Ga.; Alma, Ga., VOR; *2,000. *1,400—MOCA.

Cox INT, Ga.; Brownstown INT, Ga.; *2,500. *1,200—MOCA.

Cutler INT, Fla.; Biscayne, Fla., VOR; *1,500. *1,100—MOCA.

Desoto INT, Ga.; Turner AFB, Ga., VOR; *1,800. *1,600—MOCA.

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Lee INT, Fla.; Valdosta, Ga., VOR; *1,800. *1,500—MOCA.

Mango INT, Fla.; Miami, Fla., I-MIA, Icrr crs.; *3,000. *1,000—MOCA.

Marlow INT, Ga.; Liberty, Ga., RBN; 2,200. Marlow INT, Ga.; Savannah, Ga., LOM; *1,700. *1,400—MOCA.

Navy Glync, Ga., TACAN; Cox INT, Ga.; *1,500. *1,200—MOCA.

Navy Glync, Ga., TACAN; Stafford INT, Ga.; *1,500. *1,300—MOCA.

Sale INT, Ga.; Turner AFB, Ga., VOR; *1,800. *1,500—MOCA.

Savannah, Ga., VOR; Cox INT, Ga.; *2,000. *1,500—MOCA.

Savannah, Ga., VOR; Alma, Ga., VOR; *3,000. *1,500—MOCA.

Savannah, Ga., VOR; Liberty, Ga., RBN; *2,000. *1,500—MOCA.

Tucker INT, S.C.; Charleston, S.C., LOM; *1,500. *1,300—MOCA.

Valdosta, Ga., VOR; Moody AFB, Ga., VOR; *1,800. *1,500—MOCA.

Valdosta, Ga., VOR; Quitman INT, Ga.; *1,800. *1,600—MOCA.

Int. 296° M rad, BSY, and 152° M rad, MIA; Miami, Fla., MFA; ILS Icrr. crs.; *1,500. *1,300—MOCA.

Gulfport, Miss., VOR; Mouse INT, Miss.; *1,500. *1,500—MOCA.

Mouse INT, Miss.; Wiggins INT, Miss.; 2,500. Columbus, Miss., VOR; Int. 150° M rad, Columbus VOR and 227° M rad, Tuscaloosa VOR; *1,800. *1,600—MOCA. MAA—7,000.

Ennis INT, Tex.; Quitman, Tex., VOR; *4,000. *1,900—MOCA.

West Palm Beach, Fla., VOR; Barracuda INT, Fla. (via control 1,150); 29,000.

West Palm Beach, Fla., VOR; Sturgeon INT, Fla. (via control 1,150); 14,000.

Gadsden, Ala., VOR; Lehigh INT, Ala.; *3,000. *2,500—MOCA.

Gadsden, Ala., VOR; Geraldine INT, Ala.; *3,000. *2,300—MOCA.

From, to, and MEA

Anniston, Ala., VOR; Steele INT, Ala.; *3,000. *2,500—MOCA.

Cairns, Ala., VOR; Clayton INT, Ala.; *2,000. *1,700—MOCA.

Birmingham, Ala., LMM; Trussville INT, Ala.; *2,700. *2,400—MOCA.

Anniston, Ala., VOR; Leeds INT, Ala.; *3,000. *2,600—MOCA.

Section 95.1001 *Direct route—United States* is amended to read in part:

Todd INT, La.; Neptune INT, La.; *5,000. *4,000—MOCA.

Muscle Shoals, Ala., VOR; Nashville, Tenn., VOR (via MSL 024/BNA 205); *3,000. *2,300—MOCA.

Brookwood, Ala., VOR; Bessemer INT, Ala.; *2,800. *2,000—MOCA.

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

Kinston, N.C., VOR; *Zang INT, N.C.; 1,900. *4,000—MRA.

Zang INT, N.C., Barnegat, N.J., VOR; Oak City INT, N.C., Int. 170° M rad, Kennedy VOR and 053° M rad, Barnegat VOR; 1,900. *3,000. *1,600—MOCA.

Int. 170° M rad, Kennedy VOR and 053° M rad, Barnegat VOR; Kennedy, N.Y., VOR; *2,000. *1,500—MOCA.

Kennedy, N.Y., VOR; Int. 010° M rad, Kennedy VOR and 217° M rad, Carmel VOR; *2,500. *1,500—MOCA.

Int. 010° M rad, Kennedy VOR and 217° M rad, Carmel VOR; Carmel, N.Y., VOR; *2,500. *1,900—MOCA.

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

Spokane, Wash., VOR; Rockford DME INT, Wash., westbound 7,200, eastbound 9,000. *5,200—MCA Spokane, VOR; eastbound Rockford DME INT, Wash.; Mullan Pass, Idaho, VOR; 9,000.

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

Jacksonville, Fla., VOR; Via W alter; *O'Neill INT, Fla., via W alter; **1,300. *1,500—MRA. *1,100—MOCA.

O'Neill INT, Fla., via W alter; Brunswick, Ga., VOR; via W alter; *1,500. *1,300—MOCA.

*St. Marys INT, Ga.; Brunswick, Ga., VOR; **1,500. *2,000—MRA. **1,100—MOCA.

Brunswick, Ga., VOR; Fairhope INT, Ga.; *1,500. *3,000—MRA. *1,300—MOCA.

Fairhope INT, Ga.; Harris Neck INT, Ga.; **1,600. *3,800—MRA. *1,200—MOCA.

Solberg, N.J., VOR; Int. 093° M rad, Sparta VOR and 244° M rad, Carmel VOR; *2,000. *1,900—MOCA.

Int. 093° M rad, Sparta VOR and 244° M rad, Carmel VOR; Carmel, N.Y., VOR; 2,600.

West Chester, Pa., VOR; Int. 056° M rad, West Chester VOR and 166° M rad, Pottstown VOR; *2,400. *2,000—MOCA.

Int. 056° M rad, West Chester VOR and 166° M rad, Pottstown VOR; Warrington INT, Pa.; 2,000.

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

Hallsville, Mo., VOR; St. Paul INT, Mo.; *2,700. *2,100—MOCA.

St. Paul INT, Mo.; St. Louis, Mo., VOR; *2,200. *1,700—MOCA.

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

Long Beach, Calif., VOR; Anaheim INT, Calif.; *3,000. *2,100—MOCA.

Anaheim INT, Calif.; Olive INT, Calif.; *4,000. *3,200—MOCA.

Olive INT, Calif.; Ontario, Calif., VOR; 5,000.

From, to, and MEA

Hanksville, Utah, VOR, via S alter.; Grand Junction, Colo., VOR, via S alter.; *10,700. *11,000—MOCA Hanksville VOR, southwestbound. **10,500—MOCA.

Section 95.6008 VOR Federal airway 8 is amended by adding:

Bryce Canyon, Utah VOR, via N alter.; *San Rafael INT, Utah, via N alter.; **16,000. *14,000—MOCA San Rafael INT, westbound. **13,300—MOCA.

San Rafael INT, Utah, via N alter.; Grand Junction, Colo., VOR, via N alter.; *11,000. *9,200—MOCA.

Section 95.6012 VOR Federal airway 12 is amended to read in part:

Bedsville, Mo., VOR, via S alter.; Maryland Heights, Mo., VOR, via S alter.; *2,700. *2,200—MOCA.

Section 95.6013 VOR Federal airway 13 is amended to read in part:

Houston, Tex., VOR; Humble INT, Tex.; *1,600. *1,500—MOCA.

Humble INT, Tex.; Cleveland INT, Tex.; 1,500.

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

Magnolia INT, Tex.; College Station, Tex., VOR; *2,000. *1,800—MOCA.

Sealy INT, Tex., via W alter.; College Station, Tex., VOR, via W alter.; *2,100. *1,400—MOCA.

*Gunther INT, Tex.; Ardmore, Okla., VOR; **2,700. *2,600—MOCA. **2,300—MOCA.

Dallas, Tex., VOR, via W alter.; Gainesville INT, Tex., via W alter.; 2,500. *2,100—MOCA.

Gainesville INT, Tex., via W alter.; Ardmore, Okla., VOR, via W alter.; *2,700. *2,300—MOCA.

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

Laredo, Tex., VOR; *Webb INT, Tex.; **2,300. *3,000—MOCA. **2,000—MOCA.

Webb INT, Tex.; Cotulla, Tex., VOR; *2,200. *1,700—MOCA.

*Millet INT, Tex.; Leming INT, Tex.; **2,500. *5,000—MOCA. **1,600—MOCA.

Leming INT, Tex.; Losoya INT, Tex.; *2,300. *1,600—MOCA.

San Antonio, Tex., VOR; Austin, Tex., VOR; 3,000.

San Antonio, Tex., VOR, via E alter.; Austin, Tex., VOR, via E alter.; 3,000.

Austin, Tex., VOR; *Georgetown INT, Tex.; 2,300. *4,000—MOCA.

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

Corpus Christi, Tex., VOR; Bayside INT, Tex.; *1,600. *1,400—MOCA.

Bayside INT, Tex.; Palacios, Tex., VOR; *1,700. *1,400—MOCA.

Corpus Christi, Tex., VOR, via N alter.; Austwell INT, Tex., via N alter.; *1,600. *1,200—MOCA.

Austwell INT, Tex., via N alter.; Palacios, Tex., VOR, via N alter.; *1,700. *1,400—MOCA.

Palacios, Tex., VOR; Damon INT, Tex.; *1,800. *1,400—MOCA.

Damon INT, Tex.; Arcola INT, Tex.; 1,600.

Houston, Tex., VOR, via S alter.; La Porte INT, Tex., via S alter.; *1,600. *1,500—MOCA.

La Porte INT, Tex., via S alter.; Sabine Pass, Tex., VOR, via S alter.; 1,500.

Section 95.6021 VOR Federal airway 21 is amended to read in part:

Long Beach, Calif., VOR; Anaheim INT, Calif.; *3,000. *2,100—MOCA.

Anaheim INT, Calif.; Olive INT, Calif.; *4,000. *3,200—MOCA.

From, to, and MEA

Olive INT, Calif.; Ontario, Calif., VOR; 5,000.

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

Houston, Tex., VOR; La Porte INT, Tex.; *1,600. *1,500—MOCA.

La Porte INT, Tex.; Sabine Pass, Tex., VOR; 1,500.

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

Portland, Oreg., VOR; *Mayfield INT, Wash.; 5,000. *6,000—MRA.

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

*Rapid City, S. Dak., VOR; Philip, S. Dak., VOR; 4,500. *6,500—MCA Rapid City VOR; Westbound.

Section 95.6035 VOR Federal airway 35 is amended by adding:

Blackford, Va., VOR; via E alter.; Bluefield, W. Va., VOR, via E alter.; 6,600.

Bluefield, W. Va., VOR, via E alter.; Charles-ton, W. Va., VOR, via E alter.; 6,000.

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

Savannah, Ga., VOR; *Tillman INT, S.C.; **2,000. *3,000—MRA. **1,300—MOCA.

Section 95.6043 VOR Federal airway 43 is amended to read in part:

Youngstown, Ohio, VOR; Linesville INT, Pa.; 3,000.

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

Barnegat, N.J., VOR; Int, 170° M rad, Kennedy VOR and 053° M rad, Barnegat VOR; *3,000. *1,600—MOCA.

Int, 170° M rad, Kennedy VOR and 053° M rad, Barnegat VOR; Riverhead, N.Y., VOR; *2,000. *1,500—MOCA.

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

Highway, Tenn., VOR, via E alter.; Liberty INT, Ky., via F alter.; *3,100. *2,400—MOCA.

Liberty INT, Ky., via E alter.; Louisville, Ky., VOR, via E alter.; *2,700. *2,000—MOCA.

Section 95.6052 VOR Federal airway 52 is amended to read in part:

*Rockport INT, Ill.; Winfield INT, Mo.; **2,600. *3,200—MRA. **1,800—MOCA.

Winfield INT, Mo.; St. Louis, Mo., VOR; *2,400. *1,800—MOCA.

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

Henryville INT, Ind.; Houston INT, Ind.; *3,500. *2,600—MOCA.

Section 95.6053 VOR Federal airway 53 is amended by adding:

Columbia, S.C., VOR, via W alter.; Green-wood, S.C., VOR via W alter.; *2,200. *2,100—MOCA.

Greenwood, S.C., VOR, via W alter.; *Inman INT, S.C., via W alter.; **3,000. *4,000—MCA Inman INT, northbound. **2,500—MOCA.

Inman INT, S.C. via W alter.; Asheville, N.C., VOR, via W alter.; 6,000.

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

Brainerd, Minn., VOR; Beltrami INT, Minn.; *8,000. *2,600—MOCA.

Beltrami INT, Minn.; Grand Forks, N. Dak., VOR; *3,300. *2,200—MOCA.

Stevens Point, Wis., VOR; Junction City INT, Wis.; *3,000. *2,400—MOCA.

From, to, and MEA

Junction City INT, Wis.; Eau Claire, Wis., VOR; *3,200. *2,700—MOCA.

Section 95.6059 VOR Federal airway 59 is amended to read in part:

Beckley, W. Va., VOR; Ivydale INT, W. Va.; *5,000. *4,900—MOCA.

Ivydale INT, W. Va.; Walnut Grove INT, W. Va.; 5,000.

Section 95.6064 VOR Federal airway 64 is amended to read in part:

Long Beach, Calif., VOR; *Tustin INT, Calif.; 2,500. *4,300—MCA Tustin INT, eastbound.

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

Solon INT, Tex.; *Armstrong INT, Tex.; **3,000. *3,000—MRA. **1,500—MOCA.

Junction, Tex., VOR; Doss INT, Tex.; *3,700. *3,400—MOCA.

San Antonio, Tex., VOR; McCoy INT, Tex.; *3,000. *2,300—MOCA.

Three Rivers INT, Tex.; Cartwright INT, Tex.; *2,500. *1,600—MOCA.

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

Corpus Christi, Tex., VOR; Bayside INT, Tex.; *1,600. *1,400—MOCA.

Bayside INT, Tex.; Palacios, Tex., VOR; *1,700. *1,400—MOCA.

Palacios, Tex., VOR; Jones Creek INT, Tex.; *1,700. *1,400—MOCA.

Jones Creek INT, Tex.; Galveston, Tex., VOR; *1,500. *1,400—MOCA.

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

Richwoods, Mo., VOR; Troy, Ill., VOR; 2,600.

Section 95.6076 VOR Federal airway 76 is amended to read in part:

Llano, Tex., VOR; Lake Travis INT, Tex.; *3,000. *2,500—MOCA.

Llano, Tex., VOR, via S alter.; Granite Shoals INT, Tex., via S alter.; *3,000. *2,800—MOCA.

Austin, Tex., VOR; Paige INT, Tex.; 2,100.

Section 95.6093 VOR Federal airway 93 is amended to read in part:

Jarrettaville INT, Md.; Lancaster, Pa., VOR; 3,000.

Section 95.6112 VOR Federal airway 112 is amended to read in part:

The Dalles, Oreg., VOR; *Ione INT, Oreg.; 4,300. *6,000—MRA.

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

La Guardia, N.Y., VOR; Int. 045° M rad, La Guardia VOR and 294° M rad, Deer Park VOR; *2,500. *1,500—MOCA.

Int. 045° M rad, La Guardia VOR and 294° M rad, Deer Park VOR; Stamford INT, N.Y.; *2,500. *1,700—MOCA.

Section 95.6134 VOR Federal airway 134 is deleted.

Section 95.6136 VOR Federal airway 136 is amended to read in part:

Pulaski, Va., VOR; Pigg INT, Va.; 5,500. Pigg INT, Va.; Dry Fork INT, Va.; 3,500. Dry Fork INT, Va.; South Boston, Va., VOR; 2,800.

Section 95.6153 VOR Federal airway 153 is amended to read in part:

Bayville INT, N.Y.; Int. 070° M rad, La Guardia VOR and 029° M rad, Kennedy VOR; *2,000. *1,100—MOCA.

RULES AND REGULATIONS

From, to, and MEA

Int. 070° M rad, La Guardia VOR and 029° M rad, Kennedy VOR; La Guardia, N.Y., VOR: *2,000. *1,500—MOCA.

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

La Guardia, N.Y., VOR; Int. 045° M rad, La Guardia VOR and 294° M rad, Deer Park VOR; *2,500. *1,500—MOCA.

Int. 045° M rad, La Guardia VOR and 294° M rad, Deer Park VOR; Stamford INT, N.Y.; *2,500. *1,700—MOCA.

Stamford INT, N.Y.; Int. 045° M rad, La Guardia VOR and Carmel VOR; *2,600. *2,100—MOCA.

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

West Palm Beach, Fla., VOR; *Monet INT, Fla.; *1,500. *2,000—MRA. **1,300—MOCA.

Monet INT, Fla.; Pluto INT, Fla.; *2,000. *1,200—MOCA.

Pluto INT, Fla.; Vero Beach, Fla., VOR; *2,000. *1,300—MOCA.

Section 95.6162 VOR Federal airway 162 is amended to read in part:

Harrisburg, Pa., VOR; via S alter; Boyer INT, Pa., via S alter; 3,000.

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

Corpus Christi, Tex., VOR; Sinton INT, Tex.; *1,700. *1,400—MOCA.

Bergheim INT, Tex.; Spring Branch INT, Tex.; *3,300. *2,800—MOCA.

Willow City INT, Tex.; Kingsland INT, Tex.; *4,000. *2,900—MOCA.

Mansfield INT, Tex.; *Armstrong INT, Tex.; *3,000. *3,000—MRA. **1,400—MOCA.

Harlingen, Tex., VOR, via W alter; *Armstrong INT, Tex., via W alter; **1,500. *3,000—MRA. **1,400—MOCA.

Christine INT, Tex.; Leming INT, Tex.; *2,200. *1,700—MOCA.

Leming INT, Tex.; Losoya INT, Tex.; *2,300. *1,600—MOCA.

Alvord INT, Tex.; Ardmore, Okla., VOR; *3,000. *2,600—MOCA.

Section 95.6167 VOR Federal airway 167 is amended to read in part:

Coyle, N.J., VOR; Int. 057° M rad, Coyle VOR and 206° M rad, Kennedy VOR; 3,000.

Int. 057° M rad, Coyle VOR and 206° M rad, Kennedy VOR; Kennedy, N.Y., VOR; 1,700.

Kennedy, N.Y., VOR; Int. 053° M rad, Kennedy VOR and 091° M rad, La Guardia VOR; *2,500. *1,500—MOCA.

Int. 053° M rad, Kennedy VOR and 091° M rad, La Guardia VOR; Northport INT, N.Y.; *2,500. *1,500—MOCA.

Section 95.6169 VOR Federal airway 169 is amended to read in part:

Sidney, Nebr., VOR; Scottsbluff, Nebr., VOR; *6,400. *5,700—MOCA.

Section 95.6180 VOR Federal airway 180 is amended to read in part:

Weimar INT, Tex.; Eagle Lake, Tex., VOR; *2,100. *3,000—MRA. **1,700—MOCA.

Section 95.6183 VOR Federal airway 183 is amended to read:

*Santa Barbara, Calif., VOR; Maricopa INT, Calif.; *9,000. *7,500—MCA Santa Barbara VOR, northeastbound. *8,900—MOCA.

*Maricopa INT, Calif.; Bakersfield, Calif.; 3,000. *5,000—MCA Maricopa INT, south-westbound.

Section 95.6188 VOR Federal airway 188 is amended to read in part:

Jefferson, Ohio, VOR; Tidloute, Pa., VOR; 3,500.

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

From, to, and MEA

Stevens Point, Wis., VOR; Wausau, Wis., VOR; *3,000. *2,500—MOCA.

Section 95.6198 VOR Federal airway 198 is amended to read in part:

Weimar INT, Tex.; Eagle Lake, Tex., VOR; *2,100. *3,000—MRA. **1,700—MOCA.

Section 95.6210 VOR Federal airway 210 is amended to read in part:

Hallsville, Mo., VOR; St. Paul INT, Mo.; *2,700. *2,100—MOCA.

St. Paul INT, Mo.; St. Louis, Mo., VOR; *2,200. *1,700—MOCA.

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

Dalhart, Tex., VOR; Int. 223° M rad, Liberal VOR and 343° M rad, Borger VOR; 5,700. Int. 223° M rad, Liberal VOR and 343° M rad, Borger VOR; Liberal, Kans., VOR; *5,700. *4,700—MOCA.

Section 95.6238 VOR Federal airway 238 is amended to delete:

West Chester, Pa., VOR; Echelon INT, N.J.; 2,000.

Philipsburg, Pa., VOR; Harrisburg, Pa., VOR; 4,000.

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

Hanover INT, Pa.; Delroy INT, Pa.; 4,000.

Delroy INT, Pa.; Lancaster, Pa., VOR; 3,000.

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

Sparta, N.J., VOR; Int. 061° M rad, Solberg VOR and 155° M rad, Sparta VOR; 2,500.

Section 95.6253 VOR Federal airway 253 is amended to read in part:

Boise, Idaho, VOR; Banks INT, Idaho, northbound 10,400; southbound 8,000. *6,600—MCA Boise VOR, northbound.

Section 95.6258 VOR Federal airway 258 is amended to read in part:

Sharon INT, W. Va.; Beckley, W. Va., VOR; *5,500. *5,200—MOCA.

Section 95.6258 VOR Federal airway 258 is amended to delete:

Roanoke, Va., VOR; Penhook INT, Va.; 5,000.

Section 95.6258 VOR Federal airway 258 is amended by adding:

Roanoke, Va., VOR; Blackwater INT, Va.; 5,000.

Blackwater INT, Va.; Pigg INT, Va.; 3,500.

Pigg INT, Va.; Danville, Va., VOR; 3,900.

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

Portland, Oreg., VOR; *Mayfield INT, Wash.; 5,000. *6,000—MRA.

Section 95.6293 VOR Federal airway 293 is amended to read:

Ely, Nev., VOR; *Elko, Nev., VOR; **#14,000. *12,000—MCA Elko VOR, southbound. **13,100—MOCA. #MEA is established with a gap in navigation signal coverage.

Section 95.6304 VOR Federal airway 304 is amended to read in part:

Borger, Tex., VOR, via W alter; Int. 223° M rad, Liberal VOR and 343° M rad, Borger VOR, via W alter; *6,000. *4,700—MOCA.

Int. 223° M rad, Liberal VOR and 343° M rad, Borger VOR, via W alter; Liberal, Kans., VOR, via W alter; *5,700. *4,700—MOCA.

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

From, to, and MEA

Paradise INT, Hawaii; *Hibiscus INT, Hawaii; 4,000. *4,000—MRA.

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

*Hilo, Hawaii, VOR; Int. 080° M rad, Hilo VOR and 011° bearing from Pahoa RBN *3,000—MCA Hilo VOR, northwestbound. High Tide INT, Hawaii; Breakers INT, Hawaii; *4,000. *1,000—MOCA.

Breakers INT, Hawaii; Honolulu, Hawaii, VOR; 4,000.

Section 95.6403 Hawaii VOR Federal airway 3 is deleted.

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

Int. 097° M rad, South Kauai VOR and 119° M rad, Linne VOR; Breakers INT, Hawaii; *4,000. *1,000—MOCA.

Breakers INT, VOR; Honolulu, Hawaii, VOR; 4,000.

Section 95.6416 Hawaii VOR Federal airway 16 is amended to read in part:

*Arbor INT, Hawaii; **Redwood INT, Hawaii; ***9,000. *7,000—MRA. **9,000—MRA. ***2,000—MOCA.

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

La Guardia, N.Y., VOR; Int. 010° M rad, Kennedy VOR and 217° M rad, Carmel VOR; *2,500. *1,500—MOCA.

Int. 010° M rad, Kennedy VOR and 217° M rad, Carmel VOR; Carmel, N.Y., VOR; *2,500. *1,900—MOCA.

Section 95.6455 VOR Federal airway 455 is amended by adding:

New Orleans, La., VOR, via E alter; Clam INT, La., via E alter; 1,400.

Clam INT, La., via E alter; Gulfport, Miss., VOR, via E alter; 1,500.

Gulfport, Miss., VOR, via E alter; Mouse INT, Miss., via E alter; 1,500.

Mouse INT, Miss., via E alter; Hattiesburg, Miss., VOR, via E alter; 2,000.

Section 95.6472 VOR Federal airway 472 is amended by adding:

Elizabeth City, N.C., VOR; *Zang INT, N.C.; *4,000. *4,000—MRA. *4,000—MCA.

Zang INT, eastbound. *1,400—MOCA.

Zang INT, N.C.; Kinston, N.C., VOR; 1,900.

Section 95.6493 VOR Federal airway 493 is amended by adding:

Highway, Tenn., VOR; Lexington, Ky., VOR; *3,500. *2,800—MOCA.

Section 95.6804 VOR Federal airway 804 is amended to read in part:

St. Louis, Mo., VOR; St. Paul INT, Mo.; *2,200. *1,700—MOCA.

St. Paul INT, Mo.; Hallsville, Mo., VOR; *2,700. *2,100—MOCA.

Section 95.6805 VOR Federal airway 805 is amended to read in part:

Oak City INT, N.C.; *Zang INT, N.C.; 1,900. *4,000—MRA.

Zang INT, N.C.; Kingston, N.C., VOR; 1,900.

Savannah, Ga., VOR; *Harris Neck INT, Ga.; *1,600. *3,800—MRA. *1,500—MOCA.

Harris Neck INT, Ga.; *Fairhope INT, Ga.; *1,600. *3,000—MRA. *1,200—MOCA.

Fairhope INT, Ga.; Brunswick, Ga., VOR; *1,500. *1,300—MOCA.

Brunswick, Ga., VOR; *St. Marys INT, Ga.; *1,500. *2,000—MRA. *1,100—MOCA.

Section 95.6839 *VOR Federal airway* §39 is amended to read in part:

From, to, and MEA

Beckley, W. Va.; VOR; Ivydale INT, W. Va.; *5,000; *4,900—MOCA.
Ivydale INT, W. Va.; Walnut Grove INT, W. Va.; 5,000.

Section 95.6845 *VOR Federal airway* §45 is amended to read in part:

Ardmore, Okla., VOR; Gainesville INT, Tex.; *2,700; *2,300—MOCA.

Section 95.6859 *VOR Federal airway* §59 is amended to read in part:

Ardmore, Okla., VOR; Gainesville INT, Tex.; *2,700; *2,300—MOCA.

Section 95.6863 *VOR Federal airway* §63 is amended to read in part:

La Guardia, N.Y., VOR; Int, 070° M rad, La Guardia VOR and 029° M rad, Kennedy VOR; *2,000; *1,500—MOCA.
Int, 070° M rad, La Guardia VOR and 029° M rad, Kennedy VOR; Bayville INT, N.Y.; *2,000; *1,100—MOCA.

Section 95.6875 *VOR Federal airway* §75 is amended to read in part:

Carmel, N.Y., VOR; Int, 093° M rad, Sparta VOR and 244° M rad, Carmel VOR; 2,600.
Int, 093° M rad, Sparta VOR and 244° M rad, Carmel VOR; Solberg, N.J., VOR; *2,000; *1,900—MOCA.

Section 95.7001 *Jet Route No. 1* is amended by adding:

From, to, MEA, and MAA

United States-Mexican border, San Diego, Calif., VORTAC; 18,000; 45,000.

Section 95.7018 *Jet Route No. 18* is amended to read in part:

Phoenix, Ariz., VORTAC; Grants, N. Mex., VOR; #21,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7024 *Jet Route No. 24* is amended to read in part:

Phoenix, Ariz., VORTAC; Grants, N. Mex., VOR; #21,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7034 *Jet Route No. 34* is amended to read in part:

Dickinson, N. Dak., VORTAC; Aberdeen, S. Dak., VOR; #18,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7070 *Jet Route No. 70* is amended to read in part:

Dickinson, N. Dak., VORTAC; Aberdeen, S. Dak., VOR; #18,000; 45,000. #MEA is established with a gap in navigation signal coverage.

Section 95.7084 *Jet Route No. 84* is amended to delete:

Northbrook, Ill., VORTAC; Carleton, Mich., VORTAC; 18,000; 45,000.
Carleton, Mich., VORTAC; Slate Run, Pa., VOR; 18,000; 45,000.
Slate Run, Pa., VOR; Kennedy, N.Y., VORTAC; 18,000; 45,000.

No. 96—2

Section 95.7100 *Jet Route No. 100* is added to read:

From, to, MEA, and MAA

Bryce Canyon, Utah, VORTAC; Int, 033° M rad, Bryce Canyon, VORTAC and 244° M rad, Grand Junction VORTAC; 28,000; 45,000.

Int, 033° M rad, Bryce Canyon, VORTAC and 244° M rad, Grand Junction, VORTAC; Grand Junction, Colo., VORTAC; 18,000; 45,000.

Section 95.7121 *Jet Route No. 121* is added to read:

Norfolk, Va., VORTAC; Sea Isle, N.J., VORTAC; 18,000; 45,000.

Sea Isle, N.J., VORTAC; Hampton, N.Y., VORTAC; 18,000; 45,000.

Hampton, N.Y., VORTAC; Providence, R.I., VOR; 18,000; 45,000.

Providence, R.I., VOR; Int, 059° M rad, Providence, VORTAC and 082° M rad, Boston, VORTAC; 18,000; 45,000.

Section 95.7506 *Jet Route No. 506* is added to read:

Millinocket, Maine, VORTAC; United States-Canadian border; 18,000; 45,000.

Section 95.7509 *Jet Route No. 509* is added to read:

Int, 177° M rad, Massena, VOR and 215° M rad, St. Eustache, VOR; United States-Canadian border; 18,000; 45,000.

Section 95.7584 *Jet Route No. 584* is added to read:

Northbrook, Ill., VORTAC; Carleton, Mich., VORTAC; 18,000; 45,000.

Carleton, Mich., VORTAC; Slate Run, Pa., VOR; 18,000; 45,000.

Slate Run, Pa., VOR; Kennedy, N.Y., VORTAC; 18,000; 45,000.

Section 95.7586 *Jet Route No. 586* is added to read:

United States-Canadian border; Massena, N.Y., VOR; 18,000; 45,000.

Massena, N.Y., VOR; United States-Canadian border; 18,000; 45,000.

2. By amending Subpart D as follows:

Section 95.8003 *VOR Federal airway changeover points*:

Airway segment: From, to—Changeover point: Distance, from

V-8 is amended by adding:

Hanksville, Utah, VORTAC; Grand Junction, Colo., VORTAC; 40; Hanksville.

V-21 is amended to read in part:

Dubois, Idaho, VOR; Dillon, Mont., VOR; 46; Dubois.

V-257 is amended to read in part:

Dubois, Idaho, VOR; Dillon, Mont., VOR; 46; Dubois.

V-287 is amended by adding:

Portland, Oreg., VOR; Olympia, Wash., VOR; 42; Portland.

J-501 is amended by adding:

Seattle, Wash., VORTAC; United States-Canadian border; 60; Seattle.

(Secs. 307, 1110, Federal Aviation Act of 1958;

49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on May 11, 1965.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-5177; Filed, May 18, 1965;
8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter 1—Internal Revenue Service, Department of the Treasury

SUBCHAPTER E—ALCOHOL, TOBACCO AND OTHER EXCISE TAXES

PART 170—MISCELLANEOUS REGULATIONS RELATING TO LIQUORS

Correction of CFR Supplement as of January 1, 1965

An inadvertent omission occurs in Part 170 as it appears in Title 26 (Parts 170 to 299) Cumulative Supplement as of January 1, 1965. The omitted text set forth below follows page 6 of the Supplement:

REDEMPTION OF STAMPS IN PUERTO RICO

§ 170.633 Stamps eligible for redemption.

Subject to the provisions of section 6805, I.R.C., and of this subpart, unused Puerto Rican special rectification stamps, or unused rectification tax sheet stamps, may be redeemed if claim is filed within 3 years of the date of purchase of the stamps.

§ 170.634 Claim, Form 843.

Redemption of unused stamps under this subpart shall be allowed by the Chief, Collection Branch, pursuant to a claim on Form 843, for refund of the amount paid for unused stamps and shall be made only to the person or his legal representative, who purchased such stamps from the Government. The claim shall be filed with the Chief, Collection Branch. Separate claims shall be filed for each of the premises for which the stamps were procured. The stamps for which claim is made shall be attached to the Form 843, and the class, number, and denomination thereof shall be listed in the claim or in an attachment thereto. If the claim includes stamps which had been destroyed, evidence satisfactory to the Chief, Collection Branch, establishing such destruction must accompany the claim.

§ 170.635 Time for filing claim.

No claim for the redemption of stamps eligible for redemption under § 170.633 shall be allowed unless presented within 3 years after the purchase of such stamps from the Government.

§ 170.636 Authorized claimant.

Claims should be made in the name of the purchaser of the stamps, except that in the case where such person is deceased the claim should be made in the name of the executor or administrator. Certified copies of the letters of administration or letters testamentary, or other similar evidence, should be attached to the claim to show that the claimant is the executor, etc. If the claim is signed by an attorney-in-fact for an individual, partnership, association, or corporation, or by one of the members of a partnership or association,

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or, in the case of a corporation, by an officer or other person, the authority for such signing must be evidenced by a duly authenticated copy of the power of attorney conferring authority upon the person signing the document to execute the same or, in the case of a corporation, by properly certified copies of extracts of the minutes of meetings of the board of directors authorizing certain officers or other persons to sign for the corporation: *Provided*, That such evidence of authority to sign need not be submitted with the claim where such document has previously been filed by the claimant with the Chief, Collection Branch. Powers of attorney shall be executed on Form 1534.

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 613, 6th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—European Chafer

ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS UNDER EUROPEAN CHAFER QUARANTINE AND REGULATIONS

Pursuant to the authority conferred by § 301.77-2 of the regulations supplemental to the European chafer quarantine (7 CFR 301.77-2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), administrative instructions appearing as 7 CFR 301.77-2a are hereby revised to read as follows:

§ 301.77-2a Administrative instructions designating regulated areas under the European chafer quarantine and regulations.

The following counties and other civil divisions, and parts thereof, in the quarantined States listed below, are designated as European chafer regulated areas within the meaning of the provisions in this subpart:

CONNECTICUT

Hartford County. The towns of Berlin and Southington.

New Haven County. The town of Meriden.

NEW YORK

Broome County. The city of Binghamton. *Cayuga County*. The towns of Brutus, Cato, Conquest, Mentz, Montezuma, Sennett, and Troop, and the city of Auburn.

Chemung County. The towns of Ashland, Big Flats, Elmira, Horseheads, Southport, and the city of Elmira.

Chenango County. The town and city of Norwich.

Cortland County. The town of Cortlandville, and the city of Cortland.

Erie County. The towns of Amherst, Cheektowago, and Tonawanda, and the cities of Buffalo, Lackawanna, and Tonawanda.

Genesee County. The towns of Batavia and LeRoy, and the city of Batavia.

Herkimer County. The town and city of Herkimer.

Kings County. The entire county. *Monroe County*. The entire county. *New York County*. Governors Island. *Niagara County*. The towns of Cambria, Lewiston, Lockport, Newfane, Niagara, Pendleton, Porter, Wheatfield, and Wilson, and the cities of Lockport, Niagara Falls, and North Tonawanda.

Oneida County. The towns of New Hartford and Whitesboro, and the city of Utica. *Onondaga County*. The towns of Camillus, Cicero, Clay, De Witt, Elbridge, Geddes, Lysander, Manlius, Onondaga, Salina, and Van Buren, and the city of Syracuse.

Ontario County. Towns of Canandaigua, Farmington, Geneva, Gorham, Hopewell, Manchester, Phelps, Seneca, and Victor, and the cities of Canandaigua and Geneva.

Oswego County. The town of Schroeppel, and the city of Oswego.

Richmond County. The entire county (Staten Island).

Schuyler County. The towns of Dix, Reading, and Tyrone.

Seneca County. The towns of Fayette, Junius, Seneca Falls, and Tyre, the village and town of Waterloo, and the city of Seneca Falls.

Wayne County. The entire county.

Yates County. The town of Starkey.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 29 FR. 16210, as amended, 30 FR. 5801; 7 CFR 301.77-2)

These administrative instructions shall become effective May 19, 1965, when they shall supersede administrative instructions effective May 7, 1964 (7 CFR 301.77-2a).

The Director of the Plant Pest Control Division has determined that infestations of the European chafer exist or are likely to exist in the counties and other civil divisions, and parts thereof, listed above, or that it is necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Therefore, such counties and other civil divisions, and parts thereof, are designated as European chafer regulated areas.

This revision of the administrative instructions adds the following towns and cities to the regulated areas in the State of New York: City of Binghamton, in Broome County; town of Cortlandville and city of Cortland, Cortland County; towns of Batavia and Le Roy, and city of Batavia, Genesee County; town of Schroeppel and city of Oswego, Oswego County; and town of Starkey, Yates County. It also extends the existing regulated areas in New York to include the following towns and cities: Town of Sennett and city of Auburn, Cayuga County; city of Herkimer, Herkimer County; town of Wilson, Niagara County; town of Tyrone, Schuyler County; and towns of Fayette and Seneca Falls, and city of Seneca Falls, Seneca County.

Inasmuch as this revision imposes restrictions necessary to prevent the spread of European chafers, it should be made effective promptly to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C.

1003), it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making this revision effective less than 30 days after publication in the *FEDERAL REGISTER*.

Done at Hyattsville, Md., this 14th day of May 1965.

[SEAL] LEO G. K. IVERSON,
Acting Director,
Plant Pest Control Division.

[F.R. Doc. 65-5269; Filed, May 18, 1965,
8:48 a.m.]

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

[Orange Reg. 48]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.465 Orange Regulation 48.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 905, as amended), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 801-874), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the *FEDERAL REGISTER* (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on

May 11, 1965, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§ 51.1140-51.1178 of this title).

(2) Orange Regulation 47 (30 F.R. 386, 3981) is hereby terminated at 12:01 a.m., e.s.t., May 31, 1965.

(3) During the period beginning at 12:01 a.m., e.s.t., May 31, 1965, and ending at 12:01 a.m., e.s.t., September 13, 1965, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2\frac{1}{2}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided*, That in determining the percentage of oranges in any lot which are smaller than $2\frac{1}{2}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2\frac{1}{2}$ inches in diameter or smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2\frac{1}{2}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos.

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

Dated: May 14, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-5245; Filed, May 18, 1965;
8:47 a.m.]

[Valencia Orange Reg. 119, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and this part (Order No. 908, as amended), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the *FEDERAL REGISTER* (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1) (i) and (iii) of § 908.419 (Valencia Orange Regulation 119, 30 F.R. 6429) are hereby amended to read as follows:

§ 908.419 Valencia Orange Regulation 119.

• • • (b) *Order.* (1) • • •

(i) District 1: 350,000 cartons;
(ii) District 3: 125,000 cartons.

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

Dated: May 14, 1965.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-5245; Filed, May 18, 1965;
8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. I; Amdt. 8]

PART 1483—WHEAT AND FLOUR

Subpart—Flour Export Program—Cash Payment (GR-346) Terms and Conditions

The Terms and Conditions of the Flour Export Program—Cash Payment (GR-346) (25 F.R. 5816), as amended (25 F.R. 9939, 25 F.R. 10758, 27 F.R. 1753, 27 F.R. 4863, 27 F.R. 10351, 29 F.R. 4667 and 29 F.R. 12010) are further amended as follows:

A new section is added immediately after § 1483.202 to read as follows:

§ 1483.203 Financial responsibility.

CCC reserves the right to refuse to (a) consider an offer to purchase CCC wheat for export as flour, or (b) register a sale of flour for an export payment hereunder, if CCC does not have adequate information of the financial responsibility of the offerer to meet contract obligations of the type contemplated in this subpart. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the appropriate ASCS Commodity Office prior to making an offer to purchase CCC wheat for export as flour (see § 1483.260 through 1483.270), or communicate with such office or with the office specified in § 1483.278 prior to making the exporter's agreement with CCC described in § 1483.240 to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by the offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted the offerer will comply with any provisions of this subpart and will furnish a performance bond or other performance security acceptable to CCC.

Section 1483.205 *General conditions of eligibility* is amended by adding a new paragraph (i) and deleting the last sentence of paragraph (d) and substituting the following:

§ 1483.205 General conditions of eligibility.

• • • (d) • • • The foregoing exclusion of documentary evidence of export which has been or will be used in connection with other export programs is intended to prevent a duplication in whole or in part of export payments or allowances under two or more export programs of CCC on the same quantity of flour. Accordingly, nothing herein shall be construed to preclude a bill of lading or other evidence of export filed under this subpart from being used as evidence in connection with a sale under a purchase authorization pursuant to P.L. 480, 83d Congress, or a sale of wheat for export

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as flour under § 1483.261 of this subpart, or in connection with any other export program of CCC, including barter transactions, if CCC determines that such use will not result in any duplication of export payments or allowances.

(i) Unless otherwise specified in the announcement of rates (as referred to in § 1483.220), payment at rates provided in such announcement shall be made only on flour for which domestic marketing certificates are acquired and surrendered to CCC. The rate applicable to flour for which such certificates are not acquired and surrendered to CCC shall be the announced rate, less the cost of domestic wheat marketing certificates under the Processor Wheat Marketing Certificate Regulations which was taken into consideration by CCC in determining the announced rate. If the cost of domestic wheat marketing certificates exceeds the announced rate, the difference shall constitute a refund rate for the purpose of these regulations.

§ 1483.221 [Amended]

Section 1483.221(e) is amended by deleting in the fifth sentence the words "notification telegram" and substituting the words "notice of sale".

Section 1483.222 *Conversion factors*, is amended to change paragraph (a) to read as follows:

§ 1483.222 Conversion factors.

(a) The following conversion factors shall be applied to the announced rate to determine the rate applicable to a particular exportation of flour:

	Rate factor
Wheat flour (including clears and excluding malted wheat flour), derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 72 percent type of extraction operation.	1.000
Semolina and farina	1.000
Malted wheat flour	.909
Bulgur (87 percent extraction operation)	.841
Wheat flour, derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 90 percent type of extraction operation	.810
Whole wheat flour	.745

§ 1483.225 [Amended]

Section 1483.225(a)(5) is amended by deleting in the second sentence the words "notification telegram" and substituting the words "notice of sale".

Section 1483.227 *Declaration of sale and evidence of sale* is amended to change paragraphs (b)(1), (vi) and (ix) to read respectively as follows:

§ 1483.227 Declaration of sale and evidence of sale.

(b) * * *

(1) * * *

(vi) Type of flour and type of extraction operation (see § 1483.222), the class of wheat from which the flour was milled and the approximate ash content must

be shown. For example: "Hard Spring 0.48 Ash." For blended flours, the most predominant class of wheat contained in the blend should be shown. For example: "blended (predominantly) Hard Winter 0.70 Ash."

(ix) Coast or coasts of export from which it is anticipated exportation will be made.

Section 1483.241 *Cancellation of sale or failure to export*, is amended to change paragraph (b) to read as follows:

§ 1483.241 Cancellation of sale or failure to export.

(b) If, after an exporter has been afforded the opportunity to present evidence, the Vice President determines that the exporter has failed to export in accordance with his agreement with CCC, the exporter shall pay on demand any damages resulting from such failure or at CCC's election the exporter may be required to ship a quantity of replacement flour, within such period as is specified by CCC, to the same designated country as was provided in the sales contract on which exportation was not made, at an export payment rate equal to the lower of (1) the rate applicable to the sale on which exportation was not made or (2) the rate applicable to the sale on which the replacement flour is exported. If the exporter fails to export the replacement flour as required, he shall pay CCC as liquidated damages an amount determined by multiplying the quantity of flour involved in such failure by the amount by which the rate applicable to the sale on which exportation was not made is exceeded by the highest rate announced on and after the date of CCC's notice requiring exportation of the replacement flour, for exportation to the country and in the period in which the replacement flour was required to be shipped. It is mutually agreed that such amount is a reasonable estimate of the probable actual damages to be incurred by CCC. In addition to his liability under the foregoing provision of this paragraph, the exporter may be suspended or debarred from participating in this program or in any other program of CCC for such period and subject to such terms and conditions as may be provided pursuant to the suspension and debarment regulations of CCC (29 F.R. 10495, July 29, 1964, and any amendments thereto). The exporter shall not be liable under this paragraph and shall not be suspended or debarred for such failure if he establishes to the satisfaction of the Vice President that his failure to export was not due to his fault or negligence.

Section 1483.246(a)(7) relating to *Documents required as evidence of sale* is amended to read as follows:

§ 1483.246 Documents required as evidence of sale.

(a) * * *

(7) In the case of sales to the Army and Air Force Exchange Service and Navy Exchanges each Form CCC-413 must be supported by:

(i) A certificate of exportation. In the case of sales to the Army and Air Force Exchange Service, the certificate shall be signed by the Chief or Assistant Chief, Transportation Division, AAFES. In the case of sales to Navy Exchanges, the certificate is obtainable from the U.S. Navy Ship's Store Office, Third Avenue and 29th Street, Brooklyn 32, N.Y. It must be signed, as appropriate, by one of the following authorized officials:

(a) Director, Water Freight Division, U.S. Naval Supply Center, Oakland, Calif.

(b) Director, Traffic Branch Division, U.S. Naval Supply Center, Bayonne, N.J.

(c) Director, Land-Air Freight Division, U.S. Naval Supply Center, Norfolk, Va.

(ii) A statement by the exporter, certified as being a true and correct statement, that the flour for which export payment is claimed is the same flour as described in the Declaration of Sale.

A new center heading and eleven new sections are added at the end of the subpart to read as follows:

REDEMPTION OF EXPORT COMMODITY CERTIFICATES IN WHEAT FOR EXPORT IN THE FORM OF FLOUR

§ 1483.260 Submission of offers.

CCC invites offers to purchase CCC wheat with Export Commodity Certificates, Form CCC-341 (hereinafter referred to as "Certificate(s)"), for export as flour. Purchases under this announcement cannot be applied to a transaction under the CCC Export Credit Sales Program (Announcement GSM-3 as amended) or to a barter transaction. Offers may be submitted by letter, telegram, or orally to the Evanston or Kansas City ASCS Commodity Office from which the exporter desires delivery. The offeror must specify the class, grade, quality, and quantity of wheat desired, and the desired point of delivery. CCC reserves the right to determine the classes, grades, qualities, and quantities and point of delivery for which offers will be considered, and to reject any offer in whole or in part. Exports of flour made in satisfaction of an obligation to export under a contract for the purchase of wheat from CCC may also be used to satisfy an obligation to export under a contract with CCC pursuant to § 1483.240 if otherwise eligible under the provisions of this subpart.

