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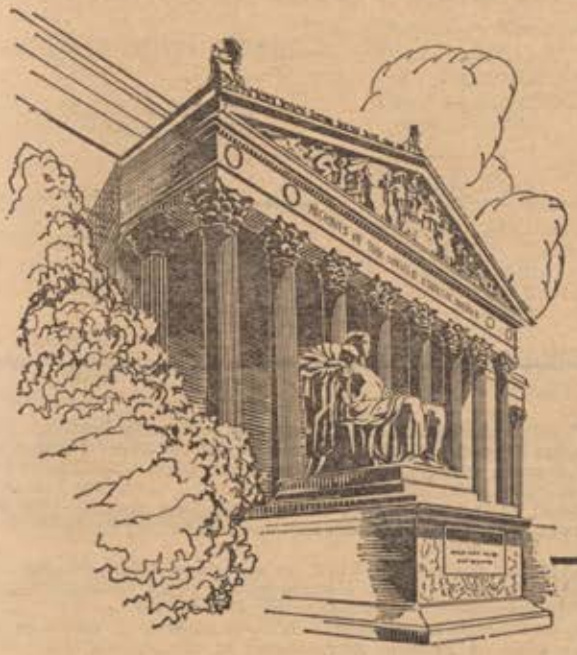
Agencies in this issue—

Detailed list of Contents appears inside.



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Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

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

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.

5 CFR

213 15203

7 CFR

849 15203
895 15203
913 15204
PROPOSED RULES:
52 15222
717 15222
959 15222
1136 15223

12 CFR

PROPOSED RULES:
545 15236

14 CFR

39 15209
71 15209
73 15210
75 15210
PROPOSED RULES:
71 15234

16 CFR

15 15210

17 CFR

1 15210

18 CFR

11 15211

21 CFR

2 15211
8 15211
148b 15211
PROPOSED RULES:
121 15234

32 CFR

811 15212
812 15213
834 15213
850 15213
852 15213

39 CFR

29 15213
121 15213
141 15213
168 (3 documents) 15213, 15214
PROPOSED RULES:
22 15235

41 CFR

9–1 15214

45 CFR

405 15215

46 CFR

146 15216

47 CFR

PROPOSED RULES:
73 (2 documents) 15235, 15236

49 CFR

PROPOSED RULES:
Ch. I 15237

50 CFR

262 15221

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show the exception under Schedule C of the position of Confidential Assistant to the Assistant Secretary for Education. Effective on publication in the FEDERAL REGISTER, paragraph (j), subparagraph (1) is added to § 213.3316 as set out below.

§ 213.3316 **Department of Health, Education, and Welfare.**

* * * * *

(j) *Office of the Assistant Secretary for Education.* (1) One Confidential Assistant to the Assistant Secretary for Education.

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

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

[F.R. Doc. 65-13191; Filed, Dec. 8, 1965; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[849.2, Rev. 2, Amdt. 2]

PART 849—DOMESTIC BEET SUGAR PRODUCING AREA PREVENTED ACREAGE CREDIT; 1964 AND SUBSEQUENT CROPS

Scope and Purpose

Pursuant to the provisions of section 302(b) of the Sugar Act of 1948, as amended, paragraph (c)(2) of § 849.2, Rev. 2 (29 F.R. 8253) is amended to read as follows:

§ 849.2 **Scope and purpose.**

* * * * *

(c)(2) *Prevented acreage credit.* Prevented acreage shall not be credited to a farm or in a personal history area to a farm operator commencing with the crop year 1966 and subsequent crop years when proportionate shares are determined for any such crop year for the Domestic Beet Sugar Area.

* * * * *

Statement of bases and considerations. Section 302(b)(5) of the Act provides as follows: "Whether farm proportionate shares are or are not determined, the Secretary shall, insofar as practicable, protect the interest of producers who are cash tenants, share tenants, adherent planters, or sharecroppers and of the producers in any local producing area whose past production has been adversely, seriously, and generally affected by drought, storm, flood, freeze, disease, insects, or other similar abnormal and uncontrollable conditions."

The regulations in § 849.2 implement the above quoted statutory provisions pertaining to protection of a producers past production history.

The following new subparagraph (8) was added to subsection (b) of section 302 of the Act by the Sugar Act Amendments of 1965: "In order to protect the sugarbeet production history of farm operators (or farms) who in any crop year, because of a crop rotation program or for reasons beyond their control, are unable to utilize all or a portion of the farm proportionate share acreage established pursuant to this section, the Secretary may reserve for a period of not more than 3 crop years the production history of any such farm operators (or farms) to the extent of the farm proportionate share acreage released. The proportionate share acreage so released may be reallotted to other farm operators (or farms) but no production history shall accrue to such other farm operators (or farms) by virtue of such reallocation of the proportionate share acreage so released."

Prior to 1966, a farm or farm operator (in a personal history area) was given prevented acreage credit under § 849.2 when the Agricultural Stabilization and Conservation County Committee determined that the producer was prevented from seeding sugarbeets on a farm for the production of sugar or liquid sugar in an approved local producing area because of drought, storm, freeze, flood, disease, insects, or because of other similar abnormal and uncontrollable conditions. The acreage unused by a producer receiving prevented acreage credit could be reallocated to another producer who would receive credit for such acreage utilized thus resulting in an inflation of farm bases to the extent of the acreage utilized by such producer.

I find it is not practicable or necessary to provide for prevented acreage credit under section 302(b)(5) of the Act when proportionate shares are in effect in view of the provision of section 302(b)(8) of the Act which will afford the same protection when proportionate shares are in effect, to a producer who is prevented from planting all or part of his proportionate share because of a crop rotation program or reasons beyond his control, and since such subparagraph (8) requires that production history will not accrue by virtue of reallocation of released proportionate share acreage. This protection under section 302(b)(8) of the Act is afforded the farm or farm operator on an individual farm basis and eliminates the requirement that the local producing area qualify for prevented acreage credit to the farm or farm operator. In addition, this protection may extend for two years after the original claim is approved. Regulations implementing section 302(b)(8) of the Act are set forth under Part 895 of Chapter VIII, Title 7 of the Code of Federal Regulations.

Accordingly, I hereby find and conclude that this determination will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Effective date. Date of publication.

Signed at Washington, D.C., on December 3, 1965.

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

[F.R. Doc. 65-13186; Filed, Dec. 8, 1965; 8:48 a.m.]

PART 895—RELEASE AND REALLOTMENT OF SUGARBEET PROPORTIONATE SHARE ACREAGE, 1966 AND SUBSEQUENT CROPS

Pursuant to the provisions of the Sugar Act of 1948, as amended, Chapter VIII of Title 7 of the Code of Federal Regulations is amended by adding a new Part 895, as above entitled, and by adding new §§ 895.1 to 895.6 containing certain provisions relating to Determination of Proportionate Shares, as follows:

Sec.
895.1 Scope and purpose.
895.2 Definitions.
895.3 Limitation and retention of accredited acreage credit.
895.4 Notice and right to appeal.
895.5 Reallotment of released acreage.
895.6 No accredited acreage credit for reallotted released acreage.

AUTHORITY: The provisions of this Part 895 issued pursuant to sec. 302 of the Sugar Act of 1948, as amended; sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs, 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132.

§ 895.1 **Scope and purpose.**

The provisions of this Part 895 are applicable only in the Domestic Beet Sugar Area when proportionate shares are in effect for a current crop year in such area and provide for protecting the production history of farms and individual operators for a period of not more than 3 years who in any crop year, because of a crop-rotation program or for

reasons beyond their control, are unable to utilize all or a portion of the farm proportionate share acreage established pursuant to section 302 of the Sugar Act of 1948, as amended. The proportionate share acreage so released may be reallotted to other producers, but no production history shall accrue to such other producers or farms by virtue of such reallocation of the proportionate share acreage so released.

§ 895.2 Definitions.

(a) "Secretary," "Deputy Administrator," "State Committee," "County Committee," "Producer," and "Operator" shall have the meaning set forth in Part 891 of this chapter.