§ 1483.261 Creation of contracts.

Preliminary negotiations for purchase of wheat under this subpart shall be confirmed by written Confirmation of Sale which shall be issued by the ASCS Commodity Office in duplicate. One copy shall be signed and returned by the exporter whose offer to purchase wheat is accepted by CCC. Such exporter is hereinafter called "the Purchaser." The Confirmation of Sale, together with the terms and conditions of this subpart and any amendments in effect on the date of sale, shall constitute the sales contract. Any provision of prior negotiations not contained in the Confirmation of Sale shall be of no effect. The term "date of sale," as used in §§ 1483.260 to 1483.270, inclusive, shall mean the date that the parties concluded their preliminary

negotiations, and such date shall be specified in the Confirmation of Sale.

§ 1483.262 Price.

The contract price for the wheat shall be based on the prevailing United States domestic market price as determined by CCC at the time the parties completed their preliminary negotiations on the sale, for the class, grade, quality (including protein) and point of delivery of the wheat and such price shall be specified in the Confirmation of Sale.

§ 1483.263 Payment terms and financial arrangements.

(a) The amount due CCC for wheat purchased hereunder shall be paid by the purchaser by surrender to CCC of properly endorsed certificate(s). If certificates having a value in excess of the purchase price are surrendered by the purchaser to CCC, the certificates having the earliest date of issuance shall be applied first to the purchase and any certificates not applied shall be returned to the purchaser. If the value of certificates applied to the purchase exceeds the purchase price, such excess will be adjusted by issuance and delivery to the purchaser of a balance certificate which may be used on a subsequent purchase from CCC. The date of issuance shown on the balance certificate will be the date shown on the original certificate, or if more than one certificate is applied to the purchase, the date of issuance shown on the balance certificate will be the latest date of issuance shown on a certificate applied to the purchase. The value of the balance certificate will be determined by deducting from the value of certificates surrendered to CCC, the purchase price of the wheat.

(b) Financial arrangements covering the purchase price specified in the Confirmation of Sale of any wheat purchased from CCC hereunder shall be made prior to delivery of the wheat by CCC in one (or a combination) of the following ways:

(1) Surrender to the appropriate ASCS Commodity Office of certificate(s) sufficient to pay for the wheat.

(2) If a purchaser desires delivery prior to receipt by CCC of certificates, he may make payment in cash, certified check, or cashier's check for the wheat to be delivered, or if delivery is to be made in store, he may request that CCC draw a sight draft on him through a named bank with warehouse receipts attached or request that CCC surrender the warehouse receipts to him in a simultaneous exchange for an acceptable remittance delivered at the ASCS Commodity Office. To the extent that acceptable certificates are received by CCC within 90 days after delivery of the wheat to the purchaser, CCC shall promptly make refund of funds received.

(3) If a purchaser desires delivery prior to receipt by CCC of certificates, he may establish an irrevocable commercial letter of credit acceptable to CCC for an amount equivalent to the total amount of the purchase price of the wheat plus interest thereon for 60 days. CCC will not draw against the letter of credit to the extent that the purchaser

pays to CCC the purchase price of the wheat and any applicable interest promptly upon presentation of invoices or prior to invoicing by CCC. To the extent that such payment is not made, CCC will draw drafts under the letter of credit for the amount remaining unpaid, supported by a statement specifying the amount due. When financial arrangements are made in this manner, the following shall apply:

(i) The letter of credit shall have an effective period of at least 60 days from the final date for delivery of the wheat to the purchaser as specified in the Confirmation of Sale. If a single letter of credit is used for this purpose as well as for the upward adjustment in price required under paragraph (c) of this section, the effective period shall be 150 days from the final date for delivery.

(ii) Interest on the purchase price of the wheat shall be paid in cash for the period from the date of delivery of the wheat to the date CCC receives acceptable certificates or cash or, in the case of payments against sight drafts drawn by CCC, the date CCC estimates the draft will be paid. The rate of interest shall be the rate in effect on the date of sale as announced in the CCC Monthly Sales List for sales made under the CCC credit sales program for periods up to 12 months. The interest shall be included in the amount of sight drafts drawn by CCC.

(iii) Unless otherwise requested by the purchaser, CCC shall, promptly after receiving cash for application on the purchase price and interest, if any, or acceptable certificates for application on the purchase price, notify the bank which issued or confirmed the letter of credit that CCC consents to a reduction of such letter of credit in an amount equivalent to the amount of cash or acceptable certificates received.

(iv) To the extent acceptable certificates are received by CCC within 90 days after delivery of the wheat to the purchaser, CCC shall promptly make refund of any funds received representing the purchase price of the wheat (but not any interest).

(c) The amount of the upward adjustment in price which is provided in § 1483.268 for failure to submit certificates within 90 days after delivery shall be computed as of the date of sale, and shall be specified in the Confirmation of Sale. Financial arrangements for such price adjustments shall be made by each purchaser who wishes to obtain delivery of wheat prior to receipt by CCC of certificates therefor in one of the following ways:

(1) Payment in cash, certified check, or cashier's check or

(2) Establishment of an irrevocable commercial letter of credit acceptable to CCC which shall have an effective period of at least 150 days from the date for delivery specified in the Confirmation of Sale and upon which CCC will draw drafts for the amount of the upward adjustment in price resulting from such failure to submit certificates within 90 days after delivery, supported by a statement specifying the amount due CCC. Promptly after CCC receives acceptable certificates in payment of the wheat pur-

chased as provided in paragraph (b) (2) or (3) of this section, CCC shall notify the bank which issued or confirmed the letter of credit that CCC consents to a reduction of such letter of credit, unless otherwise requested by the purchaser, or shall make refund to the purchaser of funds received. Any such reduction or refund shall be in an amount equivalent to the purchaser's financial coverage under this subsection related to the quantity for which payment has been received in the form of acceptable certificates by CCC.

(d) The financial arrangements provided in paragraphs (b) and (c) of this section shall be made:

(1) Prior to delivery of the wheat by CCC on purchases which provide for delivery within 5 days following the date of the sale, and,

(2) On all other purchases, not less than 5 days prior to delivery of the wheat by CCC, but in no event later than 30 days following the date of sale, unless CCC consents in writing to a different period.

(e) If the purchaser fails to make a financial arrangement acceptable to CCC in accordance with paragraph (d) of this section, CCC shall have the right to deem the purchaser in default and may avail itself of any remedy available to an unpaid seller. The purchaser shall be liable to CCC for any loss or damages resulting from such default.

§ 1483.264 Delivery.

(a) The method, time, and place of delivery of the wheat by CCC will be as specified in the Confirmation of Sale.

(b) If the wheat is to be delivered in-store, delivery shall be accomplished by delivery to the purchaser of endorsed warehouse receipts, or other evidence of title. Delivery may be made by posting warehouse receipts in the mail. In the case of instore delivery the terms of continued storage thereafter shall be for determination between the purchaser and warehouseman.

(c) If the wheat is to be delivered other than instore, the details thereof shall be specified in the Confirmation of Sale.

(d) Title and risk of loss and damage shall pass to the purchaser upon delivery. All charges thereafter accruing, including warehouse and loading-out charges, in the case of instore delivery, shall be for the account of the purchaser: *Provided*, That if delivery is not made within 30 days after the date of sale, the purchaser shall pay CCC for warehouse charges on the wheat not delivered, at the rate specified in the Confirmation of Sale for the period beginning on the 31st day to and including the date of delivery or, if the purchaser fails to take delivery, to and including the final date for delivery specified in the Confirmation of Sale or any written extension thereof: *Provided further*, That the purchaser shall not be responsible for such charges accruing after such 30-day period as a result of delay on the part of CCC in making delivery which is not attributable to the fault or negligence of the purchaser.

(e) If on deliveries other than instore the purchaser fails to take delivery of

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the wheat within the delivery period specified in the Confirmation of Sale, or any written extension thereof, CCC may at its option deliver the wheat instore in a warehouse of its choice by delivery of endorsed warehouse receipts, or CCC shall have the right to deem the purchaser in default and the purchaser shall be liable to CCC for any loss or damages resulting from such default.

§ 1483.265 Specifications.

(a) If the wheat is to be delivered instore, CCC shall deliver warehouse receipts, or other evidence of title, representing the kind of wheat and the quantity, class, grade, and quality stated in the Confirmation of Sale, and CCC shall have no responsibility in the event of failure of the warehouseman to deliver in accordance with the warehouse receipts or other evidence of title.

(b) If the wheat is to be delivered other than instore, the kind of wheat and the quantity, class, grade, and quality delivered shall be that stated in the Confirmation of Sale. Determinations as to the class, grade and quality of the wheat delivered shall be made on the basis of an official inspection at point of delivery, unless otherwise specified in the Confirmation of Sale. The method of determining the quantity delivered shall be as stated in the Confirmation of Sale. If the wheat delivered is within the quality tolerance, if any, specified in the Confirmation of Sale, such delivery shall be accepted by the purchaser. If the wheat delivered is not within the quality tolerance, if any, specified in the Confirmation of Sale, the wheat may be rejected by the purchaser at the time of delivery or accepted subject to an adjustment in price for grade and quality differences in accordance with current market premiums and discounts, as determined by CCC. In the case of rejection, CCC shall, upon request of the purchaser, replace such rejected quantity. The purchaser may reject any over-deliveries in quantity. Overdeliveries in quantity accepted by the purchaser shall be settled for at the contract price unless a different price has been agreed to between CCC and the purchaser. In case of underdeliveries a balance certificate shall be issued by CCC, or if other financial arrangements were furnished, the value of certificates the purchaser is required to surrender will be reduced. In the case of overdeliveries the purchaser shall tender cash or certificates to CCC. If the value of wheat delivered exceeds the value of certificates surrendered by \$3.00 or less, no adjustment will be necessary. If the value of certificates surrendered exceeds the value of wheat delivered by \$3.00 or less, a balance certificate will not be issued unless requested.

§ 1483.266 Export requirements.

(a) The purchaser shall, on or after the date of sale and within 90 days after delivery by CCC of the wheat to him or within such extension of that period as may for good cause be approved by the Director or his designee in writing pursuant to § 1483.268(c) (2) cause exporta-

tion to a designated country of the flour equivalent of the wheat delivered hereunder by CCC. The flour exported shall not be re-entered by anyone into the United States, Alaska, Hawaii or Puerto Rico, nor shall the purchaser cause the flour exported to be transshipped to any country excluded by § 1483.287.

(b) The purchaser shall, within 30 days after exportation, furnish to the ASCS Commodity Office evidence of such exportation, as required in § 1483.267. Failure of the purchaser to furnish CCC evidence of exportation within 120 days after delivery of the wheat to him, or in the case of extension of the time for export, within 30 days from the last date specified for exportation under such extension, shall constitute *prima facie* evidence of failure to export. Documents supporting an Application for Flour Export Payment on the flour exported will be accepted as evidence of export of wheat purchased from CCC if they satisfy the requirements specified in § 1483.267, and the Application for Flour Export Payment is accompanied by a letter in duplicate specifying the documents which are submitted as evidence of export and the CCC sales contract number to which they relate.

(c) The flour exported must have been milled in the United States from U.S. wheat. The flour exported shall be produced under a conventional milling practice that is generally accepted in the milling industry in the United States as representing a 72 percent type of extraction operation and such extraction rate shall be the rate as to which the purchaser must certify in § 1483.267(c), unless specific arrangements have been made with CCC for the export of flour produced under a different type of extraction operation and such extraction rate has been specified in the Confirmation of Sale. The wheat equivalent of each type of flour shown in Column A shall be the number of bushels of wheat prescribed as the conversion factor for such type of flour in Column B. The exporter shall export 100 pounds of flour for each unit of wheat equivalent shown in Column B.

(A)

(B)

*Bushels of wheat
equivalent per 100
pounds of flour
(conversion factor)*

Type of flour	
Wheat flour (including clears and excluding malted wheat flour) derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 72 percent type of extraction operation	2.283
Semolina and farina	2.283
Malted wheat flour	2.075
Bulgur (87 percent extraction operation)	1.916
Wheat flour, derived from conventional milling practices which are generally accepted in the milling industry in the United States as representing a 90 percent type of extraction operation	1.851
Whole wheat flour	1.700

If flour of an extraction rate other than those for which conversion factors are specified in Column B above is to be ex-

ported under the contract, the quantity of flour that must be exported shall be as stated in the Confirmation of Sale and shall equal at least that quantity of flour which could be produced from the quantity of wheat acquired from CCC when milled at the extraction rate stated in the Confirmation of Sale. It is not required that the flour exported be milled from the identical wheat delivered by CCC or from wheat of the same class and grade. The flour must have been milled in a mill located in the same wheat market area, as determined by CCC, as the area in which the wheat acquired hereunder was delivered by CCC, unless the Confirmation of Sale specifies that the flour may be milled in a different area.

(d) Exportation by or to a United States Government agency¹ shall not qualify as an exportation under the provisions of this Announcement unless exportation is by or to the Army and Air Force Exchange Service, Navy Exchanges or the Panama Canal Company.

(e) The flour shall not be exported by anyone or transshipped by the purchaser or caused to be transshipped by the purchaser to one or more countries or areas to which a license is required by the Bureau of International Commerce, United States Department of Commerce unless a license for such shipment or transhipment thereto has been obtained from such Bureau.²

(f) Flour exported shall be deemed to have been exported on the date which appears on the applicable onboard export bill of lading, or if export is by truck or rail, on the date the shipment clears the United States Customs. If flour is lost, destroyed or damaged after loading on board an export vessel, exportation shall be deemed to have been made as of the date of the on-board-vessel bill of lading or the latest date appearing on the loading tally sheet or similar documents if the loss, destruction or damage occurs subsequent to loading aboard vessel but prior to issuance of the on-board bill of lading: *Provided*, That, if the "lost" or "damaged" flour remains in the United States, it shall be considered as re-entered flour and shall be subject to the provisions of § 1483.268(b).

NOTE TO PURCHASERS: Purchasers may find it desirable to carry insurance on the full domestic value of flour against any loss which may occur prior to the flour leaving this country by rail or truck or prior to loading on the export vessel.

¹ United States Government agency means any corporation wholly owned by the Federal Government and any department, bureau, administration or other unit of the Federal Government as, for example, the Departments of the Army, Navy and Air Force, and the Agency for International Development. Sales to foreign buyers, including foreign governments though financed with funds made available by a United States Agency such as the Agency for International Development or the Export-Import Bank, are not sales to a United States Government agency, provided the commodity is not for transfer by such buyer to a United States Government agency.

² The attention of the offerer is invited to the "Notice to Exporters," which accompanies this Announcement, relative to Department of Commerce regulations.

§ 1483.267 Evidence of export.

Evidence of export shall consist of the following documentation, as applicable:

(a) If export is by water or air, a non-negotiable copy or photostat of the applicable on-board bill of lading issued at point of export signed by an agent of the export carrier, which shows the CCC sales contract number, the net weight of the flour exported, the name of the export carrier, and shows that the flour is destined for a designated country. If the country of destination shown on the bill of lading is not the ultimate destination, the exporter shall also furnish one unauthenticated copy of a Shipper's Export Declaration showing that the country of ultimate destination is in fact a designated country. If the bill of lading shows the gross weight rather than net weight, the purchaser shall furnish a certification as to the number of bags, the tare weight, and the net weight of the flour. Where loss, destruction or damage to the flour occurs subsequent to loading aboard the export carrier but prior to the issuance of the on-board bill of lading, a copy of a loading sheet or acceptable similar document may be substituted for the commercial bill of lading.

(b) If export is by rail or truck, one unauthenticated copy of Shipper's Export Declaration (or photostat copy of an unauthenticated copy) which identifies the shipment(s), the date of clearance into the foreign country, the weight of the flour, and the CCC sales contract number. The unauthenticated copy, or photostat copy, shall bear the following statement certified by the purchaser:

The authenticated copy of this Shipper's Export Declaration was forwarded to (name of the ASCS Commodity Office) with application for Flour Export Payment under Registration No. _____.

(c) A certification, signed by the purchaser, and, if the purchaser did not mill the flour, by the miller of the flour, stating (1) the extraction rate of the flour, (2) the maximum ash content of the flour, (3) that the flour was the product of a conventional United States milling process which would normally produce flour at the extraction rate shown, (4) that the flour exported was milled only from United States wheat, and (5) the address of the mill in which the exported flour was produced.

(d) If the export shipment is made by vessel, plane, truck or other carrier, operated by a United States Government agency, then in lieu of the bill of lading or Shipper's Export Declaration provided for in paragraphs (a) and (b) of this section, the exporter may submit a certificate issued by an authorized official or employee of such agency showing the date of shipment(s), type of carrier used, identification of the flour, the weight of the flour, the weight of the

containers and the number of containers, the export destination, a certification by the exporter that shipment is not by or to a U.S. Government agency (unless it is the A&AF Exchange Service, Navy Exchange or the Panama Canal Company), and such other information required in paragraph (a) of this section as may be applicable hereto.

(e) Where shipment takes place from a Canadian port:

(1) One signed or certified true copy of the bill of lading or other document covering the movement of the flour from the United States to the export vessel described in the on-board ship bill of lading issued at the point of export in Canada, and

(2) One signed or certified true copy of a document evidencing the preservation of the identity of the flour until exported from Canada.

(3) A certification by the exporter that the flour was milled in the United States or Puerto Rico from wheat produced in the United States.

(f) Where exportation of the flour has been made by anyone or transhipment made or caused to be made by the purchaser to one or more of the countries or areas to which a license is required by the Bureau of International Commerce, United States Department of Commerce, the license issued for such movement by such agency shall be identified.

(g) In case a single bill of lading or other documentary evidence of export covers more than the net quantity of flour which is applied against any one contract with CCC and such documentary evidence of export is to be used as evidence of export of such excess quantity in connection with a different contract with CCC under any export program of CCC pursuant to which CCC has paid or agreed to pay an export allowance or has sold wheat at prices which reflect any export allowance, each copy of such documentary evidence of export submitted pursuant to this section shall be accompanied by a statement certified by the exporter identifying all contracts with CCC to which this documentary evidence of export has been or will be applied and the quantity applicable to each contract.

(h) The documentary evidence of export submitted herein, except to the extent permitted by paragraph (g) of this section, must not have been used in connection with any other sale of wheat for export as flour at prices which reflect an export allowance or any other export program which results in CCC making another export allowance on the same flour.

(i) In the case of sales to the Army and Air Force Exchange Service and Navy Exchanges the exporter shall furnish a certificate of exportation. With respect to sales to the Army and Air Force Exchange Service, the certificate shall be signed by the Chief or Assistant Chief, Transportation Division, AAFES. The certificate with respect to sales to Navy Exchanges is obtainable from the U.S. Navy Ship's Store Office, Third Avenue and 29th Street, Brooklyn 32, N.Y. It must be signed, as appropriate,

by one of the following authorized officials:

(1) Director, Water Freight Division, U.S. Naval Supply Center, Oakland, Calif.

(2) Director, Traffic Branch Division, U.S. Naval Supply Center, Bayonne, N.J.

(3) Director, Land-Air Freight Division, U.S. Naval Supply Center, Norfolk, Va.

(j) Where for good cause, the exporter establishes that he is unable to supply documentary evidence of export as specified in the above provisions of this section, CCC may accept such other evidence of export as will establish to its satisfaction that the exporter has fully complied with his obligations to export.

(k) Such additional evidence of exportation as CCC may require to enable it to determine that there has been compliance with the export requirements of this Announcement.

§ 1483.268 Adjusted contract price.

(a) Wheat is made available under this Announcement at prices below the statutory minimum required under section 407 of the Agricultural Act of 1949, as amended, for sales for unrestricted use upon condition that payment in certificates is made as provided in § 1483.263 and upon the further condition that the purchaser complies with all applicable provisions of §§ 1483.266 and 1483.267. If the flour is not exported as required by this Announcement, excluding, however, the requirement as to time of exportation, or if payment in certificates is not made as required, the contract price with respect to the quantity of wheat involved shall be adjusted upward by the amount that such contract price is exceeded by the price which is the highest of the following in effect on the date of sale:

(1) CCC's statutory minimum sales price for domestic unrestricted CCC, or

(2) the sales price announced by CCC for sales for domestic unrestricted use of the same class, grade and quality of the wheat or,

(3) if no such sales price has been announced, the domestic market price as determined by CCC.

(b) The total amount of any upward adjustment in contract price or liquidated damages arising under this section shall be paid by the purchaser to CCC promptly upon demand, plus interest on such upward adjustment at the rate of 6 percent per annum from the date of sale. Any upward adjustment of the contract price will not be made if CCC determines:

(1) that the flour has been re-entered into the continental United States, Alaska, Hawaii or Puerto Rico due to causes without the fault or negligence of the purchaser, that such flour was pursuant to written approval of CCC subsequently actually exported to a designated country or area within the period specified by CCC, and that the purchaser submitted evidence of such exportation in accordance with § 1483.267; or

(2) that the flour placed in transit to an export location for export under this announcement or re-entered into the continental United States, Alaska, Hawaii or Puerto Rico was lost, damaged,

¹ The requirements of this section do not supersede requirements applicable to exports under Title I or IV, Public Law 480, 83d Congress, as amended, which exports must also conform to requirements in applicable Public Law 480 regulations and Purchase Authorizations to be eligible for Public Law 480 financing.

destroyed or deteriorated and the physical condition thereof was such that its entry into domestic market channels will not impair CCC's price support operations. *Provided*, That if insurance proceeds or other recoveries such as from carriers, exceed the purchase price of the quantity of wheat lost, damaged, or destroyed, plus other costs incurred by the purchaser in connection with such wheat prior to the time of its loss, the amount of such excess shall be paid to CCC.

(c) (1) Failure of the purchaser to export the flour within the time provided in this announcement will cause serious and substantial damages to CCC because of its price support program. Since it will be difficult to prove the amount of such damage, the purchaser shall pay to CCC by way of compensation, and not as a penalty, liquidated damages for delay in exportation not excused under subparagraph (2) of this paragraph at the rate of 1 cent per calendar day per bushel for the number of bushels of wheat for which an equivalent in the form of flour is not exported commencing on the ninety-first day after delivery of the wheat or the day following any extension in time for exportation granted under subparagraph (2) of this paragraph and ending on the date of actual exportation: *Provided, however*, That the total amount of purchase price plus liquidated damages shall not exceed the adjusted sales price plus interest thereon from the date of sale determined as provided in paragraph (a) of this section. It is mutually agreed that such damages are a reasonable estimate of the probable actual damages. The purchaser agrees to pay such liquidated damages on demand.

(2) An extension of time for exportation may be granted, either before or after the final date for exportation, subject to such terms and conditions as CCC may prescribe, if the purchaser gives CCC prompt written notice of a delay in exportation and the cause thereof, and the Contracting Officer, CCC, determines in writing that the delay is due solely to causes without the fault or negligence of the purchaser. Written notice of such determination shall be given to the purchaser and shall be final and conclusive upon the parties subject only to appeal by the purchaser to the Contract Disputes Board of CCC. Any extension of time for exportation will be equivalent to the period of time lost because of such excusable delay.

§ 1483.269 Inability to perform.

CCC shall not be responsible for damages for any failure to deliver, or delay in delivery of, the wheat due to any cause without the fault or negligence of CCC, including, but not restricted to, failure of warehousemen to meet delivery instructions. In case of delay in delivery due to any such causes, CCC shall make delivery to the purchaser as soon as practicable.

§ 1483.270 Covenant against contingent fees.

The purchaser warrants that no person or selling agency has been employed or retained to solicit or secure a contract

under § 1483.240 or § 1483.261 upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial agencies maintained by the exporter for the purpose of securing business. For breach or violation of this warranty CCC shall have the right to annul any such contract without liability or in its discretion in the case of contracts under § 1483.240 to deduct from the export payment or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee, or in the case of contracts under § 1483.261 require the purchaser to pay such amount in addition to the contract price.

A new section is added immediately preceding § 1483.275 to read as follows:

§ 1483.274 Performance security.

In addition to the performance security required under § 1483.263(b) (3) and (c) (2), CCC reserves the right to require the purchaser to furnish a performance bond acceptable to CCC conditioned upon his faithful performance of each and all provisions of the contract, or in lieu of such bond, a certified check, a cashier's check, or other acceptable security, including an irrevocable letter of credit in form approved by CCC against which CCC may draw with a statement that the money is due CCC. Such bond or other security shall be in an amount determined by CCC to be sufficient to protect its financial interests under the contract.

Section 1483.278 is amended to read as follows:

§ 1483.278 Submission of reports.

The Notice of Sale, Declaration of Sale, Notice of Export and related reports required under this subpart to be submitted to the Director should be addressed as follows:

Wheat Subsidy and Market Branch, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Delivery to the above office of telegraphic Notices of Sale will be expedited if addressed as follows:

Substaff, USDA (AG), Washington, D.C.

Exporters calling this office by long distance telephone may do so by direct dialing. The long distance area number for Washington, D.C., is 202. The telephone numbers are DUDley 8-3261, -3262, -3927, -3928. For example, exporters may dial 202 DU 8-3261.

Exporters are urged to report telephonic Notice of Sale by calling DU 8-7305, -7306 or -2334.

(Secs. 4 and 5, Stat. 1070 and 1072, Sec. 2, 63 Stat. 945, as amended, 15 U.S.C. 714 b and c, and 7 U.S.C. 1641)

Effective date. This amendment shall be effective on the date of filing this amendment with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 13, 1965.

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

APPENDIX

NOTICE TO EXPORTERS

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule 15 CFR 370-10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

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

[F.R. Doc. 65-5251; Filed, May 14, 1965, 1:08 p.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 231—ARRIVAL-DEPARTURE MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

PART 251—ARRIVAL MANIFESTS AND LISTS; SUPPORTING DOCUMENTS

Manifests

Reference is made to the notice of proposed rule making which was published in the *FEDERAL REGISTER* on March 30, 1965 (30 F.R. 4135), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) and in which there was set out proposed amendments to Parts 231 and 251 of Chapter I, Title 8, Code of Federal Regulations, pertaining to manifests.

Representations which were received concerning the proposed rules of March 30, 1965, have been considered and those proposed rules have been amended in the following respects:

Section 231.2(a) has been amended to permit the presentation of Forms I-94 for departing nonimmigrant aliens within 96 hours from the time of departure, exclusive of Saturdays, Sundays, and legal holidays, by the master or agent of a vessel making regularly scheduled voyages to and from the United States; in addition, failure to submit such a Form I-94 within the allotted time, shall not be regarded as lack of compliance with section 231(d) of the Act when, for good cause shown, timely presentation was not made.

The amendatory regulations as set out below are hereby adopted.

1. Sections 231.1 and 231.2 are amended to read as follows:

§ 231.1 Arrival manifests for passengers.

(a) *Vessels.* The master or agent of every vessel arriving in the United States from a foreign place or from an outlying possession of the United States, except one arriving directly from Canada on a voyage originating in that country, must present a manifest of all passengers on board to the immigration officer at the first port of arrival. For such vessels as are given advance permission to use the procedure, the manifest shall be in the form of a separate arrival-departure card (Form I-94) prepared for and presented by each passenger. For all other vessels the manifest shall be submitted on a Form I-418, executed in accordance with the instructions on the reverse thereof, with a fully executed Form I-94 for each alien passenger except an alien permanent resident of the United States, a Canadian citizen, or a British subject residing in Canada or Bermuda. For departing alien nonimmigrants the Form I-94 given the alien at the time of his last admission to the United States should be utilized. Any alien registration receipt card on Form I-151 surrendered pursuant to Part 264 of this chapter shall be attached to the manifest. The presentation of the departure manifest on vessels making regularly scheduled voyages to and from the United States may be deferred as follows: The Forms I-94 of departing nonimmigrant aliens, together with the name of the vessel and the date and place of departure, shall be presented to the immigration officer at the port of departure within 96 hours from the time of departure, exclusive of Saturdays, Sundays, and legal holidays. On those vessels using the Form I-94 manifest, the Forms I-94 of all departing passengers, other than nonimmigrant aliens, together with the name of the vessel, the date and place of departure, the total number of departing passengers, and the number of Forms I-94 previously submitted, shall be presented to the immigration officer at the port of departure within 30 calendar days from date of departure. On vessels using the Form I-418 manifest, the Forms I-418, appropriately noted to show prior submission of Forms I-94, shall be presented to the immigration officer at the port of departure within 30 calendar days from date of departure. In the event a Form I-94 for a departing nonimmigrant alien is not submitted within the aforementioned 96-hour period, a completed Form I-94 for that person shall be attached to and shall be submitted with the departure manifest, accompanied by an explanation as to why timely presentation was not made; for good cause shown, such submission shall not be regarded as lack of compliance with section 231(d) of the Act.

(b) *Aircraft.* The captain or agent of every aircraft arriving in the United States from a foreign place or from an outlying possession of the United States, except one arriving directly from Canada on a flight originating in that country, must present a manifest in the form of a separate arrival-departure card (Form I-94) prepared for and presented by each passenger on board to the immigration officer at the first port of arrival, except that an arrival-departure card is not required for an arriving, through-flight passenger at a United States port from which he will depart directly to a foreign place or an outlying possession of the United States on the same flight, provided the number of such through-flight passengers is noted on the Bureau of Customs Form 7507 or on the International Civil Aviation Organization's General Declaration and such passengers remain during the ground time in a separate area under the direction and control of the Service.

(c) *Deferred inspection.* When inspection of an arriving passenger is deferred at the request of the carrier to another port of debarkation, the manifest relating to any such passenger shall be returned, together with a Form I-92 when the Form I-94 manifest procedure is used, for presentation by the captain, master, or agent at the port where inspection is to be conducted.

§ 231.2 Departure manifests for passengers.

(a) *Vessels.* The master or agent of every vessel departing from the United States for a foreign place or an outlying possession of the United States, except one departing directly to Canada on a voyage terminating in that country, must present a manifest of all passengers on board to the immigration officer at the port of departure. For such vessels as are given advance permission to use the procedure, the manifest shall be in the form of a separate arrival-departure card (Form I-94) for each passenger. For all other vessels, the manifest shall be submitted on a Form I-418, executed in accordance with the instructions on

the reverse thereof, with a fully executed Form I-94 for each alien passenger except an alien permanent resident of the United States, a Canadian citizen, or a British subject residing in Canada or Bermuda. For departing alien nonimmigrants the Form I-94 given the alien at the time of his last admission to the United States should be utilized. Any alien registration receipt card on Form I-151 surrendered pursuant to Part 264 of this chapter shall be attached to the manifest. The presentation of the departure manifest on vessels making regularly scheduled voyages to and from the United States may be deferred as follows: The Forms I-94 of departing nonimmigrant aliens, together with the name of the vessel and the date and place of departure, shall be presented to the immigration officer at the port of departure within 96 hours from the time of departure, exclusive of Saturdays, Sundays, and legal holidays. On those vessels using the Form I-94 manifest, the Forms I-94 of all departing passengers, other than nonimmigrant aliens, together with the name of the vessel, the date and place of departure, the total number of departing passengers, and the number of Forms I-94 previously submitted, shall be presented to the immigration officer at the port of departure within 30 calendar days from date of departure. On vessels using the Form I-418 manifest, the Forms I-418, appropriately noted to show prior submission of Forms I-94, shall be presented to the immigration officer at the port of departure within 30 calendar days from date of departure. In the event a Form I-94 for a departing nonimmigrant alien is not submitted within the aforementioned 96-hour period, a completed Form I-94 for that person shall be attached to and shall be submitted with the departure manifest, accompanied by an explanation as to why timely presentation was not made; for good cause shown, such submission shall not be regarded as lack of compliance with section 231(d) of the Act.

(b) *Aircraft.* The captain or agent of every aircraft departing from the United States for a foreign place or an outlying possession of the United States, except one departing directly to Canada on a flight terminating in that country, must present a manifest of all passengers on board to the immigration officer at the port of departure prior to departure, except that aircraft departing on regularly scheduled flights from the United States may defer presentation for a period not in excess of 48 hours. The manifest shall be in the form of a Bureau of Customs Form 7507 or the International Civil Aviation Organization's General Declaration and a separate arrival-departure card (Form I-94) for each passenger, except a through-flight passenger for whom an arrival-departure card was not prepared upon arrival. An alien nonimmigrant departing on an aircraft proceeding directly to Canada on a flight terminating in that country should surrender any Form I-94 in his possession to the airline agent at the port of departure or to the Canadian immigration officer at the port of arrival in that country.

2. Sections 251.1, 251.3, and 251.4 are amended to read as follows:

§ 251.1 Arrival manifests and lists.

(a) *Vessels.* The master or agent of every vessel arriving in the United States from a foreign place or from an outlying possession of the United States shall present to the immigration officer at the port of first arrival a manifest of all crewmen on board on Form I-418 in accordance with the instructions contained thereon. A manifest shall not be required for crewmen aboard a vessel of United States, Canadian, or British registry engaged solely in traffic on the Great Lakes, or the St. Lawrence River, and connecting waterways herewith designated as a Great Lakes vessel, except crewmen of other than United States, Canadian, or British citizenship and, after submission of a manifest on the first voyage of a calendar year, a manifest shall not be required on subsequent arrivals unless there is employed on the vessel at the time of such arrival an alien crewman of other than United States, British, or Canadian citizenship who was not aboard and listed on the occasion of the submission of the last prior manifest.

(b) *Aircraft.* The captain or agent of every aircraft arriving in the United States from a foreign place or from an outlying possession of the United States, except an aircraft arriving in the United States directly from Canada on a flight originating in that country, shall present to the immigration officer at the port of first arrival a manifest on the Bureau of Customs Form 7507 or on the International Civil Aviation Organization's General Declaration of all the crewmen on board, including crewmen who are returning to the United States after taking an aircraft of the same line from the United States to a foreign place or crewmen who are entering the United States as passengers solely for the purpose of taking an aircraft of the same line from the United States to a foreign port. The surname, given name, and middle initial of each such crewman listed shall be shown.

(c) *Additional documents.* The master, captain, or agent shall prepare as a part of the manifest, when one is required for presentation to an immigration officer, a completely executed set of Forms I-95 for each alien crewman on board, except (1) an alien immigrant crewman in possession of a valid immigrant visa, reentry permit, or alien registration receipt card on Form I-151; (2) a Canadian or British citizen crewman serving on a vessel plying solely between Canada and the United States; or (3) a crewman seeking conditional landing privileges under section 252(a) (1) of the Act who is in possession of an unutilized alien crewman landing permit and identification card (Form I-184) or an unutilized conditional landing permit (Form I-95) with space for additional endorsements previously issued to him as a member of the crew of the same vessel or an aircraft of the same line on his last prior arrival in the United States, following which he departed from the United States as a member of the crew of the same vessel or an aircraft of the same line.

RULES AND REGULATIONS

§ 251.3 Departure manifests and lists for vessels.

(a) *Form I-418, Crew List.* The master or agent of every vessel departing from the United States shall submit to the immigration officer at the port from which such vessel is to depart directly to some foreign place or outlying possession of the United States, except when a manifest is not required pursuant to § 251.1(a), a single Form I-418, Crew List, completed in accordance with the instructions contained herein. Every item in the heading of the Form I-418 must be completed and the following endorsement shall be placed on the first line of the form: "Arrival Crew List, Form I-418, filed at (show United States port of entry)." Submission of a Form I-418 which lacks that endorsement or which lacks other essential information shall be regarded as lack of compliance with section 251(c) of the Act.

(b) *Added crewmen.* Under a heading "Added Crewmen," list the names of all nonresident alien crewmen who were not members of the crew and manifested on Form I-418 as such on the occasion of the vessel's last arrival in the United States and attach for each name on the list the Form I-95 or Form I-94 given to the alien crewman when he last arrived in the United States. If that form is unavailable, a new Form I-95 shall be prepared and attached to the Form I-418.

(c) *Separated crewmen.* Under a heading "Separated Crewmen," list the names of all alien crewmen, other than alien permanent residents of the United States, who were listed on the arrival Form I-418, as members of the crew on the occasion of the vessel's last arrival in the United States but who for any reason are not departing with the vessel, and for each such separated crewman show his nationality, passport number, specific port and date of separation, and the reasons for failure to depart. The list required by paragraph (b) of this section and this paragraph may be incorporated in a single Form I-418, if space permits. The required lists need not be submitted for Canadian or British citizen crewmen of Great Lakes vessels.

(d) *No changes in crew.* When there are no added and separated crewmen as described in this section, the Form I-418 shall be endorsed with the notation "No changes in nonresident alien crew upon departure."

§ 251.4 Departure manifests and lists for aircraft.

(a) *Bureau of Customs Form 7507 or International Civil Aviation Organization's General Declaration.* The captain or agent of every aircraft departing from the United States for a foreign place or an outlying possession of the United States, except an aircraft departing from the United States directly to Canada on a flight terminating in that country, shall submit to the immigration officer at the port from which such aircraft is to depart on the Bureau of Customs Form 7507 or on the International Civil Aviation Organization's General Declaration a list of all crewmen on board, including crewmen who arrived in the United

States as crewmen on an aircraft of the same line and who are departing as passengers. The surname, given name, and middle initial of each such crewman listed shall be shown.

(b) *Notification of changes in employment for aircraft.* The agent of the air transportation line shall immediately notify in writing the nearest immigration office of the termination of employment in the United States of each alien employee of the line furnishing the name, birthdate, birthplace, nationality, passport number, and other available information concerning such alien.

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

The basis and purpose of the above-prescribed rules are to provide for the more expeditious and meaningful submission of departure manifests; to eliminate the requirement for presentation of crew manifests upon arrival from Guam, Puerto Rico, or the Virgin Islands of the United States; and to require the manifesting of certain air crewmen who enter or depart as passengers.

This order shall become effective on July 1, 1965.

Dated: May 13, 1965.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 65-5225; Filed, May 18, 1965;
8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE**Chapter I—Small Business Administration**

[Amtd. 2]

PART 121—SMALL BUSINESS SIZE STANDARDS**Definition of a Small Business for Purpose of Government Procurements for Artificial Leather, Oilcloth, and Other Impregnated and Coated Fabrics, Except Rubberized**

On February 27, 1965, there was published in the *FEDERAL REGISTER* (30 F.R. 2614), a notice of proposal to amend the definition of a small business manufacturer for the purpose of bidding on Government procurements for products classified in SIC Industry 2295, Artificial leather, oilcloth, and other impregnated and coated fabrics, except rubberized.

Under the proposed amendment, a concern in this industry would be considered as small if, together with its affiliates, its number of employees does not exceed 1,000 persons.

Interested persons were given an opportunity to present their comments or suggestions thereon to the Office of Economic Analysis within 30 days after the date of publication of the notice in the *FEDERAL REGISTER*. After consideration of all relevant matters regarding the proposal, the amendment set forth below is hereby adopted.

The Small Business Size Standards Regulation (Revision 5) (30 F.R. 2247),

as amended (30 F.R. 4252) is hereby further amended by adding to Schedule B of § 121.3-8 the following industry size standard:

Census Classification code	Industry	Employment size standard (number of employees)
2295	Artificial leather, oilcloth, and other impregnated and coated fabrics, except rubberized.	1,000

This amendment shall become effective 60 days after publication in the *FEDERAL REGISTER*.

Dated: May 11, 1965.

EUGENE P. FOLEY,
Administrator.

[F.R. Doc. 65-5228; Filed, May 18, 1965;
8:45 a.m.]

Title 47—TELECOMMUNICATION**Chapter I—Federal Communications Commission**

[FCC 65-400]

PART 0—COMMISSION ORGANIZATION**PART 1—PRACTICE AND PROCEDURE****PART 83—STATIONS ON SHIPBOARD IN MARITIME SERVICES****Miscellaneous Amendments**

In the matter of amendment of Parts 0, 1, and 83 of the Commission's rules to implement the radio provisions of the International Convention for the safety of Life at Sea, London, 1960.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of May 1965:

The Commission having under consideration the above-captioned matter;

It appearing, that the International Convention for the Safety of Life at Sea, 1960, which replaces and abrogates the Safety Convention, 1948, was accepted by the United States of America on August 2, 1962, and will come into force, internationally, on May 26, 1965; and

It further appearing, that by Docket No. 15034, published in the *FEDERAL REGISTER* on November 7, 1963 (28 F.R. 11889), the Commission made initial amendments to Part 83 to conform these rules with certain new technical requirements of the Safety Convention, 1960;

It further appearing, that inasmuch as the balance of the new provisions of the Safety Convention, 1960, which relate to (a) the titles of certificates to be issued under that Convention, (b) the extension of applicability of the radio provisions thereof down to ships of 300 gross tons, (c) the provision of a separate reserve transmitter in installations on cargo ships of 1600 gross tons and upwards made on or after November 19, 1952, and (d) the provision of a reserve

source of energy for radiotelephone stations installed in cargo vessels on or after November 19, 1952, are treaty matters that have previously been accepted by the United States and will come into force on May 26, 1965, with regard to U.S. ships engaged on international voyages, it is desirable to include these provisions and related editorial and procedural amendments in Parts 0, 1, and 83 of the Commission's rules; and

It further appearing, that certain of the amendments adopted herein implement the new and changed radio provisions of the Safety Convention, 1960, by specific rules, and the remaining amendments are editorial and procedural in nature, and hence compliance with the notice and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary; and

It further appearing, that the amendments adopted herein are issued pursuant to authority contained in section 303(r) of the Communications Act of 1934, as amended:

It is ordered, That effective May 26, 1965, Parts 0, 1, and 83 of the Commission's rules are amended as set forth below.

Released: May 14, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,
[seal] BEN F. WAPLE,
Secretary.

A. Part 0, Commission Organization, is amended as follows:

In § 0.332(b) the introductory text is amended, and subparagraph (5) (including subparagraphs (I) and (II)), is deleted:

§ 0.332 Additional authority delegated.

(b) Applications or requests for exemption, pursuant to the provisions of sections 352(b) and 383 of the Communications Act; Regulation 4, Chapter I of the Safety Convention; Regulation 5, Chapter IV of the Safety Convention; Regulation 12(b), Chapter V of the Safety Convention; or Article 6 of the Great Lakes Radio Agreement:

(5) [Deleted]

B. Part 1, Practice and Procedure, is amended as follows:

§ 1.922 [Amended]

1. Section 1.922 is amended by deleting FCC Form 820-A and its title from the listing, and by revising the title of FCC Form 820 as follows:

§ 1.920 Application for Exemption from Ship Radio Station Requirements.

2. Section 1.927, paragraph (a), is amended to read:

§ 1.927 Application for ship radio inspection or periodical survey of ships subject to compulsory radio requirements.

(a) Applications for ship radio inspection and certification of the ship radio license in accordance with the requirements of section 362(b) of the Communications Act, and/or issuance of a Safety

Convention certificate in accordance with the terms of Regulations 12 and 13, Chapter 1 of the Safety Convention, should be submitted on FCC Form 801 entitled "Application for Ship Radio Inspection". This form should be forwarded to the Engineer in Charge of the radio district office nearest the desired port of inspection (see § 0.121 of this chapter).

3. Section 1.928, paragraph (b) is amended to read:

§ 1.928 Procedure with respect to applications for ship radio inspection or periodical survey.

(b) Application for a Safety Convention certificate in accordance with the terms of Regulations 12 and 13, Chapter 1 of the Safety Convention.

4. Section 1.929 is amended to read:

§ 1.929 Application for exemption from compulsory ship radio requirements.

Applications for exemption, filed under the provisions of sections 352 (b) or (c) and 383 of the Communications Act; Regulation 5, Chapter IV of the Safety Convention; and Article 6 of the Great Lakes Radio Agreement, shall be submitted on FCC Form 820 entitled "Application for Exemption from Ship Radio Station Requirements".

(Sec. 10(b), 50 Stat. 192, as amended, 47 U.S.C. 352; and sec. 170 Stat. 1047, 47 U.S.C. 383)

C. Part 83, Stations on Shipboard in the Maritime Services, is amended as follows:

1. Section 83.2, paragraphs (a) and (p) are amended to read:

§ 83.2 General.

(a) *Safety Convention*. The International Convention for the Safety of Life at Sea, London, 1960, including the Regulations annexed thereto.

(p) *Safety Convention Certificates*—
(1) *Nuclear Passenger Ship Safety Certificate*. A certificate issued after inspection and survey to a nuclear passenger ship which complies with the relevant requirements of the Safety Convention.

(2) *Passenger Ship Safety Certificate*. A certificate issued after inspection and survey to a passenger ship which complies with the relevant requirements of the Safety Convention.

(3) *Nuclear Cargo Ship Safety Certificate*. A certificate issued after inspection and survey to a nuclear cargo ship which complies with the relevant requirements of the Safety Convention.

(4) *Cargo Ship Safety Radiotelegraphy Certificate*. A certificate issued after inspection to a cargo ship which complies with the Safety Convention radio requirements applicable to cargo ships carrying a radiotelegraph station for the purpose of meeting such requirements.

(5) *Cargo Ship Safety Radiotelephony Certificate*. A certificate issued after inspection to a cargo ship which complies with the Safety Convention radio re-

quirements applicable to cargo ships carrying a radiotelephone station for the purpose of meeting such requirements.

(6) *Exemption Certificate*. A certificate issued to a ship which is granted partial, conditional, or complete exemption from applicable provisions of the Safety Convention.

* * * * *

§ 83.3 [Deleted]

2. Section 83.8 is deleted.

3. Section 83.49, paragraph (a) is amended to read:

§ 83.49 Application for exemption.

(a) Application for exemption from the radio provisions of parts II or III of title III of the Communications Act of 1934, as amended, the Safety of Life at Sea Convention, 1960, or the Great Lakes Radio Agreement, or for modification or renewal of exemption previously granted, shall be submitted by the vessel owner, the vessel's operating agency, or the master of the vessel to the Secretary, Federal Communications Commission, Washington, D.C., 20554, on FCC Form 820. In cases of emergency found by the Commission, the Commission may consider an informal application which should include the full information normally furnished on the formal application.

* * * * *

4. Section 83.441, paragraph (a) is amended to read:

§ 83.441 Inspection of station.