(b) "DASCO," "Accredited Acreage," "Personal History Area," "Farm History Area," and "Proportionate Share" shall have the meaning contained in regulations effective for the crop year in which acreage is released and set forth in Part 850 of this chapter.

(c) "Share or portion thereof eligible for release" means the number of acres of the farm proportionate share initially established for the farm as adjusted by appeal (or tentative share in a personal history area), which the Agricultural Stabilization and Conservation County Committee determines will not be planted on a farm in any crop year subsequent to 1965, because of a crop rotation program or for other reasons beyond the control of the producer.

§ 895.3 Limitation and retention of accredited acreage credit.

(a) The number of proportionate share acres released and approved by the county committee for 1966 or for a subsequent year for credit to a farm or farm operator shall be the share or portion thereof eligible for release.

(b) Accredited acreage credit shall be given beginning with the 1966 crop year to a farm (or farm operator in a personal history area) releasing the acreage, equal to the share or portion thereof eligible for release for a period not to exceed 3 consecutive years including the crop year in which released: *Provided*, That the operator of the farm (or person in personal history area who has a personal accredited acreage record) releases such share or portion thereof by executing Form SU-105, at the ASCS county office of the county in which the headquarters of the farm is located. Such a release shall be executed for each individual crop year when proportionate shares are in effect but not to exceed 3 consecutive crop years.

(c) The release must be filed prior to a date determined and published by the State committee as the date beyond which sugarbeets are not normally seeded in the area, except that if the county committee finds that the eligible producer was prevented from filing a release by such date for reasons beyond his control, his claim as filed subsequently may be considered.

§ 895.4 Notice and right to appeal.

(a) In each case in which the county committee determines that the facts do not justify approval of the release of a share or part thereof the county committee shall notify the person filing the release of such determination giving the basis for such decision.

(b) Such notification shall inform the producer of his right to appeal, under Part 780 of Chapter VII of this title.

§ 895.5 Reallotment of released acreage.

The acreage resulting from the release of all or a portion of the shares pursuant to this Part 895 may be reallotted to other farms in the area on which additional acreage may be utilized or to farms in other allotment areas in the State subject to conditions in § 895.6 and in the same manner as provided for the distribution of unused proportionate share acreage in Part 850 of this chapter effective for the crop year in which the released acreage is reallotted.

§ 895.6 No accredited acreage credit for reallotted released acreage.

A farm on which the reallotted released acreage (as approved pursuant to this Part 895) is used, or the operator of such farm in a personal history area, will not receive accredited acreage credit for such utilized acreage. Likewise, recognition will not be given to such reallotted acreage in establishing State allocations or area allotments.

Statement of bases and considerations—General. Under the Sugar Act Amendments of 1965, a new subparagraph 8, of paragraph (b) of section 302 was added. This subparagraph provides that:

(8) In order to protect the sugarbeet production history for farm operators (or farms) who in any crop year, because of a crop-rotation program or for reasons beyond their control, are unable to utilize all or a portion of the farm proportionate share acreage established pursuant to this section, the Secretary may reserve for a period of not more than 3 crop years the production history for any such farm operators (or farms) to the extent of the farm proportionate share acreage released. The proportionate share acreage so released may be realloted to other farm operators (or farms) but no production history shall accrue to such other farm operators (or farms by virtue of such reallocation of the proportionate share acreage so released.

Determination. This determination provides that when a farm operator (or farm) releases, in any year when proportionate shares are in effect, all or a part of the proportionate share established for his farm which he is unable to utilize because of a crop rotation program or for other reasons beyond his control, such farm operator (or farm) will receive history credit, if approved, for the proportionate share acreage released. The operator of the farm for which the share is established must make application on Form SU-105 to the county committee for the county in which the headquarters of the farm is located stating the reason why he is releasing all or a part of such share. If the county committee determines that the operator did not plant all or a part of his share because of the unavailability of land to maintain a crop rotation program which would enable him to plant all or a part of his proportionate share, or for reasons beyond his control, production history credit will accrue to the farm operator (or farm) for such year, and the succeeding 2 years, upon execution of Form SU-105, and the county committee approves released share acreage for history credit.