(a) Every ship of the United States subject to part II of title III of the Communications Act and/or the radio provisions of the Safety Convention shall have the equipment and apparatus prescribed therein inspected at least once every 12 months. The issuance of an appropriate certificate (see section 361 of the Communications Act) in behalf of any vessel of the United States concerning the radio particulars provided for in the Safety Convention is subject to a finding by the Commission that such vessel complies with the applicable radio provisions of that Convention. The issuance date of Cargo Ship Safety Radiotelegraphy Certificates and Cargo Ship Safety Radiotelephony Certificates issued by the Commission shall be the date the station is found to be in compliance or not later than one business day following such incompliance date.

* * * * *

5. Section 83.442 is amended to read:

§ 83.442 Radiotelegraph station.

The radiotelegraph station required to be provided on a ship by reason of the provisions of part II of title III of the Communications Act, or on a U.S. ship by reason of the Safety Convention, shall comply in an efficient manner with the provisions of this subpart in addition to all other applicable requirements of this part. The radiotelegraph station comprises a main installation and a reserve installation, electrically separate and electrically independent of each other (except as otherwise provided in paragraph (b) of § 83.443) and such other equipment as may be necessary for the

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proper use and operation of these installations.

6. Section 83.443 is amended to read:
§ 83.443 Main and reserve installations.

(a) The main installation includes a main transmitter, a main receiver, a main power supply, and a main antenna system.

(b) The reserve installation includes a reserve transmitter, a reserve receiver, a reserve power supply, emergency electric lights, and a reserve antenna system: *Provided, however, That:*

(1) *Cargo ships engaged on international voyages.* In installations on cargo ships of 300 gross tons and upwards but less than 1,600 gross tons, and in installations on cargo ships of 1,600 gross tons and upwards installed prior to November 19, 1952, if the main transmitter complies with all the requirements for the reserve transmitter, the latter may be omitted.

(2) *Cargo ships not engaged on international voyages.* In installations on cargo ships of 500 gross tons and upwards but less than 1,600 gross tons, and in installations on cargo ships of 1,600 gross tons and upwards installed prior to August 13, 1955, if the main transmitter complies with all the requirements for the reserve transmitter, the latter may be omitted.

(3) A cargo ship the keel of which was laid prior to June 1, 1954, may either be equipped with a reserve antenna or provided with a spare antenna consisting of a single-wire transmitting antenna (including suitable insulators) completely assembled for immediate installation.

7. Section 83.446, paragraph (a) (7) is amended to read:

§ 83.446 Requirements of reserve installation.

(a) * * *

(7) The emergency electric lights shall be controlled by two-way switches placed near the main entrance to the radiotelegraph operating room and at the radiotelegraph operating position, in all cases where the distance between these points is greater than 8 feet: *Provided, That this requirement shall be applicable to stations when the main or reserve radiotelegraph transmitter is replaced or initially installed in such station on and after May 26, 1965.*

8. Section 83.453, paragraph (b) is amended to read:

§ 83.453 Radiotelegraph auto alarm.

(b) The following radiotelegraph auto alarms are acceptable for use pursuant to § 83.205:

(1) A radiotelegraph auto alarm that was type approved by the Commission prior to January 1, 1954, and installed prior to May 26, 1965, is acceptable until May 26, 1969. All radiotelegraph auto alarm type approvals dated prior to January 1, 1954, are canceled as of May 26, 1969.

(2) A radiotelegraph auto alarm that was type approved by the Commission

subsequent to January 1, 1954, pursuant to § 83.554.

9. Section 83.486 is amended to read:
§ 83.486 Automatic radiotelephone alarm signal generator.

The transmitter provided as a component of the radiotelephone station shall be equipped with a device, of a type approved by the Commission pursuant to § 83.142, capable of automatically generating the international radiotelephone alarm signal: *Provided, That this requirement shall be applicable to all such transmitters initially installed on and after May 26, 1965, and to all such transmitters on and after May 26, 1968.*

10. Section 83.491, paragraph (a) is amended to read:

§ 83.491 Reserve source of energy.

(a) When the main source of energy is not situated on the same deck as the main wheelhouse or at least one deck above the vessel's main deck, a reserve source of electrical energy shall be provided and shall be so situated: *Provided, however, That this requirement is applicable only:*

(1) When the required radiotelephone transmitter has been installed on or after November 19, 1952, in the case of vessels engaged on international voyages; or

(2) When the required radiotelephone transmitter has been installed on or after August 13, 1955, in the case of vessels not engaged on international voyages.

11. Section 83.538 is amended to read:

§ 83.538 Occasional navigation on the Great Lakes.

Any vessel of the United States which enters the Great Lakes from Montreal or below and which engages in not more than two voyages on the Great Lakes in any one calendar year solely between (a) one or more ports outside the Great Lakes and (b) one or more ports on the Great Lakes, may in lieu of complying with the technical radiotelephone requirements of the Great Lakes Radio Agreement, comply with the radiotelephone requirements of Regulations 14 and 15 of Chapter IV of the Safety of Life at Sea Convention, 1960: *Provided, however, That:*

(1) The vessel has on board a valid Cargo Ship Safety Radiotelephony Certificate; and

(2) The radiotelephone installation is equipped to transmit and receive on the frequencies 2003 kc/s and 2182 kc/s.

12. Section 83.557 is amended by revising the footnote to the table in paragraph (b) (1) and the footnote to the table in paragraph (c) (2) to read:

§ 83.557 Requirements for survival craft portable radio equipment.

(b) (1) * * *

* In the case of equipment type approved prior to May 26, 1965, the power output may be 1.7 watts into an artificial antenna of 10 ohms resistance and 75 picofarads capacitance.

(c) * * *

(2) * * *

* In the case of equipment type approved prior to May 26, 1965, the artificial antenna may be 10 ohms resistance and 75 picofarads capacitance.

[F.R. Doc. 65-5259; Filed, May 18, 1965; 8:48 a.m.]

[FCC 65-398]

PART 1—PRACTICE AND PROCEDURE

Miscellaneous Amendments

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of May 1965:

The Commission having under consideration the local notice requirements set forth in §§ 1.525, 1.580, and 1.594 of the rules of practice and procedure and, in particular, the time periods within which such notice must be provided; and

It appearing, that these rules now provide for publication of notice during the first week after the happening of certain events; that it is frequently difficult to prepare the notice and arrange for publication during this period; that the publication of notice can be delayed for 1 week without material disadvantage to those in the local community who may wish to participate in the proceeding; and, therefore, that the rules should be amended to permit publication beginning in the second week after the happening of the events in question; and

It further appearing, that the amendments adopted herein are procedural in nature, that they relieve a restriction, and hence that the notice and effective date requirements of section 4 of the Administrative Procedure Act are inapplicable; and

It further appearing, that authority for the amendments adopted herein is contained in sections 4(i), 303(r), and 311 of the Communications Act of 1934, as amended:

It is ordered, Effective May 24, 1965, that §§ 1.525, 1.580, and 1.594 of the rules of practice and procedure are amended as set forth below.

(Secs. 4, 303, 311, 48 Stat. 1066, 1082, 74 Stat. 892; 47 U.S.C. 154, 303, 311)

Released: May 14, 1965.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE,
Secretary.

1. Section 1.525(b) (2) is amended to read as follows:

§ 1.525 Agreements between parties for amendment or dismissal of, or failure to prosecute broadcast applications.

(b) * * *

(2) Upon release of an order under subparagraph (1) of this paragraph, any party proposing to withdraw its application shall cause to be published a notice of such proposed withdrawal at

least twice a week for 2 consecutive weeks within the 3-week period immediately following release of the Commission's order, in a daily newspaper of general circulation published in the community in which it was proposed to locate the station: *Provided, however,* That if there is no such daily newspaper published in the community, the notice shall be published as follows:

(i) If one or more weekly newspapers of general circulation are published in the community in which the station was proposed to be located, notice shall be published in such a weekly newspaper once a week for 3 consecutive weeks within the 4-week period immediately following the release of the Commission's order.

(ii) If no weekly newspaper of general circulation is published in the community in which the station was proposed to be located, notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following the release of the Commission's order in the daily newspaper having the greatest general circulation in the community in which the station was proposed to be located.

2. Section 1.580(c), and that portion of (d) preceding subparagraph (1), are amended to read as follows:

§ 1.580 Local notice of filing; public notice of acceptance for filing; petitions to deny.

(c) Except as otherwise provided in paragraph (e) of this section, an applicant filing any application or an amendment thereto which is subject to the provisions of this section (except for applications for stations in the international broadcast service and for television translator stations) shall cause to be published a notice of such filing as follows: Notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following the tendering for filing of such application or amendment, or at least twice a week for 2 consecutive weeks within the 3-week period immediately following notification by the Commission pursuant to § 1.571, § 1.572, § 1.573, or § 1.578, in a daily newspaper of general circulation published in the community in which the station is located or proposed to be located: *Provided, however,* That if there is no such daily newspaper published in the community, the notice shall be published as follows:

(1) If one or more weekly newspapers of general circulation are published in the community in which the station is located or proposed to be located, notice shall be published in such a weekly newspaper once a week for 3 consecutive weeks within the 4-week period immediately following the tendering for filing of such application or amendment, or once a week for 3 consecutive weeks within the 4-week period immediately following notification by the Commission pursuant to § 1.571, § 1.572, § 1.573, or § 1.578.

(2) If no weekly newspaper of general circulation is published in the community in which the station is located or

proposed to be located, notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following the tendering for filing of such application or amendment, or at least twice a week for the 2 consecutive weeks within the 3-week period immediately following notification by the Commission pursuant to § 1.571, § 1.572, § 1.573, or § 1.578, in the daily newspaper having the greatest general circulation in the community in which the station is located or proposed to be located:

And provided further: That in the case of an application for a permit pursuant to section 325(b) of the Communications Act, the notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following the tendering for filing of such application, or at least twice a week for 2 consecutive weeks within the 3-week period immediately following notification by the Commission pursuant to § 1.571, § 1.572, § 1.573, or § 1.578, in a daily newspaper of general circulation in the largest city in the principal area to be served in the United States by the foreign radio broadcast station:

And provided further: That in the case of an application for change in the location of a station, the notice shall be published both in the community in which the station is located and in the community in which the station is proposed to be located:

(d) If the application seeks modification, assignment, transfer, or renewal of an operating broadcast station (except for applications for stations in the international broadcast service and for television translator stations), the applicant shall, in addition to publishing a notice of such filing as provided in paragraph (c) of this section, cause the same notice to be broadcast over that station at least once daily on 4 days in the second week immediately following the tendering for filing of such application, or in the second week immediately following notification by the Commission pursuant to § 1.571, § 1.572, § 1.573, or § 1.578. In the case of television broadcast stations and noncommercial educational television broadcast stations, such notice shall be broadcast orally with camera focused on the announcer. The notice required by this paragraph shall be broadcast during the following periods:

3. Section 1.594(a), and that portion of (b) preceding subparagraph (1), are amended to read as follows:

§ 1.594 Local notice of designation for hearing.

(a) Except as otherwise provided in paragraph (c) of this section, when an application subject to the provisions of § 1.580 (except for applications for stations in the international broadcast service and for television translator stations) is designated for hearing, the applicant shall cause to be published a notice of such designation as follows: Notice shall be published at least twice a week, for 2 consecutive weeks within the 3-week period immediately following release of the

Commission's order specifying the time and place of the commencement of the hearing, in a daily newspaper of general circulation published in the community in which the station is located or proposed to be located: *Provided, however,* That if there is no such daily newspaper published in the community, the notice shall be published as follows:

(1) If one or more weekly newspapers of general circulation are published in the community in which the station is located or proposed to be located, notice shall be published in such a weekly newspaper once a week for 3 consecutive weeks within the 4-week period immediately following the release of the Commission's order specifying the time and place of the commencement of the hearing;

(2) If no weekly newspaper of general circulation is published in the community in which the station is located or proposed to be located, notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following the release of the Commission's order specifying the time and place of the hearing in the daily newspaper having the greatest general circulation in the community in which the station is located or proposed to be located:

And provided further: That in the case of an application for a permit pursuant to section 325(b) of the Communications Act, the notice shall be published at least twice a week for 2 consecutive weeks within the 3-week period immediately following release of the Commission's order specifying the time and place of the commencement of the hearing in a daily newspaper of general circulation in the largest city in the principal area to be served in the United States by the foreign radio broadcast station:

And provided further: That in the case of an application for change in the location of a station, the notice shall be published both in the community in which the station is located and in the community in which the station is proposed to be located.

(b) When an application which is subject to the provisions of § 1.580 and which seeks modification, assignment, transfer, or renewal of an operating broadcast station is designated for hearing (except for applications for stations in the international broadcast service and for television translator stations), the applicant shall, in addition to publishing a notice of such designation as provided in paragraph (a) of this section, cause the same notice to be broadcast over that station at least once daily on 4 days in the second week immediately following the release of the Commission's order specifying the time and place of the commencement of the hearing. In the case of television broadcast stations and noncommercial educational television broadcast stations, such notice shall be broadcast orally with camera focused on the announcer. The notice required by this paragraph shall be broadcast during the following periods:

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service
17 CFR Part 331

EXPORT APPLES AND PEARS

Notice of Proposed Rule Making

Notice is hereby given that the Department is considering the proposed amendment of the regulations (7 CFR Part 33), as hereinafter set forth, effective pursuant to the provisions of the Export Apple and Pear Act, as amended (48 Stat. 123; 7 U.S.C. 581-589), and the authority set forth in section 7, 48 Stat. 124; 7 U.S.C. 587.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same, in quadruplicate, with the Hearing Clerk, United States Department of Agriculture, Room 112 Administration Building, Washington, D.C., 20250, not later than the 30th day after the publication of this notice in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment would (1) increase from 25 to 100 boxes the exempt quantity of apples or pears that may be shipped by an exporter on a single conveyance to any foreign country, and (2) permit shipment to Mexico of pears in less than carload lots (400 boxes), providing that not more than one such lot may be shipped by any shipper to any one consignee or receiver on the same conveyance.

The proposed amendment is as follows:

Revise paragraph (a) of § 33.12 *Apples and pears not subject to regulation* so that after such revision the preamble of such section and paragraph (a) provide as follows:

§ 33.12 Apples and pears not subject to regulation.

Except as otherwise provided in this section, any person may, without regard to the provisions of this part, ship or offer for shipment, and any carrier may, without regard to the provisions of this part, transport or receive for transportation to any foreign destination:

(a) A quantity of apples or pears to any foreign country not exceeding a total of 5,000 pounds gross weight or 100 boxes of apples or pears packed in standard boxes on a single conveyance: *Provided*, That pears may be shipped to Venezuela or Mexico in less than carload lots not exceeding one such lot to any one consignee or receiver on a single conveyance.

* * * * *

Dated: May 14, 1965.

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 65-5271; Filed, May 18, 1965;
8:49 a.m.]

17 CFR Part 993.1

[Docket No. AO 201-A5]

DRIED PRUNES PRODUCED IN CALIFORNIA

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Amendment of Marketing Agreement, as Amended, and Order, as Amended

Pursuant to the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk, United States Department of Agriculture, of this recommended decision with respect to proposed amendment of the marketing agreement, as amended, and this part (Order No. 993, as amended), regulating the handling of dried prunes produced in California (hereinafter collectively referred to as the "order"). The order is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), hereinafter referred to as the "act", and any amendment which may result from this proceeding also will be effective pursuant to the act.

Interested persons 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 on the 12th day after publication of this recommended decision in the *FEDERAL REGISTER*. Exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The public hearing on the record of which the proposed amendment is formulated was held in San Francisco, California, on March 15 and 16, 1965. Notice of the hearing was published in the *FEDERAL REGISTER* on February 24, 1965 (30 F.R. 2601). The proposals in the notice of hearing were submitted by the Prune Administrative Committee (hereinafter referred to as the "committee"), the agency established pursuant to the order to administer the terms and provisions thereof.

Material issues. The material issues presented on the record of the hearing involve amendatory action relating to:

(1) The defining of the terms "handle," "proper storage," "domestic trade demand," "foreign trade demand," "salable prunes," and "reserve prunes";

(2) The modification of the committee's voting procedures to require at least 14 affirmative votes for committee decisions on important matters;

(3) The deletion of the requirement that committee members shall receive \$10

per day, and the payment of alternate members' expenses when authorized by the committee;

(4) The requiring of statements of the committee's financial operations on reserve prunes;

(5) The application of a minimum size limitation to French prunes disposed of for human consumption as prunes;

(6) The need, authority, and method for volume regulation, and the enlargement of marketing policy requirements;

(7) The need, authority, and methods for optional diversion of prune plums by producers;

(8) The prunes on which assessments should be levied; and

(9) The making of such changes in the order as are necessary to bring the entire order, as proposed to be amended, into conformity with the amendatory action resulting from the hearing.

Findings and conclusions. The findings and conclusions on the aforementioned material issues, all of which are based on the evidence adduced at the hearing and the record thereof, are as follows:

(1) The term "handle," now defined in § 993.13, specifies those functions which, when performed with respect to prunes, make a person a handler and thereby subject him to the provisions of the order. It was proposed in the notice of hearing to consider any need to revise the definition in view of the proposed addition to the order of provisions for volume regulation. The record does not show any need to revise the definition. It does show, however, that the term should continue to apply with respect to prunes on which the specified functions of handling are performed, including salable and reserve prunes in the event of volume regulation. This is necessary to permit order operations and to effect handler compliance.

A new section, § 993.21a, should be added to the order to define the term "proper storage" to mean storage of such character as will maintain prunes in the same condition as when received by a handler, except for normal and natural deterioration and shrinkage. The need for defining the term stems from the requirement in new § 993.57 for handlers to hold reserve prunes in proper storage for the account of the committee. To specify storage of such character as will keep the prunes in the same condition as when received is necessary to protect the value of the pooled prunes for the persons beneficially interested therein. However, in the course of storing prunes, due to their semi-perishable nature, some deterioration and shrinkage beyond the handler's control normally and naturally occurs even in good storage facilities and conditions. The foregoing exception in the definition is made in recognition of this normal occurrence.

A new section, § 993.21b *Trade demand*, should be added to the order to define the terms "domestic trade demand" and "foreign trade demand".

The first term should be defined to mean the quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in domestic markets for human consumption as prunes and prune products. The second term should be defined to mean the quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in other than domestic markets for human consumption as prunes and prune products. The term "domestic" is presently defined in § 993.21 to mean the United States, Canal Zone, Puerto Rico, Virgin Islands, and Canada. The two terms thus serve to distinguish between the two geographical market areas, domestic and foreign, historically considered by the prune industry as generally differing from one another as to marketing practices and terms and conditions of sales.

A new section, § 993.21c, should be added to the order to define the term "salable prunes" to mean those prunes which are free to be handled pursuant to any salable percentage established by the Secretary pursuant to § 993.54, or, if a reserve percentage of zero is established for a crop year, all prunes received by handlers from producers and dehydrators during that year. Another new section, § 993.21d, should be added to the order to define the term "reserve prunes" to mean those prunes which must be withheld in satisfaction of a reserve obligation arising from the application of a reserve percentage established by the Secretary pursuant to § 993.54. The two terms should be defined for use in the proposed volume provisions and the regulations which cause prunes to fall into one of the two categories during a crop year on the basis of salable and reserve percentages. The definition of the term "salable prunes" should prescribe that all prunes received by handlers from producers and dehydrators during a crop year comprise salable prunes if a reserve percentage of zero is established for a crop year because salable prunes will constitute the tonnage basis on which assessments will be levied whether or not volume regulation is in effect.

(2) The proviso in § 993.33 should be revised to require that committee decisions on marketing policy, grade or size regulations, pack specifications, salable and reserve percentages, and on any matters pertaining to the control or disposition of reserve prunes or to prune plum diversion, including any delegation of authority to act on such matters and any recommendations of rules and procedures with respect to such matters, including any such decision arrived at by mail or telegram, shall require at least 14 affirmative votes (two-thirds of the 21-member committee). The proviso presently provides that committee decisions on marketing policy, grade or size regulations, or pack specifications shall require at least 11 affirmative votes (a majority of the 21-member committee).

With prospect of larger productions of prunes than the average production of recent years, committee decisions on marketing policy, grade or size regulations, or pack specifications are likely to

have greater economic impact on producers and handlers in the years ahead. Moreover, committee decisions on volume regulation and prune plum diversion would be of particular importance to the industry. Committee decisions on the implementation of volume regulation and prune plum diversion could have as an important effect on the industry as do its decisions and recommendations on marketing policy, volume percentages and on whether to recommend to the Secretary that prune plum diversion be operative. This implementation would include committee decisions and recommendations on such matters as rules and procedures on volume regulation and prune plum diversion, and the delegation, either to subcommittees or to the committee management, of authority to work out details and to perform functions on reserve prune management and diversion operations. The evidence of record is all these matters should be subject to a 14-vote requirement, and that whenever more than one-third of the industry is in opposition on these important matters, the item under consideration should be deemed to have inadequate support. The revision of the proviso should provide that 14-vote requirement also apply to committee decisions when voting is conducted by mail or telegram on any of the foregoing matters so as to be consistent with the voting requirement to be applied in committee meetings. As a conforming change in this regard, the last sentence of § 993.33 should be amended by placing a period after the word "adoption" and deleting the remainder of the sentence.

(3) Section 993.34 should be revised to provide that the members of the committee, and alternates when acting as members, or when alternates' expenses are authorized by the committee, shall serve without compensation but shall be allowed their expenses. This section now provides that the members of the committee, and their alternates when acting as members, shall receive \$10 per day for each day devoted to performing their duties under the order, plus their reasonably necessary expenses.

The provision for compensation of \$10 per day should be deleted because it is indicated that producers and handlers are sufficiently public spirited to be willing to serve without this compensation and thus avoid the cost to the industry which such compensation entails. However, members of the committee, and alternates acting as members, should continue to be allowed their expenses as is done in other programs of this type.

Occasions arise when alternates, even though not acting as members, should be allowed their expenses. For example, some committee meetings, such as those dealing with annual marketing policy, may be of such importance that both members and alternates are justified in attending. The contributions of alternates to such meetings, the information they derive from attendance, and the orientation they can then provide other producers or handlers can be of real value to the industry. Payment of alternates' expenses should be authorized for the further purpose of permitting at-

tendance while performing specific tasks as members of subcommittees. So that alternates' expenses (when not acting as members) are paid only when they perform duties under the order and serve useful purposes to the industry, such payment should be made only when authorized by the committee. The evidence of record is that as the committee gains experience with the use of this authorization, it will include in its bylaws specific conditions under which it will authorize payment of alternate expenses.

(4) In § 993.36 paragraphs (i), (j), (k), (l), and (m) should be relettered as (i), (k), (l), (m), and (n), respectively, and a new paragraph (i) should be inserted to provide, as one of the committee's duties, that it shall prepare and submit to the Secretary annually, as soon as practicable after the end of each crop year and at such other times as the committee may deem appropriate or as the Secretary may request, a statement of the committee's financial operations with respect to reserve prunes for such crop year and to make such statements available at the offices of the committee for inspection by producers, dehydrators, and handlers. Good business practice dictates the need to require the committee to make financial statements of its reserve prune operations. Submission of the statements to the Secretary would provide opportunity for supervision. The making of the statements available to producers, dehydrators, and handlers would provide interested persons with needed information. Reserve prune activity may be sporadic, with periods of inactivity interspersed throughout the crop year. Hence, the order should not require the statement monthly but should require the statement annually as soon as practicable after the close of the crop year if any such activity occurs that year, and at any other times as may be specified by the committee or the Secretary. So that monthly statements of financial operations of reserve tonnage will not be required by the order, "exclusive of reserve prune operations," should be inserted immediately after "the financial operations of the committee" in paragraph (h) of § 993.36.

(5) Paragraph (d) of § 993.50 prohibits handlers from shipping or otherwise making final disposition of any lot of consumer packages of French prunes unless the average count of such prunes contained in such lot is 100 or less per pound. Said paragraph (d) should be amended so as to extend this minimum size requirement to apply to handler shipment or disposition of any lot of French prunes for human consumption as prunes, regardless of the type of container in the lot. This minimum size requirement also should be extended, as discussed hereinafter, to French prunes used in certain lots of mixed dried fruit for human consumption as such.

Despite the present requirement, a small volume of French prunes averaging in count more than 100 per pound reaches consumers by shipment in bulk containers for sale at retail in bulk or as a repackaged item. This is an undesirable situation because these small size French prunes are generally unsuitable for human consumption as prunes

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whether in consumer packages or other containers. In general, French prunes smaller than 100 count have less sugar, possess less desirable flavor and texture, and are less mature than larger prunes. The smallness of such prunes is a definite factor of quality and maturity. It is neither in the interest of the public nor the prune industry that such prunes be offered for consumption as prunes. Hence, the minimum size requirement, as proposed to be extended, should be in effect irrespective of whether the estimated season average price to producers for prunes is in excess of parity.

The minimum size requirement also should be extended to any lot of containers holding 10 pounds or more of French prunes and other dried fruit if more than 60 percent of the net weight of mixed dried fruit in the lot consists of French prunes. This should be done for the same reasons as hereinabove stated. "Consumer package" as defined in § 993.22 includes any container holding less than 10 pounds of prunes and other dried fruit only if more than 60 percent of the net weight of mixed dried fruit in the lot consists of prunes. However, a pack of mixed dried fruit so heavily weighted to prunes is uncommon. The existing minimum size requirement for French prunes is applicable to the French prunes in such a pack to prevent handlers from circumventing the requirement by increasing the percentage of prunes in the total weight of the mixed dried fruit to more than 60 percent but less than 100 percent. Recognized packs of mixed dried fruit normally have less than 60 percent of dried prunes in the total weight of the mixture. The minimum size requirement is not applied to prunes in these recognized packs due to the difficulty of obtaining sufficient prunes from the low proportion packs to make the inspection tests.

The French prunes averaging smaller than 100 count would be substandard prunes for shipment or other disposition. Therefore, their handling should continue to be governed by the provisions of present paragraph (e) of § 993.50. Such prunes, to the extent they meet applicable minimum grade standards, may be used in human food products such as prune juice or other prune products wherein the prunes lose their form and character as prunes by conversion prior to consumption.

(6) During the six-year period 1958-63, the annual production of California dried prunes averaged only 132,200 tons and the season average price to producers for this commodity ranged from 78 to 150 percent of the parity price. Plantings of prune trees continued. An upward trend in bearing acreage developed so that the prospect for some time is for a much higher annual average production than the annual average of the 1958-63 period. The relatively small supply and high prices for prunes during that period contributed materially to a curtailment of both domestic and export demand for prunes. The situation came to a head in 1964 when 180,000 tons of prunes were produced. In these circumstances of prune demand and supply without volume controls, including ex-

cessive market offerings of prunes immediately following the harvesting season, price cutting by the industry, particularly in the export market, has been harmful to buyer confidence, prune disappearance and price stability. The estimated season average price to producers for 1964 crop prunes descended to approximately 60 percent of the parity price with the prospect of a larger than normal carryout at the end of the 1964-65 crop year. Barring unforeseen circumstances, such as unfavorable weather conditions, the prospective supply and demand situation for prunes is such that prune prices are likely to continue to average considerably below parity for a number of years.

The hearing evidence is that, under the prospective conditions stated, the demand for prunes and total returns to producers could be increased by (1) withholding from commercial trade channels in a reserve pool the quantity of prunes necessary to protect against errors of estimation and permit orderly marketing of the supply, (2) restricting the volume of prunes which may be freely marketed by handlers (salable prunes), (3) releasing from the reserve pool, from time to time, as needed for use in export or domestic trade channels, or both, that portion of the withheld reserve prunes needed to meet the demand for prunes not supplied by salable prunes, and (4) disposing of any reserve prunes, in excess of domestic and foreign trade demand and any salable and reserve carry-over needs, in outlets noncompetitive with normal outlets for salable prunes.

Under this plan, the industry could feed prunes into commercial trade channels at rates corresponding with the ability of markets to take the prunes at stable or reasonably advancing prices. Such orderly marketing gives buyers confidence and enhances demand for the commodity and its products. The plan would encourage further stability in the marketing of prunes by permitting reserve prunes to be carried over from one year to supplement any short crop which may occur in the following year.

So as to safeguard against harmful price cutting in export, it would be possible to implement the plan, if deemed necessary, by requiring prunes for export to be sold at not less than specified minimum prices. Another means of implementation would be to make it possible for prunes for export to any or all countries to be sold at prices lower than domestic prices for prunes. This could be done if necessary to compete to better advantage in the world market for dried prunes and thereby increase exports, and if it could be found that to do so would tend to effectuate the declared policy of the act.

At the hearing it was proposed, as one alternative means of volume regulation, that only that portion of the July estimated prune supply in excess of the total anticipated commercial demand, including a desirable carryout, be placed in the reserve pool. This proposal is inconsistent with the authorized concept of reserve control which is to correct the price weakness caused by excessive market offerings immediately following the

harvesting season. Hence, this proposal is not recommended for adoption.

In the marketing policy provisions of the notice of hearing, it was proposed that the order provide a choice of controlling reserve prunes either by a producer pool or by a handler pool. It was further proposed that the committee annually recommend its choice at its marketing policy meeting. Then, at the time of the establishment of the salable and reserve percentages, the Secretary would be required to specify whether reserve prunes were to be controlled by a producer pool or a handler pool.

Specific provisions for each type of pooling were set forth in the notice of hearing. A producer pool is described as one where the reserve percentage is applied to the prunes received by each handler from each producer and dehydrator, the committee sells the reserve prunes, collects the proceeds, and distributes the net proceeds to equity holders (primarily producers). A handler pool is described as one where the reserve percentage is applied to each handler's total receipts of prunes from producers and dehydrators, the handler is permitted to dispose of reserve prunes pursuant to an agency arrangement with the committee, and the handler receives the proceeds. Distribution of the proceeds by the handler then depends upon the individual arrangement between handler and producer.

Under the proposed plan for the control and disposition of reserve prunes, all or a large portion of these prunes would be disposed of in commercial trade channels for export or domestic use. It is important therefore that the reserve prunes so used be of suitable grade and size for the particular use. However, no requirement was set forth in the notice of hearing to compel this specifically. In the absence of such requirement, the result could be that prunes of the least value from the standpoint of quality and size would be placed in the reserve pool. This could tend to defeat the objective of volume regulation to expand markets for prunes, by starving certain outlets and leaving an excess in others. Regarding the producer pool arrangement, the evidence of record shows the need to apply the reserve percentage in a manner which would cause an "across-the-board" setaside, that is, to cause a withholding approximating the average marketable content of the natural condition prunes received by each handler from each producer and dehydrator. In this way, a producer who delivers prunes to a handler would make the same contribution to the pool and receive the same net return from the pool as a producer who delivers prunes of identical quantity, quality, and size to another handler. This proposal is recommended for adoption and should be included in new § 993.56. Several methods of causing an "across-the-board" setaside were discussed at the hearing but none was recommended over the others as the committee desired more time to study the matter and to include the specific method later chosen in the rules and procedures. This should be done as the method chosen could be more easily changed, if

experience requires change, than if included in the order.

The "across-the-board" pooling concept was not proposed in connection with a handler pool. The handler's reserve obligation would be only a tonnage obligation and the reserve proceeds which he would return to producers would depend on his contractual agreements with them. Hence, producers' contributions to a handler pool and their net returns could vary even though their deliveries of prunes were identical in all aspects.

A producer pool operated in terms of prune quality and sizes pooled so that existing prune and prune product outlets are maintained and expanded could present better equity to both handlers and producers than a handler pool. Handlers would be expected to more aggressively compete for and price the salable tonnage as they would have fewer options in terms of access to the reserve. Producers would look to the committee for payment on pooled tonnage instead of relying on handlers to earn and return at least the industry wide average.

A handler pool is not as essential in the prune industry as in a program for a commodity which has no outlets for excess production and the committee is in a poor position to develop outlets. The prune industry has existing export markets for prunes and domestic markets for prunes and prune products and needs orderly marketing conditions to enlarge these outlets. Handlers can be expected to be actively interested in obtaining a substantial quantity of reserve prunes from a producer pool for maintaining and expanding outlets, particularly if profitable trading conditions are established. Thus a producer pool is a feasible means of marketing reserve prunes and has the further merit of providing more equitable buying conditions for handlers and returns to producers.

In view of the foregoing, the proposal for the option of a handler pool and provisions relative thereto are not recommended for adoption.

Section 993.41 on marketing policy should be revised in view of the proposed addition to the order of provisions authorizing volume regulation and producer diversion of prune plums.

The time for the committee's preparation and submission to the Secretary of its marketing policy report should be changed from "Prior to the fourth Tuesday of each July" to "On or before the fourth Tuesday of each July" so as to give the committee one additional day to obtain and include in its report "last minute" information on the prune situation. The additional time could be important to the adequacy and accuracy of the report especially when estimates of the prospective situation based on latest information are changing daily.

Present provisions on modification and giving notice of marketing policy require no essential change. Neither do certain items which the committee is required to consider and include in its report. However, the committee should be required to consider and include in its report a number of additional items so that an

effective policy will be developed to facilitate operation of the program.

The estimated carryover of salable prunes as of August 1, the beginning of the crop year, should be included in the report. This is part of the available prune supply. It is one of the factors determining whether volume regulation is needed and, if so, would enter into the computation of the salable and reserve percentages.

The report also should include the estimated carryover of reserve prunes as of August 1. This factor would not enter into the computation of volume percentages as the reserve prunes held by handlers for the account of the committee would be the result of prior volume regulation. However, this would show the estimated quantity of prunes which could be used to supplement a short crop, or be a factor in determining the quantity of prune plums desirable to be diverted or the quantity of reserve prunes which should be disposed of in outlets noncompetitive with normal outlets for salable prunes.

The grade and size composition of the salable and reserve carryovers should be taken into account by the committee and included in the report since the demand for the different grades and sizes of prunes varies according to prune outlets and the supply of a particular grade and size affects the price thereof.

Another factor for inclusion in the report should be the quantity of prunes to be produced without regard to possible diversions of prune plums by producers. Information regarding the total prospective prune production is crucial for wise decisions regarding the extent of grade, size, and volume regulation, and producer diversion of prune plums because production as part of the supply affects prices and producer income. The estimate of the prune production should include the equivalent dried weight of the quantity of prune plums likely to be diverted by producers because those prune plums would be included in early crop estimates and the salable and reserve percentages would be applied to the prunes received by handlers plus the diverted tonnage.

The report should include the committee's estimates of the domestic trade demand by uses of prunes and of foreign trade demand by countries or groups of countries. These estimates are basic for determining the total trade demand and the extent of volume regulation needed, if any, so as to achieve orderly marketing and the best possible producer returns consistent with marketing conditions.

The desirable carryout of salable prunes at the end of the ensuing crop year should be estimated by the committee and included in the report. Since the salable carryover (as carryin) is brought into the available supply for computing the salable and reserve percentages, the tonnage desired to be carried out at the end of the crop year should be included in demand considerations.

The committee should estimate and include in its marketing policy report the

quantity of prunes to be withheld as reserve prunes so as to protect against errors of estimation and permit orderly marketing of the supply. If the adjustments inherent in this estimate were not made, the preceding estimates would lead to the conclusion that the quantity of reserve prunes should be only that portion of the supply in excess of domestic and foreign trade demand and a desirable carryout. However, such quantity would not be sufficient to protect against the possibility of too large a quantity of salable prunes caused either by underestimation of the production or overestimation of trade demand. If the quantity of salable prunes were too large, a weak marketing situation would develop. Hence, the estimated quantity of reserve prunes to be withheld should be increased in appropriate amount to protect against errors of estimation. Moreover, one of the needs for reserve control is to prevent price instability or weakness caused by excessive market offerings immediately following the harvesting season. Therefore, appropriate increase in the estimated quantity of reserve prunes to be withheld should be made to prevent such excessive offerings of salable prunes and the consequent price fluctuations and weakness. These protective additions to the reserve would have the effect of initially reducing the salable supply below probable requirements and hence would permit reserve prunes to be released later from time to time for use in domestic or export outlets, or both, as market conditions warrant.

The committee's recommended salable and reserve percentages, based on the preceding estimates, should be included in the report so that the Secretary can take action thereon. In order to achieve the objectives of volume regulation, the reserve percentage, for example, could be computed as follows: (1) Add the salable carryover to the estimated production to obtain the estimated supply; (2) subtract from the estimated supply the sum of domestic trade demand, foreign trade demand, and the desirable carryout of salable prunes to obtain the unadjusted quantity of reserve prunes for withholding; (3) adjust this quantity upward in accordance with the preceding paragraph; and (4) divide the adjusted quantity desired to be withheld as reserve prunes by the estimated production and multiply the result by 100 to obtain the reserve percentage, rounding the percentage to the nearest whole number. The salable percentage is obtained by subtracting the reserve percentage from 100 percent.

The committee should estimate and include in its report the quantity, if any, of prune plums, dried weight basis, desirable to be diverted by producers. This would give the Secretary a basis for acting on the committee's recommendation and would provide the industry with information on which to conduct its operations. After making the supply and demand estimates, the committee would be in a position to estimate whether the estimated supply of prunes is in excess of trade demand and carryover requirements and, if so, whether producers could

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effect a saving by diverting prune plums instead of delivering them to handlers in the form of dried prunes for disposition in low-return, noncompetitive outlets.

The marketing policy report should include any recommended change in grade or size regulation or pack specifications so that the industry would be given notice of the proposed change and the Secretary could take action on it in time for the coming crop.

In addition, the report should include information on the current prices for prunes and the trend and level of consumer income. Knowledge of these factors would contribute to the determination of a price objective for prunes and of the supply of prunes which should be placed in the reserve pool.

A new section, *§ 993.54 Establishment of salable and reserve percentages*, should be added to the order to authorize the Secretary to establish or modify the salable and reserve percentages. This is necessary for volume allocation of the crop. The new section should provide whenever the Secretary finds, from the recommendations or supporting information supplied by the committee, or from any other available information, that to establish the percentages of prunes for any crop year which shall be salable prunes and reserve prunes, respectively, or to modify the previously established percentages, would tend to effectuate the declared policy of the act, he shall establish or modify such percentages. The Secretary should not be precluded from using such information as he may have, in acting on the committee's recommendation, so as to effectuate the declared policy of the act. Also, the Secretary has certain responsibilities under the act which require that he not necessarily bind his actions to those recommended by the committee. If marketing conditions and program operations warrant, it may be desirable during a crop year to modify the percentages during a crop year to provide additional salable prunes in lieu of the committee offering reserve prunes for sale to handlers. The order should permit this to be done. However, the reserve percentage previously established for the then current crop year should not be increased as some handlers could have committed all of their salable prunes and the modification then would not affect all handlers equitably. The sum of the percentages should equal 100 percent and thereby account for the entire receipts of handlers from producers and dehydrators that are subject to volume regulation.

As another step in the volume allocation of the crop, the new section should provide that the salable and reserve percentages, when applied to the natural condition weight of prunes received during a crop year by a handler from producers and dehydrators plus that diverted tonnage (dried weight natural condition basis) on diversion certificates and credited to or held by him, shall determine the weight of each handler's receipts which are salable prunes and reserve prunes. Such receipts mean physical receipts as well as the weight represented by diversion certificates. The diversion certificate weight should

be included as aforesaid because the equivalent dried weight of any prune plums diverted would have been included in the estimated prune production upon which the computation of the percentages was based. However, as discussed in connection with new *§ 993.56*, the weight of prunes should not include the weight obligation which must be diverted to nonhuman consumption pursuant to *§ 993.49(c)*.

New *§ 993.54* should further provide that a cooperative marketing association may concentrate the prunes of its producer members before applying the salable and reserve percentages. This should be permitted as such an association has the authority to market the prunes of its producer members and is one handler and also an entity of all producer members.

A new section, *§ 993.55 Application of salable and reserve percentages after end of crop year*, should be added to the order. This section should require that the salable and reserve percentages established for any crop year shall also apply to prunes received by handlers in the subsequent crop year and before salable and reserve percentages are established for that crop year. This provision is needed to maintain continuity of volume regulation and continuous protection during any rule making period to establish new percentages. The committee will desire to wait until the approach of harvest to make its percentage recommendations and this will mean that final action by the Secretary may not be effective for a few weeks in the new crop year. Should a short crop condition warrant a reduction of the reserve percentage to zero, this could be done quickly enough to avoid undue restraint on handlers. The new section should further provide that, after the percentages are established for the subsequent crop year, all reserve obligations theretofore accrued during such year on the basis of the previously effective percentages shall be adjusted to the newly established percentages. This provision is necessary to maintain equity among handlers and to achieve the division of the subsequent crop into salable and reserve prunes in accordance with the volume percentages established by the Secretary.

As a basis for administering volume regulation and obtaining handler compliance therewith, a new section, *§ 993.56 Reserve obligation*, should be added to the order. This section should specify that the reserve obligation of a handler shall approximate the average marketable content of the handler's receipts and shall be a weight of natural condition prunes equal to the reserve percentage applied to the natural condition weight of prunes, excluding the weight obligation of *§ 993.49(c)*, such handler receives during the crop year from producers and dehydrators plus the dried weight (dried weight natural condition basis) on diversion certificates credited to or held by him. The reserve portion of the diversion certificate weight should be included as part of the handler's reserve obligation, in addition to the reserve portion of his above described physical receipts of prunes from

producers and dehydrators, as the diversion weight would have been included in the estimated prune production upon which the computation of the reserve percentage was based. To do otherwise would distort the salable-reserve balance sought.

In considering the proper application of the salable and reserve percentages and their consequences to handlers and producers, three alternatives were explored: (1) Deducting from handler receipts, prior to application of the percentages, the weight of prunes which must be disposed of by handlers to nonhuman consumption outlets pursuant to *§ 993.49(c)*; (2) making no deduct from handler receipts and permitting only the reserve percentage of the *§ 993.49(c)* weight to satisfy the reserve obligation (the balance to be salable); and (3) making no deduct from receipts but crediting the entire amount of *§ 993.49(c)* weight against reserve obligation.

If item (1) were adopted, it is apparent that those producers of good quality lots would be rewarded and those delivering material with a weight which must be disposed of to nonhuman consumption outlets would thereby have a smaller portion creditable as salable tonnage. For instance, if two producers each delivered 104 tons when the percentages were 75 percent salable and 25 percent reserve, and one producer had 4 tons of *§ 993.49(c)* material, and such were deducted from his delivery prior to application of the percentages, his salable weight would be 75 tons and his reserve weight 25 tons. The producer who had no material to be deducted from receipts would have a salable weight of 78 tons and a reserve weight of 26 tons. Thus, there would be a field incentive to produce and deliver only good quality fruit.

If the second alternative were adopted, wherein there is no deduct and only the reserve percentage is credited to the reserve pool, the salable tonnage would then be, in the example above, 78 tons for each producer. However, the handler receiving the defect material would find that it must be pro rated the same as other receipts as between salable and reserve and hence 3 tons of the 4 tons received would need to be diverted pursuant to *§ 993.49(c)*, and thus he, in fact, would receive only 75 tons for the salable outlet. This situation could result in many misunderstandings between producers and handlers.

The third alternative is advantageous to both the handler and the individual producer in that a maximum proportion would be salable; namely, 78 tons. The reserve would be 26 tons and the entire amount of the excess defects would be credited to the reserve obligation. Hence would mean that the first producer's actual contribution to the pool is only 22 tons. His equity, therefore, would be the 22 tons physically entering the pool. However, having delivered on 100 merchantable tons, he would have 78 tons salable or the same as the producer delivering 104 merchantable tons. Thus there would be an inequity between the two producers on the salable tonnage.

From the foregoing, it is concluded that the most desirable means of giving certainty to handlers as to the precise salable weight they are obtaining from each producer and to maintain equity as between producers, from the standpoint of merchantable weight (whether salable or reserve) delivered, would be to deduct from incoming receipts that weight of material which must be diverted pursuant to § 993.49(c).

For compliance purposes, the new section also should provide that the salable prunes permitted to be disposed of by any handler in accordance with the provisions of the program shall be deemed to be that handler's quota fixed by the Secretary within the meaning of section 8a(5) of the act. The act provides that any handler exceeding such quota shall forfeit to the United States a sum equal to the current market value of such excess. It was proposed at the hearing that any prunes permitted to be disposed of by a handler in accordance with the provisions of the program should be deemed to be that handler's quota for the purpose of section 8a(5) of the act. The intent of the proposal was to avoid construing a handler as being in violation and subject to section 8a(5) if he legitimately disposed of reserve prunes or prunes freed by diversion certificates. However, this proposal is not recommended for adoption as it is not construed as being in conformance with section 8a(5). The quota, as set forth herein, would consist of a handler's salable prunes which include those prunes freed by diversion certificates as salable prunes. Moreover, disposal of reserve prunes by a handler in accordance with the provisions of the program, such as an export sale by a handler of reserve prunes which he acquired from the committee solely for export, would be considered as specifically permitted activity supplementary to disposition of his quota. However, any unauthorized disposal of reserve prunes by a handler would be an appropriation of prunes required to be withheld for the account of the committee and being in excess of his quota would be in violation of section 8a(5).

A new section, § 993.57 *Holding requirement and delivery*, should be added to the order. It should be specified therein that each handler shall, at all times, hold, in his possession or under his control, in proper storage for the account of the committee, free and clear of all liens, the quantity of prunes necessary to meet his reserve obligation, less certain permissible reductions, in this holding requirement, as set forth hereinafter. In order to effectuate the purpose of volume regulation, means must be used for physically withholding reserve prunes from disposition until disposition thereof is authorized. Handlers are experienced in storing prunes properly and have the facilities to do so. Since the reserve prunes would be held for the account of the committee for disposition as authorized by it for the beneficial interest of equity holders, the prunes obviously should be held free and clear of all liens.

As a marketing season progresses, the quantity of reserve prunes required to be held by a handler would not equal his re-

serve obligation due to their authorized disposal and other reasons. For the purposes of reserve management and handler compliance, it is necessary to set forth in the new section the permissible reductions in the quantity of reserve prunes a handler is required to hold.

The notice of hearing contained a proposal that the handler's holding requirement should be reduced by the weight of prunes disposed of by him in nonhuman consumption outlets whether or not pursuant to § 993.49(c) of the order and credited by the committee against his reserve obligation. While this provision has some merit in a volume control operating through a handler pool, it is herein recommended that such control operate only through a producer pool. In such a pool, the committee assumes responsibility for paying producers for the reserve percentage and hence there is a need to maintain the value of such pool consistent with the reserve percentage equities of the producers. Accordingly, this proposal is denied.