The acreage so released can be redistributed to other farms in the allotment area that can utilize such acreage, or it can be redistributed to other allotment areas in the State in accordance with instructions issued by the State Committee. Any farm operator (or farm) utilizing such released proportionate share acreage will not receive production history acreage credit for the acreage so utilized. Likewise, recognition will not be given to such realloted acreage in establishing State allocations or area allotments.

Accordingly, I hereby find and conclude the the aforestated determination will effectuate the applicable provisions of the Act.

Effective date. Date of publication.

Signed at Washington, D.C., on December 3, 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-13159; Filed, Dec. 8, 1965; 8:46 a.m.]

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

PART 913—GRAPEFRUIT GROWN IN THE INTERIOR DISTRICT IN FLORIDA

Sec.

AUTHORITY: The provisions of this Part 913, inclusive, issued under secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

§ 913.0 Findings and determinations.

(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held at Lakeland, Fla., June 28, 1965, upon a proposed marketing agreement and a proposed marketing order regulating the handling of grapefruit grown in the Interior District in Florida. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) This order regulates the handling of grapefruit grown in the Interior District in Florida in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, a proposed marketing agreement and order upon which a hearing has been held;

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

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

(5) All handling of grapefruit grown in the Interior District, as defined in this order, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found on the basis hereinafter indicated that good cause exists for making the provisions of this order effective December 20, 1965, and that it would be contrary to the public interest to postpone such effective date until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011). As soon as practicable after such effective time, and prior to imposition of regulations it will be necessary for the Interior Grapefruit Marketing Committee, the agency charged with administration of the program, and the Secretary to initiate and complete various actions of both organizational and regulatory natures, including the formulation and promulgation of rules and regulations to govern operations under the program. Shipments of grapefruit normally extend from late September into May. The period of seasonally heavy shipments has already begun and, historically, extends into April. Hence, for the program to be of maximum benefit during the 1965–66 shipping season the order should be made effective on December 20, 1965, the earliest practicable date. The provisions of the order are well known to handlers of Interior grapefruit since the public hearing held in connection with the order was completed June 28, 1965, and the recommended decision and the Secretary's decision were published in the FEDERAL REGISTER on October 22, 1965 (30 F.R. 13443), and November 13, 1965 (30 F.R. 14274), respectively. Copies of the regulatory provisions of this order were made available to all known interested parties; such provisions do not place any restrictions on handlers until regulations are issued thereunder and shipment of grapefruit takes place; and, therefore, compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant thereto.

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

(1) A marketing agreement regulating the handling of grapefruit grown in the Interior District in Florida, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the grapefruit covered by this order) who, during the period August 1, 1964, through July 31, 1965, handled not less than 50 percent of the volume of grapefruit covered by this order; and

(2) The issuance of this order is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (August 1, 1964, through July 31, 1965), were engaged, within the production area specified in this order, in the production of grapefruit for market; such producers having also produced for market at least two-thirds of the volume of grapefruit represented in such referendum.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of grapefruit grown in the said Interior District shall be in conformity to, and in compliance with, the terms and conditions of this order; and such terms and conditions are as follows:

DEFINITIONS

§ 913.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 913.2 Act.

"Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (Sec. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674).

§ 913.3 Person.

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

§ 913.4 Fruit or grapefruit.

"Fruit" or "grapefruit" means any or all varieties of Citrus Paradisi, MacFadyen, grown in the Interior district in the State of Florida.

§ 913.5 Handler or shipper.

"Handler" is synonymous with "shipper" and means any person (except a common or contract carrier transporting grapefruit owned by another person) who, as owner, agent, or otherwise, handles grapefruit in fresh form, or causes grapefruit to be so handled.

§ 913.6 Handle or ship.

"Handle" or "ship" means to sell or transport grapefruit, or in any other way to place grapefruit in the current of commerce between the regulation area and any point outside thereof in the United States, Canada, or Mexico.