It is self-evident that the handler's holding requirement should be reduced temporarily by any quantity of prunes for which he has temporary deferment of time for withholding reserve prunes. Provisions for such deferment are discussed and set forth hereinafter.

The handler's holding requirement should be reduced by the natural condition dried weight equivalent of any prune plums diverted by producers as shown on diversion certificates held by him, or credited by the committee against his reserve obligation. Any prune plums diverted would not be delivered to a handler. Therefore, he should not be required to hold prunes he does not receive. Unless limited by the committee, the credit against the handler's reserve obligation and the reduction in his holding requirement should be for the total dried weight of the diversion certificate, as discussed herein under material issue (7).

The handler's requirement to hold reserve prunes also should be reduced by any quantity of reserve prunes disposed of by him under a sales contract of the committee; or delivered by him to the committee, or to a person designated by it, pursuant to its instructions; or for which he is otherwise relieved by the committee of his responsibility to hold reserve prunes. Such disposal or relief from responsibility would be authorized by the committee and hence should be recognized by appropriate adjustment.

The new section should further provide that no handler may transfer a reserve obligation but any handler may, upon notification to the committee, arrange to hold reserve prunes on the premises of another handler or in approved commercial storage, under conditions of proper storage. In some instances it may place an undue burden on a handler to require him to hold reserve prunes on his own premises because he may have limited storage facilities. Moreover, premises where prunes are stored in California would be available to the surveillance of the committee's staff. Consequently, the handler should be permitted, with the committee's knowledge

to hold reserve prunes elsewhere than on his premises under proper storage. However, it should be understood that in so doing, the handler would not be relieved of his obligation to hold and protect the prunes. In other words, the handler's reserve obligation arises from his receiving prunes and is not transferable.

Handlers would hold reserve prunes subject to the control of, and disposition by, the committee. Therefore, the new section should permit the committee, after giving reasonable notice, to require a handler to deliver to it, or to a person designated by it, f.o.b. handler's warehouse or point of storage, reserve prunes held by him. So as to be in a position to meet the requirements of any particular outlet for reserve prunes, the committee should be authorized to require that such delivery consist of natural condition prunes, or to arrange with the handler for such delivery to consist of processed prunes.

A new section, § 993.58 *Deferment of time for withholding*, should be added to the order to permit compliance by any handler with the requirement to withhold reserve prunes to be deferred by the committee to any date desired by the handler, but not later than November 15 of the crop year, subject to specified conditions. Deferment of the meeting of the withholding requirement would permit a handler to satisfy the heavy demand for prunes which normally occurs in the fall of the crop year when, temporarily, he might not have enough salable prunes to fulfill all of his sales orders. However, no deferment should continue after November 15 because procurement of prunes from producers and dehydrators could be unduly retarded and the desired effects of withholding reserve prunes so delayed as to cause weakness in prices to producers for prunes.

So as to assure, insofar as practicable, that a handler would meet his withholding requirement by the end of the deferment period and that the program would be protected if he failed to do so, no deferment should be effective until the committee has a written undertaking, secured by a performance bond acceptable to the committee, that the handler will have fully satisfied his withholding requirement on or before the date specified. The bond should be in an amount computed by multiplying the pounds of natural condition prunes, for which deferment is desired, by the bonding rate. The bonding rate should be set by the committee at a level sufficient to remove temptation of forfeiture and to discourage unauthorized use of reserve prunes and damage to the program. Since the deferment would be at the handler's election and for his benefit, he should bear the cost of the bond.

The new section should contain appropriate provisions, as hereinafter set forth, which would permit the committee, in case a handler defaults in meeting his deferred withholding requirement, to purchase salable prunes from handlers, sell such prunes in reserve prune outlets, and deposit the net proceeds with reserve pool funds for distribution to equity

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holders. In this way, the salable-reserve imbalance caused by the defaulting handler increasing the salable supply beyond that intended would be restored to balance.

If the committee is unable to purchase the quantity of salable prunes as large as that needed to replace the reserve prunes used in default, any remaining funds received from forfeiture of the bond, less committee expenses, should be placed with reserve pool funds for distribution to equity holders. The new section should so provide so that equity holders will be compensated, insofar as practicable, for damage done to them and the program by the defaulting handler.

Lastly, it should be provided that a handler who has defaulted on his bond shall be credited on his reserve obligation with, and his holding requirement reduced by, that quantity of prunes represented by the sums collected but not more than the extent of the default. This would recognize the restitution made to the program.

A new section, § 993.59 *Payment to handlers for services*, should be added to the order to require the committee to pay handlers for necessary services rendered by them in connection with reserve prunes including inspection, receiving, storing, grading, and fumigation, in accordance with a schedule of payments and conditions established by the Secretary after recommendation by the committee. The reserve prunes would be held by handlers for the account of the committee and disposed of for the benefit of producers and other persons having a beneficial interest therein. Hence, it is only fair that handlers be paid for their services with respect to reserve prunes. Costs of these services may change in the future. Hence, appropriate charges should not be established in the order but rather by rule making.

A new section, § 993.65 *Disposition of reserve prunes*, should be added to the order. It should provide that the committee shall have the power and authority to sell or dispose of any and all reserve prunes to meet demand either in domestic outlets, or in foreign outlets, or for use in any outlet, defined in rules and procedures, established by the Secretary after recommendation of the committee, noncompetitive with normal outlets for salable prunes. It is basic to the effectuation of the declared policy of the act that the Secretary's agency, the committee, be authorized to dispose of the commodity pooled, as permitted by the act. Management of the reserve is thereby permitted to be on an industry-wide basis. The committee is enabled to market the reserve in an orderly manner, and by so doing, to enhance the interests of producers, other equity holders, and handlers. Since, as discussed hereinbefore, the quantity of salable prunes initially released by the percentages should not, in furtherance of orderly marketing, be sufficient to meet domestic and foreign demand and carry-out requirements, the committee should have the authority to sell or dispose of reserve prunes either in domestic outlets, foreign outlets, or both, as the need arises to supplement salable prunes sold in those outlets. The objective would be

to conduct such disposition in an orderly manner so as to maximize total sales of prunes and returns to producers.

Outlets available to the committee also should include those noncompetitive with normal outlets for salable prunes. Noncompetitive outlets could be such outlets as new foreign markets or those which have not imported California prunes for many years, perhaps certain new or limited uses of prunes, and those outlets wherein prunes are used for animal feed or botanicals. These noncompetitive outlets should not be spelled out in the order but instead should be included in the rules and procedures. In this way, they could be examined carefully, in view of the latest information available, as to their noncompetitive status, the desirability of supplying them with reserve prunes, and the best method of disposition.

The new section should further provide that the committee shall offer to sell and sell reserve prunes to handlers for disposition or sale by them in any of the outlets available to reserve prunes. One of the main purposes of this program should be to encourage handlers, the experienced sellers of prunes, to expand outlets for the commodity and its products. However, the committee should be permitted to supply certain outlets with prunes where it can do so more appropriately than handlers, and the new section should so provide. For example, if it should become necessary for reserve prunes to be disposed of for animal feed, it may be determined that the committee, by selling prunes directly to that outlet rather than through handlers, can effect economy of operation and reap the advantage inherent in being a single seller of a sizable quantity.

Sale of reserve prunes by the committee to any handler for resale in domestic, foreign, or noncompetitive outlets or to other persons for sale in such outlets should be governed by the provisions of a sales agreement, executed by the handler with the committee. The terms and conditions of the agreement would provide a means to the committee of controlling the disposition of reserve prunes to achieve the orderly marketing and producer return objective desired. Inherent in the committee's right to dispose of reserve prunes is the authority to price them. The agreement could specify the documentation needed to show, to the committee's satisfaction, sale, shipment, or use in the particular outlet.

For compliance purposes, the new section should provide that the committee may refuse to sell reserve prunes to any handler if he violates the terms and conditions of the agreement or other provisions of the program. It is impractical to state in the order or herein all of the terms and conditions which may be needed in the sales agreement. The agreement can be readily adapted to the needs of an outlet and to the marketing conditions existing at the time.

The new section should provide that no offer to sell reserve prunes either to handlers or to other persons shall be made by the committee until five days (exclusive of Saturdays, Sundays, and holidays) have elapsed from the time it

files with the Secretary complete information as to the proposed terms and conditions including the basis for determining handlers' shares, or until receipt of notice from the Secretary that he does not disapprove the making of such offer. This safeguard is needed to permit the Secretary time to review the information on which the committee based its proposal and to determine whether the proposal is sound and likely to be of value to the industry. The requirement for submission of the basis for determining handlers' shares of an offer, whether acquisitions, holdings, or other basis, will permit the Secretary to have a voice in the equitable treatment of handlers in light of their acquisition and disposition positions at the time of the offer. In general, this offer technique would permit the committee to dispose of reserve prunes in a timely manner in accordance with need.

The new section should provide that any handler who is authorized by the committee to dispose of reserve prunes may arrange to dispose of his share of reserve prunes through such other handler. This is desirable for it offers the flexibility of handlers working out a mutual arrangement to the advantage of each in meeting the terms and conditions of a particular disposition of reserve prunes. For example, if a handler has only a limited export outlet for prunes, it may be to his advantage, when the committee makes an export offer, to arrange for the sale of his share through an exporting handler. In turn, the exporting handler may benefit by obtaining the prunes needed for his export sales orders. However, it should be stipulated in the new section that credit for the reserve disposition shall go to the handler whose reserve prunes are used. His reserve obligation is not transferable and the credit for the disposition should remain with the obligation. Otherwise, he might be left in a position of not being able to reduce his holding requirement even though he had made substantial disposition of reserve prunes as aforesaid.

The new section should further provide that expenses incurred by the committee for the receiving, handling, holding, or disposing of any quantity of reserve prunes shall be charged against the sales proceeds from such prunes. The reserve prunes are to be disposed of by the committee for the benefit of producers and other equity holders in the reserve pool. Therefore, it is only proper that such direct expenses should be deducted from the sales proceeds. Furthermore, this is consistent with the act and the most satisfactory method of obtaining funds to meet such expenses.

Net proceeds from the disposition of reserve prunes should be distributed by the committee either directly, or through handlers as agents of the committee, under safeguards to be established by the committee, to persons in proportion to their contributions thereto, or to their successors in interest, with appropriate grade and size differentials as established by the committee. Net proceeds distribution through handlers as agents is to permit handlers to maintain a client relationship with the producers. If the

committee elects this method, it is not contemplated that the handlers would obtain custody of the proceeds. It is intended that the committee will check the accuracy of each draft for payment. Equity holders would include producers, dehydrators, and persons to whom an equity in a pool may be assigned such as handlers. The proposed provision recognizes that the assignee or successor in interest would share in the proceeds as his interest might appear. Different grades and different sizes of prunes ordinarily do not have the same value and the differences in these values should be recognized in distributing net proceeds on the basis of the prunes of the contributing persons.

The new section should permit progress payments to be made by the committee as sufficient funds accumulate so that producers and other equity holders would not have to wait until complete liquidation of the pool to have the use of some of the net proceeds.

The new section also should provide that distribution of the proceeds in connection with the reserve prunes contributed by a cooperative marketing association could be made to such association if it so requests. Since an association of this character would contribute to the reserve based on the combined tonnage of its members and would have its own method of making distribution to its members, it should be treated as a single person for the purpose of receiving net proceeds if it so requests.

(7) A new section, § 993.62 *Diversion privileges*, should be added to the order to authorize the committee under certain conditions to issue diversion certificates, for use in satisfying reserve obligation, to producers who voluntarily divert, from the prune outlet for eligible purposes, prunes of a variety used in the production of prunes.

In a particular year the estimated supply of prunes may be in excess of domestic and foreign trade demand and any salable and reserve carryover needs. Hence, the need may arise to dispose of a portion of the reserve prunes in low-return, noncompetitive outlets such as the animal feed outlet. In these circumstances, the evidence of record is that producers could make a net monetary saving under the proposed diversion authorization by diverting prune plums instead of incurring the costs of harvesting and drying them and delivering the dried product to handlers. In recognition of this opportunity for higher net returns to producers, the order should give them the choice under certain conditions of either diverting prune plums or delivering excess prunes to handlers. The proposed diversion authorization would be coordinated with, and used in implementation of, volume regulation only when it appears that the supply of prunes will exceed trade demand and carryover requirements. In view of this and the aforesaid opportunity for producers to obtain higher net returns, the proposed authorization is incidental to, and not inconsistent with, volume regulation and is necessary to better effectuate the purposes of volume regulation and the declared policy of the act.

The term "prune plums" should be defined in the new section to mean plums of a variety used in the production of prunes. The industry refers to undried plums used in the production of dried prunes as prune plums, green prunes, or fresh prunes. When a portion of the moisture is removed from such undried prunes by artificial dehydration or by sun-drying, the fruit becomes prunes. The definition is needed to identify the fresh fruit which would be eligible for diversion under certain conditions and to exclude from such eligibility dried prunes, plums not used in the production of prunes, and plums used in the production of dried plums which are not within the meaning of "prunes" defined in § 993.5. The latter two categories of fruit are not involved in the program. The proposed diversion authorization in the notice of hearing included dried prunes ("prunes" as defined in § 993.5) in addition to prune plums. However, it would be difficult to police diversion of dried prunes so as to prevent their use in commercial trade channels. Dried prunes are less destructible and perishable than prune plums. Hence, actual proof of their diversion could be delayed and be more expensive to obtain than for prune plums. Moreover, the cost of drying already would have been incurred and once dried the prunes could be handled as such under the order. Hence, the proposal to include dried prunes is not recommended for adoption.

The new section should provide that no producer shall be required to divert all or any portion of the prune plums produced by him. This recognizes that the producer has complete freedom of choice as to whether he uses the privilege of diverting if diversion operations are authorized, and is consistent with the act which prohibits regulation of any producer in his capacity as a producer.

Diversion operations should be authorized only if the Secretary concurs that such should be permitted on the basis of a committee recommendation, and other available information. This authority to invoke diversion operations in any year should be permissive and be under the committee's and the Secretary's control so that prune plums could not be diverted when needed in the form of dried prunes for trade demand and carryover requirements and so that diversion could occur only under conditions permitting improvement in producer returns.

As a condition precedent to diversion operations, there should be in effect appropriate implementing rules and procedures established by the Secretary after recommendation by the committee. This is essential so producers and handlers would know the "rules of the game" in advance and could make their plans and conduct their operations accordingly. Wide latitude would be needed in establishing such rules and procedures so as to provide an administrable and enforceable plan of operation. It is not possible to specify herein all of the matters which should be covered by the rules and procedures. These may vary according to the methods of diversion authorized for a particular crop, the quantity of prune plums deemed desir-

able to be diverted, and the views of the committee and the Secretary as to the safeguards needed to prevent abuse of the privilege. However, it is clear from the record that the rules and procedures should deal, among other things, with methods and criteria for issuing diversion certificates to producers, obtaining proof of diversion and policing thereof, crediting diversion against reserve obligation, transferring diversion certificates, and preventing excessive diversion.

After diversion operations are authorized, and subject to the applicable rules and procedures, any producer should be permitted to divert prune plums of his own production for eligible purposes and receive from the committee a diversion certificate therefor. To the extent permitted by the rules and procedures, it should be provided that the certificate may be submitted to any handler in lieu of reserve prunes and the certificate shall entitle the handler to satisfy his reserve obligation to the same extent. In this way, producers who receive certificates for diverting prune plums and handlers who obtain the certificates would benefit in the program from salable prunes being free from the requirement to withhold reserve prunes. The producer who diverts has the same opportunity to have salable prunes as the producer who does not divert. The quantity of salable prunes would not be any larger than it would be if the diverted prune plums were dried and delivered to handlers. However, the quantity of reserve prunes would be less.

For example, a producer delivers 900 tons of prunes to a handler together with a diversion certificate for 100 tons of prunes, the equivalent dried weight of the prune plums diverted by the producer. The committee had issued the certificate to the producer after obtaining proof that the prune plums were actually diverted. Volume percentages of 75 percent salable and 25 percent reserve are applied to 1,000 tons, the total of the delivered tonnage and the certificated tonnage. This results in 750 tons of salable prunes and a reserve obligation of 250 tons. The certificated tonnage of 100 tons is credited against the handler's reserve obligation and reduces his withholding requirement from 250 to 150 tons. For the 900 tons of prunes actually delivered, the salable portion is 675 tons (75 percent of 900 tons). However, the effect of the diversion certificate for 100 tons is to release 75 tons of delivered prunes as salable prunes (675 tons plus 75 tons equals 750 tons). The 75 tons equal the salable percentage of the diversion certificate quantity of 100 tons (75 percent of 100 tons). If another producer delivered 1,000 tons of prunes with no diversion certificate, the quantity of salable prunes and the reserve obligation arising from the delivery would be the same as for the first producer, 750 tons and 250 tons, respectively. Since the handler receiving the second producer's delivery has no diversion certificate, the quantity of reserve prunes required to be withheld is 250 tons (25 percent of 1,000 tons) instead of 150 tons as in the first instance.

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Since a cooperative marketing association has the authority to market the prunes of its producer members and is one handler and also an entity of all grower members, diversion certificates for prune plums diverted by the producer members of a cooperative marketing association should be issued by the committee to the association if it so requests.

It should be provided that diversion certificates may be transferable among producers and handlers but only to the extent authorized by the rules and procedures. This authority should be available for use to permit producers and handlers needing the certificates to obtain them, but should be invoked only if under the rules and procedures equities in the reserve pool are protected and the committee maintains accountability and control.

Permissive methods of eligible diversion should include disposal of prune plums for non-human use and leaving prune plums unharvested. In these ways, it would be possible to assure the disposal, destruction, or non-use of prune plums so they would not be competitive with the normal marketing of prunes and prune products. Since other desirable methods of diversion may be developed which should entitle producers to receive diversion certificates, provision should be made for these to be authorized. Eligible diversions should be within such restrictions as may be prescribed in rules and procedures. For example, the record of evidence shows that creditable diversion of prune plums for use in making fresh prune juice should not be permitted as this product for human consumption would be competitive with prune juice made from dried prunes.

The new section should further specify that no diversion certificate shall be issued by the committee for prune plums which would not, under normal producer practices, be dried and delivered to a handler. This provision would be compatible with one of the purposes of diverting prune plums from the prune outlet which is to prevent a supply of prunes occurring that is in excess of domestic and foreign trade demand and any reserve carryover requirement. This would tend to create a favorable situation for volume regulation. It would be incompatible with this purpose to give credit under the program for prune plums which producers would normally discard, such as those left on the ground from mechanical harvesting or those damaged or destroyed by rain to the point of not being harvested or suitable for dried prunes. The undesirable effect of crediting such fruit would be to increase the total tonnage subject to volume regulation by increasing the total certificated as diverted.

Any prune plums diverted should not be included for equity purposes in any reserve pool. Since the equivalent dried weight of the fruit diverted would not be physically available for pooling and sale as dried prunes, it would not be reasonable to credit prune plums in any reserve pool for additional benefits, such as pool returns to equity holders.

Inasmuch as diversion is a privilege extended to producers and is at their elec-

tion, those participating should pay the committee fees established to cover costs pertaining to diversion. If diversion certificates are issued to a cooperative marketing association instead of to its producer members, the association should pay the fees as it would be acting on behalf of its members. It should be required that the fees be paid to the committee before it issues diversion certificates to assure collection of money needed to cover costs.

(8) The first sentence of paragraph (a) of § 993.81 should be revised so that the assessable prunes of each handler are all salable prunes handled by him as the first handler thereof, instead of all prunes received by him from producers and dehydrators as presently provided. The revision would make it clear that assessments would be levied on the same prunes only once. In the event of volume regulation, it would be appropriate to confine the assessable tonnage to salable prunes and to exclude reserve prunes. Reserve prunes would be held for the account of the committee. In some instances it could happen that an excess of this tonnage would not be distributed, processed, or shipped by handlers in commercial trade channels and hence would not be appropriately assessable. The assessable base of salable prunes of a handler should include the salable portion of the diverted tonnage on diversion certificates credited to or held by him in addition to the salable portion of the prunes physically received by him from producers and dehydrators. This is consistent with new §§ 993.21c and 993.54. Moreover, this recognizes that a handler who receives a diversion certificate representing a given creditable weight of prunes is entitled to the same salable quantity as a handler who receives the same weight of prunes from producers and dehydrators, that is, the result of applying the salable percentage to the weight in either case. However, if there were no volume regulation for a crop year, all prunes would be salable prunes as recognized in new § 993.21c which defines salable prunes.

It was proposed at the hearing that the order provide the committee and the Secretary with several choices as to those prunes which would be assessable. However, the proposal is not recommended for adoption since the recommended salable prune basis is easily administrable, avoids the uncertainty involved in having choice, and is appropriate for use with or without volume regulation.

(9) Some of the amendatory actions herein cause the need to make certain conforming changes, as hereinafter set forth, in the provisions of the order so that the order will be in conformity with those actions. Such changes are discussed herein in connection with the proposals to which pertinent. All of such changes should be incorporated in the order. Another such change, for better format and applicability of the provisions, should be to move § 993.48 *Regulation* from its present location in the order and place it immediately preceding the center heading "Grade and Size Regulations" and a new center heading "Prohibition on Handling" should be in-

serted immediately preceding § 993.48 as relocated. Section 993.48 provides that no handler shall handle prunes except in accordance with the provisions of this part. The new center heading and relocation of § 993.48 would be appropriate as a conforming change in view of the general applicability of the section to all handling of prunes and the proposed addition to the order of provisions for volume regulation and prune plum diversion.

Rulings on proposed findings and conclusions. The Presiding Officer announced at the hearing that interested persons would be allowed to and including March 31, 1965, to file with the Hearing Clerk proposed findings and conclusions, and written arguments or briefs, based on evidence received at the hearing. Briefs were filed by Burrell Leonard, Alfred Tisch, E. W. Landram, F. J. Stapleton for Stapleton-Spence Packing Co. and S. R. Abinante for Abinante & Nola Packing Co., Inc., Charles J. Olson, Valley View Packing Co., Inc., and R. W. Jewell for the Prune Administrative Committee.

Every point covered in these briefs has been considered carefully, in light of the scope of the notice and the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that any suggested findings and conclusions contained in those briefs are inconsistent with the findings and conclusions contained herein, they are denied on the basis of the facts found and stated in connection with this recommended decision.

General findings. (a) The findings hereinafter set forth are supplementary, and in addition to the previous findings and determinations which were made in connection with the issuance of the marketing agreement and order and each previously issued amendment thereto. Except the finding as to the base period for parity computation, and except insofar as such findings and determinations may be in conflict with the findings set forth herein, all of the said previous findings and determinations are hereby ratified and affirmed. (For prior findings and determinations see 14 F.R. 5254; 16 F.R. 8437; 19 F.R. 1301; 22 F.R. 8254; 26 F.R. 475):

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

(c) The marketing agreement and order, as amended and as hereby proposed to be further amended, regulate the handling of dried prunes produced in California 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 and order upon which hearings have been held;

(d) There are no differences in the production and marketing of dried prunes in the production area covered by the marketing agreement and order, as amended and as hereby proposed to be further amended, which require different terms applicable to different parts of such area;

(e) The marketing agreement and order, as amended and as hereby proposed to be further amended, are 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; and

(f) All handling of dried prunes produced in California is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

Recommended amendment of the order. The following further amendment of the order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out:

1. A new § 993.21a reading as follows is added immediately after § 993.21:

§ 993.21a Proper storage.

"Proper storage" means storage of such character as will maintain prunes in the same condition as when received by a handler, except for normal and natural deterioration and shrinkage.

2. A new § 993.21b reading as follows is added immediately after new § 993.21a:

§ 993.21b Trade demand.

(a) *Domestic trade demand.* The quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in domestic markets for human consumption as prunes and prune products.

(b) *Foreign trade demand.* The quantity of prunes which the commercial trade will acquire from all handlers during a crop year for distribution in other than domestic markets for human consumption as prunes and prune products.

3. A new § 993.21c reading as follows is added immediately after new § 993.21b:

§ 993.21c Salable prunes.

"Salable prunes" means those prunes which are free to be handled pursuant to any salable percentage established by the Secretary pursuant to § 993.54, or, if a reserve percentage of zero is established for a crop year, all prunes received by handlers from producers and dehydrators during that year.

4. A new § 993.21d reading as follows is added immediately after new § 993.21c:

§ 993.21d Reserve prunes.

"Reserve prunes" means those prunes which must be withheld in satisfaction of a reserve obligation arising from application of a reserve percentage established by the Secretary pursuant to § 993.54.

§ 993.33 [Amended]

5. The proviso in the first sentence of § 993.33 is revised to read as follows: "Provided, That decisions on marketing policy, grade or size regulations, pack specifications, salable and reserve percentages, and on any matters pertaining

to the control or disposition of reserve prunes or to prune plum diversion pursuant to § 993.62, including any delegation of authority for action on such matters and any recommendation of rules and procedures with respect to such matters, including any such decision arrived at by mail or telegram, shall require at least 14 affirmative votes."

6. The last sentence of § 993.33 is amended by placing a period after the word "adoption" and deleting the remainder of the sentence.

7. Section 993.34 is revised to read as follows:

§ 993.34 Expenses.

The members of the committee, and alternates when acting as members, or when alternates' expenses are authorized by the committee, shall serve without compensation but shall be allowed their expenses.

§ 993.36 [Amended]

8. Paragraph (h) of § 993.36 is amended by inserting ", exclusive of reserve prune operations," immediately after "the financial operations of the committee".

9. In § 993.36 present paragraphs (i), (j), (k), (l), and (m) are relettered as (j), (k), (l), (m), and (n), respectively, and a new paragraph (i) reading as follows is added:

(i) To prepare and submit to the Secretary annually, as soon as practicable after the end of each crop year and at such other times as the committee may deem appropriate or the Secretary may request, a statement of the Committee's financial operations with respect to reserve prunes for such crop year and to make such statement available at the offices of the committee for inspection by producers, dehydrators, and handlers;

10. Section 993.41 is revised to read as follows:

§ 993.41 Marketing policy.

(a) On or before the fourth Tuesday of each July, the committee shall prepare and submit to the Secretary a report setting forth its recommended marketing policy for the ensuing crop year. If it becomes advisable to modify such policy, because of changed demand, supply, or other conditions, the committee shall formulate a new policy and shall submit a report thereon to the Secretary. Notice of the committee's marketing policy, and of any modifications thereof, shall be given promptly by reasonable publicity to producers, dehydrators, and handlers.

(b) In formulating its marketing policy for the ensuing crop year, the committee shall consider and shall include in its report to the Secretary, the following estimates (natural condition basis) and recommendations:

(1) The carryover of salable prunes as of August 1;

(2) The carryover of reserve prunes as of August 1;

(3) The grade and size composition of the salable and reserve carryovers;

(4) The quantity of prunes to be produced without regard to possible diversions of prune plums by producers;

(5) The probable quality and prune sizes in the crop;

(6) The domestic trade demand by uses of prunes;

(7) The foreign trade demand by countries or groups of countries;

(8) The desirable carryout of salable prunes at the end of the ensuing crop year;

(9) The quantity of prunes to be withheld as reserve prunes so as to protect against errors of estimation and permit orderly marketing of the supply;

(10) The recommended salable and reserve percentages;

(11) The quantity of prune plums, dried weight basis, deemed desirable to be diverted pursuant to § 993.62;

(12) Any recommended change in regulations pursuant to §§ 993.49 to 993.53, inclusive;

(13) The probable assessable tonnage for the purposes of § 993.81; and

(14) The current prices for prunes, the trend and level of consumer income, whether producer prices are likely to exceed parity, and such other factors as may have a bearing on the marketing of prunes or the administration of this part.

11. Section 993.48 *Regulation* is moved from its present position in the order and placed immediately preceding the center heading "Grade and Size Regulation", and a new center heading "Prohibition on Handling" is inserted immediately preceding § 993.48 as relocated and immediately following § 993.41.

12. Paragraph (d) of § 993.50 is revised to read as follows:

§ 993.50 Outgoing regulation.

(d) French prunes: No handler shall ship or otherwise make final disposition of any of the following lots for human consumption as prunes or as mixed dried fruit unless the average count of prunes contained in any such lot is 100 or less per pound: (1) Any lot of consumer packages of French prunes; (2) any lot of other containers of French prunes; or (3) any lot of containers holding 10 pounds or more of French prunes and other dried fruit if more than 60 percent of the net weight of mixed dried fruit in the lot consists of French prunes. In determining whether any such lot conforms to this minimum size requirement, the following tolerance shall apply: In a sample of 100 ounces, the count per pound of 10 ounces of the smallest prunes shall not vary from the count per pound of 10 ounces of the largest prunes by more than 45 points. The Secretary may, upon the basis of the recommendation and information submitted by the committee and other available information, modify this tolerance for uniformity of size.

Reserve control. 13. New sections reading as follows are added immediately after § 993.53:

§ 993.54 Establishment of salable and reserve percentages.

Whenever the Secretary finds, from the recommendations and supporting information supplied by the committee, or from any other available information,

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that to establish the percentages of prunes for any crop year which shall be salable prunes and reserve prunes, respectively, or to modify the previously established percentages, would tend to effectuate the declared policy of the act, he shall establish or modify such percentages. The salable and reserve percentages when applied to the natural condition weight of prunes, excluding the weight obligation of § 993.49(c), received during the crop year by a handler from producers and dehydrators, plus that diverted tonnage (dried weight natural condition prune basis) on diversion certificates issued pursuant to § 993.62 and credited to or held by him, shall determine the weight of each handler's receipts which are salable prunes and reserve prunes. The total of the salable and reserve percentages shall equal 100 percent. A cooperative marketing association may concentrate the prunes of its producer members before applying the salable and reserve percentages.

§ 993.55 Application of salable and reserve percentages after end of crop year.

The salable and reserve percentages established for any crop year shall also apply to prunes received by handlers in the subsequent crop year and before salable and reserve percentages are established for that crop year. After such percentages are established for the subsequent crop year, all reserve obligations theretofore accrued during such year on the basis of the previously effective percentages shall be adjusted to the newly established percentages.

§ 993.56 Reserve obligation.

Whenever salable and reserve percentages are in effect for a crop year, the reserve obligation of a handler shall approximate the average marketable content of the handler's receipts and shall be a weight of natural condition prunes equal to the reserve percentage applied to the natural condition weight of prunes, excluding the weight obligation of § 993.49(c), such handler receives during the crop year from producers and dehydrators plus that diverted tonnage (dried weight natural condition prune basis) on diversion certificates credited to or held by him which were issued pursuant to § 993.62. The salable prunes permitted to be disposed of by any handler in accordance with the provisions of this part shall be deemed to be that handler's quota fixed by the Secretary within the meaning of section 8a(5) of the act.

§ 993.57 Holding requirement and delivery.

Each handler shall at all times, hold in his possession or under his control, in proper storage for the account of the committee, free and clear of all liens, the quantity of prunes necessary to meet his reserve obligation, less any quantity: (a) For which he has a temporary deferral pursuant to § 993.58(a); (b) of prune plums (dried weight natural condition basis) diverted pursuant to § 993.62 as shown on diversion certificates held by him, or credited by the committee against his reserve obligation; (c) disposed of by him under a sales

contract of the committee; (d) delivered by him to the committee, or to a person designated by it, pursuant to its instructions; and (e) for which he is otherwise relieved by the committee of such responsibility to so hold prunes. No handler may transfer a reserve obligation but any handler may, upon notification to the committee arrange to hold reserve prunes on the premises of another handler or in approved commercial storage, under conditions of proper storage. The committee may, after giving reasonable notice, require a handler to deliver to it, or to a person designated by it, f.o.b. handler's warehouse or point of storage, reserve prunes held by him. The committee may require that such delivery consist of natural condition prunes or it may arrange for such delivery to consist of processed prunes.

§ 993.58 Deferment of time for withholding.

(a) Compliance by any handler with the requirement of § 993.57 for withholding reserve prunes may be temporarily deferred to any date desired by the handler, but not later than November 15 of the crop year, upon the execution and delivery by such handler to the committee of a written undertaking that on or prior to the desired date he will have fully satisfied his holding requirement. Such undertaking shall be secured by a bond or bonds to be filed with and acceptable to the committee in the amount or amounts specified, conditioned upon full compliance with such undertaking.

(b) (1) Each bond shall be provided by and at the handler's expense, with a surety or sureties acceptable to the committee, and shall be in an amount computed by multiplying the pounds of natural condition prunes for which deferral is desired by the bonding rate. Such bonding rate shall be established by the committee at a level sufficient to achieve the objectives of this part.

(2) In case a handler defaults in meeting his deferred withholding requirement, any funds collected by the committee from the bonding company through such default shall be used by the committee to purchase from handlers a quantity of natural condition prunes, up to but not exceeding the quantity on which the default occurred. Purchases shall be made from prunes with respect to which the reserve obligation has been met, and shall be of grades, varieties, or sizes and in such containers as the committee specifies in consideration of available reserve prune outlets. Purchases shall be at prices determined to be appropriate by the committee and if more prunes are offered than required by the committee, it shall make the purchases from various handlers as nearly as practicable in proportion to the quantity of their respective offerings at the same price. The committee shall dispose of the prunes acquired as soon as practicable in the most favorable reserve prune outlets and shall deposit the proceeds from such sales, less committee expenses in connection with such transaction, with reserve pool funds for distribution to equity holders.

(3) If for any reason the committee is unable to purchase a quantity of prunes

as large as the quantity of reserve prunes in default by the handler, any remaining balance of funds received because of the default less expenses of the committee, shall be deposited with reserve pool funds for distribution to equity holders.

(c) A handler who has defaulted on his bond shall be credited on his reserve obligation with, and his holding requirement reduced by, that quantity of prunes represented by the sums collected but not more than the extent of his default.

§ 993.59 Payment to handlers for services.

The committee shall pay handlers for necessary services rendered by them in connection with reserve prunes including, but not limited to, inspection, receiving, storing, grading, and fumigation, in accordance with a schedule of payments and conditions established by the Secretary after recommendation by the committee.

14. Producer diversion. A new § 993.62 reading as follows is added immediately after new § 993.59:

§ 993.62 Diversion privileges.

(a) *Prune plums.* The words "prune plums" as used in this section mean plums of a variety used in the production of prunes.

(b) *Voluntary principle.* No producer shall be required to divert all or any portion of the prune plums produced by him.

(c) *Authorization.* If, on the basis of a committee recommendation for diversion operations, the availability of governing rules and procedures established by the Secretary after recommendation of the committee, and other information, the Secretary concurs that diversion operations should be permitted, he shall authorize such operations.

(d) *Diversion certificates.* After diversion operations are authorized, and subject to the applicable rules and procedures, any producer may divert prune plums of his own production for eligible purposes and receive from the committee a diversion certificate therefor: *Provided*, That diversion certificates for prune plums diverted by producer members of a cooperative marketing association shall be issued by the committee to the association if it so requests. To the extent permitted by the rules and procedures, the certificate may be submitted to any handler in lieu of reserve prunes and to the same extent the certificate shall entitle the handler to satisfy his reserve obligation. Only to the extent permitted by the rules and procedures diversion certificates may be transferable among producers and handlers.

(e) *Eligible diversions.* Within such restrictions as may be prescribed in rules and procedures, diversion may be authorized for such dispositions as are not competitive with the normal marketing of prunes and prune products. Such eligible diversions may include: (1) Disposal of prune plums for non-human use; (2) leaving prune plums unharvested; and (3) such other methods of diversion as may be authorized. No diversion certificate shall be issued by the committee for prune plums which would not, under normal producer practices, be dried and delivered to a handler.

(i) *Non-participation in pool proceeds.* Any prune plums diverted pursuant to this section shall not be included in any reserve pool.

(g) *Payment of costs.* Prior to the issuance of a diversion certificate to a producer or a cooperative marketing association, the producer or association shall pay to the committee fees established to cover costs pertaining to the diversion.

15. *Disposition of reserve prunes.* A new § 993.65 reading as follows is added immediately after new § 993.62:

§ 993.65 Disposition of reserve prunes.

(a) *Committee's right of disposition.* The committee shall have the power and authority to sell or dispose of any and all reserve prunes (1) to meet demand either (1) as domestic trade demand, or (2) as foreign trade demand, or (2) for use in any outlet, defined in rules and procedures, established by the Secretary after recommendation of the committee, noncompetitive with normal outlets for saleable prunes.

(b) *Methods of disposition.* The committee may, for any of the purposes of § 993.65(a), offer to sell and sell reserve prunes to handlers for disposition or sale by them in specified outlets. Sale of reserve prunes by the committee to any handler for resale in such outlets or for resale to other persons for sale in such outlets shall be governed by the provisions of a sales agreement, executed by the handler with the committee. The committee may refuse to sell reserve prunes to any handler if the handler violates the terms and conditions of the agreement or other provisions of this part. The committee may sell reserve prunes into any outlet in which direct selling is determined to be more appropriate.

(c) *Offers to sell reserve prunes.* No offer to sell reserve prunes either to handlers or to other persons shall be made by the committee until five days (exclusive of Saturdays, Sundays, and holidays) have elapsed from the time it files with the Secretary complete information as to the terms and conditions of the proposed offer including the basis for determining the handlers' shares: *Provided*, That at any time prior to the expiration of the five-day period the offer may be made upon the committee receiving from the Secretary notice that he does not disapprove it.

(d) *Transfer of shares.* No handler may transfer a reserve obligation. However, any handler who is authorized by the committee to dispose of reserve prunes may arrange with another handler to dispose of his share of reserve prunes through such other handler. In that event, credit for the reserve disposition shall go to the handler whose reserve prunes are used.

(e) *Distribution of proceeds.* Expenses incurred by the committee for the receiving, handling, holding, or disposing of any quantity of reserve prunes shall be charged against the proceeds of sales of such prunes. Net proceeds from the disposition of reserve prunes shall be distributed by the committee either directly, or through handlers as agents of

the committee, under safeguards to be established by the committee, to persons in proportion to their contributions thereto, or to their successors in interest, with appropriate grade and size differentials as established by the committee. Progress payments may be made by the committee as sufficient funds accumulate. Distribution of the proceeds in connection with the reserve prunes contributed by a cooperative marketing association shall be made to such association, if it so requests.

§ 993.81 [Amended]

16. In the first sentence of paragraph (a) of § 993.81 "with respect to all saleable prunes handled by him as the first handler thereof" is substituted for "with respect to all prunes received by him from producers and dehydrators".

Dated: May 14, 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 65-5272; Filed, May 18, 1965;
8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 64-EA-37]

CONTROL ZONES, TRANSITION AREAS AND CONTROL AREA EXTENSIONS

Proposed Alteration, Designation, Revocation

The Federal Aviation Agency is considering amending §§ 71.165, 71.171, and 71.181 of Part 71 of the Federal Aviation Regulations which would alter the Albany (29 F.R. 17644) and Glens Falls, N.Y. (29 F.R. 17666), transition areas, the Albany (29 F.R. 17581), Schenectady (29 F.R. 17633) and Glens Falls, N.Y. (29 F.R. 17602), control zones; designate 700-foot-above-ground transition areas over Pittsfield Airport, Pittsfield, Mass., and Rutland Airport, Rutland, Vt.; revoke the Albany, N.Y., control area extension (29 F.R. 17557) and the transition areas of Cambridge (29 F.R. 17651) and Middle Grove (29 F.R. 17682), N.Y. A 700-foot-above-ground Albany, N.Y., transition area would also be designated.

The controlled airspace in the aforementioned terminal areas is presently composed of the Albany, Rome (29 F.R. 17575), Newburgh (29 F.R. 17571), N.Y., Chicopee Falls, Mass. (29 F.R. 17561), and Rutland, Vt. (29 F.R. 17575), Control Area Extensions; and the Cambridge, N.Y., Albany, Glens Falls, and Middle Grove, N.Y., transition Areas. Also included are the control zones of Albany, N.Y., described as being within a 5-mile radius of Albany County Airport and within 2 miles either side of the 015° bearing of a point (42°47'42" N., 73°48'10" W.) extended from the 5-mile radius zone to 10 miles north of the point and within 2 miles either side of the Albany ILS localizer N course extended from the 5-mile radius zone to 10 miles N of the OM; of Glens Falls, N.Y., de-

scribed as within a 5-mile radius of Warren County Airport and of Schenectady, N.Y., described as being within a 5-mile radius of Schenectady County Airport and within 2 miles either side of a line extending from the airport 5-mile radius zone to the Albany, N.Y., ILS OM. A portion of the Windsor Locks, Conn. (29 F.R. 17580), control area extension is also included.

The proposed alteration of the Albany control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Albany County Airport. The control zone modification would eliminate the extension to the northeast and reduce the extension to the north. However, one new extension would be designated to the east providing protection for aircraft executing AL-10-VOR-DME-1 instrument approach procedure.

The proposed alteration of the Schenectady control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Schenectady County Airport. The control zone modification would eliminate the southeast extension. However, two new extensions would be designated to the west and northwest providing protection for departure aircraft climbing to 700 feet AGL.

The proposed alteration of the Glens Falls control zone would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Warren County Airport. Three new extensions would be designated: (1) The extensions to the north and west providing protection for departure aircraft climbing to 700 feet AGL; and (2) the extension based on the Glens Falls VOR 005° radial providing protection for aircraft executing AL-673-VOR/DME-1 instrument approach procedure.

The 700- and 1,200-foot transition areas would provide protection for aircraft executing prescribed holding, arrival, departure, and radar vectoring procedures in the terminal areas. The 700-foot transition areas for Rutland and Pittsfield will provide protection for aircraft executing approach procedures down to 700 feet above ground and departure procedures above 700 feet above ground.

The floors of airways which traverse the transition areas proposed herein would coincide with the floors of the transition areas.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance or present landing minimums be adversely affected. Specific details of the changes to procedures and minimum flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Branch, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, East-

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ern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Branch, Eastern Region.

Any data, or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Agency, having completed a comprehensive review of the airspace requirements for the terminal areas of Albany, Schenectady, and Glens Falls, N.Y., Pittsfield, Mass., and Rutland, Vt., attendant to the implementation of the provisions of Civil Air Regulation amendments 60-21 and 60-29 (26 F.R. 570; 27 F.R. 4012), proposes the airspace actions hereinafter set forth:

1. Amend § 71.165 of Part 71 of the Federal Aviation Regulations so as to revoke the Albany, N.Y. control area extension.

2. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Albany, N.Y. control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 42°44'48" N., 73°48'19" W. of Albany County Airport, Albany, N.Y. and within 2 miles each side of the Albany VOR 354° radial extending from the 5-mile radius zone to 7 miles N of the VOR and within 2 miles each side of the Albany VOR 094° radial extending from the 5-mile radius zone to 6 miles east of the VOR.

3. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Schenectady, N.Y. control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 42°51'13" N., 73°55'48" W. of Schenectady County Airport, Schenectady, N.Y. and within 2 miles each side of the centerline of Runway 28 extended from the 5-mile radius zone to 9 miles west of the end of the runway and within 2 miles each side of the centerline of Runway 33 extended from the 5-mile radius zone to 5 miles northwest of the end of the runway, excluding that portion coinciding with the Albany, N.Y. control zone. This control zone is effective from 0600 to 2200 hours local time, daily.

4. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Glens Falls, N.Y. control zone and insert in lieu thereof:

Within a 5-mile radius of the center, 43°20'32" N., 73°36'35" W. of Warren County Airport, Glens Falls, N.Y. and within 2 miles each side of the centerline of Runway 30 extended from the 5-mile radius zone to 11

miles west of the end of the runway; within 2 miles each side of the centerline of Runway 1 extended from the 5-mile radius zone to 12 miles north of the end of the runway and within 2 miles each side of the Glens Falls VOR 005° radial extending from the 5-mile radius zone to 12 miles north of the VOR; and within a 1-mile radius of the center, 43°23'30" N., 73°41'45" W. of Lake George Airport, Lake George, N.Y.

5. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke the Cambridge, N.Y. and Middle Grove, N.Y. transition areas.

6. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Albany, N.Y. transition area and insert in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 42°44'48" N., 73°48'19" W. of Albany County Airport, Albany, N.Y. and within 5 miles east and 8 miles west of the Albany ILS localizer north course extending from the 9-mile radius area to 12 miles north of the OM; within 2 miles each side of the Albany VOR 013° radial extending from the 9-mile radius area to 15.5 miles north of the VOR; within 2 miles each side of the Albany VOR 094° radial extending from the 9-mile radius area to 12 miles east of the VOR; within 5 miles west and 8 miles east of the Albany VOR 182° radial extending from the 9-mile radius area to 12 miles south of the VOR; within a 7-mile radius of the center, 42°51'13" N., 73°55'48" W. of Schenectady County Airport, Schenectady, N.Y.; within 2 miles each side of the centerline of Runway 28 of the latter airport extended from the 7-mile radius area to 12 miles west of the end of the runway; within 2 miles each side of the centerline of Runway 33 of the latter airport extended from the 7-mile radius area to 9 miles northwest of the end of the runway.

That airspace extending upward from 1,200 feet above the surface bounded by a line beginning at: 44°00'00" N., 73°47'00" W. to 44°00'00" N., 73°16'00" W. to 43°47'00" N., 72°39'00" W. to 43°11'00" N., 72°39'00" W. to 42°02'00" N., 73°16'00" W. to 42°01'00" N., 74°30'00" W. to 43°19'00" N., 74°30'00" W. to the point of beginning.

7. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the Glens Falls, N.Y. transition area and insert in lieu thereof:

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 43°20'32" N., 73°36'35" W. of Warren County Airport, Glens Falls, N.Y. and within 2 miles each side of the Glens Falls VOR 172° radial extending from the 7-mile radius area to 15 miles south of the VOR; within 2 miles each side of the centerline of Runway 30 extended from the 7-mile radius area to 14 miles west of the end of the runway; and within 2 miles each side of the centerline of Runway 1 extended from the 7-mile radius area to 13.5 miles north of the end of the runway.

8. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot-above-ground Rutland, Vt. transition area described as follows:

RUTLAND, VT.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 43°31'46" N., 72°56'54" W. of Rutland Airport, Rutland, Vt. and within 2 miles each side of the Rutland RBN 158° bearing extending from the 5-mile radius area to the RBN.

9. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot-above-ground Pittsfield, Mass., transition area described as follows:

PITTSFIELD, MASS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center, 42°25'36" N., 73°17'30" W. of Pittsfield Airport, Pittsfield, Mass.; within 1 miles each side of the Pittsfield RBN 659° bearing extending from the 7-mile radius area to 8 miles northeast of the RBN; and within 2 miles each side of the Chester VOR 299° radial extending from the 7-mile radius area to 10 miles northwest of the VOR.