§ 913.7 Standard packed box.

"Standard packed box" means a unit or measure equivalent to one and three-fifths (1⅗) United States bushels of grapefruit, whether in bulk or in any container.

§ 913.8 Fiscal period.

"Fiscal period" means the period of time from August 1, of any year until July 31, of the following year, both dates inclusive: *Provided,* That the initial fiscal period shall begin on the effective date of this part.

§ 913.9 Committee.

"Committee" means Interior Grapefruit Marketing Committee.

§ 913.10 Regulation area.

"Regulation area" means that portion of the State of Florida which is bounded by the Suwannee River, the Georgia border, the Atlantic Ocean, and the Gulf of Mexico.

§ 913.11 Interior district or district.

"Interior district" or "district" means the production area comprised of the following areas in the State of Florida: The counties of Hillsborough, Pinellas, Manatee, Citrus, Sumter, Hernando, Pasco, Lake, Orange, Osceola, Seminole, Alachua, Putnam, St. Johns, Flagler, Marion, Levy, Duval, Nassau, Baker, Union, Bradford, Columbia, Clay, Gilchrist, Suwannee, Polk, Hardee, Sarasota, Monroe, Highlands, Okeechobee, Glades, De Soto, Charlotte, Lee, Hendry, Collier, Dade, Broward and County Commissioner's Districts One,

Two and Three of Volusia County and shall include the portions of the Counties of Brevard, Indian River, Martin, and Palm Beach except as particularly described as follows: Beginning at a point on the shore of the Atlantic Ocean where the line between Flagler and Volusia Counties intersects said shore, thence follow the line between said two counties to the southwest corner of Section 23, Township 14 South, Range 31 East; thence continue south to the southwest corner of Section 35, Township 14 South, Range 31, East; thence east to the northwest corner of Township 18 South, Range 32 East; thence south to the southwest corner of Township 17 South, Range 32 East; thence east to the northwest corner of Township 18 South, Range 33 East, thence south to the St. Johns River; thence along the main channel of the St. Johns River and through Lake Harney, Lake Poinsett, Lake Winder, Lake Washington, Sawgrass Lake, and Lake Helen Blazes to the range line between Ranges 35 East and 36 East; thence south to the south line of Brevard County; thence east to the line between Ranges 36 East and 37 East; thence south to the southwest corner of St. Lucie County; thence east to the line between Ranges 39 East and 40 East; thence south to the south line of Martin County, thence east to the line between Ranges 40 East and 41 East; thence south to the West Palm Beach Canal (also known as the Okeechobee Canal); thence follow said canal eastward to the mouth thereof; thence east to the shore of the Atlantic Ocean; thence northerly along the shore of the Atlantic Ocean to the point of beginning.

ADMINISTRATIVE BODY

§ 913.20 Establishment and membership.

There is hereby established an Interior Grapefruit Marketing Committee. The members and alternates of such committee shall be those members and alternates of the Growers Administrative Committee and Shippers Advisory Committee, selected under Order No. 905 (7 CFR Part 905), whose residence and principal place of business are in the Interior district: *Provided*, That in the event the membership of such committees is not selected as aforesaid, the Secretary may select the members and alternate members of the Interior Grapefruit Marketing Committee until such time as a method for the selection of the membership of such committee is prescribed in the provisions of this Part.

§ 913.21 Inability of members to serve.

An alternate for a member of the committee shall act in the place and stead of such member (a) in his absence, or (b) in the event of his removal, resignation, disqualification, or death, and until a successor for his unexpired term has been selected.

§ 913.22 Powers of the Interior Grapefruit Marketing Committee.

The committee, in addition to the power to administer the terms and provisions of this subpart, as provided in this subpart, shall have the power (a) to make, only to the extent specifically permitted by the provisions contained in this subpart, administrative rules and regulations; (b) to receive, investigate, and report to the Secretary complaints of violations of this subpart; and (c) to recommend to the Secretary amendments to this subpart.

§ 913.23 Duties of the Interior Grapefruit Marketing Committee.