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

Issued in Jamaica, N.Y., on May 6, 1965.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 65-5234; Filed, May 18, 1965;
8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-CE-56]

FEDERAL AIRWAY

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a south alternate to VOR Federal airway No. 148, from Redwood Falls, Minn., to Minneapolis, Minn., via Flying Cloud, Minn., and the intersection of the Flying Cloud 074° and Minneapolis 188° True radials.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW, Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The segment of the proposed alternate between Redwood Falls and Flying Cloud is an inbound route to Minneapolis and designating it as a numbered Federal airway would simplify flight planning and reduce air traffic control clearance phraseology. There would not be the normal 15° separation between this proposed airway and either Victor 144 or Victor 26 at Redwood Falls. However, this would not derogate safe use of the

proposed airway since radar separation standards are employed in this area.

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

Issued in Washington, D.C., on May 13, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-5235; Filed, May 18, 1965;
8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65-EA-33]

TRANSITION AREA

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a transition area at Marion, Ky.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the *FEDERAL REGISTER* will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed transition area at Marion would be described as that airspace extending upward from 1,200 feet above the surface bounded on the northeast by a line extending from latitude 37°25'50" N., longitude 88°17'40" W. to latitude 37°18'05" N., longitude 87°54'40" W., on the southeast by V-178 and on the northwest by V-11.

This transition area is necessary to provide controlled airspace for direct off-airway, air-carrier operations between Owensboro, Ky., and Paducah, Ky.

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

Issued in Washington, D.C., on May 13, 1965.

DANIEL E. BARROW,
Chief, Airspace Regulations
and Procedures Division.

[F.R. Doc. 65-5236; Filed, May 18, 1965;
8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 141a]

PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

Proposed Changes in Sterility Tests for Certain Antibiotic Drugs

As provided in the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357), the Commissioner of Food and Drugs, on his own initiative, and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.90), proposes that the regulations providing tests and methods of assay for penicillin and penicillin-containing drugs (21 CFR Part 141a) be amended as hereinafter set forth to establish alternative sterility tests for the procaine penicillin drugs specified.

All interested persons are hereby invited to submit their views in writing on these proposed amendments within 30 days from the date of publication of this notice in the *FEDERAL REGISTER*. Such views and comments should be filed, preferably in quintuplicate, with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

It is proposed to amend Part 141a in the following respects:

1. By changing § 141a.26(b) to read as follows:

§ 141a.26 Procaine penicillin.

(b) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) and (2) of that section, except if using the method in paragraph (e) (1), add sufficient penicillinase to diluting fluid A and swirl the flask to completely solubilize the procaine penicillin before filtration.

2. By changing § 141a.29(b) to read as follows:

§ 141a.29 Procaine penicillin for aqueous injection.

(b) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section, except add sufficient penicillinase to diluting fluid A and swirl the flask to completely solubilize the procaine penicillin before filtration. However, if the preparation contains homogenizers or suspending agents which prevent solubilization, proceed as directed in paragraph (e) (2) of that section, except use medium B in lieu of medium A.

3. By changing § 141a.46(b) to read as follows:

§ 141a.46 Procaine penicillin in streptomycin sulfate solution; procaine penicillin in dihydrostreptomycin sulfate solution veterinary.

(b) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e) (1) of that section, except add sufficient penicillinase to diluting fluid A and swirl the flask to completely solubilize the procaine penicillin before filtration. However, if the preparation contains homogenizers or suspending agents which prevent solubilization, proceed as directed in paragraph (e) (2) of that section, except use medium B in lieu of medium A.

Dated: May 13, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5273; Filed, May 18, 1965;
8:49 a.m.]

Public Health Service

[42 CFR Part 73]

BIOLOGICAL PRODUCTS

Proposed Additional Standards; Immune Serum Globulin (Human)

Notice is hereby given that the Surgeon General proposes to amend Part 73 of the Public Health Service regulations to include specific standards of safety, purity and potency for Immune Serum Globulin (Human).

Inquiries may be addressed, and data, views and arguments may be presented by interested parties, in writing, in triplicate, to the Surgeon General, Public Health Service, Washington 25, D.C. All relevant material received not later than 60 days after publication of this notice in the *FEDERAL REGISTER* will be considered.

It is proposed to make any amendments that are adopted effective 60 days after publication in the *FEDERAL REGISTER*.

1. Amend Part 73 of the Public Health Service regulations by adding the following to the table of contents at the end thereof:

ADDITIONAL STANDARDS: IMMUNE SERUM GLOBULIN (HUMAN)

Sec.

73.355 The product.

73.356 Manufacture of Immune Serum Globulin (Human).

73.357 The final product.

73.358 Potency.

73.359 General requirements.

2. Amend Part 73 by adding the following at the end thereof:

ADDITIONAL STANDARDS: IMMUNE SERUM GLOBULIN (HUMAN)

§ 73.355 The product.

(a) *Proper name and definition.* The proper name of this product shall be Immune Serum Globulin (Human). The product is defined as a sterile solution containing antibodies derived from human blood.

PROPOSED RULE MAKING

(b) *Source material.* The source of Immune Serum Globulin (Human) shall be blood, plasma or serum from human donors determined at the time of donation to have been free of causative agents of diseases that are not destroyed or removed by the processing methods, as determined by the donor's history and from such physical examination and clinical tests as appear necessary for each donor at the time the blood was obtained. The source blood, plasma or serum shall not contain a preservative and shall be stored in a manner that will prevent contamination by microorganisms, pyrogens or other impurities.

(c) *Additives in source material.* Source blood, plasma or serum shall contain no additives other than citrate or acid citrate dextrose anticoagulant solution, unless it is shown that the processing method yields a product free of the additive to such an extent that the safety, purity and potency of the product will not be affected adversely.

§ 73.356 Manufacture of Immune Serum Globulin (Human).

(a) *Processing method.* The manufacturer shall demonstrate a processing method that (1) is capable of concentrating tenfold from source material at least two different antibodies, (2) does not affect the integrity of the globulins and is capable of consistently yielding a product which is safe for subcutaneous and intramuscular injection and (3) will not transmit viral hepatitis.

(b) *Reference materials.* The following reference materials shall be obtained from the Division of Biologic Standards:

(1) NIH reference measles serum for correlation of measles antibody titers with globulin products.

(2) NIH reference poliomyelitis globulin for correlation of poliomyelitis antibody titers, types 1, 2, and 3 with globulin products.

(c) *Microbial contamination.* Low temperatures or aseptic techniques shall be used to minimize contamination by microorganisms. Preservatives to inhibit growth of microorganisms shall not be used during processing.

(d) *Bulk storage.* The globulin fraction may be stored in bulk prior to further processing provided it is stored in well-marked hermetically closed containers. Globulin as either a liquid concentrate or a solid and containing alcohol or more than 5-percent moisture shall be

stored at a temperature of -10° C. or lower. Globulin as a solid free from alcohol and containing less than 5-percent moisture, shall be stored at a temperature of 0° C. or lower.

(e) *Determination of the lot.* Each lot of Immune Serum Globulin (Human) shall represent a pooling of equal amounts of material from not less than 1,000 donors.

(f) *Sterilization and heating.* The final product shall be sterilized promptly after solution. At no time during processing shall the product be exposed to temperatures above 45° C. and the product shall not be exposed to temperatures above 5° C. for more than 72 hours.

§ 73.357 The final product.

(a) *Final solution.* The final product shall be a 16.5 ± 1.5 percent solution of globulin containing 0.3 molar glycine and a preservative.

(b) *Protein composition.* At least 90 percent of the globulin shall have an electrophoretic mobility not faster than -2.8×10^{-2} centimeters per volt per second, when measured at a 1 percent protein concentration in sodium diethylbarbiturate at pH 8.6 and 0.1 ionic strength.

§ 73.358 Potency.

(a) *Antibody levels and tests.* Each lot of final product shall contain at least the minimum levels of antibodies for diphtheria, measles, and for at least one type of poliomyelitis. In the event the final bulk solution is stored at a temperature above 5° C. the antibody level tests shall be performed after such storage with a sample of the stored material.

(b) *Minimum levels.* The minimum antibody levels are as follows:

(1) No less than 2 units of diphtheria antitoxin per ml.

(2) A measles neutralizing antibody level determined in tissue culture of no less than 0.5 times the level of the reference measles serum.

(3) A poliomyelitis neutralizing antibody level determined in tissue culture of no less than 1.0 for Type 1, 1.0 Type 2, and 2.5 for Type 3, times the antibody level of the reference poliomyelitis immune globulin.

§ 73.359 General requirements.

(a) *Heat stability test.* Approximately 2 ml. of final container material of each lot shall not show any visible sign

of gelation after heating in a 12×75 mm. stoppered glass tube at 57° C. for 4 hours.

(b) *Hydrogen ion concentration.* The pH of final container material shall be 6.8 ± 0.4 when measured in a solution diluted to 1-percent protein with 0.15 molar sodium chloride.

(c) *Turbidity.* The product shall be free of turbidity as determined by visual inspection of final containers.

(d) *Date of manufacture.* The date of manufacture is the date of initiating the last valid measles or poliomyelitis antibody test (§ 73.358(b) (1) and (2)) whichever date is earlier.

(e) *Period of cold storage.* The final product may be held by the manufacturer in cold storage at a temperature not above 5° C. for 3 years after the date of manufacture without decreasing the length of the dating period. The provisions of § 73.84 shall not apply.

(f) *Dating.* The dating period shall be 3 years provided the labeling recommends storage from $2-10^{\circ}$ C.

(g) *Labeling.* Labeling shall comply with the requirements of § 73.50 through § 73.55 and in addition shall indicate that:

(1) There is no prescribed potency for viral hepatitis antibodies.

(2) The product is manufactured for intravenous administration.

(3) The lot is or is not suitable for use with Measles Virus Vaccine, Live, Attenuated.

(h) *Samples and protocols.* For each lot of Immune Serum Globulin (Human) the following material shall be submitted to the Director, Division of Biologics Standards, National Institutes of Health, Bethesda 14, Md.:

(1) A 50 ml. sample of the final product.

(2) All protocols relating to the history of each lot and all results of all tests prescribed in these additional standards (Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216; interpret or apply sec. 351, 58 Stat. 702; 42 U.S.C. 262)

Dated: May 12, 1965.

DAVID E. PRICE,
Acting Surgeon General.

Approved:

RUFUS E. MILES, Jr.,
Assistant Secretary for
Administration.

[F.R. Doc. 65-5275; Filed, May 18, 1965;
8:49 a.m.]

Notices

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

Deletion From International Airports Listing

Effective upon publication in the *FEDERAL REGISTER*, the following amendment to the Statement of Organization of the Immigration and Naturalization Service (19 F.R. 8071, December 8, 1954), as amended, is prescribed:

The listing of international airports in District No. 7—Buffalo, N.Y., of subparagraph (3) *Ports of entry for aliens arriving by aircraft* of paragraph (c) *Suboffices of sec. 1.51 Field Service* is amended by deleting "Malone, N.Y., Malone-Dufort Airport."

Dated: May 14, 1965.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 65-5250; Filed, May 18, 1965;
8:47 a.m.]

Tps. 5 and 6 N., R. 1 W.
Tps. 1 N., Rs. 1 and 2 E.
Tps. 2 and 3 N., R. 1 E.
Tps. 1 S., Rs. 1, 2, 3, 4, and 5 E.
Tps. 2 S., Rs. 2, 3, 4, 5, and 6 E.
Tps. 3 S., Rs. 4, 5, 6, and 7 E.
Tps. 4 S., Rs. 5, 6, 7, and 8 E.
Tps. 5 S., Rs. 5, 6, 7, 8, 9, 10, 12, 13, and 14 E.
Tps. 6 S., Rs. 7, 8, 9, 10, 11, 12, 13, 14, and 15 E.
Tps. 7 S., Rs. 8, 10, 11, 12, 13, 14, and 15 E.
Tps. 8 S., Rs. 14, 15, 16, and 17 E.
Tps. 9 S., Rs. 14, 15, 16, 17, and 18 E.
T. 10 S., R. 15 E.
T. 11 S., R. 15 E.

All unsurveyed lands along the Tana River (tributary to the Copper River) below an elevation of 1,400 feet.

The areas described aggregate approximately 603,922 acres.

AL J. HOLLEY,
Acting Manager, Anchorage
District and Land Office.

[F.R. Doc. 65-5242; Filed, May 18, 1965;
8:47 a.m.]

[Serial No. Idaho 016341]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

MAY 11, 1965.

The Department of Agriculture has filed an application, Serial Number Idaho 016341, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws and the general mining laws. The applicant desires the land for an administrative site and two campgrounds.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho, 83701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture.

The determination of the Secretary on the application will be published in the *FEDERAL REGISTER*. A separate notice

will be sent to each interested party of record.

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

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

BOISE NATIONAL FOREST

French Creek Campground

T. 14 N., R. 3 E.

A tract of land within the unsurveyed $\frac{1}{4} NE \frac{1}{4} NE \frac{1}{4}$, $NE \frac{1}{4} SE \frac{1}{4} NE \frac{1}{4}$, section 29 more particularly described as: Starting at the corner common to sections 20, 21, 28, 29, which is corner No. 1 and the true point of beginning; thence west 10 chs. to corner No. 2; thence south 30 chs. to corner No. 3; thence east 10 chs. to corner No. 4; thence north 30 chs. to corner No. 1, the true point of beginning, containing 30 acres more or less.

CARIBOU NATIONAL FOREST

Current Creek Administrative Site

T. 2 S., R. 44 E.,

Sec. 2, $W \frac{1}{2}$ of lot 1.

Containing 19.91 acres, more or less.

PAYETTE NATIONAL FOREST

Cabin Creek Campground

T. 15 N., R. 1 E.

Sec. 12, $SE \frac{1}{4} SW \frac{1}{4} NE \frac{1}{4} NE \frac{1}{4}$, $SW \frac{1}{4} SE \frac{1}{4} NE \frac{1}{4}$, and the $NE \frac{1}{4} NE \frac{1}{4} SE \frac{1}{4} NE \frac{1}{4}$.

Containing 10 acres.

The areas described aggregate 59.91 acres in Adams, Bonneville and Valley Counties, Idaho.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 65-5243; Filed, May 18, 1965;
8:47 a.m.]

[Anchorage 062396]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 10, 1965.

The United States Forest Service, Department of Agriculture, has filed an application Serial Number Anchorage 062396 for the withdrawal of the lands described below from all forms of appropriation under the mining laws.

The applicant desires the land for use as an administrative site for the Maybeso Experimental Forest in the research of the impact of logging on salmon streams, erosion and sedimentation and other studies.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Anchorage District and Land Office, 555 Cordova Street, Anchorage, Alaska, 99501.

COPPER RIVER MERIDIAN

Tps. 1 N., Rs. 1 and 2 W.
T. 2 N., R. 1 W.
Tps. 3 and 4 N., Rs. 1, 2, and 3 W.

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

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

The land affected is an area located on the east side of Prince of Wales Island, Alaska, in the vicinity of Hollis Anchorage, and

Beginning at Corner No. 1, a point at mean high tide, approximately 69.80 chains N. 57° W. from USC&GS triangulation station FLEA, at approximate latitude 55°28'39" and approximate longitude 132°37'30"; thence, N. 9°25' W., 36.0 chains to Corner No. 2; N. 88°15' W., 10.10 chains to Corner No. 3; S. 10°20' W., 23.36 chains to Corner No. 4, a point at mean high tide, thence with the meanders of mean high tide, and around a small unnamed island connected to the main island by a filled roadway to the point of beginning.

The area described aggregates approximately 90.50 acres.

JAMES W. SCOTT,
Manager,
Anchorage District and Land Office.

[F.R. Doc. 65-5265; Filed, May 18, 1965;
8:48 a.m.]

[Fairbanks 034580]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

MAY 12, 1965.

The Bureau of Indian Affairs has filed an application, Serial Number Fairbanks 034580, for withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of materials under the Material Act of 1947, as amended. The applicant desires the land for administrative use under the Act of June 25, 1910 (36 Stat. 43 U.S.C. 141-143).

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Fairbanks District and Land Office, Post Office Box 1150, Fairbanks, Alaska.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Indian Affairs.

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

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

The lands involved in the application are:

BETHEL, ALASKA

Beginning at a point from which U.S.C. and G.S. Station "Bethel Mag" in latitude 60°47'08.602" N., longitude 161°46'21.885" W. bears N. 89°40' E., 2,227.90 feet, S. 0°20' E., 2,650 feet, and N. 89°40' E., 9,300 feet, thence S. 89°40' W., 10,272.10 feet; S. 0°20' E., 7,500 feet; N. 89°40' E., 6,971.40 feet; N. 23°30' E., 8,168.15 feet to the point of beginning, excluding the Bethel White Alice Site (F-010043), and the Federal Aviation Agency withdrawal (Public Land Order 3445), for the Bethel H. Marker.

The area described aggregates approximately 1450 acres.

Ross A. YOUNGBLOOD,
Manager, Fairbanks District
and Land Office.

[F.R. Doc. 65-5266; Filed, May 18, 1965;
8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

DIRECTOR OR ACTING DIRECTOR,
KANSAS CITY ASCS COMMODITY OFFICE

Delegation of Authority

Pursuant to the authority vested in me by the Processor Wheat Marketing Certificate Regulations, I hereby delegate to the Director or Acting Director, Kansas City ASCS Commodity Office, the responsibility to approve a combination of two or more plants or a division of the plant as provided in § 777.12(e). The authority herein delegated shall be exercised in conformity with the requirements of the Processor Wheat Marketing Certificate Regulations and may not be redelegated.

(Secs. 379(a) to 379(j), 52 Stat. 31, as amended; 7 U.S.C. 1379a to 1379j)

Signed at Washington, D.C., on May 14, 1965.

CLIFFORD G. PULVERMACHER,
Director, Procurement
and Sales Division.

[F.R. Doc. 65-5270; Filed, May 18, 1965;
8:48 a.m.]

Consumer and Marketing Service

LUVERNE AUCTION ET AL.

Depositing of Stockyards

It has been ascertained, and notice is hereby given, that the livestock markets

named herein, originally posted on the respective dates specified below as being subject to the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), no longer come within the definition of a stockyard under said Act and are, therefore, no longer subject to the provisions of the Act.

Name, Location of Stockyard, and Date of Posting

ALABAMA

Luverne Auction, Luverne, May 18, 1965.

LOUISIANA

Town and Country Auctions, Inc., Ville Platte, Mar. 12, 1963.

MISSISSIPPI

Pellers' Livestock Barn No. 2, Kosciusko, Jan. 12, 1959.

NEBRASKA

Deshler Livestock Commission Co., Deshler, Aug. 18, 1950.

NEVADA

Singer's Feed and Auction Yard, Lovelock, Apr. 12, 1960.

TEXAS

Hereford Livestock Auction, Hereford, Oct. 23, 1958.

Notice or other public procedure has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impracticable and contrary to the public interest. There is no legal warrant or justification for not depositing promptly a stockyard which is no longer within the definition of that term contained in the Act.

The foregoing is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication in the **FEDERAL REGISTER**. This notice shall become effective upon publication in the **FEDERAL REGISTER**.

(43 Stat. 159, as amended and supplemented: 7 U.S.C. 181 et seq.)

Done at Washington, D.C., this 13th day of May 1965.

K. A. POTTER,
Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 65-5247; Filed, May 18, 1965;
8:47 a.m.]

SHANTZ & RODMAN LIVESTOCK COMMISSION CO., INC., ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name, location of stockyard, and date of posting

ARKANSAS

Shantz & Rodman Livestock Commission, Co., Inc., North Little Rock, Apr. 23, 1965.

COLORADO

Salida-Monte Vista Livestock Commission, Co., Inc., Monte Vista, Feb. 23, 1965.

FLORIDA

Daytona Horse Sales, Inc., Daytona Beach, Nov. 20, 1964.

INDIANA

Rensselaer Livestock Auction, Rensselaer, Apr. 28, 1965.

KANSAS

Hoxie Livestock Sale, Hoxie, Mar. 22, 1965.

TEXAS

West Texas Livestock Sales Co., Plainview, Apr. 30, 1964.

Done at Washington, D.C., this 13th day of May 1965.

K. A. POTTER,

Acting Chief, Rates and Registrations Branch, Packers and Stockyards Division, Consumer and Marketing Service.

[F.R. Doc. 65-5248; Filed, May 18, 1965; 8:47 a.m.]

The phrase "published in this day's issue of the FEDERAL REGISTER" should read "published in the FEDERAL REGISTER of April 24, 1965".

Dated: May 12, 1965.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 65-5274; Filed, May 18, 1965; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-214]

DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES

Notice of Reconvening of Hearing

A recess was taken in this proceeding on April 1, 1965. An announcement was made on the record that a formal notice would be issued respecting reconvening of the hearing on June 21, 1965.

Pursuant to that announcement, notice is hereby given that the public hearing in this proceeding will reconvene at 10 a.m. (local time) on Monday, June 21, 1965, in the Committee room of the City Auditorium at Santa Monica, Calif., to further consider the issues specified for consideration by the Atomic Energy Commission.

Issued: May 14, 1965, Germantown, Md.

ATOMIC SAFETY AND LICENSING BOARD.
SAMUEL W. JENSCH,
Chairman.

[F.R. Doc. 65-5226; Filed, May 18, 1965; 8:45 a.m.]

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 herein after ordered.

Accordingly, it is ordered: That Agreement C.A.B. 17666, R-112 through R-118, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions 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. 65-5268; Filed, May 18, 1965; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

GEORGE E. LAWRENCE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months:

A. Deletions: Mohawk Electronics.
B. Additions: None.

This statement is made as of April 30, 1965.

GEORGE E. LAWRENCE,

MAY 10, 1965.

[F.R. Doc. 65-5252; Filed, May 18, 1965; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[NDA Nos. 1-228, 1-628, 1-686]

[Consolidated Docket No. FDC-D-88 (A-C)]

C. B. KENDALL CO. ET AL.

Notice of Opportunity for Hearing; Correction

In F.R. Doc. 65-4893 appearing on page 6445 in the issue of May 8, 1965, the following change should be made in the next to the last paragraph of the notice:

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-22162]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of May 1965.

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 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA Memoranda as set forth in the attachment hereto, (1) names a rate under a new description, and (2) names additional specific commodity rates.¹

¹ Filed as part of original document.

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15011; FCC 65-364]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Memorandum Opinion and Order

In the matter of American Telephone & Telegraph Co., Docket No. 15011; charges, practices, classifications, and regulations for and in connection with Teletypewriter Exchange Service.

1. By order FCC 63-261, 28 F.R. 2873, the Commission instituted the investigation with which this proceeding is concerned into the lawfulness of American Telephone & Telegraph Co. Long Lines Department Tariff FCC No. 133 providing teletypewriter exchange service. That order prescribed procedures whereby the examiner designated to preside at the hearings should certify the record to the Commission for decision without preparing an initial decision or recommended decision.

2. It is ordered, That pursuant to section 8(a) of the Administrative Procedure Act, 5 U.S.C. 1007(a), the procedures established by FCC 63-261, 28 F.R. 2873, are revised to direct that after expiration of time for submitting proposed findings and conclusions with supporting reasons as provided at 47 CFR 1.263 and 1.264, the Chief, Common Carrier Bureau, shall prepare and issue a recommended decision; and

3. It is further ordered, That the parties shall have the opportunity, within 30 days after release is made of the full text of the recommended decision, to submit exceptions to the recommended

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decision, or a statement in support of the recommended decision in whole or in part, with supporting reasons for such exceptions or statement, for consideration by the Commission; and

4. *It is further ordered*, That the further procedures shall be pursuant to 47 CFR Part 1 as though the Commission had initially decided the case.

Adopted: May 5, 1965.

Released: May 7, 1965.

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

[F.R. Doc. 65-5262; Filed, May 18, 1965;
8:45 a.m.]

[Docket No. 14394 etc.; FCC 65-403]

FLOWER CITY TELEVISION CORP.,
ET AL.

Memorandum Opinion and Order

In re applications of Flower City Television Corp., Rochester, N.Y., Docket No. 14394, File No. BPCT-2929; Genesee Valley Television Co., Inc., Rochester, N.Y., Docket No. 14395, File No. BPCT-2944; Rochester Area Educational Television Association, Inc., Rochester, N.Y., Docket No. 14459, File No. BPCT-2943; Star Television, Inc., Rochester, N.Y., Docket No. 14460, File No. BPCT-2948; Community Broadcasting, Inc., Rochester, N.Y., Docket No. 14461, File No. BPCT-2953; Heritage Radio & Television Broadcasting Co., Inc., Rochester, N.Y., Docket No. 14462, File No. BPCT-2961; Main Broadcast Co., Inc., Rochester, N.Y., Docket No. 14464, File No. BPCT-2964; The Federal Broadcasting System, Inc., Rochester, N.Y., Docket No. 14465, File No. BPCT-2966; Citizens Television Corp., Rochester, N.Y., Docket No. 14466, File No. BPCT-2967; Rochester Broadcasting Corp., Rochester, N.Y., Docket No. 14467, File No. BPCT-2972; Rochester Telecasters, Inc., Rochester, N.Y., Docket No. 14468, File No. BPCT-2974; for construction permits for new television broadcast stations (Channel 13).

1. The Commission has before it for consideration (a) the Initial Decision in the above-captioned proceeding (FCC 64D-5, released January 28, 1964) proposing grant of the applications of Rochester Area Educational Television Association, Inc. (RAETA), and Rochester Telecasters, Inc. (RTI), and denial of the other applications;¹ (b) the exceptions, with supporting briefs, of the parties, and replies to exceptions with supporting briefs; (c) a petition for leave to amend application, filed January 28, 1964, by Heritage Radio & Television Broadcasting Co., Inc.; (d) a brief as *amicus curiae* filed with the Commission's permission on April 27, 1964, by American Broadcasting Co.; (e) a request for official notice, filed May 27, 1964, by Com-

munity Broadcasting, Inc.; (f) a petition for leave to amend application, filed June 24, 1964, by RAETA; (g) a petition to reopen the record and to remand, filed October 15, 1964, by all parties to the proceeding except RAETA, Rochester Telecasters, Inc., Rochester Broadcasting Corp., and the Chief, Broadcast Bureau; (h) the oral argument held November 2, 1964, before the Commission en banc, on the exceptions to the Initial Decision, at which time each party was afforded the opportunity to address itself to the above-described petition to reopen the record and to remand, and when American Broadcasting Company was permitted to participate as *amicus curiae*; (i) a letter from counsel for Star Television, Inc., dated February 11, 1965, informally advising the Commission that Mr. Isaac Gordon (treasurer, director, and a 14 percent stockholder) died on January 29, 1965; and (j) the entire record herein.

2. The Commission believes that the public interest would be best served at this juncture by remanding the proceeding on a reopened record to a Hearing Examiner so that further evidence may be adduced regarding questions which give the Commission some concern. These questions are: (a) Whether alternative means are available for the broadcast of the type of educational programming which RAETA proposes; and (b) whether a share-channel applicant such as RTI would provide an effectively competitive outlet for a third network service, including the question whether American Broadcasting Co. would affiliate with such an applicant.

3. Since no specific issue was designated to elicit information on whether RAETA could accomplish its objective by means other than its present proposal, the Examiner refused to admit evidence relating to other methods for doing so. Although she stated originally that she would take official notice of the then pending rule-making proceeding in Docket No. 14744, the Examiner later reversed this ruling.

4. We understand the Examiner's reluctance to receive such evidence. Consistent with RAETA's right to file for Channel 13, she believed that taking official notice of the pendency of the rule-making proceeding would result in the exploration of alternative means of carrying out RAETA's proposal, and would introduce irrelevant considerations. This position would be correct in the usual circumstances. However, the later adoption and issuance of a Report and Order in Docket No. 14744, establishing an Instructional Television Fixed Service,² casts the matter in a different light. The primary purpose of this newly-established service is to provide for the transmission of visual and aural instructional material to students enrolled in formal courses of instruction. Although the new service is intended to supplement, and not replace, the educational television broadcast service, we believe that we must note this significant development, because failure to do so would not be in accord with our public interest responsibilities. Accordingly, it

will be appropriate in the remanded proceeding to inquire into the impact which establishment of the Instructional Television Fixed Service may have upon the RAETA proposal. In this connection, it is pertinent also to ascertain the impact which a recent grant of a construction permit to the City School District of Rochester, N.Y., (BPIF-28) in the Instructional Television Fixed Service may have upon the RAETA proposal. Inasmuch as this proceeding is not one where the VHF channel at issue provides the last opportunity for an educational organization to program for the Rochester area, the fact that UHF Channel 21, reserved for educational use in Rochester, is not in use is another matter warranting consideration.³ Although the University of the State of New York, State Education Department, was granted a construction permit (BPET-6) on July 23, 1952, for a non-commercial educational television broadcast station to operate on Channel 21 in Rochester, the station has not yet been built. The authorization is still outstanding, however. Since the eventual use of Channel 21 in Rochester may have a direct bearing upon the disposition of the subject proceeding, the Commission desires current information on the permittee's plans—or lack thereof—to construct and operate a station on Channel 21. Therefore, the permittee is being made a party to this proceeding with its participation limited to exploration of its plans for activation of its 13-year-old construction permit.

5. Our determination to remand the proceeding to inquire into other means whereby RAETA's proposal could be carried out stems, in part, from discovery of the fact that of RAETA's proposed 44 weekly broadcast hours, 18½ hours would be devoted to in-school programming with 10½ of these hours being devoted to repeated in-school programs. When nearly 41 percent of RAETA's proposed programming would be devoted to programs clearly not designed to be received by the general public, a question arises whether the use proposed of the VHF Channel at issue would constitute the best available use.

6. Uncertainty exists in the present state of the record as to affiliation commitments from the American Broadcasting Company network. Thus, RTI and each of the other commercial applicants proposes to affiliate with the ABC network. RTI alone of the applicants was unable to produce an affiliation commitment from ABC. The Examiner stated that since there are three television networks, and since Channel 13 is the third VHF Channel assigned to Rochester, she

¹ Although arising in a somewhat different context, compare Memorandum Opinion and Order, FCC 65-329, RM-321, released Apr. 26, 1965, where the Commission stated, among other things, that even in the absence of extensive UHF conversion generally at the present time, a UHF channel reserved for educational use can be used to meet in-school training and instructional educational needs of a given area; and that with the implementation of the all-channel receiver law, it may be expected that in the reasonably near future the more general cultural and educational needs of an area may be adequately met by a UHF station.

² Commissioners Bartley and Loevinger absent.

³ The application of Rochester Broadcasting Corp. was denied by the Examiner as in default for failure to prosecute its application. No exception to this action has been taken.

was "unable to find from the record that RTI (or any of the other commercial applicants) will be unable to effectuate its proposed network programming. The indications are to the contrary." The present record will not support an affirmative findings that ABC programming would be available to RTI. In this connection, we think it is advisable to have the record reflect the reasons of ABC for its apparently ambivalent position as to possible affiliation with RTI. The Examiner rejected evidence as to ABC's reasons for its reluctance to affiliate with RTI, and an offer of proof was thereupon made. Since the close of the record, we permitted ABC to file an *amicus curiae* brief addressed solely to the question whether a share-channel grant would prevent the inauguration in Rochester of a third, competitive commercial service. ABC was permitted also to participate as *amicus curiae* in the oral argument herein. Because of the importance of the question of affiliation, we believe that the Examiner's ruling noted above should be reversed,¹ and that in the remanded proceeding the reasons regarding network affiliation should be explored. To facilitate this, ABC will be made a party to the proceeding, with its participation restricted to this phase of the hearing.

7. In addition to remanding the proceeding to explore the above-mentioned matters, the Commission believes that it is advisable to have the record up-dated as to all the applications. To this end, a period of 90 days from the date of release of this order will be provided within which the parties may up-date their applications in the respects noted below. It should be stated at the outset that the order herein is not to be construed as inviting the parties to submit virtually new applications; this is not the case. The pending petitions for leave to amend certain of the applications disclose that, with the passage of time, changes have occurred in the make-up of the applicants. Where involuntary changes have occurred in stockholdings or in officers and directors, either because of death or disability of principals, the applications are to be made current to reflect such changes. Changes of a voluntary nature will not be permitted, for it is not the Commission's intention that the competitive position of any applicant be improved to the prejudice of any other applicant. As to the changes which will be permitted, resulting from death or disability, the

Commission believes that the backgrounds of any replacements should be set forth so that the comparative qualifications of the applicants may be fully evaluated. Cf. *The Young People's Church of the Air, Inc.*, FCC 61-401, 21 RR 476. In this manner, further comparison of the applicants will be more meaningful and more reflective of the present realities.

8. We invite changes in the program proposals which have been advanced in the several applications. The ever-changing needs of a community such as Rochester may now be somewhat different from those needs ascertained by the applicants several years ago. If, during the 90-day period provided herein, some of the applicants determine that the needs previously ascertained by them are reflective of present needs, they may so indicate when the material up-dating their applications is submitted. If others find that the needs are different from those previously ascertained by them, the programming proposals in these instances may be modified to reflect any changes. What may be done with regard to ascertainment of present needs in the Rochester area will, of course, have some bearing upon the planning and preparation comparative criterion. This is to be expected, for ascertainment of needs necessarily entails elements of planning and preparation. We believe that the 90-day period provided herein is ample for these purposes.

9. The further hearing ordered herein will commence within a reasonable time after the end of the 90-day period. No further order will be issued by the Commission specifying the date of commencement of the hearing. This date will be left to the discretion of the Hearing Examiner, who is designated as presiding officer by the Chief Hearing Examiner, so that the hearing may be conducted as expeditiously as possible consistent with the Hearing Examiner's calendar of cases.

10. The scope of the further hearing has been set out above.² Of necessity, findings as well as conclusions must be made as to these new areas of inquiry, as well as to revisions of such other areas as planning and preparation and proposed programming. Since the Examiner who originally presided at the hearing is now unavailable, a question arises as to the completeness of the Initial Decision which the newly assigned Hearing Examiner will render. Because we do not envision a lengthy, full-scale hearing of the kind which led to the first Initial Decision, we are of the view that after the customary hearing procedures have been followed, the presiding officer should issue a document in the nature of a supplemental initial decision. Thereafter, in accordance with the pertinent provisions of the Commission's rules and regulations, the parties may perfect their appeals, if any, to the Commission.

In view of the foregoing, *It is ordered*, This 12th day of May 1965, That the record herein is reopened and that the proceeding is remanded for further hear-

¹Cf. *Television Broadcasters, Inc.*, FCC 65-15, 4 ER 2d 119 (1965), where the Commission stated, among other things, "while it is neither our purpose nor function to assure competitive equality in any given market, we have a duty at least to take such actions as will create greater opportunities for more effective competition among the networks in major markets. *Peninsula Broadcasting Corp.*, FCC 64-763, 3 RR 2d 243."

²The reopening on this question is to determine whether an ABC affiliation with RTI would adequately provide for a third competitive network service in Rochester, as well to determine ABC's intentions and reasons for either an affiliation or refusing to affiliate with RTI.

ing consistent with this Memorandum Opinion and Order; and

It is further ordered, That American Broadcasting-Paramount Theatres, Inc. (ABC) and the University of the State of New York, State Education Department, are made parties to this proceeding, with their participation herein limited to the areas of Commission concern treated in paragraphs 4 and 6 of this Memorandum Opinion and Order; and

It is further ordered, That the above-described petition to reopen the record and remand, filed October 15, 1964, is granted to the extent indicated herein, and otherwise is denied; and

It is further ordered, That the above-described petitions for leave to amend applications in various respects, and the request for official notice, are dismissed, the materials contained therein to be submitted as the respective applications are updated; and

It is further ordered, That the applicants herein, within 90 days from the date of release of this Order, shall submit any and all materials updating their respective applications, consistently with the terms of the Order herein.

Released: May 13, 1965.

FEDERAL COMMUNICATIONS
COMMISSION³

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5263; Filed, May 18, 1965;
8:48 a.m.]

[Docket Nos. 15803-15806; FCC 65M-601]

JOHN N. TRAXLER ET AL.
Order Continuing Hearing

In re applications of John N. Traxler and Alvera M. Traxler, husband and wife, Delray Beach, Fla., Docket No. 15803, File No. BPH-3485; Sunshine Broadcasting Co., Delray Beach, Fla., Docket No. 15804, File No. BPH-4174; WLOD, Inc., Pompano Beach, Fla., Docket No. 15805, File No. BPH-4253; Boca Broadcasters, Inc., Pompano Beach, Fla., Docket No. 15806, File No. BPH-4605; for construction permits.

To formalize the agreements and rulings made on the record at a prehearing conference held on May 10, 1965 in the above-entitled matter concerning the future conduct of this proceeding: *It is ordered*, This 12th day of May 1965, that:

Exchange of engineering exhibits is rescheduled for May 17, 1965;

Exchange of lay exhibits is rescheduled for May 24, 1965;

Notification of witnesses is rescheduled for May 25, 1965; and

Hearing presently scheduled for May 18, 1965 is continued to May 27, 1965.

Released: May 13, 1965.

FEDERAL COMMUNICATIONS
COMMISSION

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-5264; Filed, May 18, 1965;
8:48 a.m.]

³Commissioner Bartley dissenting to the remand; Commissioners Cox and Wadsworth not participating.

NOTICES

FEDERAL MARITIME COMMISSION
SEA-LANES SHIPPING CO., INC.
ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following freight forwarder cooperative working agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreements at the Washington office of the Federal Maritime Commission, 1321 H Street NW, Room 301. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 20 days after publication of this notice in the *FEDERAL REGISTER*. A copy of any such statement or request for a hearing should also be forwarded to each of the parties to the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Unless otherwise indicated, these agreements are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other. Forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided as agreed between the parties.

Sea-Lanes Shipping Co., Inc., New York, N.Y., and Francesco Parisi Midwest, Inc., Chicago Ill. FF-1918
 International Expeditors, Inc., New York, N.Y., and Chase Leavitt & Co., Portland, Maine. FF-1922
 William H. Masson, Inc., Baltimore, Md., and General Foreign Freight Forwarders, Norfolk, Va. FF-1924
 George W. Wise, Jr., Savannah, Ga., and J. H. Russell, New Orleans, La. FF-1927

Behring-South Ports Shipping, Inc., Houston, Tex., and Amersped, Inc., New York, N.Y. FF-1928

Gehrts Hoban & Co., Inc., New York, N.Y., and T. D. Downing Co., Boston, Mass. FF-1929

C. S. Greene & Co., Inc., Chicago, Ill., and American Union Transport Forwarding, Inc., New York, N.Y. FF-1930

W. R. Zanes & Co., of Louisiana, Inc., New Orleans, La., and M. J. Corbett & Co., Inc., New York, N.Y. FF-1933

H. E. Schurig & Co., Inc., Houston, Tex., and Tone Forwarding Corp., New York, N.Y. FF-1940

Francesco Parisi, Inc., New York, N.Y., and Fillette Greene & Co., of Tampa, Tampa, Fla. FF-1941

H. A. Gogarty, Inc., New York, N.Y., and W. O. Smith & Co., Inc., Norfolk, Va. FF-1945

Anderson Shipping Co., Savannah, Ga., and Wilk Forwarding Co., Jacksonville, Fla. FF-1948

George Rediker Shipping Corp., New York, N.Y., and The Cottman Co., Baltimore, Md. FF-1949

Bemo Shipping Co., New York, N.Y., and The Hipage Co., Inc., Norfolk, Va. FF-1950

P. John Hanrahan, Inc., New York, N.Y., and J. H. Russell, New Orleans, La. FF-1951

Triangle Forwarding Corp., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio. FF-1953
 Natural Nydegger Transport Corp., New York, N.Y., and J. K. Ebberwein, Savannah, Ga. FF-1955
 Baker, Irons & Dockstader, Inc., New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio. FF-1961
 Inge and Co., Inc., New York, N.Y., and Wilfred Schade & Co., Inc., Newport News, Va. FF-1962
 Meisner Shipping Service, New York, N.Y., and Seaway Forwarding Co., Cleveland, Ohio. FF-1963
 Morris Friedman & Co., Philadelphia, Pa., and J. P. Fleisig Co., New York, N.Y. FF-1964
 Globe Shipping Co., Inc., New York, N.Y., and Enterprise Shipping Co. (Division of Norman G. Jensen, Inc.), San Francisco, Calif. FF-1966

Agreement FF-1917 between Atlas Forwarding Co., Inc., New York, N.Y. and General Foreign Freight Forwarders, Norfolk, Va. is a cooperative working arrangement whereunder compensation received from ocean carriers shall not be shared by the parties. All compensation of this nature will be received only by Atlas Forwarding Co., Inc. Forwarding and service fees as agreed on each transaction.

Silvey Shipping Co., New York, N.Y. is party to the following agreements, the terms of which are identical. The other parties are:

Chas. Kurz Co., Philadelphia, Pa. FF-1919
 Alexander V. & Co., of Louisiana, Inc., New Orleans, La. FF-1923

Wilfred Schade & Co., Inc., Newport News, Va. is party to the following agreements, the terms of which are identical. The other parties are:

George Rediker Shipping Corp., New York, N.Y. FF-1920
 Hudson Shipping Co., Inc., New York, N.Y. FF-1932
 Paul A. Boulo, Mobile, Ala. FF-1934
 The J. P. Fleisig Co., New York, N.Y. FF-1939
 John S. Connor, Inc., Baltimore, Md. FF-1947

Agreement FF-1921 between Sunshine Forwarders, Inc., Jacksonville, Fla., and H. A. Gogarty, Inc., New York, N.Y. is a cooperative working arrangement whereunder forwarding and service fees are to be as follows:

To pass completed export declarations.	\$1.25
To pass completed bill of lading.	1.25
To prepare or complete and pass bill of lading.	2.50
To prepare or complete and pass export declarations.	2.50
Preparation of Consul documents.	5.00

Consular documents (at cost).
 Telephone calls, teletypes or telegrams (at cost).

Ocean freight brokerage is to be divided equally on a 50/50 basis between both parties.

Hudson Shipping Co., Inc., New York, N.Y. is party to the following agreements, the terms of which are identical. The other parties are:

Morris Friedman & Co., Philadelphia, Pa. FF-1925
 Samuel Shapiro & Co., Inc., Baltimore, Md. FF-1926
 George W. Wise, Jr., Savannah, Ga. FF-1943
 Lyons Export & Import, Inc., Chicago, Ill. FF-1944

Triangle Forwarding Corp., New York, N.Y. is party to the following agreements,

the terms of which are identical. The other parties are:

General Foreign Freight Forwarders, Norfolk, Va. FF-1935
 Norton & Ellis, Inc., Norfolk, Va. FF-1936
 Wilfred Schade & Co., Inc., Newport News, Va. FF-1937
 J. S. Lipinski Co., Toledo, Ohio. FF-1938

Express Forwarding & Storage Co., New York, N.Y. is party to the following agreements, the terms of which are identical. The other parties are:

John V. Carr & Son, Inc., Detroit, Mich. FF-1942
 Pistorino & Co., Inc., Boston, Mass. FF-1946
 C. S. Greene & Co., Milwaukee, Wis. FF-1958
 John W. Newton, Jr., Beaumont, Tex. FF-1959
 A. J. Arango, Inc., Tampa, Fla. FF-1960

Agreement FF-1952 between Penson Forwarding Corp., New York, N.Y. and J. K. Ebberwein, Savannah, Ga. is a cooperative working arrangement whereunder forwarding and service fees are subject to negotiation and agreement on each transaction depending upon the services to be performed. Ocean freight brokerage will be retained by the originating forwarder.

Agreement FF-1931 between C. S. Greene and Co., Inc., Chicago, Ill. and Seaport Shipping Co., Seattle, Wash. is a cooperative working arrangement whereunder forwarding and service fees are \$7.50 per shipment and special services remain subject to negotiation and agreement on each transaction. Ocean freight brokerage to be divided on the basis of 50 percent to Seaport Shipping Co. and 50 percent to C. S. Greene & Co., Inc. on the amount collected.

Agreement FF-1956 between Atlas Forwarding Co., Inc., New York, N.Y. and Amco Custom Brokerage Co., Philadelphia, Pa. is a cooperative working arrangement whereunder compensation received from ocean carriers in the form of freight brokerage shall not be shared by the parties. All compensation of this nature will be received only by Atlas Forwarding Co., Inc. Forwarding and service fees as agreed.

THOMAS LISI,
 Secretary.

MAY 14, 1965.

|F.R. Doc. 65-5267; Filed, May 18, 1965.
 8:48 a.m. |

FEDERAL POWER COMMISSION

[Project No. 2507]

CONFEDERATED SALISH AND KOOTENAI TRIBES AND MONTANA POWER CO.

Notice of Application for License for Project Comprising Both Constructed and Unconstructed Developments

MAY 12, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., and the Montana Power Co. (correspondence for the Confederated Tribes to: Wilkin-

son, Cragun and Barker, Attention: John W. Cragun, attorneys for Applicant Tribes, 1616 H Street NW, Washington, D.C., 20006; Walter W. McDonald, Chairman of Tribal Council, the Confederated Salish and Kootenai Tribes, Dixon, Mont. Correspondence for the Montana Power Co. to: J. E. Corrette, President, the Montana Power Co., Butte, Mont., 59701; William H. Coldiron, attorney at law, 40 East Broadway, Butte, Mont., 59701; Lee S. Sherline, 815 Connecticut Avenue NW, Washington, D.C., 20006; Willard W. Gatchell, attorney at law, Suite 307 Riddell Building, 1730 K Street NW, Washington, D.C. for license for Project No. 2507, consisting of two hydroelectric developments to be constructed at Buffalo Rapids sites Nos. 2 and 4, and the constructed Kerr development, all on the Flathead River in the counties of Flathead, Lake, and Sanders in Montana, near Polson, and affecting lands of the United States held in trust for the Confederated Salish and Kootenai Tribes of the Flathead Reservation. The unconstructed and constructed developments of Project No. 2507 are described as follows:

Buffalo Rapids No. 4 (Proposed). Located at river mile 37, would consist of a concrete gravity dam 830 feet long with a maximum height of 130 feet abutting an earth fill dam 1,120 feet long; a reservoir having a storage capacity of about 113,000 acre feet and a surface area of about 3,370 acres extending about 24 miles upstream to the powerhouse of Buffalo Rapids No. 2; a semioutdoor powerhouse integral with the dam structure and having an installed capacity of 120,000 kw in two units; a transmission line, 1.5 miles long; and appurtenant works. Buffalo Rapids No. 2 (Proposed). Located at river mile 61, would embody a concrete gravity dam 788 feet long with a maximum height of 110 feet abutting an earth fill dam 1,360 feet long; a reservoir having a storage capacity of about 121,000 acre feet and a surface area of 3,350 acres extending about 11 miles upstream to the Kerr powerhouse; a semioutdoor powerhouse integral with the dam and having an installed capacity of 120,000 kw; a transmission line 1.5 miles long; and appurtenant works. Kerr (Constructed). Located at approximately river mile 72, was constructed under a license issued for Project No. 5, May 23, 1930, and placed in operation on May 20, 1939. It consists of a variable radius concrete arch dam 381 feet long and 200 feet high abutting a gravity section; a reservoir extending 4 miles up the Flat-

head River to Flathead Lake which between elevations 2,883 and 2,893 feet (msl) has a storage capacity of 1,217,000 acre feet; a powerhouse consisting of a steel frame building housing three units having a total capacity of 168,000 kw; a transmission line about 1,500 feet long; and appurtenant works.