It shall be the duty of the committee:

(a) To select a chairman from its membership, and to select such other officers and adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To keep minutes, books, and records which will clearly reflect all of its acts and transactions, which minutes, books, and records shall at all times be subject to the examination of the Secretary;

(c) To act as intermediary between the Secretary and producers and handlers;

(d) To furnish the Secretary with such available information as he may request;

(e) To appoint such employees as it may deem necessary and to determine the salaries and define the duties of such employees;

(f) To cause its books to be audited by one or more certified or registered public accountants at least once for each fiscal period, and at such other times as it deems necessary or as the Secretary may request, and to file with the Secretary copies of all audit reports;

(g) To prepare and publicly issue a monthly statement of financial operations of the committee; and

(h) To provide an adequate system for determining the total crop of grapefruit, and to make such determinations, as it may deem necessary, or as may be prescribed by the Secretary, in connection with the administration of this subpart.

§ 913.24 Compensation and expenses of committee members.

The members and alternate members of the committee shall serve without compensation but may be reimbursed for expenses necessarily incurred by them in attending committee meetings and in the performance of their duties under this subpart.

§ 913.25 Procedure of committee.

(a) Except as provided in paragraphs (b) and (c) of this section, a majority of the members shall constitute a quorum and any decision or action shall require concurrence by a majority of the committee.

(b) For any recommendation for regulations to be valid, not less than 60 percent of the committee shall concur, except as provided for in paragraph (c) of this section.

(c) Not less than 75 percent of the committee shall concur to make a recommendation for regulations for any week following three or more weeks of continuous regulations. The requirements of this paragraph shall not apply to recommendations to amend an existing regulation.

(d) The vote of each member cast for or against any recommendations made pursuant to this subpart, shall be duly recorded. Each member must vote in person.

(e) In the event any member of the committee and his alternate are not present at any meeting of the committee, any alternate present who is not acting for any other member may be designated by the chairman of the committee, to serve in the place and stead of the absent member.

(f) The committee shall give to the Secretary the same notice of meetings of the committee as is given to the members thereof.

§ 913.26 Funds.

(a) All funds received by the committee pursuant to the provisions of this subpart shall be used solely for the purposes herein specified and shall be accounted for in the manner provided in this subpart.

(b) The Secretary may, at any time, require the committee and its members to account for all receipts and disbursements.

(c) Upon the removal or expiration of the term of office of any member of the committee such member shall account for all receipts and disbursements and deliver all property and funds, together with all books and records in his possession, to his successof in office, and shall execute such assignment and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds and claims vested in such member pursuant to this subpart.

EXPENSES AND ASSESSMENTS

§ 913.30 Expenses.

The committee is authorized to incur such expenses as the Secretary may find are reasonable and are likely to be incurred to carry out the functions of the committee under this subpart during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments upon handlers as provided in § 913.31.

§ 913.31 Assessments.

(a) Each handler who first handles fruit shall pay to the committee, upon demand, such handler's pro rata share of the expenses which the Secretary finds are reasonable and likely to be incurred by such committee for its maintenance and functioning during each fiscal period. Each such handler's share of such expenses shall be that proportion thereof which the total quantity of fruit shipped by such handler as the first handler thereof during the applicable fiscal period is of the total quantity of fruit so shipped by all handlers during the same fiscal period. The Secretary shall fix the rate of assessment per standard packed box of fruit to be paid by each such handler. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) At any time during or after the fiscal period, the Secretary may increase the rate of assessment so that the sum of money collected pursuant to the provisions of this section shall be adequate to cover the said expenses. Such increase shall be applicable to all fruit shipped during the given fiscal period. In order to provide funds to carry out the functions of the committee, handlers may make advance payment of assessments.

§ 913.32 Handler's accounts.