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 of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is July 19, 1965. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5230; Filed, May 18, 1965;
8:46 a.m.]

[Docket No. G-8052, etc.]

HUSKY OIL CO.

Notice of Application

MAY 12, 1965.

Take notice that on February 15, 1965, Husky Oil Co. (Applicant), formerly Husky, Inc., filed in Docket No. G-8052, et al.,¹ an application pursuant to section 7(c) of the Natural Gas Act to amend the orders issuing certificates of public convenience and necessity in said dockets by substituting Applicant as certificate holder, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Certificates were issued in the subject dockets to Husky Oil Co. Husky Oil Co. was merged by Husky, Inc., effective December 31, 1964, and Husky, Inc., changed its name to Husky Oil Co. The application states that Applicant will continue to sell natural gas under the predecessor Husky Oil Co. rate schedules. Details of the application are set forth in the Appendix below.

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 June 1, 1965.

JOSEPH H. GUTRIDE,
Secretary.

APPENDIX

Docket No.	Predessor's FPC gas rate schedule	Purchaser	Location	Price (cents/Mcf)	Pressure base (p.s.i.a.)
G-8052	1	Mountain Fuel Supply Co.	Ace Unit Field, Moffat County, Colo.	13.0	15.025
G-8053	4	do	Salt Wells Field, Sweetwater County, Wyo.	13.0	15.025
G-8056	3	El Paso Natural Gas Co.	Langtje-Mattix Field, Lea County, N. Mex.	15.1132	14.65
G-8057	5	do	do	9.0	14.65
CI61-423	28	do	do	9.0	14.65
CI61-423	29	do	do	15.1132	14.65
CI61-138	10	Montana-Dakota Utilities Co.	Manderson-Slick Creek area, Big Horn County, Wyo.	10.0	15.025
CI61-1574	11	do	do	11.65	15.025
CI64-1097	12	Mountain Fuel Supply Co.	Little Snake Unit area, Moffat County, Colo. and Sweetwater County, Wyo.	15.0	15.025

¹ Effective subject to refund in Docket No. G-19722.

² "Operator", et al.¹

³ Effective subject to refund in Docket No. RI60-13.

[F.R. Doc. 65-5240; Filed, May 18, 1965; 8:46 a.m.]

⁴ Additional dockets are listed in the appendix.

[Docket No. CP65-338]

NORTHERN NATURAL GAS CO.

Order Consolidating Proceedings, Setting Date for Hearing, and Permitting Interventions

MAY 12, 1965.

Notice of application in the above-numbered docket, which was filed on April 23, 1965, was issued by the Secretary of the Commission on April 28, 1965.

By said application Northern Natural Gas Co. proposes to construct and operate measuring facilities at the tailgate of the plant of Humble Oil and Refining Co. in the Gomez Field of Pecos County, Tex., and approximately 12 miles of 24-inch pipeline from such measuring facilities to the beginning of Northern's 24-inch Coyanoa to Kermit line proposed in Docket No. CP65-1.

Northern requests that this application be consolidated for hearing with the proceedings in Northern Natural Gas Co., Dockets Nos. CP65-1, CP65-91; Natural Gas Pipeline Co. of America, Docket No. CP65-169; Transwestern Pipeline Co., Docket Nos. CP65-208, CP65-236 and CP65-237, which proceedings are set for hearing on May 25, 1965.

The Commission finds:

(1) The application in Docket No. CP65-338 involves issues related to the issues presented by the applications in the proceedings in Docket No. CP65-1, et al., referred to supra, which are scheduled for hearing commencing May 25, 1965. It is necessary and appropriate in the administration of the Natural Gas Act that this application be consolidated with the above-described proceedings in Docket No. CP65-1, et al., and set for hearing on May 25, 1965.

(2) It is desirable to allow all intervenors in the proceedings in Docket No. CP65-1, et al., to intervene herein in order that they may establish the facts and law from which the nature and validity of their alleged rights and interests may be determined and show what further action may be appropriate under the circumstances in the administration of the Natural Gas Act.

The Commission orders:

(A) The application herein is hereby consolidated with the proceedings in Northern Natural Gas Co., Docket No. CP65-1, et al., and is set for public hearing on the issues presented in said application in a hearing room of the Federal Power Commission, 441 G Street NW, Washington, D.C., commencing at 10 a.m. on May 25, 1965.

(B) All parties heretofore permitted to intervene in the proceedings in Docket No. CP65-1, et al., are hereby permitted to intervene herein.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-5241; Filed, May 18, 1965;
8:47 a.m.]

NOTICES

FEDERAL RESERVE SYSTEM

UNITED CALIFORNIA BANK

Order Approving Merger of Banks

In the matter of the application of United California Bank for approval of merger with Bank of Ceres.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by United California Bank, Los Angeles, Calif., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and Bank of Ceres, Ceres, Calif., under the charter and title of United California Bank. As an incident to the merger, the sole office of Bank of Ceres would become a branch of the resulting bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger,

It is hereby ordered, for the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 12th day of May, 1965.

By order of the Board of Governors.²

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 65-5227; Filed, May 18, 1965;
8:45 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

RATIFICATION OF ACTS TAKEN
UNDER THE TITLE OF ACTING REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION III (ATLANTA)

Acts consistent with the powers, functions, and duties redelegated or assigned

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of San Francisco. Dissenting Statement of Governor Robertson also filed as part of the original document and available upon request.

² Voting for this action: Chairman Martin, and Governors Balderston, Shepardson, and Mitchell. Voting against this action: Governor Robertson. Absent and not voting: Governor Daane. Governor Maisel did not participate in this action.

to the Regional Director of Community Facilities, Region III (Atlanta), taken on or after May 15, 1963, and through August 17, 1963, under the title of Acting Regional Director of Community Facilities, Region III (Atlanta), by the officers appointed to the following listed positions in Region III, are hereby ratified and effective as if authorized on the date taken:

1. Deputy Regional Administrator.
2. Deputy Regional Director of Community Facilities.
3. Chief, Public Facilities Operations Staff.

4. Chief, Finance Staff.
5. Chief, Engineering Staff.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

Issued as of the 19th day of May 1965.

[SEAL] ROBERT C. WEAVER,
Housing and Home Finance
Administrator.

[F.R. Doc. 65-5257; Filed, May 18, 1965;
8:48 a.m.]

ACTING REGIONAL DIRECTOR OF COMMUNITY FACILITIES, REGION III (ATLANTA)

Designation; Ratification

1. *Designation.* The officers appointed to the following listed positions in Region III (Atlanta) are hereby designated to serve as Acting Regional Director of Community Facilities, Region III (Atlanta), during the present vacancy in the position of Regional Director of Community Facilities, Region III, with all the powers, functions and duties redelegated or assigned to the Regional Director of Community Facilities, Region III, provided that no officer is authorized to serve as Acting Regional Director of Community Facilities, Region III, unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

- a. Deputy Regional Administrator.
- b. Deputy Regional Director of Community Facilities.
- c. Chief, Public Facilities Operations Branch.
- d. Chief, Finance Branch.
- e. Chief, Engineering Branch.

Effective as of the 19th day of May 1965.

2. *Ratification.* Acts consistent with the designation in paragraph 1 of this document taken on or after August 18, 1963, and up to the effective date of such designation are hereby ratified and effective as if authorized on the date taken.

Issued as of the 19th day of May 1965.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

[SEAL] ROBERT C. WEAVER,
Housing and Home Finance
Administrator.

[F.R. Doc. 65-5258; Filed, May 18, 1965;
8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-672]

INVESTORS INTER-CONTINENTAL FUND, LTD.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be an Investment Company

MAY 13, 1965.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Investors Inter-Continental Fund, Ltd. ("applicant") 1000 Roanoke Building, Minneapolis, Minn., a registered open-end diversified management investment company, has ceased to be an investment company. All interested persons are referred to the application on file with the Commission for a complete statement of the representations summarized below.

Applicant was incorporated on November 30, 1954 under the Companies Act of Canada and was registered under the Investment Company Act on March 30, 1955. On June 30, 1964 in accordance with a plan of reorganization approved by its shareholders on that date, applicant transferred its assets after debts, liabilities and obligations had been paid or duly provided for to Investors Inter-Continental Fund, Inc., a Nevada corporation and a registered open-end diversified investment company, in exchange for the capital stock of that company which was distributed on a pro rata basis to the shareholders of applicant. Since that date applicant has not had any securities outstanding, and does not propose to acquire any assets, issue any securities or conduct any business.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is given that any interested person may, not later than June 1, 1965 at 5:30 p.m. submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall 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 applicant at the address stated above. Proof of such service (by affidavit or in

case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing made in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOS,
Secretary.

[F.R. Doc. 65-5237; Filed, May 18, 1965;
8:46 a.m.]

[File No. 70-4278]

MASSACHUSETTS ELECTRIC CO. AND NEW ENGLAND ELECTRIC SYSTEM

Notice of Proposed Increase in Au- thorized Shares of Common Stock and Issuance and Sale Thereof to Holding Company

MAY 13, 1965.

Notice is hereby given that New England Electric System ("NEES"), 441 Stuart Street, Boston, Mass., 02116, a registered holding company, and one of its electric utility subsidiary companies, Massachusetts Electric Co. ("Mass. Electric"), have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2), 6(b), 7, 9(a), and 10 of the Act 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.

Mass. Electric proposes to increase its authorized and outstanding shares of \$25 par value common stock (all of which are owned by NEES) from 2,073,436 to 2,216,293 shares. Mass. Electric further proposes to issue and sell, and NEES proposes to acquire, the 142,857 additional shares of common stock of Mass. Electric at a price of \$70 per share or for an aggregate price of \$9,999,990.

Mass. Electric presently has outstanding \$11,500,000 of short-term notes payable to NEES, evidencing borrowings made for construction. The proceeds from the issue and sale of the additional common stock will be applied to the payment, in part, of the then outstanding short-term notes. Mass. Electric desires to consummate the proposed transactions in order to finance permanently capitalizable expenditures.

The fees and expenses to be paid in connection with the proposed transactions are estimated to aggregate \$200 for NEES and \$13,544 for Mass. Electric. The latter amount consists of \$1,000 for services performed at cost by the system service company, \$10,000 for original issue stamp tax, and \$2,544 for State filing fees.

Mass. Electric has applied to the Massachusetts Department of Public Utilities for authorization of the proposed issue and sale of additional shares of common stock. A copy of the order entered therein is to be supplied by amendment. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than June 14, 1965, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, 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. DuBOS,
Secretary.

[F.R. Doc. 65-5238; Filed, May 18, 1965;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 525]

HAWAII

Declaration of Disaster Area

Whereas, it has been reported that during the month of May 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Honolulu County in the State of Hawaii;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the

Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from floods and accompanying conditions occurring on or about May 2, 1965.

Office: Small Business Administration Regional Office, 1149 Bethel Street, Honolulu, Hawaii, 96813

2. A temporary office will be established in necessary area, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1965.

Dated: May 5, 1965.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 65-5229; Filed, May 18, 1965;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

MAY 14, 1965.

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 addressed to or filed with the Interstate Commerce Commission.

State Docket No. M-3668, filed April 28, 1965. Applicant: CARTER TRUCK LINE, INC., 500 North Third Street, Fort Smith, Ark. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of general commodities, between Ozark, Ark., and Cass, Ark., from Ozark, over Arkansas Highway 23, and return over the same route.

HEARING: May 24, 1965, at 10 a.m. at the Justice Building, Little Rock, Ark. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Arkansas Commerce Commission, Justice Building, Little Rock, Ark., 72201, and should not be directed to the Interstate Commerce Commission.

State Docket No. assigned MC 4479 Sub 1, filed January 20, 1965. Applicant: KNOXVILLE-MARYVILLE

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MOTOR EXPRESS, INC., 1910 University Avenue NW, Knoxville, Tenn. Applicant's representative: John T. Gilbertson, 100 Knox Federal Building, Knoxville, Tenn., 37902. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (excluding household goods and liquid commodities in bulk), from Oak Ridge to Oliver Springs and Wartburg, Tenn., on State Route 62, including Petros on State Route 116; from Wartburg to Sunbright on U.S. 27, and return, serving all intermediate points; Wartburg to Harriman, Tenn., via Route 27 on to Highway Junction of Route 27; thence U.S. Highway 70 and/or 140 to Rockwood, Tenn.; thence U.S. Highway 70 and/or 140 Junction; thence U.S. Highway 70 and/or 140 to Rockwood, Tenn.; thence U.S. 70 and/or 140 to Midtown, Kingston and Knoxville, Tenn. All of said routes to be operated in conjunction with carrier's present authority. Alternate route: Oliver Springs to Harriman, Tenn., via State Route 81 and U.S. Highway 27, serving all intermediate points on said highways and State Docket No. assigned MC 4479 Sub 2, filed April 5, 1965. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (excluding household goods and liquid commodities in bulk) from Knoxville, Tenn., via State Highways 33 and 131, to Junction of State Highway 131 and State Highway 61; thence on State Highway 61 to Luttrell, Tenn., and return, serving Luttrell, Tenn. Alternate route: from Knoxville via U.S. 11W to Highway Junction of State Highway 61 to Luttrell, Tenn., and return.

NOTE: Applicant states in MC 4479 Sub 1, the proposed service is, "with all of said routes, if granted, to be operated in conjunction with carrier's present authority. The carrier seeks authority to conduct intra-state operations jointly with interstate freight from and to all of said points," with reference to MC 4479 Sub 2. Applicant states "this route to be operated in conjunction with carrier's present authority."

HEARING: June 16, 1965, at 9:30 a.m. (e.s.t.) at the Andrew Johnson Hotel, Knoxville, Tenn.

Requests for procedural information including the time for filing protests, concerning these applications should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville, Tenn., 37219, and should not be directed to the Interstate Commerce Commission.

State Docket No. assigned C-6714 Case No. 13, filed April 13, 1965. Applicant: CENTRAL TRANSPORT, INC., 3399 East McNichols Road, Detroit, Mich., 48212. Applicant's attorney: George W. Loomis, 117 West Allegan Street, Lansing, Mich., 48933. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, from the junction Interstate Highway 96 and U.S. Highway 24 via Interstate Highway 96 to junction U.S. Highway 23 serving only those points otherwise authorized to serve.

HEARING: June 8, 1965 at 9:30 a.m. at the offices of the Michigan Public

Service Commission, Lewis Cass Building, Lansing, Mich., 48913. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. assigned 12890, filing date unknown. Applicant: Duncan Motor Lines, Easley, S.C. Applicant's attorney: John T. Gentry, Pickens, S.C. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of (1) *General commodities* (except petroleum products in bulk, in tank trucks, Classes A and B explosives and Classes A, C, and D poisons as defined under Explosives and other Dangerous Articles in American Trucking Association, Inc., agent, Tariff No. 10, MF-ICC No. 11, PSCSC No. 11, supplements thereto or reissues thereof; and household goods and related articles, as defined in Motor Truck Rate Bureau, agent, Household Goods Tariff, Motor Freight Tariff No. 8-D, SCPSC-MF No. 79, supplements thereto or reissues thereof), between points and places in Greenville and Pickens Counties, and between points and places in these counties and points and places in South Carolina; (2) *farm commodities*, between points and places in Greenville and Anderson Counties, and between points and places in these counties and points and places in South Carolina; and (3) *builders' supplies* (brick, stone, sand, lumber), between points and places in Anderson, Greenville, Greenwood, Oconee, and Spartanburg Counties, and between points and places in these counties and points and places in South Carolina.

HEARING: June 22, 1965, at 11 a.m. at the Commission's Offices in the Wade Hampton Office Building, Columbia, S.C. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the South Carolina Public Service Commission, Wade Hampton State Office Building, Columbia 1, S.C., and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5256; Filed, May 18, 1965;
8:48 a.m.]

[Notice 769]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

MAY 14, 1965.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, ef-

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

fective 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. Protests 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 is named. If the protest includes a request for oral hearing, such request shall meet the requirements of § 1.247(d)(4) of the special rule. Subsequent assignment of these proceedings for oral hearing, if any, will be by Commission order which will be served on each party of record.

No. MC 409 (Sub-No. 21) filed April 23, 1965. Applicant: O. E. POULSON, INC., Elm Creek, Nebr. Applicant's attorney: Donald E. Leonard, Box 2028, 605 South 14th Street, Lincoln, Nebr. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Liquid animal feed ingredients*, not produced from animal fats or vegetable oils, in bulk, in tank vehicles, from Crete, Nebr., to points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, and *damaged and rejected shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 531 (Sub-No. 187) filed April 28, 1965. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica gel catalyst*, in bulk, in pneumatic hopper tank vehicles, from Brian, La., to Blue Island and Wood River, Ill., Indianapolis, Ind., Louisville and Leach, Ky., Port Reading, N.J., Tonawanda, N.Y., and Warren and Marcus Hook, Pa.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 1124 (Sub-No. 203) filed April 22, 1965. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, livestock, Classes A and B explosives and household goods as defined by the Commission), serving the plantsite of the National Cash Register Co. lo-

cated near Jacksonville, Fla., as an off-route point in connection with applicant's authorized regular route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 2202 (Sub-No. 276) (AMENDMENT), filed April 1, 1965, published FEDERAL REGISTER issue, April 21, 1965, and republished as amended this issue. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Wilmington, Del. and junction Pennsylvania Highway 41 and U.S. Highway 30, from Wilmington over Delaware Highway 48 to junction Delaware Highway 41, thence over Delaware Highway 41 to the Delaware-Pennsylvania State line, thence over Pennsylvania Highway 41 to junction U.S. Highway 30, and return over the same route, as an alternate route for operating convenience only in connection with applicant's regular route operations, serving no intermediate points.

NOTE: The purpose of this republication is to clarify the route description above by adding the line "to junction Delaware Highway 41, thence over Delaware Highway 41". If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2202 (Sub-No. 278), filed April 26, 1965. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron, Ohio, 44309. Applicant's attorney: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Camden, N.J., and Scranton, Pa.; (a) from Camden over U.S. Highway 30 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction Pennsylvania Highway 115, thence over Pennsylvania Highway 115 to junction Pennsylvania Highway 512, thence over Pennsylvania Highway 512 to junction U.S. Highway 611, thence over U.S. Highway 611 to Scranton and return over the same route, serving all intermediate points and all off-route points in Pennsylvania within 15 miles of the above described highways; (b) from Camden over U.S. Highway 30 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction U.S. Highway 309, thence over U.S. Highway 309 to junction Pennsylvania Highway 191, thence over Pennsylvania Highway 191 to junction Pennsylvania Highway 512, thence over Pennsylvania Highway 512 to junction

U.S. Highway 611, thence over U.S. Highway 611 to Scranton and return over the same route, serving all intermediate points and all off-route points in Pennsylvania within 15 miles of the above described highways; (c) from Camden over U.S. Highway 30 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction U.S. Highway 309, thence over U.S. Highway 309 to junction Interstate Highway 276, thence over Interstate Highway 276 to junction Pennsylvania Turnpike Northeast Extension, thence over Pennsylvania Turnpike Northeast Extension to Scranton and return over the same route, serving all intermediate points and all off-route points within 15 miles of the above described highways; and (d) from Camden over U.S. Highway 30 to junction U.S. Highway 611, thence over U.S. Highway 611 to junction U.S. Highway 1, thence over U.S. Highway 1 to junction U.S. Highway 422, thence over U.S. Highway 422 to Reading, Pa.

Thence over Pennsylvania Highway 61 to Pottsville, Pa., thence over U.S. Highway 209 to junction U.S. Highway 309, thence over U.S. Highway 309 to junction Interstate Highway 81, (also from junction U.S. Highway 422 and Pennsylvania Highway 100, over Pennsylvania Highway 100 to junction Pennsylvania Highway 29, thence over Pennsylvania Highway 29 to Hazleton, Pa., thence over U.S. Highway 309 to junction Interstate Highway 81; and also from Reading, Pa., over U.S. Highway 222 to Allentown, Pa., thence over U.S. Highway 309 through Tamaqua, Pa., to junction Interstate Highway 81), thence over Interstate Highway 81 to Scranton and return over the same route, serving all intermediate points and all off-route points within 15 miles of the above described highways (1) between Camden, N.J., and Reading, Pa., and (2) located east of the highways traversed from Reading over Pennsylvania Highway 61 to Pottsville, Pa., thence over U.S. Highway 209 to Tamaqua, Pa., thence over U.S. Highway 309 to junction Interstate Highway 81, thence over Interstate Highway 81 to Scranton; and (II) serving points located on and east of Pennsylvania Highway 10 and within 10 miles of applicant's existing route over U.S. Highway 30 between Philadelphia, Pa., and Sadsburyville, Pa., as off-route points in connection with applicant's authorized regular-route operations.

NOTE: Applicant states that it "seeks to convert certain general commodity, irregular-route authority in the eastern part of Pennsylvania and the western part of New Jersey to regular-route authority. This conversion will also result in the elimination of observing the use of various points in New Jersey as gateway points in connection with operations to and from the involved Pennsylvania points and points west of the Ohio-Pennsylvania State line." Applicant also states that it proposes to tack the above proposed operation to its existing regular-route authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 2261 (Sub-No. 4), filed May 3, 1965. Applicant: RICHTER TRANSFER & STORAGE, INC., 1205 Greenvale Road, Albany, Ga. Applicant's attorney: Norman J. Bolinger, 1730 American Heritage Life Building, Jacksonville,

Fla., 32202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in that part of Alabama, Florida, Georgia, and South Carolina bounded by a line beginning at Greenwood, S.C., and extending southeast along U.S. Highway 178 to junction U.S. Highway 21, thence south along U.S. Highway 21 to junction U.S. Highway 17, thence south along U.S. Highway 17 to the South Carolina-Georgia State line thence southeast along the South Carolina-Georgia State line to the Atlantic Ocean, thence south along the Georgia coastline on the Atlantic Ocean to the Georgia-Florida State line, thence west along the Georgia-Florida State line to its junction with U.S. Highway 441, thence south along U.S. Highway 441 to Lake City, Fla., thence south along U.S. Highway 41 to Archer, Fla., thence southwest along Florida Highway 24 to the Gulf of Mexico, thence north and west along the Florida coastline on the Gulf of Mexico to a point on the coast south of U.S. Highway 331, thence north along U.S. Highway 331 to De-Funiak Springs, Fla., thence north along Florida Highway 83 to junction Florida Highway 2, thence northeast along Florida Highway 2 and 183 to the Florida-Alabama State line, thence northeast along Alabama Highway 27 to Geneva, Ala., thence northeast along Alabama Highway 52 to Dothan, Ala., thence north along U.S. Highway 431 to Eufala, Ala., thence northwest along U.S. Highway 82 to Union Springs, Ala., thence north along U.S. Highway 29 to Tuskegee, Ala., thence north along Alabama Highway 81 to Notasulga, Ala., thence west along Alabama Highway 14 to Tallapoosa, Ala., thence north along Alabama Highway 49 to Newsite, Ala., thence northeast along Alabama Highway 22 to the Alabama-Georgia State line, thence north along the Alabama-Georgia State line to junction with U.S. Highway 78, thence east along U.S. Highway 78 to Athens, Ga., thence east along Georgia Highway 72 to the Georgia-South Carolina State line, thence east along South Carolina Highway 72 to Greenwood, S.C., and point of beginning.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit No. MC 105249 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 3560 (Sub-No. 20), filed April 28, 1965. Applicant: GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between St. Louis, Mo., and Fort Wayne, Ind., (a) from St. Louis over Interstate Highway 70 (also from St. Louis over U.S. High-

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way 40) to junction Interstate Highway 69, thence over Interstate Highway 69 to Fort Wayne, and return over the same route, serving no intermediate points, and (b) from St. Louis over Interstate Highway 70 (also from St. Louis over U.S. Highway 40) to junction Indiana Highway 37, thence over Indiana Highway 37 to junction U.S. Highway 24, thence over U.S. Highway 24 to Fort Wayne, and return over the same route, serving no intermediate points; (2) between Fort Wayne, Ind., and junction Interstate Highway 69 and U.S. Highway 20 at or near Angola, Ind., over Interstate Highway 69, serving no intermediate points and (3) between Fort Wayne, Ind., and junction U.S. Highway 27 and U.S. Highway 20 at or near Angola, Ind., over U.S. Highway 27, serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's authorized regular-route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 4405 (Sub-No. 428), filed April 22, 1965. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Trailers, semitrailers and trailer chassis (except those designed to be drawn by passenger automobiles), and parts moving in conjunction with such trailers and chassis, in initial movements, in truckaway and driveaway service, from Dorchester, Mass., to points in the continental United States; and (2) tractors, in secondary driveaway service, only when drawing trailers, semitrailers and trailer chassis moving in initial driveaway service, from Dorchester, Mass., to points in Alaska, Arizona, Nevada, Oregon, and Vermont.

NOTE: Applicant states it will not tack the above authority with its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Boston, Mass.

No. MC 4405 (Sub-No. 429), filed April 22, 1965. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Hoists, lift gates, spreaders and containers (except containers having a capacity of 5 gallons or less or having a capacity of 9 cubic feet or less), from Lima, Ohio, to points in the continental United States, and (2) materials, supplies and parts used in the manufacture, assembly and servicing of the described commodities in (1) above when moving in mixed loads with any of such commodities, from Lima, Ohio, to points in the continental United States.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 4405 (Sub-No. 430), filed April 22, 1965. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue,

Chicago 33, Ill. Applicant's attorney: James W. Wrape, Sterick Building, Memphis, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) Truck and trailer bodies and refuse containers, hydraulic hoists, lift gates and parts thereof, from points in Bryan County, Okla., to points in Alabama, Florida, Illinois, Kansas, Minnesota, North Dakota, South Dakota, and Tennessee; (B) trailers, semitrailers and trailer chassis (except those designed to be drawn by passenger automobiles) and parts moving in conjunction with such trailers and chassis, in initial movements, in truckaway and driveaway service, from points in Bryan County, Okla., to points in Alabama, Florida, Illinois, Kansas, Minnesota, North Dakota, South Dakota, and Tennessee; and (C) truck and trailer bodies, refuse containers, hydraulic hoists, lift gates and parts thereof, when moving with trailers moving in initial truckaway or driveaway service, from points in Bryan County, Okla., to points in Alabama, Florida, Illinois, Kansas, Minnesota, North Dakota, South Dakota, and Tennessee.

NOTE: Applicant states that it intends to tack the proposed authority in (A) above to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 10761 (Sub-No. 173), filed May 3, 1965. Applicant: TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. Applicant's attorney: Howell Ellis, Suite 616-618, Fidelity Building, 111 Monument Circle, Indianapolis 4, Ind. Authority sought to operate as a common carrier, by motor vehicle, over 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), (1) between New Castle, Pa., and junction U.S. Highways 422 and 22 near Ebensburg, Pa., over U.S. Highway 422, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations; and (2) between Cleveland, Ohio, and junction U.S. Highways 322 and 22 near Lewistown, Pa., over U.S. Highway 322, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular-route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 11220 (Sub-No. 93), filed April 22, 1965. Applicant: GORDON'S TRANSPORTS, INC., 185 West McLeMORE Avenue, Memphis, Tenn. 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 of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring

special equipment), between Little Rock, Ark., and Broken Bow, Okla., from Little Rock over Interstate Highway 30 to junction U.S. Highway 70 West of Benton, Ark., thence over U.S. Highway 70 to Broken Bow, and return over the same route, serving all intermediate points in Oklahoma without restriction and serving the intermediate point of DeQueen, Ark., restricted to delivery on eastbound traffic and pickup on westbound traffic.

NOTE: Applicant states it will utilize the above proposed route in connection with its operations now being conducted under Certificate No. MC 11220 (Sub-No. 71). If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 13569 (Sub-No. 13) filed April 21, 1965. Applicant: THE LAKE SHORE MOTOR FREIGHT COMPANY, a corporation, 1200 South State Street, Girard, Ohio. Applicant's attorney: A. David Millner, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Iron and steel and iron and steel articles, between points in that part of Pennsylvania on and west of U.S. Highway 219 and those in Ohio, on the one hand, and, on the other, points in Illinois, Indiana and the Southern Peninsula of Michigan.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 19227 (Sub-No. 92), filed April 27, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW, Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Missle parts, between points in New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Michigan, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Orlando, Fla.

No. MC 19227 (Sub-No. 93), filed April 27, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW, Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Missiles and missile parts, and missile supplies and equipment (except such as requires the use of special equipment), (1) between points in Florida, and (2) between points in Florida, on the one hand, and, on the other, points in Alabama, Georgia, Illinois, Louisiana, Mississippi, South Carolina, Tennessee, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Orlando, Fla.

No. 19227 (Sub-No. 94), filed April 27, 1965. Applicant: LEONARD BROS.

TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Missile parts*, between Miami, Fla., and points within 25 miles of Miami, on the one hand, and, on the other, points in Alabama, Delaware, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

Note: If a hearing is deemed necessary, applicant requests it be held at Orlando, Fla.

No. MC 21006 (Sub-No. 17), filed April 22, 1965. Applicant: JOSEPH S. TRIGLIA, 705 East State Street, Delmar, Del. Applicant's attorney: M. Bruce Morgan, 201 Azar Building, Glen Burnie, Md., 21061. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural commodity containers*, from Woodland, N.C., and points within 15 miles thereof, to points in Georgia, Florida, and South Carolina.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 25869 (Sub-No. 44), filed April 22, 1965. Applicant: NOLTE BROS. TRUCK LINE, INC., 2509 "O" Street, Post Office Box 184, South Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hides*, from points in Iowa and Nebraska, to Chicago, Ill.

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 29120 (Sub-No. 77), filed May 3, 1965. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Post Office Box 756, Sioux Falls, S. Dak., 57101. 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), (1) between Chicago, Ill., and Sioux Falls, S. Dak., over Interstate Highway 90, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations; (2) between junction U.S. Highway 16 and Interstate Highway 90 near Tomah, Wis., and Sioux Falls, S. Dak., over U.S. Highway 16, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations; (3) between junction Interstate Highway 90 and U.S. Highway 12 near Madison, Wis., and junction U.S. Highways 14 and 16 at La Crosse, Wis.; from junction Interstate Highway 90 and U.S. Highway 12 near Madison, Wis., over U.S. Highway 12 to

junction U.S. Highway 14 at Middleton, Wis., thence over U.S. Highway 14 to junction U.S. Highway 16 at La Crosse, Wis., and return over the same route, serving no intermediate points and serving the terminal points for joinder with other routes herein described, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations; and (4) between junction Interstate Highway 90 and Minnesota Highway 4 and junction Minnesota Highway 4 and U.S. Highway 16, over Minnesota Highway 4, serving no intermediate points and serving the terminal points for joinder with other routes herein described, as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations.

Note: In (1) above, applicant states that joinder is sought with U.S. Highway 16 near Tomah, Wis., and in (4) above, joinder is sought with those routes described in Certificate No. MC 29120 (Sub-No. 58). Applicant also states that no duplicating authority is sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 30844 (Sub-No. 178), filed May 5, 1965. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Springdale, Ark., to points in Colorado, Idaho, Montana, Nebraska, Utah, and Wyoming.

Note: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 31024 (Sub-No. 34), filed April 20, 1965. Applicant: NEPTUNE WORLD-WIDE MOVING, INC., 55 Weyman Avenue, New Rochelle, N.Y. Applicant's attorney: S. Sidney Elsen, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tabulating machines*, uncrated, between points in Wake and Durham Counties, N.C., and points in Fayette County, Ky., and points in the United States (except Alaska and Hawaii).

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 41404 (Sub-No. 56), filed May 7, 1965. Applicant: ARGO-COLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn., 38237. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers*, as described in Sections A, B, C, and D in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from points in Dakota County, Nebr., to points in Alabama, Florida, Georgia, Kentucky, Louisiana,

Mississippi, North Carolina, South Carolina, and Tennessee.

Note: If a hearing is deemed necessary, applicant requests it be held at Sioux City or Des Moines, Iowa.

No. MC 41404 (Sub-No. 57), filed May 7, 1965. Applicant: ARGO-COLIER TRUCK LINES CORPORATION, Post Office Box 151, Fulton Highway, Martin, Tenn., 38237. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, shortening, lard, tallow, salad dressings and table sauces*, in vehicles equipped with mechanical refrigeration, from Jacksonville, Ill., and points within one (1) mile thereof to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, North Dakota, and South Dakota.

Note: Applicant states the proposed operations will be restricted against the transportation of the commodities specified above in liquid form, in tank vehicles. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Springfield, Ill.

No. MC 42718 (Sub-No. 1), filed April 29, 1965. Applicant: C. F. SOWLE, 543 Pleasant Street, Fall River, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts (except commodities in bulk), dairy products and articles distributed by meat packinghouses*, from Providence, R.I., to Brockton and Taunton, Mass.

Note: If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC 42963 (Sub-No. 28), filed April 29, 1965. Applicant: DANIEL HAMM DRAYAGE COMPANY, a corporation, Second and Tyler Streets, St. Louis, Mo. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ink*, in bulk, from St. Louis, Mo., to points in Kansas, Nebraska, Iowa, Illinois, Kentucky, Tennessee, Arkansas, Oklahoma, Louisiana, Indiana, and Ohio.

Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 46240 (Sub-No. 12), filed April 23, 1965. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW, Grand Rapids, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nonferrous scrap metals*, in bulk and loose, from points in Illinois, Missouri, New Jersey, New York, Pennsylvania, and Wisconsin to Port Huron, Mich., and Middletown, Ohio, under a continuing contract with Mueller Brass Company, Port Huron, Mich.

Note: Applicant is also authorized to conduct operations as a *common carrier* in Certificates MC 106603 and Subs, therefore dual operations may be involved. If a hearing

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ing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 47142 (Sub-No. 88), filed May 5, 1965. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 200 19th Street, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A, B, and C explosives, blasting supplies, nitro-carbonates and ammonium nitrate*, between Ordill, Ill., and points within 10 miles of Ordill, on the one hand, and, on the other, points in Connecticut, Maryland, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 52751 (Sub-No. 47), filed April 28, 1965. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hardboard, wallboard and siding*, from Superior, Wis., to points in Minnesota and Nebraska.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 58885 (Sub-No. 23), filed April 29, 1965. Applicant: ATLANTA MOTOR LINES, INC., 1268 Caroline Street NE., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, *Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment*), between Hlawassee, and Clayton, Ga., over U.S. Highway 76, serving all intermediate points, restricted against transporting any traffic moving between Atlanta, Ga., and points within 15 miles thereof, on the one hand, and, on the other, Clayton, Ga.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 58923 (Sub-No. 33), filed April 13, 1965. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road SE, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), *REGULAR ROUTES*: (1) Between Valdosta, Ga., and Lake City, Fla.: from Valdosta over U.S. Highway 41 and Interstate Highway 75 to Lake City, and return over the same route, serving all intermediate points; (2) between Valdosta, Ga., and Madison, Fla.: from Valdosta over Georgia Highway 31 to the Georgia-Florida State line, thence over Florida

Highway 145 to Madison, and return over the same route, serving all intermediate points; (3) between Knoxville, Tenn., and Valdosta, Ga.: from Knoxville over U.S. Highway 129 to junction U.S. Highway 411, thence over U.S. Highway 411 to junction U.S. Highway 41, thence over U.S. Highway 41 and Interstate Highway 75 to Lake City, Fla., thence over U.S. Highway 90 to Madison, Fla., thence over Florida Highway 145 to the Florida-Georgia State line, thence over Georgia Highway 31 to Valdosta, and return over the same route, serving all intermediate points; and (4) between Florence, Ala., and Valdosta, Ga.: from Florence over Alabama Highway 184 to junction Alabama Highway 101, thence over Alabama Highway 101 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to junction Alabama Highway 67, thence over Alabama Highway 67 to junction U.S. Highway 231, thence over U.S. Highway 231 to junction U.S. Highway 278.

Thence over U.S. Highway 278 to junction U.S. Highway 431, thence over U.S. Highway 431 to junction Alabama Highway 22, thence over Alabama Highway 22 and 20 to the Georgia-Alabama State line, thence over Georgia Highway 109 to junction U.S. Highway 27, thence over U.S. Highway 27 to junction U.S. Highway 280, thence over U.S. Highway 280 to junction Georgia Highway 55, thence over Georgia Highway 55 to junction U.S. Highway 82, thence over U.S. Highway 82 to junction Georgia Highway 133, thence over Georgia Highway 133 to junction Georgia Highway 33, thence over Georgia Highway 33 to junction Georgia Highway 94, thence over Georgia Highway 94 to junction U.S. Highway 41, thence over U.S. Highway 41 to Lake City, Fla., thence over U.S. Highway 90 to Madison, Fla., thence over Florida Highway 145 to the Florida-Georgia State line, thence over Georgia Highway 31 to Valdosta, and return over the same route, serving all intermediate points. *IRREGULAR ROUTES*: *General commodities* (except those of unusual value, *Classes A and B explosives, household goods, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading*), between points in Florida on and east of a line beginning at the Georgia-Florida State line, thence along U.S. Highway 19 to New Port Richey, thence along the Gulf of Mexico to Naples, thence points on and north of line beginning at Naples and U.S. Highway 41, thence along U.S. Highway 41 to the Atlantic Ocean.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Orlando, Fla.

No. MC 61396 (Sub-No. 135), filed April 22, 1965. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities in bulk*, having a prior or subsequent movement by barge, between points in Arkansas, Illinoi-

nois, Indiana, Michigan, Oklahoma, Tennessee, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 65922 (Sub-No. 6), filed April 30, 1965. Applicant: McDADE TRANSFER CORPORATION, 3310 Old William Penn Highway, Monroeville, Pa. Applicant's attorney: Noel F. George, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slabs (building and roofing), concrete made of portland cement with wood fiber or chip aggregate and without metal reinforcement*, from Richmond, Va., to points in Ohio, Indiana, Illinois, Michigan, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 69052 (Sub-No. 33), filed May 3, 1965. Applicant: REED TRUCKING COMPANY, a corporation, Milton, Del. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, canned, prepared or preserved (other than frozen)*, from Fruitland, Md., and points in Sussex County, Del., to points in Wisconsin, Minnesota, Iowa, Kansas, Nebraska, and Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 69492 (Sub-No. 29), filed May 5, 1965. Applicant: HENRY EDWARDS, doing business as HENRY EDWARDS TRUCKING COMPANY, Post Office Box 97, Clinton, Ky. Applicant's attorney: Walter Harwood, Nashville Bank & Trust Building, Nashville 3, Tenn. 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, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading*), between Clinton, Ky., and Nashville, Tenn.

NOTE: Applicant states it will take the above authority sought to its other authority, but subject to the restriction against handling traffic originating at, destined to, or interchanged at Paducah, Ky., St. Louis, Mo., and Memphis, Tenn., and their respective commercial zones. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 75651 (Sub-No. 60), filed April 20, 1965. Applicant: R. C. MOTOR LINES, INC., Post Office Box 2501, Jacksonville, Fla., 32202. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. 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 Colum-

bus, Ga., on the one hand, and, on the other, points in Russell County, Ala.

Note: Applicant states that it proposes to take points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the above proposed operation will be restricted to traffic destined to or originating at points presently served by applicant. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 76032 (Sub-No. 196), filed April 28, 1965. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo., 80223. Applicant's attorneys: Ken Wolford (same address as applicant), and David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and radioactive materials*, between the facilities of United Nuclear Corp., located at Hematite, Mo., on the one hand, and, on the other, San Diego, San Jose, and Canoga Park, Calif., Lynchburg, Va., Apollo and Pittsburgh, Pa., New Haven and Windsor, Conn., Schenectady, N.Y., Attleboro, Mass., Cleveland and Sandusky, Ohio, White Plains and Hicksville, N.Y., Oak Ridge National Laboratory, Oak Ridge, Tenn., and Los Alamos National Laboratory (University of California Scientific Laboratory), Los Alamos, N. Mex.

Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 76032 (Sub-No. 197), filed May 5, 1965. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo., 80223. Applicant's attorney: Ken Wolford (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A, B, and C explosives, ammunition not included in Classes A, B, and C explosives and component parts of explosives and ammunition*, between Denver, Colo., and Manteca, Calif.; from Denver over U.S. Highway 40 to junction U.S. Highway 189 at or near Heber, Utah, thence over U.S. Highway 189 to junction U.S. Highway 91 at or near Provo, Utah, thence over U.S. Highway 91 to junction U.S. Highway 50 at or near Spanish Fork, Utah, thence over U.S. Highway 50 to Sacramento, Calif., thence over U.S. Highway 99 to Manteca 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.

Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 89684 (Sub-No. 52), filed April 8, 1965. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second West Street, Salt Lake City, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities* having a prior or subsequent movement by aircraft over REGULAR ROUTES. (A) (1) between Salt Lake City, Utah, and Butte, Mont., from Salt Lake City over U.S. Highway 91 to Brigham City, Utah, thence over U.S.

Highway 191 to junction U.S. Highway 91, thence over U.S. Highway 91 to Butte, and return over the same route, serving all intermediate points; (2) between U.S. Highway 191, serving all intermediate Idaho Falls and St. Anthony, Idaho overate points; (3) between Downey, Idaho, and Brigham City, Utah, over U.S. Highway 91, serving all intermediate points and the off-route points of Oxford, Clifton, and Dayton, Idaho; (4) between St. Anthony and Ashton, Idaho, over U.S. Highway 191, serving the intermediate point of Chester, Idaho; (5) between junction U.S. Highways 30N and 91 and Preston, Idaho, from said junction over U.S. Highway 30N to junction Idaho Highway 34, thence over Idaho Highway 34 to Preston, and return over the same route, serving all intermediate points; (6) between Malta and Declo, Idaho, over unnumbered highway, serving the intermediate point of Albion; (7) between Payette and Boise, Idaho, from Payette over Idaho Highway 52 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Idaho Highway 16, thence over Idaho Highway 16 by Emmett, to junction Idaho Highway 44, east of Star, thence over Idaho Highway 44 to Boise and return over the same route, serving the intermediate point of Emmett; (8) between Parma and Caldwell, Idaho, from Parma over U.S. Highway 95 to junction Idaho Highway 72 (formerly Idaho Highway 20), west of Marsing, thence over Idaho Highway 72 to Caldwell, and return over the same route, serving the intermediate points of Homedale and Marsing; (9) between junction U.S. Highway 191 and U.S. Highway 26 (formerly Idaho Highway 29) northeast of Idaho Falls, and Rigby, from junction U.S. Highway 191 and U.S. Highway 26 (formerly Idaho Highway 29) over U.S. Highway 26 to Ririe.

Thence over Idaho Highway 48 (formerly unnumbered highway) to Rigby and return over the same route, serving the intermediate point of Ririe; (10) between junction U.S. Highway 30N and Idaho Highway 34, west of Alexander, Idaho, and Logan, Utah, from junction U.S. Highway 30N and Idaho Highway 34 over U.S. Highway 30N to Montpelier, Idaho, thence over U.S. Highway 89 to Logan and return over the same route, serving all intermediate points in Idaho and the off-route point of Cunda, Idaho; (11) between junction U.S. Highways 89 and 91, north of Salt Lake City, Utah, and Ogden, Utah, over U.S. Highway 89, serving no intermediate points; (12) between junction U.S. Highways 89 and 30S, near Uintah, Utah, and junction U.S. Highways 30S and 189, near Echo City, Utah, over U.S. Highway 30S, serving no intermediate points or the terminus, near Uintah, Utah, as an alternate route for operating convenience only joined with the route specified immediately above in connection with carrier's otherwise authorized regular route operations; (13) between junction U.S. Highways 191 and 30S, near Tremonton, Utah, and Weiser, Idaho, from junction U.S. Highways 191 and 30S over U.S. Highway 30S to Declo, Idaho, thence over unnumbered highway over the Snake River to junction U.S. Highway

30N, thence over U.S. Highway 30N to Rupert, Idaho, thence over Idaho Highway 25 to Paul, Idaho, thence over unnumbered highway over the Snake River to Burley, Idaho, thence over U.S. Highway 30 to junction U.S. Highway 20 north of Caldwell, Idaho, thence over U.S. Highway 20 to junction U.S. Highway 26 south of Ontario, Oreg., thence over U.S. Highway 26 to Ontario, thence over U.S. Highway 30 over the Snake River to junction U.S. Highway 95, thence over U.S. Highway 95 to Weiser and return over the same route, serving all intermediate points in Idaho and Oregon; (14) between Salt Lake City, Utah, and junction U.S. Highways 30S and 189, near Echo City, Utah, from Salt Lake City over highways specified above to junction U.S. Highways 89 and 30S, near Uintah, Utah.

Thence easterly over U.S. Highway 30S to junction U.S. Highway 89 and return over the same route, serving no intermediate points; (15) between Bliss and Shoshone, Idaho, over Temporary U.S. Highway 20, serving the intermediate point of Gooding; (16) between Bliss and Paul, Idaho, over Idaho Highway 25, serving the intermediate points of Wendell, Jerome, Eden, and Hazelton; (17) between Gooding and Wendell, Idaho, over Idaho Highway 46, serving no intermediate points; (18) between Pocatello and Rupert, Idaho, over U.S. Highway 30N, serving all intermediate points and the off-route point of Aberdeen; (19) between Salt Lake City, Utah and Rock Springs, Wyo., from Salt Lake City over U.S. Highway 40 to Kimball, Utah, thence over U.S. Highway 189 (formerly Utah Highway 42) by Wanship to junction U.S. Highway 30S, thence over U.S. Highway 30S to junction U.S. Highway 30, thence over U.S. Highway 30 to Rock Springs, and return over the same route, serving all intermediate points, and the off-route point of Mountain View, Wyo.; (20) from Salt Lake City, Utah, to Preston, Idaho, from Salt Lake City over U.S. Highway 91 to Preston and return over the same route with no transportation for compensation except as otherwise authorized, serving all intermediate points in Idaho, and Logan, Utah; (21) between Salt Lake City and Nephi, Utah, over U.S. Highway 91, serving all intermediate points and the off-route point of Eureka, and those in Salt Lake County, Utah; (22) between Spanish Fork and Elsinore, Utah, from Spanish Fork over U.S. Highway 6 to Thistle, thence over U.S. Highway 89 to Elsinore and return over the same route, serving all intermediate points and the off-route points of Fountain Green, Moroni, and Monroe, Utah; (23) between Thistle and Green River, Utah, over U.S. Highway 50, serving all intermediate points and the off-route points of Kenilworth, Sunnyside, Dragerton, Columbia, Huntington, and Castle Dale; (24) between Kimball and Vernal, Utah, over U.S. Highway 40, serving all intermediate points and the off-route points of Park City and Midway; (25) between Salt Lake City, Utah, and Ely, Nev., over Alternate U.S. Highway 50 (formerly U.S. Highway 50), serving all intermediate points and the off-route point of Tooele, Utah; (B) (1) between

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Dillon and Butte, Mont., from Dillon over Montana Highway 41 to junction U.S. Highway 10S.

Thence over U.S. Highway 10S to Butte and return over the same route, serving the intermediate point of Twin Bridges and the off-route point of Sheridan; (2) between Salt Lake City and Wendover, Utah, over Alternate U.S. Highway 50, serving all intermediate points and the off-route points in Tooele County, Utah; (3) between Salt Lake City and Kanab, Utah, from Salt Lake City over U.S. Highway 91 to Spanish Fork, thence over U.S. Highway 6 to Thistle, thence over U.S. Highway 89 to Kanab and return over the same route, serving all intermediate points and the off-route points of Escalante, Tropic, Springdale, Eureka, Fountain Green, Moroni, and Monroe, and points in Salt Lake County, Utah; (4) between Salt Lake City, Utah, and Ashton, Idaho, from Salt Lake City over U.S. Highway 91 by Ogden, Brigham City and Logan, Utah, and Preston, Downey, and Pocatello, Idaho, to Idaho Falls, Idaho, thence over U.S. Highway 191 to Ashton and return over the same route, serving all intermediate points and the off-route point of Hyde Park, Utah; (5) between Salt Lake City, Utah, and Weiser, Idaho, from Salt Lake City over U.S. Highway 89, by Ogden, Brigham City, and Logan, Utah, to Montpelier, Idaho, thence over U.S. Highway 30 by Twin Falls, Boise, Nampa, and Caldwell, Idaho, to junction U.S. Highway 30N, thence over U.S. Highway 30N to Weiser and return over the same route, serving all intermediate points and the off-route points of Wendell and Gooding, Idaho, and Hyde Park, Utah; (6) between Brigham City, Utah, and Burley, Idaho, over U.S. Highway 30S, serving all intermediate points and the off-route points of Wendell and Gooding, Idaho, and Hyde Park, Utah; (7) between Rupert and Sun Valley, Idaho, from Rupert over Idaho Highway 25 to junction U.S. Highway 93.

Thence over U.S. Highway 93 to junction Idaho Highway 75, thence over Idaho Highway 75 to Sun Valley and return over the same route, serving all intermediate points and the off-route points of Wendell and Gooding, Idaho; (8) serving Adrian, Oreg., as an off-route point in connection with carrier's authorized regular route operations to and from Ontario, Oreg.; (9) serving Thayne and Afton, Wyo., and Lewiston and Hyrum, Utah, as off-route points in connection with carrier's authorized regular route operations between Salt Lake City, Utah, and St. Anthony, Idaho; (10) between Baker, Oreg., and Weiser, Idaho, from Baker over U.S. Highway 30 to junction U.S. Highway 30N, thence over U.S. Highway 30N to Weiser, and return over the same route, serving all intermediate points; (11) between Evanston and Kemmerer, Wyo., from Evanston over Wyoming Highway 89 to the Utah-Wyoming State line, thence over Utah Highway 16 (formerly Utah Highway 3) to junction Utah Highway 51, thence over Utah Highway 51 to Utah-Wyoming State line, thence over Wyoming Highway 89 to junction U.S. Highway 30N near Sage, Wyo., thence over U.S. Highway 30N to Kemmerer and return over

the same route, serving all intermediate points; (12) between Evanston and Kemmerer, Wyo., over U.S. Highway 189, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (13) between Kemmerer, Wyo., and junction U.S. Highway 30N and U.S. Highway 30, over U.S. Highway 30N, as an alternate route for operating convenience only, in connection with carrier's authorized regular route operations, serving no intermediate points; (14) between Kanab, Utah, and Flagstaff, Ariz., (a) over U.S. Highway 89, serving all intermediate points, and (b) from Kanab over Alternate U.S. Highway 89 to junction U.S. Highway 89, thence over U.S. Highway 89 to Flagstaff and return over the same route, serving all intermediate points; (15) between Ashton, Idaho, and West Yellowstone, Mont., from Ashton over Idaho Highway 47 (formerly U.S. Highway 191) by Marysville and Warm River, Idaho, to junction U.S. Highway 191.

Thence over U.S. Highway 191 to West Yellowstone and return over the same route, serving all intermediate points; (16) between junction unnumbered highway and U.S. Highway 191 at or near Island Park Lodge, Idaho, and junction unnumbered highway and U.S. Highway 191 at or near Mack's Inn, Idaho, over unnumbered highway by Big Springs, Idaho, serving the intermediate point of Big Springs; (17) between Nephi and St. George, Utah, over U.S. Highway 91, serving all intermediate points and the off-route points of Enterprise, Milford, Delta, and Lynndyl, Utah; (18) between Green River and Monticello, Utah, from Green River over U.S. Highways 6-50 to Crescent Junction, thence over U.S. Highway 160 to Monticello and return over the same route, serving all intermediate points; (19) between Rock Springs and Jackson, Wyo., over U.S. Highway 187, serving all intermediate points. (C) IRREGULAR ROUTE: from Salt Lake City, Utah, to points in that part of Idaho, south of Idaho County, Idaho.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah.

No. MC 95540 (Sub-No. 638), filed May 3, 1965. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's representative: Jack M. Holloway (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Humboldt, Tenn., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 97240 (Sub-No. 4) filed April 23, 1965. Applicant: WILLIAM R. BABINEAU, INC., 1070 North Avenue,

Burlington, Vt. Applicant's attorney: Francis R. Peisch, Post Office Box 954, Burlington, Vt., 05402. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, Classes A and B explosives, commodities in bulk and those requiring special equipment), (1) between Burlington, Vt., and Swanton, Vt., from Burlington north over U.S. Highway 7 and 2 through Winooski, Vt., to junction U.S. Highways 7 and 2, thence over U.S. Highway 2 to Alburg, Vt., thence return over U.S. Highway 2 to junction Vermont Highway 78, thence over Vermont Highway 78 to Swanton and return over the same route, serving all intermediate points and the off-route points of Colchester, West Milton, Grande Isle Station, North Hero Station, Isle La Motte, Gordon Landing, and Alburg Springs, Vt.; (2) between Burlington, Vt., and junction Vermont Highway 127 and U.S. Highway 7 and 2, over Vermont Highway 127, serving all intermediate points.

NOTE: Applicant states that it proposes to tack the above proposed authority to its existing authority. If a hearing is deemed necessary, applicant requests it be held at Burlington, Vt.

No. MC 97764 (Sub-No. 2), filed April 22, 1965. Applicant: EDWIN F. ALBRECHT, doing business as ALBRECHT TRANSFER, Fairfield, Nebr. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr., 68501. 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 requiring special equipment and those injurious or contaminating to other lading), between Fairfield, Nebr., and Hastings, Nebr., from Fairfield over Nebraska Highway 74 to junction U.S. Highway 281 to Hastings, and return over the same route, serving no intermediate points but serving the off-route point of Glenvil, Nebr.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 102295 (Sub-No. 7) (CORRECTION), filed April 13, 1965, published FEDERAL REGISTER issue May 5, 1965, and republished as corrected this issue. Applicant: GUY HEAVENER, INC., 28 School Lane, Harleysville, Pa. Applicant's attorney: Morris J. Winokur, Suite 1920, Two Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa., 19102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Stone and gravel, from points in Bucks, Chester, and Lancaster Counties, Pa., Montgomeryville and White Haven, Pa., Baltimore and Harford Counties, Md., to points in Allen County, Ind., and (2) coal, from points in Mahoning County, Ohio, to points in Montgomery and Philadelphia Counties, Pa.

NOTE: The purpose of this republication is to show the correct origin points in (1)

above to be Baltimore County, Md., instead of Baltimore, Md. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 102567 (Sub-No. 104), filed May 3, 1965. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, 235 Benton Road, Bossier City, La. Applicant's attorney: Jo E. Shaw, Bettes Building, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, having a prior or subsequent movement by rail, water, or pipeline, between points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

Note: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 103051 (Sub-No. 188), filed April 23, 1965. Applicant: FLEET TRANSPORT COMPANY, INC., 340 Armour Drive NE, Atlanta, Ga. Applicant's attorney: R. J. Reynolds, Jr., 403-11 Healey Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup and liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from points in Cullman County, Ala., to points in Georgia.

Note: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 103993 (Sub-No. 202), filed April 22, 1965. Applicant: MORGAN DRIVE-AWAY, INC., 2800 Lexington Avenue, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Campers, camp coaches and trailers*, designed to be drawn by passenger automobiles, and *component parts thereof when shipped therewith*, in initial movements, in truck-away service, from points in Hancock and Winnebago Counties, Iowa, to points in the United States.

Note: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 105269 (Sub-No. 39), filed May 5, 1965. Applicant: GRAFF TRUCKING COMPANY, INC., 2110 Lake Street, Kalamazoo, Mich., 49005. Applicant's attorney: John M. Veale, Suite 1700, 1 Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from La Porte, Ind., to points in Michigan.

Note: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 105636 (Sub-No. 25) (CLARIFICATION), filed April 7, 1965, published in the *FEDERAL REGISTER* issue of April 21, 1965, republished as amended May 5, 1965, and further republished this issue as a clarification. Applicant: ARMELLINI EXPRESS LINES, INC.,

Oak and Brewster Roads, Vineland, N.J. Applicant's attorney: Morris J. Winokur, Suite 1920, Two Penn Center Plaza, John F. Kennedy Boulevard at 15th Street, Philadelphia, Pa., 19102.

Note: Such authority is exactly the same as that held by applicant under MC-105636 (Sub-No. 23), except that the destination points are commercial piers in Jacksonville and Tampa, Fla., instead of Miami. The proposed operation will provide the same type of service which applicant has been providing for its shippers from the same points of origin to the piers in Miami, for export to the same foreign countries. The purpose of the republication is to more clearly set forth the note previously published in *FEDERAL REGISTER* issues of April 21 and May 5, 1965. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 105733 (Sub-No. 36), filed April 27, 1965. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. Applicant's attorney: Edward C. Smith, 26 Broadway, New York, N.Y., 10004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid and dry bulk commodities* in tank or hopper type vehicles, from Camden and Jersey City, N.J., to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

Note: Applicant states the above operation will be restricted to shipments having a prior movement by railroad. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 105733 (Sub-No. 37), filed April 27, 1965. Applicant: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Avenue, Rahway, N.J. Applicant's attorney: Edward C. Smith, 26 Broadway, New York, N.Y., 10004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, (1) between points in New York; (2) between points in Massachusetts; (3) between points in New Jersey; (4) from points in New York, Massachusetts, and New Jersey, to points in Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont, and (5) from points in New York and New Jersey to points in Pennsylvania.

Note: Applicant states the above operations will be restricted to shipments having a prior movement by rail. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 105813 (Sub-No. 27), filed May 3, 1965. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles) as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Minden, Nebr., and

points within 5 miles thereof, to points in Florida, Georgia, Alabama, North Carolina, and South Carolina.

Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 105813 (Sub-No. 128), filed May 3, 1965. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami, Fla. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. 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* (except hides and commodities in bulk, in tank vehicles), as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lexington, Nebr., and points within 5 miles thereof, to points in Florida, Georgia, Alabama, North Carolina, and South Carolina.

Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 105813 (Sub-No. 129), filed May 3, 1965. Applicant BELFORD TRUCKING CO., INC., 1299 NW., 23d Street, Miami, Fla. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles), as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to points in Florida, Georgia, Alabama, North Carolina, and South Carolina.

Note: Applicant does not specify place of hearing, if one is deemed necessary.

No. MC 107002 (Sub-No. 251), filed April 26, 1965. Applicant: HEARING-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss. Applicant's attorneys: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petroleum products*, in bulk, from points in Muscogee County, Ga., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Mississippi.

Note: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 107002 (Sub-No. 252), filed April 26, 1965. Applicant: HEARING-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's attorneys: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, and H. D. Miller, Jr., Post Office Box 1250, Jackson, Miss., 39205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Blends of liquid sugar and syrups*, in bulk, in tank vehicles, from New Orleans, La., to points in Louisiana on and east of U.S. Highway 165 and on and north of U.S. Highway 84, and (2) *returned, rejected, contaminated, un-*

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used, and refused shipments of liquid sugar, blends of liquid sugar and syrups, from points in Louisiana on and east of U.S. Highway 165 and on and north of U.S. Highway 84 to New Orleans, La.

NOTE: Applicant states it has been granted authority on liquid sugar to and from the territory described in (1) above and seeks herein only authority to perform a more complete service. If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 107227 (Sub-No. 87), filed April 7, 1965. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. Applicant's attorney: John G. Lyons, Mills Tower, San Francisco 4, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Trucks, tractors, truck chassis, partially or completely assembled, and parts and accessories thereof, when moving with the above described commodities, in initial movements, in driveway and truckaway service, from Indianapolis, Ind., to points in the United States, including Alaska, but excluding Hawaii.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 107403 (Sub-No. 621), filed April 27, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid chemicals, in bulk, in tank vehicles, from Carpentersville, Ill., to points in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, Rhode Island, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107403 (Sub-No. 622), filed April 27, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foundry sand additive, in bulk, in tank or hopper type vehicles, from Cincinnati, Ohio, to points in Indiana.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Cincinnati, Ohio.

No. MC 107475 (Sub-No. 56), filed April 20, 1965. Applicant: DANCE FREIGHT LINES, INC., 920 Dance Court, Cincinnati 3, Ohio. Applicant's attorney: Alan E. Serby, Suite 1600 First Federal Building, Atlanta, Ga., 30303. 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 Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala.

NOTE: Applicant states that it proposes to tack points in Russell County, Ala., with its existing operations from and to Columbus, Ga., and points within its commercial zone. Applicant also states that the above proposed operation will be restricted to traffic destined to or originating at points presently

served by applicant. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ga.

No. MC 107496 (Sub-No. 376), filed April 27, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz (address same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Inedible grease and tallow, in bulk, from Ottumwa, Iowa to Henry, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107636 (Sub-No. 7), filed May 5, 1965. Applicant: M. M. CAMPION AND GEORGE KINGSHOTT, a partnership, doing business as C & K TRANSPORT, Box 427, New Buffalo, Mich. Applicant's attorney: Quentin A. Ewert, Union Savings & Loan Building, 117 West Allegan Street, Lansing, Mich., 48933. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Lime and limestone products, from Detroit, Mich., to points in Indiana, Illinois, Iowa, Kentucky, Ohio, Missouri, New York, Pennsylvania, Wisconsin, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 107698 (Sub-No. 38), filed May 3, 1965. Applicant: BONANZA, INC., Post Office Box 5526, Midwest City, Okla. Applicant's attorney: Wilburn L. Williamson, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Canned and preserved foodstuffs, from points in Washington, Oregon, Idaho, and Utah, to points in Oklahoma.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 107839 (Sub-No. 72), filed April 29, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Denver, Colo. Applicant's attorney: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from points in Hidalgo County, Tex., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, North Carolina, Oklahoma, South Carolina, and Tennessee.

NOTE: Applicant does not specify place of hearing, if one is deemed necessary.

No. MC 107839 (Sub-No. 73), filed April 29, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York, Denver, Colo. Applicant's attorney: Richard A. Peterson, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses, from

points in Iowa to points in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107839 (Sub-No. 75), filed May 3, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Denver, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses, from the plant site of Platte Valley Packing Company located at Darr, Nebr., to points in Colorado on and south of U.S. Highway 24.

NOTE: Applicant does not specify place of hearing, if one is deemed necessary.

No. MC 108006 (Sub-No. 12), filed April 26, 1965. Applicant: MAISLIN BROS. TRANSPORT LIMITED, 7401 Newman Boulevard, LaSalle, P.Q., Canada. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which because of size or weight, or shape, require the use of special equipment (except (a) commodities in bulk and (b) motor vehicles), between the ports of entry on the International Boundary line between the United States and Canada at or near Rouses Point, Champlain, and Trout River, N.Y., on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and Rhode Island, restricted to traffic moving in foreign commerce.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Plattsburgh, N.Y.

No. MC 108053 (Sub-No. 62), filed May 3, 1965. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 709, Fremont, Nebr. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. 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 (except hides and commodities in bulk, in tank vehicles) as described in Appendix I in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from Darr, Nebr., to points in Arizona, Colorado, Nevada, California, Oregon, Washington, Idaho, Utah, and New Mexico.

NOTE: Applicant does not specify place of hearing, if one is deemed necessary.

No. MC 108053 (Sub-No. 63), filed May 3, 1965. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 709, Fremont, Nebr. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles dis-

tributed by meat packinghouses (except hides and commodities in bulk, in tank vehicles) as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lexington, Nebr., and points within five (5) miles thereof, to points in Arizona, Colorado, Nevada, California, Oregon, Idaho, Washington, Utah, and New Mexico.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108053 (Sub-No. 64), filed May 3, 1965. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 709, Fremont, Nebr. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago, Ill., 60603. 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 (except hides and commodities in bulk, in tank vehicles) as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Minden, Nebr., and points within five (5) miles thereof, to points in Arizona, Colorado, Nevada, California, Oregon, Washington, Idaho, Utah, and New Mexico.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108053 (Sub-No. 66), filed May 3, 1965. Applicant: LITTLE AUDREY'S TRANSPORTATION COMPANY, INC., Post Office Box 709, Fremont, Nebr. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses (except hides and commodities in bulk, in tank vehicles) as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Dakota County, Nebr., to points in Arizona, Colorado, Nevada, California, Oregon, Washington, Idaho, Utah, and New Mexico.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 108329 (Sub-No. 9), filed April 28, 1965. Applicant: KATO, INC., Route No. 3, Elizabethtown, Ky. Applicant's attorney: David A. Sutherland, 1120 Connecticut Avenue NW, Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), restricted to shipments having an immediately prior or subsequent movement by air, between Standiford Field Airport, Louisville, Ky., Municipal Airport, Nashville, Tenn., and Bowling Green-Warren County Airport, Bowling Green, Ky., on the one hand, and, on the other, points in Barren, Allen, Warren, Simpson, Logan, and Todd Counties, Ky., and

Montgomery, Robertson, and Sumner Counties, Tenn.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Bowling Green, Ky.

No. MC 108380 (Sub-No. 68), filed April 26, 1965. Applicant: JOHNSTON'S FUEL LINERS, INC., Post Office Box 112, Newcastle, Wyo. 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: Petroleum and petroleum products, from Aberdeen, S. Dak., and points within fifteen (15) miles thereof, to points in Montana and Wyoming, and rejected shipments, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Pierre, S. Dak.

No. MC-109397 (Sub-No. 118), filed April 19, 1965. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-454 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Radioactive source, special nuclear and byproduct materials, radioactive material shipping containers, nuclear reactor component parts, and related equipment, between points in Alameda and Santa Clara Counties, Calif., on the one hand, and, on the other, points in the United States (except points in Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 109397 (Sub-No. 119), filed May 3, 1965. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443-454 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Radioactive source, special nuclear and byproduct materials, radioactive material shipping containers, nuclear reactor component parts, and related equipment, between points in Cattaraugus County, N.Y., on the one hand, and, on the other, points in the continental United States.

NOTE: Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110193 (Sub-No. 91), filed April 30, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, South Bend, Ind. Applicant's representative: Walter J. Kobos (same address as applicant's). 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 (except hides and commodities in bulk, in tank vehicles) as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209

and 766, from points in Dakota County, Nebr., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 110420 (Sub-No. 429) (AMENDMENT) filed March 31, 1965, published in *Federal Register* issue of April 21, 1965, amended May 5, 1965, and republished as amended this issue. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tallow and greases, from points in Wisconsin, to Green Bay, Wis.

NOTE: The purpose of this republication is to delete the word "Inedible" from the commodity description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 435), filed April 28, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fish oil and natural bodied fish oil products, in bulk, in tank vehicles, from Baltimore, Md., to points in Georgia, Kentucky, and Michigan.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110420 (Sub-No. 436), filed April 28, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Coloring syrup, caramel color, flavoring syrup, in bulk, in tank vehicles, from Granite City, Ill., to points in Connecticut.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 437), filed April 28, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids and chemicals, in bulk, in tank or hopper type vehicles, from Mason City, Iowa, to points in Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110420 (Sub-No. 439), filed May 3, 1965. Applicant: QUALITY CARRIERS, INC., 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority

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sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, corn syrup and blends*, in bulk, in tank vehicles, from Granite City, Ill. to points in New York and Ohio.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 440), filed May 3, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, and blends*, in bulk, in tank vehicles, from Edinburg, Ind. to points in Iowa, Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, and Washington.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 441), filed May 3, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners, corn syrup and blends*, in bulk, in tank vehicles, from Granite City, Ill., to points in Kentucky and Tennessee.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 442), filed April 30, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners and Blends thereof*, in bulk, in tank vehicles, from Edinburg, Ind., to points in Indiana, Michigan, Ohio, Illinois, Pennsylvania, Kentucky, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 443), filed May 3, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge, 100 South Calumet Street, Burlington, Wis., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, corn syrup, sweeteners and blends*, in bulk, in tank vehicles, from Granite City, Ill., to points in Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 444), filed May 3, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis., 53105. Applicant's representative: Fred H. Figge, 100 South Calumet Street, Burlington, Wis., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners and blends*, in bulk, in tank

vehicles, from Granite City, Ill., to points in Arkansas and Louisiana.

NOTE: Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110420 (Sub-No. 445), filed May 3, 1965. Applicant: **QUALITY CARRIERS, INC.**, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, 100 South Calumet Street, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Syrups, sweeteners and blends*, in bulk, in tank vehicles, from Granite City, Ill., to points in Michigan, Minnesota, and Wisconsin.

NOTE: Applicant states no duplication of authority is sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 110505 (Sub-No. 60), filed April 26, 1965. Applicant: **RINGLE TRANSPORT, 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: *Glassware and glass containers, with or without caps, covers or stoppers, and paper cartons* used in the packing of glassware and glass containers, from Winchester, Ind., to points in Illinois, Missouri, Ohio, Wisconsin, Michigan, and Kentucky, and *damaged and rejected shipments*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 110525 (Sub-No. 724) (AMENDMENT), filed April 16, 1965, published *FEDERAL REGISTER* issue of May 13, 1965, and republished as amended this issue. Applicant: **CHEMICAL LEAMAN TANK LINES, INC.**, 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorneys: Leonard A. Jasiewicz, 1155 15th Street, Madison Building, Washington, D.C., 20005, and Edwin H. Van Deusen, 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, and *urea*, dry, in bulk, from the plant site of American Cyanamid Company at Avondale, La., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas.

NOTE: The purpose of this republication is to add the State of Mississippi to the destination points, and to correct the name of the plant to read: "American Cyanamid Company." If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 28), filed April 30, 1965. Applicant: **COLDWAY FOOD EXPRESS, INC.**, Ohio Building, Sidney, Ohio. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, pre-

pared or preserved, (1) From points in Delaware and Maryland, to points in Ohio, Michigan, Indiana, Illinois, Wisconsin, Missouri, Iowa, Minnesota, and Kentucky, and (2) from points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem Counties, N.J., and points in Accomack and Northampton Counties, Va., to points in Minnesota and Iowa.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 29), filed April 30, 1965. Applicant: **COLDWAY FOOD EXPRESS, INC.**, Ohio Building, Sidney, Ohio. Applicant's attorney: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and articles distributed by meat packinghouses*, from Garden City, Kans. and points within ten (10) miles thereof to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, New York, Delaware, Maryland, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Kans.

No. MC 110563 (Sub-No. 30), filed May 5, 1965. Applicant: **COLDWAY FOOD EXPRESS, INC.**, Ohio Building, Sidney, Ohio. Applicant's attorney: Joseph Scanlan, 111 West Washington, Chicago, Ill. 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* (except commodities in bulk, in tank vehicles), from points in Dakota County, Nebr., to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, New York, Pennsylvania, Delaware, Maryland, and Washington, D.C.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa or Omaha, Nebr.

No. MC 110698 (Sub-No. 303), filed May 5, 1965. Applicant: **RYDER TANK LINE, INC.**, Post Office Box 8418, Greensboro, N.C. Applicant's attorney: Francis W. McInerny, 1000 Sixteenth Street NW, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk (except paving tar), from points in Morgan County, Ala., to points in Alabama, Georgia, Illinois, Indiana, Mississippi, North Carolina, Ohio, Kentucky, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111301 (Sub-No. 12), filed April 22, 1965. Applicant: **L. J. KREUTZER**, doing business as **KREUTZER MOTOR EXPRESS**, 1423 Third Avenue, Mankato, Minn. Applicant's attorney: Clay R. Moore, 1000 First National Bank Building,

Minneapolis, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stone* (except granite when moving in truckload lots), natural rough, finished, precast, fabricated, crushed, chipped and in any other form, from Mankato and Kasota, Minn., and points within ten (10) miles thereof to points in Ohio, Pennsylvania, New York, New Jersey, Delaware, Virginia, West Virginia, District of Columbia, Kentucky, Missouri, and Maryland, and *rejected shipments* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111594 (Sub-No. 28), filed May 3, 1965. Applicant: CENTRAL WISCONSIN MOTOR TRANSPORT COMPANY, a corporation, Post Office Box 200, Wisconsin Rapids, Wis. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the plant site of the American Can Co. Bottle Division, Valley Park, Minn., as an off-route point in connection with applicant's regular route operations.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111812 (Sub-No. 284), filed April 22, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's attorney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meat packinghouses, and dairy products*, from Sioux City, Iowa, and points in Dakota County, Nebr., to points in Iowa, Minnesota, South Dakota, North Dakota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, New York, New Jersey, Delaware, Maryland, West Virginia, Virginia, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112148 (Sub-No. 33), filed May 3, 1965. Applicant: JAMES H. POWERS, INC., Melbourne, 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: *Foodstuffs*, from Decatur and Lawton, Mich., to points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 112184 (Sub-No. 20) (AMENDMENT), filed April 16, 1965, published in

FEDERAL REGISTER issue of May 5, 1965, amended May 7, 1965, and republished as amended this issue. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio. Applicant's attorney: John P. McMahon, 44 East Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hydrofluoric acid*, in bulk, in shipper owned tank vehicles, from Cleveland, Ohio, to points in Maryland and West Virginia; and (2) *compressed gases*, in bulk, in shipper owned tank vehicles, from Cleveland, Ohio, to points in Mississippi.

NOTE: The purpose of this republication is to broaden the scope of authority sought. Applicant states that the above proposed operations will be performed under continuing contract or contracts with Harshaw Chemical Corp. of Cleveland, Ohio. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 112446 (Sub-No. 42), filed April 28, 1965. Applicant: REFINERS TRANSPORT, INC., 1300 51st Avenue North, Post Office Box 1156, Nashville, Tenn. Applicant's attorney: Clarence Evans, Third National Bank Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, from points in Morgan County, Ala., to points in Alabama, Georgia, Mississippi, Tennessee, North Carolina, South Carolina, Kentucky, West Virginia, Illinois, Indiana, and Ohio and *rejected shipments only*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 112446 (Sub-No. 43), filed April 28, 1965. Applicant: REFINERS TRANSPORT, INC., 1300 51st Avenue North, Post Office Box 1165, Nashville, Tenn. Applicant's attorney: Clarence Evans, Third National Bank Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in tank and hopper type vehicles, from points in Mason County, W. Va., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, and *rejected shipments only*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112520 (Sub-No. 120), filed April 28, 1965. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Norman J. Bolinger, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, between points in St. Charles Parish, La., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 112668 (Sub-No. 38), filed April 28, 1965. Applicant: HARVEY R. SHIPLEY & SONS, INC., Post Office, Finksburg, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ladders*, from Westminster, Md., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112668 (Sub-No. 39), filed April 28, 1965. Applicant: HARVEY R. SHIPLEY & SONS, INC., Post Office, Finksburg, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ground limestone*, in bulk, in dump vehicles, from Texas, Md., to Greenville, Pa.

NOTE: Applicant states it presently holds authority to transport ground limestone between the points involved by tacking authority held at Millville, W. Va. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 112668 (Sub-No. 40) filed April 28, 1965. Applicant: HARVEY R. SHIPLEY & SONS, INC., Post Office, Finksburg, Md. Applicant's representative: Donald E. Freeman, 172 East Green Street, Westminster, Md., 21157. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone products*, from Millville, W. Va., to points in Delaware, New Jersey, North Carolina, and the District of Columbia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113325 (Sub-No. 41) filed April 21, 1965. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo., 63104. Applicant's attorney: Chester A. Zyblut, 1000 Connecticut Avenue NW, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, in dump vehicles, from points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone, as defined by the Commission and points within 10 miles thereof, to points in Illinois, Indiana, Michigan, Wisconsin, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Tennessee, and Kentucky.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 69) filed April 22, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's at-

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torney: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 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 Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles, and except hides), from Minden, Nebr., and points within 5 miles thereof, to points in Iowa, Minnesota, Wisconsin, Indiana, Ohio, Pennsylvania, New York, Vermont, Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Maryland, Delaware, the District of Columbia, Virginia, West Virginia, New Jersey, and Michigan.

Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 113495 (Sub-No. 18), filed May 4, 1965. Applicant: GREGORY HEAVY HAULERS, INC., 2 Main Street, Nashville, Tenn. Applicant's attorney: Wilmor B. Hill, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trucks*, in initial movements, in truckaway service, from Decatur, Ill., to points in Virginia, North Carolina, and Tennessee, and (2) *parts, attachments, and accessories* for the commodities in (1) above, from Decatur, Morton, and Joliet, Ill., to points in Virginia, North Carolina, and Tennessee.

Note: Applicant states it presently holds authority in MC 113495 Sub 6 to transport numerous commodities from the origin points named above to the same destination points named above. The purpose of this application is to add the items in (1) and (2) to the present commodity description.

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 113678 (Sub-No. 132) (CLARIFICATION), filed April 19, 1965, published in *FEDERAL REGISTER* issue of May 5, 1965, and republished as clarified this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. 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 Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 (272-273), from New York City, N.Y., and Washington, D.C., to Baltimore, Md., and Philadelphia, Pa.

Note: Applicant states that the sole purpose of this application is for tacking this authority with the authority now held by applicant in MC 113678 (from Denver, Colo., to Washington, D.C., New York, N.Y., and Boston, Mass.), and MC 113678 Sub 7 (from Greeley, Colo., to New Haven, Conn., Savannah, Ga., Lexington, Ky., Boston, Mass., New York, N.Y., Knoxville, Tenn., and Washington, D.C.). The purpose of this republishing is to clarify the note that was previously published. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113678 (Sub-No. 133), filed April 23, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products* (except frozen foods) in vehicles equipped with mechanical refrigeration, from New York, N.Y., and points in the New York, N.Y., commercial zone and Union County, N.J., to points in Ohio, West Virginia, Kentucky, Indiana, Illinois, Missouri, Arkansas, Oklahoma, Michigan, Kansas, Colorado, New Mexico, Arizona, California, Nevada, Utah, Iowa, Minnesota, Nebraska, South Dakota, North Dakota, Wyoming, Idaho, Montana, Oregon, and Washington.

Note: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 113678 (Sub-No. 136), filed May 4, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, dairy products, and articles distributed by meat packinghouses*, from Denver, Colo., to points in Arkansas, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113678 (Sub-No. 141), filed May 10, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (other than frozen), from points in Cumberland County, N.J., to points in Colorado, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin, and Milan, Ill.

Note: If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 113828 (Sub-No. 85), filed May 7, 1965. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue NW, Washington 14, D.C. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement and dry hydrated lime*, from the terminal site of Southern Cement Company, Division of Martin-Marietta Corporation, Charlotte, N.C., to points in South Carolina and Virginia.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114019 (Sub-No. 134), filed May 3, 1965. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except hides and

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* (except hides and commodities in bulk, in tank vehicles), as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Dakota County, Nebr., to points in Illinois, Indiana, West Virginia, Virginia, Michigan, New Jersey, Delaware, Pennsylvania, New York, Maryland, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, Ohio, and Washington, D.C.

Note: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 114019 (Sub-No. 135), filed May 3, 1965. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago 3, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles), as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Darr, Nebr., to points in Illinois, Indiana, West Virginia, Virginia, Michigan, New Jersey, Delaware, Pennsylvania, New York, Maryland, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, Ohio, and the District of Columbia.

Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114019 (Sub-No. 136), filed May 3, 1965. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago 3, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except hides and commodities in bulk, in tank vehicles), as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Lexington, Nebr., and points within five (5) miles thereof, to points in Illinois, Indiana, West Virginia, Virginia, Michigan, New Jersey, Delaware, Pennsylvania, New York, Maryland, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, Ohio, and the District of Columbia.

Note: If a hearing is deemed necessary, applicant does not specify a location.

May 3, 1965. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except hides and

commodities in bulk, in tank vehicles), as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Minden, Nebr., and points within five (5) miles thereof, to points in Illinois, Indiana, West Virginia, Virginia, Michigan, New Jersey, Delaware, Pennsylvania, New York, Maryland, Maine, New Hampshire, Vermont, Connecticut, Massachusetts, Rhode Island, Ohio, and the District of Columbia.

Note: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 114061 (Sub-No. 14), filed March 3, 1965. Applicant: HARRY SCHNEIDER AND ROSE F. SCHNEIDER, a partnership, doing business as SCHNEIDER'S TRANSFER, Fourth and Maury Streets, Richmond 25, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va., 23219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail, general, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, between the facilities of the Great Atlantic & Pacific Tea Company, Inc., located in Virginia and points in McDowell, Mingo, Mercer, Monroe, Greenbrier, Summers, Wyoming, and Raleigh Counties, W. Va.*

Note: If a hearing is deemed necessary, applicant requests it be held at Richmond, Va.

No. MC 114211 (Sub-No. 78), filed April 26, 1965. Applicant: WARREN TRANSPORT, INC., Post Office Box 420, Waterloo, Iowa, 50704. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, and tractor attachments, agricultural implements, and agricultural machinery and parts, from Bloomington, Minn., to points in Wisconsin, Minnesota, Iowa, Montana, North Dakota, South Dakota, and the Upper Peninsula of Michigan, and rejected shipments, on return.*

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114273 (Sub-No. 15), filed April 28, 1965. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., 3930 16th Avenue SW, Post Office Box 1904, Cedar Rapids, Iowa. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW, Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, between Sterling and Rock Falls, Ill., on the one hand, and, on the other, points in Iowa.*

Note: If a hearing is deemed necessary, applicant requests it be held at Davenport, Iowa, or Chicago, Ill.

No. MC 114364 (Sub-No. 104), filed April 20, 1965. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm Street, Rocky Ford, Colo. Applicant's

attorney: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, from Parsons, Salina, and Moline, Kans., to points in Arizona, California, Colorado, New Mexico, and points in Texas on and west of U.S. Highway 87 to Big Springs, Tex., and on and north of U.S. Highway 80.*

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Denver, Colo.

No. MC 114364 (Sub-No. 105), filed April 23, 1965. Applicant: WRIGHT MOTOR LINES, INC., 16th and Elm Street, Rocky Ford, Colo. Applicant's attorney: Marion F. Jones, Suite 420, Denver Club Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and fertilizer compounds, in bags and packages, from Henderson, Manzanola and Pueblo, Colo., to points in Arizona, Kansas, New Mexico, Oklahoma, and Texas.*

Note: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 114457 (Sub-No. 31), filed May 5, 1965. Applicant: DART TRANSIT COMPANY, a corporation, 780 North Prior Avenue, St. Paul, Minn. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and byproducts, and such materials, supplies, and equipment as are incidental to the production, packing and sale of dairy products and byproducts, (1) from Minneapolis and St. Paul, Minn., to Topeka, Kans.; and (2) from points in Rice, Goodhue, Waseca, Freeborn, and Jackson Counties, Minn., to St. Joseph and Kansas City, Mo., and Topeka, Kans.*

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114647 (Sub-No. 17), filed April 22, 1965. Applicant: ROBERT E. PLETCHER, doing business as PLETCHER TRANSFER & STORAGE, 605 East J Street, Forest City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Travel trailers (house vacation trailers), travel coaches, topper coaches, campers and camp coaches, in initial movements, in truckaway and towaway service, from Forest City, Iowa, to points in New Mexico, Idaho, and Washington, and damaged, unclaimed, rejected and returned shipments of the above commodities on return.*

Note: If a hearing is deemed necessary, applicant requests it be held at Forest City, Iowa.

No. MC 115066 (Sub-No. 6), filed April 23, 1965. Applicant: LEE MOTOR LINES, INC., Post Office Box 728, Muncie, Ind. Applicant's attorney: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis, Ind., 46204. Authority sought to operate as a *contract carrier*,

by motor vehicle, over irregular routes, transporting: *Glass containers, one gallon or less in capacity, from Winchester, Ind., to Oconomowoc and Racine, Wis., and returned shipments, pallets, and skids on return.*

Note: Applicant is also authorized to conduct operations as a *common carrier* in Certificate MC 100611 Sub 2, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 115162 (Sub-No. 113), filed May 6, 1965. Applicant: WALTER POOLE, doing business as POOLE TRUCK LINE, Post Office Box 310, Evergreen, Ala. Applicant's representative: Robert E. Tate, 2031 9th Avenue, South Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Truck bodies, knocked down and parts therefor, from Wapakoneta, Ohio, to points in Georgia, Louisiana, Florida, Mississippi, and Alabama (except Birmingham and 65 miles thereof, and Mobile).*

Note: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Cincinnati, Ohio.

No. MC 115257 (Sub-No. 17), filed April 28, 1965. Applicant: SHAMROCK VAN LINES, INC., Post Office Box 5447, Dallas, Tex. Applicant's attorney: Max G. Morgan, 443-54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fixtures, including but not limited to refrigeration units, display cases, prefabricated walk-in coolers and air-conditioning units, restricted to when moving in mixed shipments consisting of crates and uncrated items, between San Antonio, Tex., on the one hand, and, on the other, points in the continental United States including the ports of entry located on the International Boundary lines between the United States and Canada and between the United States and Mexico.*

Note: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 115331 (Sub-No. 133), filed April 29, 1965. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, limestone, and limestone products, from Kansas City, Mo., to points in Kansas, Missouri, and Nebraska.*

Note: If a hearing is deemed necessary, applicant requests it be held at St. Louis or Kansas City, Mo.

No. MC 115331 (Sub-No. 134), filed May 3, 1965. Applicant: TRUCK TRANSPORT INCORPORATED, 707 Market Street, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal, charcoal briquettes, and (2) wood chips, vermiculite, lighter fluid and associated items used or useful in the preparation of barbecue, when moving in the same vehicle with items specified in (1) above, from Burnside, Ky., to points in Michigan.*

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gan, Minnesota, Wisconsin, and points in Illinois (except Chicago) on and north of U.S. Highway 36 and points in Indiana (except Indianapolis) on and north of U.S. Highway 36.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wis., Louisville, Ky. or Washington, D.C.

No. MC 115491 (Sub-No. 68), filed April 22, 1965. Applicant: COMMERCIAL CARRIER CORPORATION, 502 East Bridgers Avenue, Auburndale, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products substitutes and beverage preparations*, requiring refrigeration in vehicles equipped for temperature control, from Chicago, Ill. to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115841 (Sub-No. 237) filed April 22, 1965. 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: *Frozen foods*, from Cleveland, Ohio, to points in Florida, restricted to the transportation of traffic in consolidated lots moving on a single bill of lading, the components of which are destined to points in more than one State.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio.

No. MC 116038 (Sub-No. 24) filed April 27, 1965. Applicant: NORTHERN MOTOR CARRIERS, INC., Route 9 Saratoga Road, Fort Edward, N.Y. Applicant's attorney: Harold G. Hernly, 711 Fourteenth Street NW, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Talc*, in bulk, in pressure differential tank vehicles, from West Windsor, Vt., to North Brunswick, N.J., and *refused and rejected material*, on return.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 117561 and sub to thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116063 (Sub-No. 67), filed April 22, 1965. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars, syrups, and blends* thereof, in bulk, from Sugarland, Tex. to points in Arkansas, Oklahoma, New Mexico, and Louisiana.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 116077 (Sub-No. 181), filed May 3, 1965. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk Avenue, Houston, Tex., 77011.

Applicant's attorney: Mert Starnes, 721 Brown Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, having prior movement by rail, water, or pipeline, between points in the United States (except Alaska and Hawaii).

NOTE: Applicant states that it seeks no duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Houston, Tex.

No. MC 116099 (Sub-No. 1), filed April 22, 1965. Applicant: WOODWORTH & SONS, INC., Tolono, Ill. Applicant's attorney: Robert T. Lawley, 306-308 Reisch Building, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude and edible vegetable oils*, in bulk, from Decatur, Bloomington, and Gibson City, Ill., to Havana and Mapleton, Ill.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 116254 (Sub-No. 57), filed May 5, 1965. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's attorney: Walter Harwood, Nashville Bank and Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, having a prior or subsequent movement by rail, water, or pipeline, between points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Montgomery or Birmingham, Ala., or New Orleans, La., or Memphis, Tenn., or Atlanta, Ga.

No. MC 116763 (Sub-No. 51), filed April 22, 1965. Applicant: CARL SUBLER TRUCKING, INC., Auburndale, Fla. Applicant's mailing address, North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds and supplements* therefor, between points in Alabama, Georgia, Mississippi, and South Carolina, on the one hand, and, on the other, points in Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 117119 (Sub-No. 209), filed April 28, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Humboldt, Tenn., to points in Illinois, Michigan, Arkansas, Indiana, Kentucky, Ohio, Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, West Virginia, and North Carolina.

Maine, New Hampshire, Vermont, and Wisconsin.

NOTE: Applicant states that it can presently serve all destination territory shown above by taking its various certificates, except all of Arkansas, and the States of Illinois and Michigan. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117416 (Sub-No. 14), filed April 20, 1965. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW, Knoxville, Tenn. Applicant's attorney: William P. Sullivan, 1825 Jefferson Place NW, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned and processed foodstuffs* (other than frozen), (a) from Louisville, Ky., and points in Indiana on, east, and south of a line beginning at the Kentucky-Indiana State line and extending north along Indiana Highway 135 to Indianapolis, Ind., thence along U.S. Highway 31 to junction Indiana Highway 26, thence east along Indiana Highway 26 to the Indiana-Ohio State line to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia, (b) from Knoxville, Tenn., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Missouri, Mississippi, North Carolina, Ohio, South Carolina, Virginia, and West Virginia, (c) from Newport, Sevierville, and Tellico Plains, Tenn., to points in Alabama, (2) *cleaning compounds and paper napkins*, when loaded with *canned or processed foodstuffs*, from Indianapolis, Ind., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

NOTE: Applicant states it "now holds a portion of the authority sought but does not seek duplicate authority." If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 117574 (Sub-No. 121), filed April 23, 1965. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, with or without attachments, tractor attachments, lawn, farm and gardening and snow removal equipment*, between Richmond, Ind., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, Delaware, Maryland, District of Columbia, Virginia, West Virginia, and North Carolina.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117574 (Sub-No. 122), filed April 27, 1965. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Tractors, tractor attachments, agricultural, farm and garden implements, equipment and machinery* (except those articles which because of size or weight require the use of special equipment), between Coldwater, Ohio, and points in New Jersey, Delaware, Maryland, Virginia, West Virginia, and Pennsylvania east of a line extending along the eastern boundary of McKean, Cameron, Clearfield, Indiana, Westmoreland, and Fayette Counties, Pa.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117815 (Sub-No. 41), filed April 26, 1965. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, compounded oils and greases, rust preventatives and rust-removing compounds, brake fluid, carbon, gum and sludge-removing compounds, car undercoating, body sealer and sound deadening compounds*, all in containers, from Kansas City, Kans., to points in Iowa, Nebraska, Minnesota, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 117883 (Sub-No. 42), filed April 23, 1965. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, canned, prepared or preserved (other than frozen), from points in Delaware and Maryland, points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean, and Salem Counties, N.J., and points in Accomack and Northampton Counties, Va., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117883 (Sub-No. 43), filed April 23, 1965. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Belvidere, Ill., to points in Connecticut, the District of Columbia, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.

NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 117883 (Sub-No. 44) filed April 26, 1945. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and frozen products, including frozen animal and poultry food*, from New Bedford, Mass., and points within

20 miles of New Bedford, Mass., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Nebraska, Ohio, and Wisconsin, including all ports of entry of the Canadian provinces at Quebec and Ontario for the purpose of transfer of shipments destined to points in the Dominion of Canada.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 117883 (Sub-No. 45), filed April 26, 1965. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, 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 packinghouses*, 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, from the plant site of Platte Valley Packing Co. located in Dawson County, Nebr., to points in Connecticut, Delaware, the District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, Wisconsin, and West Virginia. Restricted (1) to the transportation of shipments originating at the aforesaid plant-site and/or cold storage facilities utilized by Platte Valley Packing Co. in Dawson County, Nebr., and (2) against liquids in bulk, in tank vehicles, and hides.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 117883 (Sub-No. 46), filed April 26, 1965. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, 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 packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Garden City, Kans., and points within 10 miles thereof, to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, Wisconsin, and West Virginia.

NOTE: Applicant does not specify place of hearing if one is deemed necessary.

No. MC 118527 (Sub-No. 3) filed March 1, 1965. Applicant: SOURDOUGH EXPRESS INC., 508 12th Avenue, Post Office Box 288, Fairbanks, Alaska. 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, commodities in bulk, and those requiring special equipment), between points in that part of Alaska bounded by a line beginning at the junction of the United States-Canada Boundary line and Alaska Highway 2, at or near Boundary, Alaska, and extending north along the

United States-Canada Boundary line to its junction with the Yukon River, near Eagle, Alaska, thence north and west along the Yukon River to the confluence of the Yukon and Tanana Rivers at or near Tanana, Alaska, thence east along the Tanana River to the confluence of the Tanana and the Kantishna Rivers, thence south along the Kantishna River to Kantishna, Alaska, thence east along an unnumbered highway between Kantishna, Alaska, and Alaska Highway 3 to junction Alaska Highway 3, thence along Alaska Highway 3 to junction Alaska Highway 8, thence east along Alaska Highway 8 to Paxson, Alaska, thence along an imaginary line drawn in an easterly direction from Paxson to Slana, Alaska, located on Alaska Highway 1, thence easterly along an imaginary line to the point of beginning (presently authorized territory), on the one hand, and, on the other, Haines, Alaska, restricted to through traffic interlined at Haines, Alaska, with no local service on shipments originating at or destined to Haines, Alaska.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Fairbanks, Alaska.

No. MC 118595 (Sub-No. 5), filed April 29, 1965. Applicant: J. K. WYATT TRUCKING CO., Gatesville, N.C. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond, Va., 23219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fences and wood fence materials* from points in Gates County, N.C., and Nansemond County, Va., to points in Alabama, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, and West Virginia, and *damaged, refused and rejected shipments* of the above commodities, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 119422 (Sub-No. 30), filed April 26, 1965. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, between points in Illinois on and south of U.S. Highway 136, on the one hand, and, on the other, points in Missouri.

NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 119555 (Sub-No. 3), filed May 6, 1965. Applicant: OIL AND INDUSTRY SUPPLIERS LTD., 400 Archibald Street, St. Boniface, Manitoba, Canada. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over ir-

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regular routes, transporting: *Petroleum and petroleum products*, in foreign commerce only, from points in Minnesota and North Dakota, to the ports of entry located on the international boundary line between the United States and Canada located in Minnesota and North Dakota.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119567 (Sub-No. 3), filed April 22, 1965. Applicant: F. H. MCCLURE AND R. V. ESTELL, a partnership, doing business as *EMPIRE TRANSPORT*, 2007 Overland Road, Boise, Idaho. Applicant's attorney: Kenneth G. Bergquist, 110 Bank of Idaho Building, Boise, Idaho, 83702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and cement products*, in containers or in bulk, from Lime, Oreg., to the Hells Canyon Dam Site located on the Snake River between Oregon and Idaho, approximately fourteen (14) miles north of Homestead, Oreg.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Boise, Idaho.

No. MC 119684 (Sub-No. 5), filed March 24, 1965. Applicant: *FULTERTON MOTOR TRUCK SERVICE, INC.*, 1821 West 33d Place, Chicago, Ill., 60608. Applicant's representative: George S. Mullins, 4704 West Irving Park Road, Chicago, Ill., 60641. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Compressed gases* (not including petroleum gases), in multiple-cylinder or tube trailers, (2) *liquid gases* (cryogenics) (not including petroleum gases), in pressure vehicles, between Chicago and Sterling, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin (3) *empty or partially empty multiple cylinder banks, and multiple cylinder or tube trailers*, between points in Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin, on the one hand, and, on the other, Chicago, and Sterling, Ill., and (4) *compressed gases* (not including petroleum gases), in pressure cylinders, in specially constructed motor vehicles, between Chicago and Sterling, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 74) filed April 28, 1965. Applicant: *BEAVER TRANSPORT CO.*, a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge, Post Office Box 339, Burlington, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 and 766 (except hides), (1) from Peoria, Ill., to points in Iowa and Wisconsin and (2) from Cedar Rapids, Dubuque, Ottumwa, and Waterloo, Iowa, and Omaha, Nebr., to points in Illinois (except E. St. Louis and Chi-

cago) and points in Lake, Porter, Jasper, La Porte, Newton, Starke, St. Joseph, Elkhart, and Marshall Counties, Ind. Restricted against the transportation in bulk in tank vehicles.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119778 (Sub-No. 88), filed May 3, 1965. Applicant: *REDWING CARRIERS, INC.*, Post Office Box 34, Powderly Station, Birmingham, Ala. Applicant's attorney: Frank B. Hand, Jr., 821 17th Street NW, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* in bulk, having a prior movement by rail, water, or pipeline, between points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, and Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La., or Atlanta, Ga.

No. MC 119944 (Sub-No. 6), filed April 28, 1965. Applicant: *BROCKWAY FAST MOTOR FREIGHT, INC.*, 568 Central Avenue, Somerville, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Talc*, in bulk, in pressure differential tank vehicles, from the Town of West Windsor, Vt., to points in New Jersey.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 120240 (Sub-No. 2), filed May 5, 1965. Applicant: *FREEMAN TRANSFER, INC.*, Fremont, Nebr. Applicant's attorney: Bill Gilmore, Dodge County Courthouse, Fremont, Nebr. 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* (except hides and liquids in bulk, in tank vehicles), from points in Saunders County, Nebr., to points in Missouri on and south of U.S. Highway 40 and points in Kansas on and south of U.S. Highway 50.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Fremont, Nebr.

No. MC 120543 (Sub-No. 28), filed April 22, 1965. Applicant: *FLORIDA REFRIGERATED SERVICE, INC.*, U.S. 301, North, Post Office Box 1297, Dade City, Fla., 33525. Applicant's attorney: Lawrence D. Fay, Post Office Box 1086, Jacksonville, Fla., 32201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Plant City, Fla., to points in Mississippi, Louisiana, Arkansas, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, California, Oregon, and Washington, and *exempt commodities*, on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 120792 (Sub-No. 2), filed April 23, 1965. Applicant: G. A. MEYER, JR.,

doing business as *CANOVA TRANSFER*, Canova, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Sioux Falls, Canova, Unityville, and Epiphany, S. Dak.

NOTE: If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 123393 (Sub-No. 63), filed April 22, 1965. Applicant: *BILYEU REFRIGERATED TRANSPORT CORPORATION*, 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: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, from Lexington, Nebr., and points within five (5) miles thereof, and Minden, Nebr., and points within five (5) miles thereof, to points in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, and *exempt commodities* on return.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 123393 (Sub-No. 64), filed April 22, 1965. Applicant: *BILYEU REFRIGERATED TRANSPORT CORPORATION*, 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: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from Lexington, Nebr., and points within five (5) miles thereof, and Minden, Nebr., and points within five (5) miles thereof, to points in Arkansas, Illinois, Iowa, Kansas, Missouri, Oklahoma, Tennessee, Kentucky, and Indiana.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 123888 (Sub-No. 6), filed May 3, 1965. Applicant: *CANA TRANSPORT CO., INC.*, 706 Franklin Avenue, Endicott, N.Y. Applicant's attorney: Donald C. Carmien, 300 Press Building, Binghamton, N.Y., 13902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Green cattle hides*, for the account of Memphis Hide Corporation, from Memphis, Tenn., to Buffalo, N.Y.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 124078 (Sub-No. 137), filed April 28, 1965. Applicant: *SCHWERMANN TRUCKING CO.*, a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, in bulk, from points in Morgan County,

Ala., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia.

Note: If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 124078 (Sub-No. 138), filed May 7, 1965. Applicant: SCHWERMER TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis., 53246. Applicants' attorney: James R. Zipseki (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, dry, in bulk, in tank or hopper-type vehicles, from points in Mason County, W. Va., to points in the United States, except Alaska and Hawaii.

Note: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124211 (Sub-No. 34), filed May 6, 1965. Applicant: HILT TRUCK LINE, INC., 1813 Yolande Street, Post Office Box 824, Lincoln, Nebr. Applicant's attorney: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glassware* and *glass containers* with or without their equipment of *caps*, *covers*, *tops* or *stoppers*, *paper cartons* or *accessories for glass containers*, from the plant site of Anchor Hocking Glass Corp., at or near Gurnee, Ill., and points within a 10-mile radius thereof, to points in Colorado, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming and *damaged or rejected shipments*, on return; and (2) *materials*, *supplies*, and *equipment* as are used in the manufacture of glassware, from points in Colorado, Kansas, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming, to the plant site of Anchor Hocking Glass Corp. at Gurnee, Ill., and *damaged or rejected shipments*, on return.

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 124218 (Sub-No. 5), filed April 30, 1965. Applicant: UNIT TRANSPORTATION, INC., Ford Boulevard and Fifth Street, Hamilton, Ohio. Applicant's attorney: Albert J. Tener, Bank of Jamestown Building, Jamestown, N.Y., 14701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Special events trailers and advertising material related thereto*, in initial movements, in truckaway service, from Hamilton, Ohio, to points in the United States (except Hawaii and Alaska), and (2) *returned shipments* of the above specified commodities, in secondary movements from points in the United States (except Hawaii and Alaska), to Hamilton, Ohio.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 124669 (Sub-No. 11), filed April 22, 1965. Applicant: TRANS-

PORT, INC., OF SOUTH DAKOTA, a corporation, 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's attorney: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* and *liquid fertilizer solutions*, in bulk, from the Consumers Cooperative Association plant located at or near Fort Dodge, Iowa, to points in Illinois, Kansas, Minnesota, Missouri, Nebraska, North Dakota, and South Dakota.

Note: Applicant does not specify place of hearing, if one is deemed necessary.

No. MC 125756 (Sub-No. 3), filed April 29, 1965. Applicant: JOHN M. KELLY, doing business as KELLY TRUCKING COMPANY, 534 Woodbine Drive, Lexington, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as defined by the Commission, from Lexington, Ky., to points in Bath, Boyle, Fleming, Franklin, Mercer, Montgomery, Scott, and Woodford Counties, Ky.

Note: If a hearing is deemed necessary, applicant requests it be held at Frankfort, Ky.

No. MC 125777 (Sub-No. 58), filed May 5, 1965. Applicant: JACK GRAY TRANSPORT, INC., 3200 Gibson Transfer Road, Hammond, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in hydraulic dump vehicles (other than hopper or tank vehicles), from Troy Grove, Ill., to points in Wisconsin.

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 125792 (Sub-No. 2), filed May 5, 1965. Applicant: ALLAN A. McDONALD, doing business as A & A CLUB SERVICE & GARAGE, 1016 North Alvarado Street, Los Angeles 26, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled autos and other motor vehicles*, from points in Clark, Mineral, and Washoe Counties, Nev., and points in Coconino, Maricopa, Mohave, Navajo, Pima, Yavapai, and Yuma Counties, Ariz., to points in Los Angeles, Calif., commercial zone.

Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 125996 (Sub-No. 2), filed April 29, 1965. Applicant: JENSEN TRUCKING CO., INC., 807 Washington Street, Gothenburg, Nebr. Applicant's attorney: Richard A. Peterson, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial feeds*, in bulk and/or bags and/or packages, (1) from points in Kansas (except Muncie), to

points in Nebraska, Wyoming, Utah, and Montana, and (2) from points in Iowa, to points in Idaho, Utah, and Montana.

Note: Applicant states the above operations will be restricted against the transportation of salt and salt compounds, crushed and ground oyster shells, and animal feed, grade sugar, and molasses, in bulk. If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 126145 (Sub-No. 4), filed April 21, 1965. Applicant: PHILLIPS TRUCKING, a corporation, 20299 Valley Boulevard, Rialto, Calif. Applicant's attorney: R. Y. Schureman, 1010 Wilshire Boulevard, Los Angeles, Calif., 90017. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Potash*, in bulk, from Trona, Calif., to points in Arizona.

Note: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 126402 (Sub-No. 4), filed April 29, 1965. Applicant: JACK WALKER TRUCKING SERVICE, INC., 844 Louden Avenue, Lexington, Ky. Applicant's attorney: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Milwaukee, Wis., and St. Joseph, Mo., to points in Jefferson County, Ky.

Note: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126403 (Sub-No. 1), filed April 23, 1965. Applicant: APPLIANCE DELIVERY CORP., Southeast Corner 19th & Allegheny Avenue, Philadelphia, Pa., 19132. Applicant's attorney: M. Mark Mendel, 1901 P.S.F.S. Building, Philadelphia, Pa., 19107. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances*, including, but not limited to stereos, ranges and televisions, between Philadelphia, Pa., and points in New Jersey and Delaware.

Note: Applicant states the proposed service will be limited to electrical or gas appliances needing installation and subsequent servicing and performed for Appliance Service Installation Corp. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa.

No. MC 126537 (Sub-No. 9), filed April 29, 1965. Applicant: KENT I. TURNER, KENNETH E. TURNER, AND ERVIN L. TURNER, a partnership, doing business as TURNER EXPEDITING SERVICE, Post Office Box 21132, Louisville, Ky. Applicant's attorney: George M. Catlett, Suite 703-706 McClure Building, Frankfort, Ky., 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives), between Standiford Field (Airport) at Louisville, Ky., on the one hand, and, on the other, points in Barren County, Ky., restricted to the handling of shipments having an

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immediate prior or immediate subsequent movement by air.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky.

No. MC 126717 (Sub-No. 4), filed April 26, 1965. Applicant: WALTER FLOUGH, doing business as WALT'S DRIVE-A-WAY SERVICE, Rural Route No. 4, Kuebler Road, Evansville, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chassis for self-propelled cranes* in driveway service, from Evansville, Ind., Erie, Pa., to points in Florida.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind., or Louisville, Ky.

No. MC 126736 (Sub-No. 40), filed April 26, 1965. Applicant: PETROLEUM CARRIER CORPORATION OF FLORIDA, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 710 Atlantic Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Jacksonville and St. Marks, Fla., to points in Georgia.

NOTE: Applicant states that all duplicating authority is to be eliminated. If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla.

No. MC 126869 (Sub-No. 1), filed May 3, 1965. Applicant: M & W TRUCKING, INC., Post Office Box 58, Bowdon, Ga. Applicant's attorney: Paul M. Daniell, 1600 First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Solid and semipneumatic tires, plastic or rubber handle bar grips, pedals and mud flaps, plastic streamers and wheels, steel wheels and wheels mounted with solid or semipneumatic tires*, from Bowdon, Ga., to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Tennessee, and Texas; (2) *solid and semipneumatic tires* (which have moved inbound from Bowdon, Ga., for mounting) and *wheels, mounted*, (a) from Selma, Ala., to points in the destination states described in (1) above; (b) from Akron, Ohio, to points in Ohio; and (3) *materials, equipment and supplies used in the production of the above described commodities*, from points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Tennessee, and Texas, to Bowdon, Ga.

NOTE: Applicant states that the above proposed operations will be performed for the account of Textile Rubber Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 126934 (Sub-No. 1), filed April 19, 1965. Applicant: GULF MOVING & STORAGE CO., INC., 427 Galennie Street, New Orleans, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containerized new and*

used household goods and hold baggage, in the same vehicles, between New Orleans, La., on the one hand, and, on the other, points in Orleans, Jefferson, St. Charles, St. Bernard, St. Tammany, Washington, Plaquemines, Lafourche, Terrebonne, St. Mary, St. Martin, St. James, Assumption, Iberia, Iberville, St. Helena, East Baton Rouge, West Baton Rouge, Ascension, Livingston, Tangipahoa, St. John the Baptist, Beauregard, Calcasieu, West Feliciana, East Feliciana, Pointe Coupee, Lafayette, St. Landry, Evangeline, Jefferson Davis, Vermillion, and Vernon Parishes, La., and points in Hancock, Harrison, Pearl River, Stone, Jackson, and George Counties, Miss., and Mobile and Baldwin Counties, Ala.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 126983 (Sub-No. 2), filed April 27, 1965. Applicant: YOUNGBLOOD VAN & STORAGE CO. OF ANNISTON, INC., 501-507 Noble Street, Anniston, Ala. Applicant's attorney: Joseph F. Mullins, Jr., One Farragut Square South, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Alabama within a 125-mile radius of Montgomery, Ala., including Montgomery, Ala., restricted to shipments having a prior or subsequent movement beyond said points, in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating and containerization, or unpacking, uncrating and decontainerization of such shipments.

NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Montgomery, Ala.

No. MC 127159 (CORRECTION), filed April 13, 1965, published in *FEDERAL REGISTER* issue of May 5, 1965, and republished as corrected this issue. Applicant: STANDARD TRUCKING CO., INC., Post Office Box 93, Bay Minette, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham, Ala. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *New furniture*, from the plant site of Standard Furniture Manufacturing Co., located at Bay Minette, Ala., to points in the United States (except Hawaii and Alaska), and (2) *new furniture, equipment, materials, and supplies used in the manufacture and distribution of new furniture*, from points in the United States (except Hawaii and Alaska), to the plant site of Standard Furniture Manufacturing Co., located at Bay Minette, Ala.

NOTE: The above proposed operations will be under continuing contract or contracts with Standard Furniture Manufacturing Co., Inc., and its affiliated or subsidiary companies. The purpose of this republication is to correctly set forth the authority sought. If a hearing is deemed necessary, applicant requests it be held at either Mobile or Birmingham, Ala.

No. MC 127165 (Sub-No. 1), filed April 20, 1965. Applicant: ROCKNE TRUCK RENTAL CORP., 369A Duffy Avenue, Hicksville, Long Island, N.Y. Applicant's representative: William D. Traub, 10 East 40th Street, New York 16, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metals and materials*, from points in Nassau and Suffolk Counties, N.Y., to points in New Jersey and New York, N.Y., steamship piers.

NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 127188 (Sub-No. 1), filed April 21, 1965. Applicant: DON PALMER AND HERBERT WALKER, a partnership, doing business as P & W TRANSPORT CO., 5104 Lower Birdville Road, Fort Worth, Tex. Applicant's attorney: M. Ward Bailey, Continental Life Building, Fort Worth, Tex., 76102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Green and wet salted hides and sheep pelts*, from points in Oklahoma, Texas, and Louisiana to the ports along the Gulf of Mexico extending from New Orleans, La., to Brownsville, Tex., including New Orleans, La., and Brownsville, Tex., and the ports of entry located on the international boundary line between the United States and Mexico located in Texas.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 127199, filed April 19, 1965. Applicant: ROY E. SCHOTT, doing business as TRI-STATE MOBILE HOME MOVER, Route 4, Box 322, Swanton, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes*, between points in Ohio, Michigan, and Indiana.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Swanton, Ohio.

No. MC 127200, filed April 23, 1965. Applicant: WEST BEND IMPLEMENT COMPANY, INC., 1200 North Main Street, West Bend, Wis., 53095. Applicant's attorney: Leo F. Schlaefer, Corner of Sixth and Hickory, West Bend, Wis., 53095. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, (1) between points in Washington, Ozaukee, Sheboygan, Fond du Lac, Dodge, Jefferson, Waukesha, and Milwaukee Counties, Wis.; and (2) between Waupaca, Wis., on the one hand, and, on the other, points in Winnebago, Outagamie, Waushara, and Waupaca Counties, Wis.

NOTE: If a hearing is deemed necessary, applicant requests it be held at West Bend, Wis.

No. MC 127205, filed April 15, 1965. Applicant: ARTHUR B. McMILLEN, doing business as McMILLEN & SONS GARAGE, Box 551, New Paris, Pa. Applicant's attorney: Gordon E. Stroup, 8-10 Court House Square, Bedford, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular

routes, transporting: *Disabled vehicles and replacement vehicles*, between points in Bedford County, Pa., and points in Ohio, West Virginia, Maryland, Virginia, New York, New Jersey, and the District of Columbia.

Note: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 127208, filed April 22, 1965. Applicant: FREELAND D. NASH, Wheatley, Ark. Applicant's attorney: Jimason J. Daggett, Suite 1, Daggett Building, Marianna, Ark., 72360. Authority to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and implements*, from Minneapolis, Minn., Waterloo, Iowa, South Bend, Ind., Athens, Tenn., and Minden, La., to Wheatley, Stuttgart, Holly Grove, and Forrest City, Ark.

Note: If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 127210, filed April 28, 1965. Applicant: T AND R CARTAGE CO., a corporation, 121 East 115th Street, Chicago, Ill. Applicant's attorney: Harold E. Marks, 208 South La Salle Street, Chicago 4, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New and used kitchen cabinets and home appliances*, from points in that part of the Chicago commercial zone located in Illinois, as defined by the Commission to points in Lake, Porter, La Porte, Starke, and St. Joseph Counties, Ind., and *refused, rejected and damaged shipments*, on return.

Note: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127214, filed April 28, 1965. Applicant: T. J. SMITH doing business as SMITTY'S AIRFREIGHT EXPEDITING SERVICE COMPANY, 7600 Cedar Springs Road, Dallas, Tex. Applicant's attorney: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods and Classes A and B explosives), having an immediately prior or immediately subsequent movement by aircraft, between airports located in Dallas and Tarrant Counties, Tex., on the one hand, and, on the other, points in Wilbarger, Baylor, Throckmorton, Shackelford, Callahan, Coleman, McCulloch, Mason, Wichita, Archer, Young, Stephens, Eastland, Brown, San Saba, Llano, Clay, Jack, Palo Pinto, Erath, Comanche, Mills, Lampasas, Burnet, Hamilton, Montague, Wise, Parker, Hood, Somervell, Bosque, Coryell, Bell, Williamson, Travis, Cooke, Denton, Tarrant, Dallas, Johnson, Hill, McLennan, Falls, Milam, Bastrop, Lee, Robertson, Limestone, Ellis, Navarro, Collin, Grayson, Rockwall, Kaufman, Henderson, Anderson, Van Zandt, Hunt, Fannin, Lamar, Delta, Hopkins, Rains, Wood, Smith, Cherokee, Nacogdoches, Rusk, Gregg, Upshur, Camp, Franklin, Red River, Bowie, Titus, Morris, Cass, Marion,

Harrison, Panola, Shelby, San Augustine, Sabine, and Freestone Counties, Texas.

Note: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 127220, filed April 26, 1965. Applicant: A. C. EXPRESS, INC., 4350 Kendrick Street, Golden, Colo. Applicant's attorney: Marion F. Jones, Suite 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and related advertising material*, from Golden, Colo. to points in Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 127221, filed April 26, 1965. Applicant: WILLIAM C. RACINE, 2676 Carpenter Road, Lapeer, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700 One Woodward Avenue, Detroit, Mich., 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prepared foods*, requiring mechanically refrigerated equipment, in shipper-owned and carrier-owned trailers, between Kalamazoo, Mich., on the one hand, and, on the other, points in Michigan.

Note: Applicant states that the above proposed service will be performed under continuing contract with Dean Foods Co., Chicago, Ill. If a hearing is deemed necessary, applicant requests it be held at Lansing, Mich.

No. MC 127228, filed April 29, 1965. Applicant: GEORGE PHILLIPS, doing business as P-5 TRUCKING CO., 5 Hansen Road, Old Bridge, N.J. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities, equipment, materials and supplies used, sold or dealt in by food processing manufacturers*, between the Federal Bakers Supplies Corp.'s plant, located in Garfield, N.J., on the one hand, and, on the other, points in Delaware, Connecticut, Maryland, New York, and Pennsylvania.

Note: Applicant states it will be under a continuing contract with Federal Bakers Supplies Corp., Garfield, N.J. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

MOTOR CARRIER OF PASSENGERS

No. MC 1515 (Sub-No. 80), filed April 20, 1965. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill. Applicant's attorney: Robert J. Bernard (same address as applicant). 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 bus service, (1) from Flandreau, S. Dak., to Gettysburg, Mobridge Corner, Mobridge, and McLaughlin, S. Dak., Garrison Corner, Garrison, Fort Totten, Belcourt, Raub, Parshall, and New Town, N. Dak., Poplar, Wolf Creek, Glasgow, Dobson,

Fort Belknap, Havre, Dixon and Browning, Mont., and (2) from above enumerated points in Montana, North Dakota, and South Dakota to Flandreau, S. Dak.

Note: Applicant states outbound trips from Flandreau will be made at the end of the school year in May or June transporting students to their homes for the summer vacation period. Return trips to Flandreau will be made in September for the opening of school. The proposed transportation service will consist of groups of Indian students, under the supervision of the U.S. Department of the Interior, Bureau of Indian Affairs. If a hearing is deemed necessary, applicant requests it be held at Sioux Falls, S. Dak.

No. MC 3600 (Sub-No. 5) (CORRECTION), filed April 6, 1965, published FEDERAL REGISTER, issue of April 28, 1965, and republished as corrected this issue. Applicant: FRANK MARTZ COACH COMPANY, a corporation, 239 Old River Road, Wilkes-Barre, Pa. Applicant's attorney: John J. Dempsey, Jr., Suite 1200, Miners National Bank Building, Wilkes-Barre, Pa. 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, during the season extending May 15 to October 15, both inclusive, of each year, between the junction of the Northeast Extension of the Pennsylvania Turnpike and the Pennsylvania Turnpike and Atlantic City, N.J., from junction of the Northeast Extension of the Pennsylvania Turnpike and the Pennsylvania Turnpike over the Pennsylvania Turnpike to Valley Forge Interchange (No. 24), thence over Interstate Highways 76 and 676 to junction New Jersey Highway 42, thence over New Jersey Highway 42 to junction Atlantic City Expressway, and thence over Atlantic City Expressway to Atlantic City, and return over the same route, serving no intermediate points, but serving junction of Northeast Extension of the Pennsylvania Turnpike and the Pennsylvania Turnpike for purpose of joining only, as an alternate route for operating convenience only in connection with applicant's presently authorized regular route operations between Scranton and Wilkes-Barre, Pa., and between Atlantic City, N.J., and New York, N.Y.

Note: The purpose of this republication is to correctly set forth the proposed operation in lieu of the proposal as previously published in error. If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or New York, N.Y.

No. MC 126280 (Sub-No. 2), filed April 22, 1965. Applicant: AIRPORT TRANSFER CO., LIMITED, Post Office Box 1555, Halifax, Nova Scotia, Canada. Applicant's attorney: S. Harrison Kahn, Suite 733 Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trip charter and special operations, beginning and ending at the ports of entry located on the international boundary line between the United States and Canada, and extending to points in the United States (except Alaska and

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Hawaii), restricted to foreign commerce only.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Augusta, Maine.

APPLICATIONS FOR BROKERAGE LICENSES
MOTOR CARRIERS OF PASSENGERS

No. MC 12952, filed April 21, 1965. Applicant: EVERGREEN TOURS, INC., 1936 Westlake Avenue, Seattle, Wash., 98101. For a license (BMC 5) to engage in operations as a *broker* at Seattle, Wash., in arranging for the transportation in interstate or foreign commerce of *Passengers and their baggage*, in charter and special operations, beginning and ending at Bremerton, Tacoma, and Seattle, Wash., and extending to points in the United States, including the ports of entry located on the international boundary lines between the United States and Canada and between the United States and Mexico.

No. MC 12953, filed April 26, 1965. Applicant: LYNN F. BUCKLIN, SR., doing business as WIDE WORLD TRAVEL, 315 West Broadway, Eugene, Oreg. Applicant's attorney: Howard E. Speer, 641 Pearl Street, Eugene, Oreg., 97401. For a license (BMC 5) to engage in operations as a *broker* at Eugene, Oreg., in arranging for transportation in interstate or foreign commerce, of *passengers and their baggage*, between points in the United States.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 3009 (Sub-No. 58), filed April 29, 1965. Applicant: WEST BROTHERS, INC., 706 East Pine Street, Hattiesburg, Miss., 39402. 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, and commodities in bulk), between Lucedale, Miss., and Pascagoula, Miss.; from Lucedale over Mississippi Highway 26 to junction Mississippi Highway 63, thence over Mississippi Highway 63 to junction U.S. Highway 90, thence over U.S. Highway 90 to Pascagoula and return over the same route, serving all intermediate points.

NOTE: Applicant states that it presently holds authority as an alternate route, over the above described route and the purpose of this application is to acquire authority to serve all intermediate points.

No. MC 47323 (Sub-No. 17), filed May 3, 1965. Applicant: ANDERSON TRUCKING CO., a corporation, Rural Delivery No. 4, Mercer, Pa. Applicant's attorney: William W. Knox, 23 West 10th Street, Erie, Pa., 16501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from points in Tioga County, Pa., to points in New York on and west of U.S. Highway 11 from the New York-Pennsylvania State line to Binghamton, N.Y., thence on and west of New York Highway 7 to Colliersville, thence on and west of New York Highway 28 to Alder

Creek, and thence on and west of New York Highway 12 to the St. Lawrence River, and the international boundary line between the United States and Canada.

No. MC 118785 (Sub-No. 4), filed April 23, 1965. Applicant: UNITED CASKET TRANSPORT, INC., 3329-3335 Arch Street, Philadelphia, Pa., 19104. Applicant's attorney: Ralph C. Busser, Jr., 1710 Locust Street, Philadelphia, Pa., 19103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caskets, casket shells, casket covers, and funeral supplies*, all uncrated (1) from Scranton, Pa., to points in the District of Columbia, Florida, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Pennsylvania, Vermont, Virginia, and West Virginia; (2) from Richmond, Ind., to points in Illinois, Iowa, Wisconsin, Michigan, Indiana, Kentucky, Tennessee, Ohio, and West Virginia; (3) from Springfield, Ohio, to points in Ohio, Michigan, Illinois, Indiana, Missouri, Iowa, Minnesota, Wisconsin, Nebraska, California, Colorado, Oklahoma, Montana, Washington, Kentucky, Virginia, Tennessee, West Virginia, Pennsylvania, New York, North Carolina, South Carolina, Georgia, Florida, Massachusetts, Connecticut, the District of Columbia, New Jersey, Delaware, Maryland, and Rhode Island; (4) from Nashua, N.H., to points in the United States (except Alaska and Hawaii); (5) from Syracuse, N.Y., to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New Jersey, Rhode Island, Virginia, West Virginia, Maryland, the District of Columbia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Oklahoma, Arkansas, Tennessee, Kentucky, and Illinois; (6) from Erwin, Tenn., and Lancaster, Ky., to points in California, Colorado, the District of Columbia, Florida, Illinois, Maryland, Massachusetts, Michigan, Missouri, Oregon, Pennsylvania, Rhode Island, Tennessee, and Texas; (7) from Philadelphia, Pa., to points in Massachusetts, New Hampshire, Vermont, Virginia, Michigan, Maine, and Illinois, and *damaged, defective, and returned shipments* of the above commodities, on return.

No. MC 123807 (Sub-No. 2), filed April 30, 1965. Applicant: RENNOLDS POTTERFIELD, 725a Stanton Street, Monroe City, Mo. Applicant's attorney: Thomas P. Rose, Jefferson Building, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, dry, in bulk, from points in Adams County, Ill., to Kansas City, Mo.

No. MC 124997 (Sub-No. 1), filed May 3, 1965. Applicant: R. F. TRUESDELL CO., a corporation, 1616 West 47th Street, Ashtabula, Ohio. Applicant's attorney: T. Baldwin Martin, 503 First National Bank Building, Macon, Ga., 31201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pulp board and fiber board, and corrugated pulpboard and fibreboard boxes, boxes*, from Hattiesburg, Miss. to points in Alabama, Louisiana, and that portion of Florida west of the Apalachicola River.

No. MC 126485 (Sub-No. 2), filed April 22, 1965. Applicant: MCINTIRE BROTHERS, INC., Rural Route No. 2, Knox, Ind. Applicant's attorney: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fruit juices, fruit juice concentrate, and fruit juice drinks*, in retail containers, from West Allis, Wis., to points in that part of Indiana bounded by a line beginning at Michigan City, Ind., and extending along U.S. Highway 35 to junction U.S. Highway 24, thence along U.S. Highway 24 to Huntington, Ind., and thence along U.S. Highway 224 to the Indiana-Ohio State line.

No. MC 126683 (Sub-No. 2), filed April 23, 1965. Applicant: JOSEPH P. SOVAK, MD No. 3 Cromwell Road, Monroe, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and poultry*, from New York, N.Y., and Newark, N.J., to points in Orange and Rockland Counties, N.Y., and *refused, rejected, and damaged shipments* of the above commodities, on return.

No. MC 127207, filed April 23, 1965. Applicant: CACHE VALLEY DAIRY ASSOCIATION, a corporation, Smithfield, Utah. Applicant's attorney: Harry D. Pugsley, Suite 600, El Paso Natural Gas Building, 315 East Second South, Salt Lake City, Utah, 84111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Grocery store items*, from San Francisco and points in Alameda, San Mateo, Santa Clara, Los Angeles, Orange, and San Bernardino Counties, Calif., to points in Salt Lake, Davis, Weber, and Cache Counties, Utah, and *damaged commodities*, on return.

NOTE: Applicant states: "Applicant is a bona fide agricultural cooperative association and is presently performing this service as back-haul as part of its transportation of its cheese to California. The transportation is by the Association in its own vehicles, controlled by it and operated by its own employees. Applicant in good faith asserts that such transportation is exempt under section 203(b)(5). It is not the purpose of the applicant to enter into general carrier business, but to limit such activities exclusively to back-haul, and if this contract carrier application is granted it would eliminate any controversy about the exemption and applicant reserves all of its rights under such exemption statute."

By the Commission.

[SEAL]

BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5255; Filed, May 18, 1965;
8:47 a.m.]

[Notice 1175]

MOTOR CARRIER TRANSFER
PROCEEDINGS

MAY 17, 1965.

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

As provided in the Commission's special rules of practice any interested per-

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

No. MC-FC-67802. By order of May 14, 1965, the Transfer Board approved the transfer to John J. Carroll, doing business as World's Fair Limousine Service, 231 Spring Street, Naugatuck, Conn., of the operating rights in Certificate No. MC-125160 (Sub-No. 2) issued August 11, 1964, to Eastern Limousine Service, Inc., Sunset Drive, Naugatuck, Conn., limited in point of time contingent upon conditions for period in 1964 and 1965 that the New York World's Fair is open to the public, authorizing transportation, over irregular routes, of: Passengers and their baggage, in special operations, in non-scheduled service, limited to the transportation of not more than 11 passengers in any one vehicle not including the driver thereof, and not including children under 10 years of age who do not occupy a seat or seats, between Waterbury, Naugatuck, Seymour, Derby, and Stratford, Conn., on the one hand, and, on the other, the site of New York World's Fair at Flushing Meadows, Flushing, N.Y.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5301; Filed, May 18, 1965;
8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 14, 1965.

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. 39765—*Liquid Caustic Soda to Westover, Ga.* Filed by O. W. South, Jr., agent (No. A4682), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, and on shipments subject to minimum of 4 tank carloads, from LeMoyne, Ala., to Westover, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 185 to Southern Freight Association, agent, tariff I.C.C. S-194.

FSA No. 39766—*Chlorine to Palatka, Fla.* Filed by O. W. South, Jr., agent (No. A4683), for interested rail carriers. Rates on chlorine, in tank carloads, from LeMoyne, Ala., to Palatka, Fla.

Grounds for relief: Market competition.

Tariff—Supplement 185 to Southern Freight Association, agent, tariff I.C.C. S-194.

FSA No. 39767—*Liquid caustic soda to Palatka, Fla.* Filed by O. W. South, Jr., agent (No. A4684), for interested rail carriers. Rates on liquid caustic soda, in tank carloads, from LeMoyne, Ala., to Palatka, Fla.

Grounds for relief: Market competition.

Tariff: Supplement 185 to Southern Freight Association, agent, tariff I.C.C. S-194.

FSA No. 39768—*Chlorine from LeMoyne, Ala.* Filed by O. W. South, Jr., agent (No. A4685), for interested rail carriers. Rates on chlorine, in tank carloads, from LeMoyne, Ala., to Jacksonville and South Jacksonville, Fla.

Grounds for relief: Market competition.

Tariff: Supplement 187 to Southern Freight Association, agent, tariff I.C.C. S-194.

FSA No. 39769—*Chlorine to Nixon, Ga.* Filed by O. W. South, Jr., agent (No. A4686), for interested rail carriers. Rates on chlorine, in tank carloads, from LeMoyne, Ala., to Nixon, Ga.

Grounds for relief—Market competition.

Tariff: Supplement 186 to Southern Freight Association, agent, tariff I.C.C. S-194.

FSA No. 39770, as amended—*Iron and steel articles to Vicksburg, Miss.* Filed by Illinois Freight Association, agent (No. 283), for interested rail carriers. Rates on iron and steel articles, viz.: bars or rods, noibn, plates or sheets, noibn, also strip steel, noibn, in carloads, from Chicago, Ill., and points in Chicago switching district, including Lemont, Joliet, and South Chicago, Ill., and Gary and Indiana Harbor, Ind., also Alton, Federal, and East St. Louis, Ill., to Vicksburg, Miss.

Grounds for relief: Barge competition.

Tariff: Supplement 35 to Illinois Freight Association, agent, tariff I.C.C. 1033.

FSA No. 39771—*T.O.F.C. rates from and to points in WTL territory.* Filed by Western Trunk Line Committee, agent (No. A-2406), for interested rail carriers.

Rates on property moving on class and commodity rates loaded in trailers and transported on railroad flat cars, between Elberton, Ga., and Lewisburg, Tenn., on the one hand, and points in western trunk-line territory, on the other.

Grounds for relief: Motor-carrier competition, short-line distance formula and grouping.

Tariff: Supplement 3 to Western Trunk Line Committee, agent, tariff I.C.C. A-4582.

FSA No. 39772—*Joint motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 37), 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 central States, middle Atlantic and New England territories, on the one hand, and points in the Provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 4 to Niagara Frontier Tariff Bureau, Inc., agent, tariff MF-I.C.C. 64.

FSA No. 39773—*Joint motor-rail rates—Niagara Frontier.* Filed by Niagara Frontier Tariff Bureau, Inc., agent (No. 38), 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 central States and midwest territories, on the one hand, and points in Provinces of Ontario and Quebec, Canada, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 4 to Niagara Frontier Tariff Bureau, Inc., agent, tariff MF-I.C.C. 64.

FSA No. 39774—*Alumina from Bauxite, Ark.* Filed by Southwestern Freight Bureau, agent (No. B-8726), for interested rail carriers. Rates on alumina, calcined or hydrated, in bulk in covered hopper cars, in carloads, from Bauxite, Ark., to Cincinnati, Ohio, and Louisville, Ky.

Grounds for relief: Market competition.

Tariff: Supplement 78 to Southwestern Freight Bureau, agent, tariff I.C.C. 4529.

By the Commission.

[SEAL] BERTHA F. ARMES,
Acting Secretary.

[F.R. Doc. 65-5253; Filed, May 18, 1965;
8:47 a.m.]

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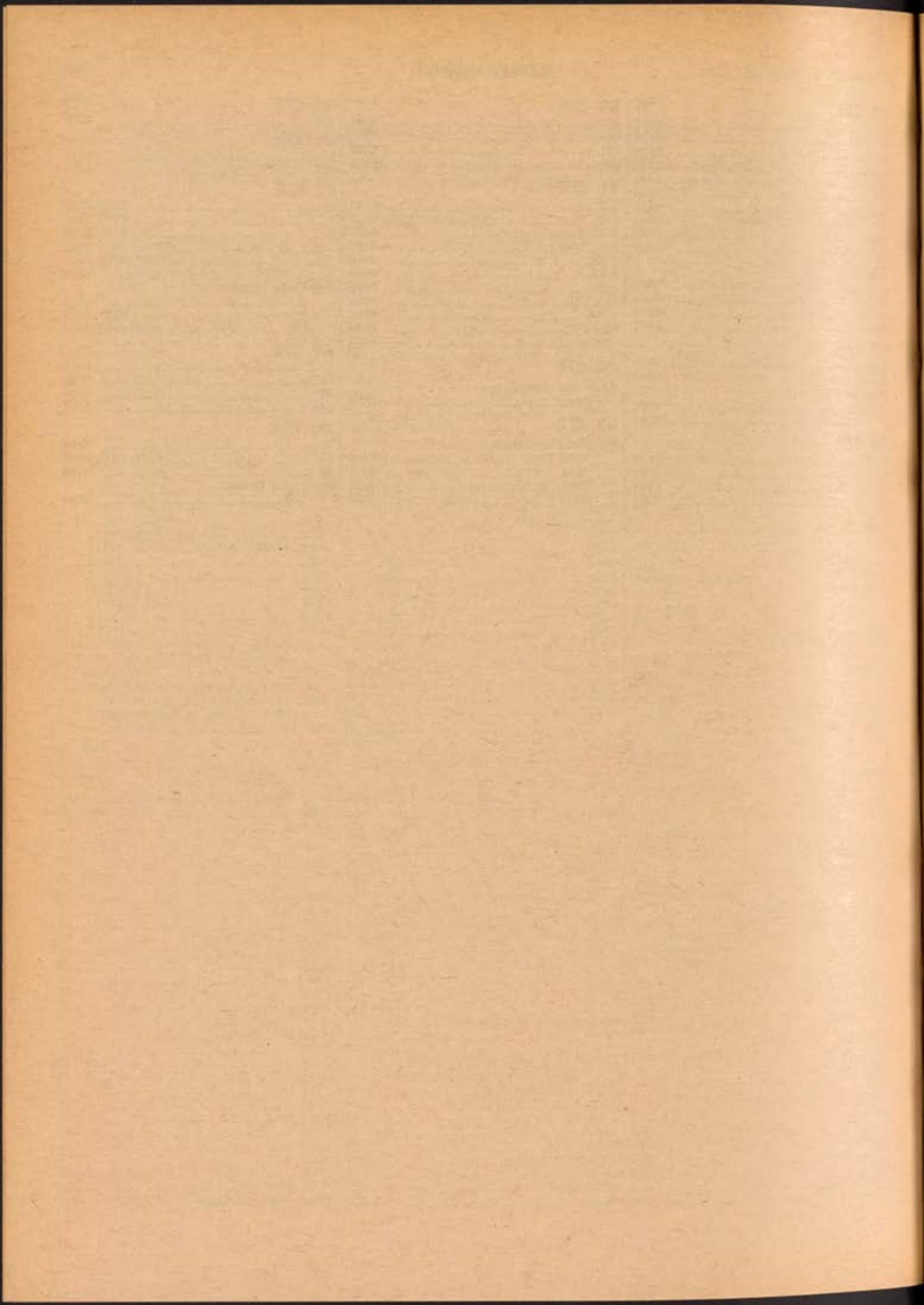
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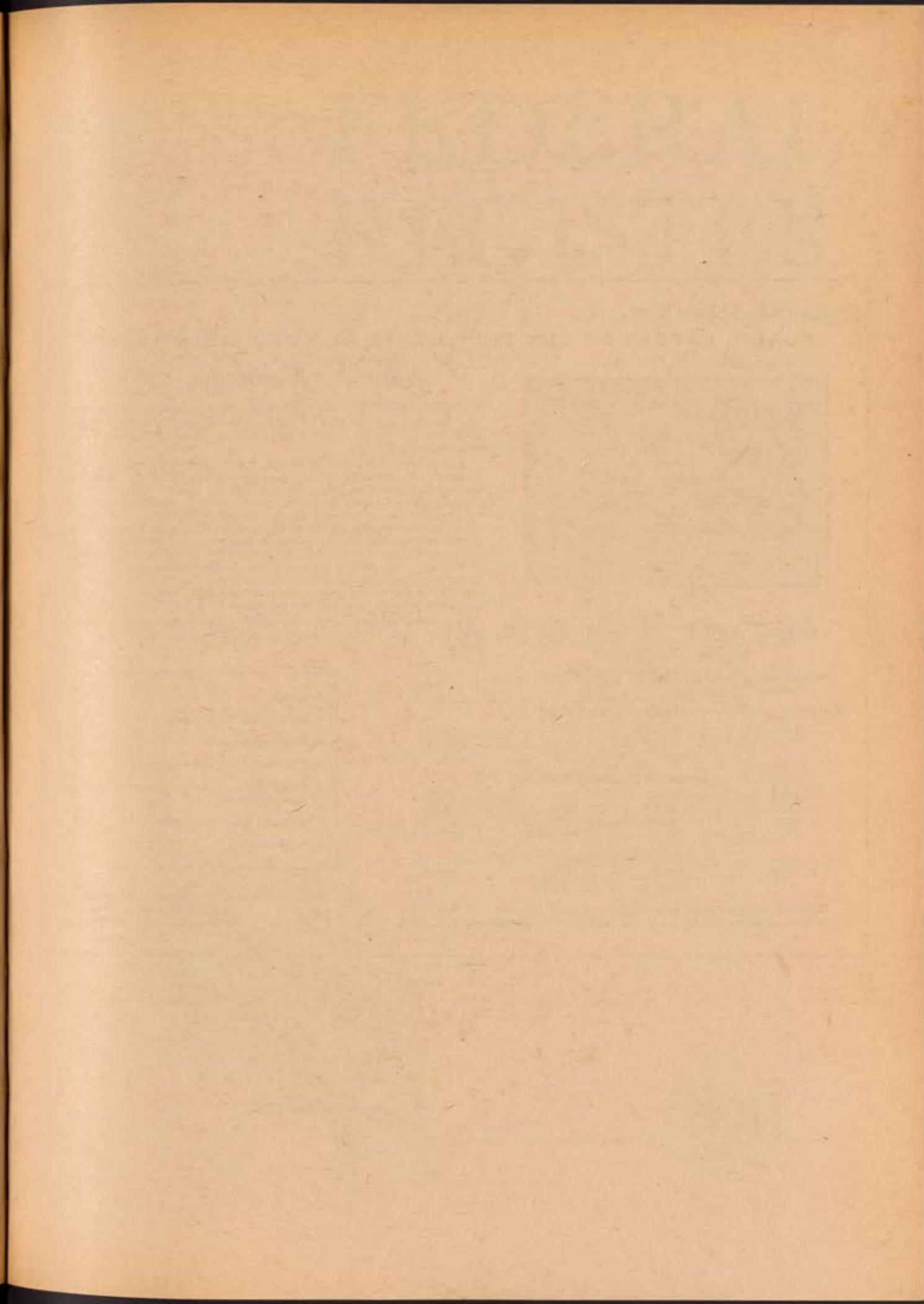
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