If, at the end of a fiscal period the assessments collected are in excess of expenses incurred, the committee, with the approval of the Secretary, may carry over such excess into subsequent fiscal periods as a reserve: *Provided*, That funds already in the reserve do not exceed approximately one-half one fiscal period's expenses. Such reserve funds may be used (a) to cover any expenses authorized by this part and (b) to cover necessary expenses of liquidation in the event of termination of this part. If any such excess is not retained in a reserve, each handler entitled to a proportionate refund shall be credited with such refund against the operations of the following fiscal period unless he demands payment of the sum due him, in which case such sum shall be paid to him. Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

REGULATION

§ 913.40 Marketing policy.

(a) Prior to the first recommendation for regulation during any marketing season, the committee shall submit to the Secretary its marketing policy for such season. Such marketing policy shall contain the following information:

(1) The estimated available crop of grapefruit in the district, including estimated quality;

(2) The estimated utilization of the crop that will be marketed in domestic, export, and by-product channels, together with quantities otherwise to be disposed of;

(3) A schedule of estimated weekly shipments of grapefruit during the ensuing season;

(4) The available supplies of competitive deciduous fruits in all producing areas of the United States;

(5) Level and trend in consumer income;

(6) Estimated supplies of competitive citrus commodities; and

(7) Any other pertinent factors bearing on the marketing of grapefruit. In the event that it becomes advisable substantially to modify such marketing policy, the committee shall submit to the Secretary a revised marketing policy.

(b) All meetings of the committee held for the purpose of formulating such marketing policies shall be open to growers and handlers.

(c) The committee shall transmit a copy of each marketing policy report or revision thereof to the Secretary and to each grower and handler who files a request therefor. Copies of all such reports shall be maintained in the office of the committee where they shall be available for examination by growers and handlers.

§ 913.41 Recommendation for volume regulation.

(a) The committee may, during any week, recommend to the Secretary the total quantity of grapefruit which it deems advisable to be handled during the next succeeding week: *Provided*, That volume regulations shall not be recommended after such regulations have been effective for an aggregate of 6 weeks during the 1965–66 fiscal period; or an aggregate of 8 weeks during the 1966–67 fiscal period; or an aggregate of 10 weeks during any subsequent fiscal period.

(b) In making its recommendations, the committee shall give due consideration to the following factors:

(1) Market prices for grapefruit;

(2) Supply of grapefruit on track at, and en route to, the principal markets;

(3) Supply, maturity, and condition of grapefruit in the production area;

(4) Market prices and supplies of citrus fruits from competitive producing areas, and supplies of other competitive fruits;

(5) Trend and level in consumer income; and

(6) Other relevant factors.

(c) At any time during a week for which the Secretary, pursuant to § 913.42, has fixed the quantity of grapefruit which may be handled, the committee may recommend to the Secretary that such quantity be increased for such week. Each such recommendation, together with the committee's reason for such recommendation, shall be submitted promptly to the Secretary.

§ 913.42 Issuance of volume regulation.

Whenever the Secretary finds, from the recommendations and information submitted by the committee, or from other available information, that to limit the quantity of grapefruit which may be handled during a specified week will tend to effectuate the declared policy of the act, he shall fix such quantity: *Provided*, That such regulations during each fiscal period shall not in the aggregate limit the volume of grapefruit shipments during the 1965–66 fiscal period for more than 6 weeks; or for more than an aggregate of 8 weeks during the 1966–67 fiscal period; or for more than an aggregate of 10 weeks during any subsequent fiscal period. The quantity so fixed for any week may be increased by the Secretary at any time during such week. Such regulations may, as authorized by the act, be made effective irrespective of whether the season average price of grapefruit is in excess of the parity price specified therefor in the act. The Secretary may upon the recommendation of the committee, or upon other available information, terminate or suspend any regulation at any time.

§ 913.43 Prorate bases.

(a) Each person who desires to handle grapefruit shall submit to the committee, at such time and in such manner as may be designated by the committee, and upon forms made available by it, a written application for a prorate base and for allotments as provided in this section and § 913.44.

(b) Such application shall be substantiated in such manner and shall be supported by such information as the committee may require.

(c) The committee shall determine the accuracy of the information submitted pursuant to this section. Whenever the committee finds that there is an error, omission, or inaccuracy in any such information, it shall correct the same and shall give the person who submitted the information a reasonable opportunity to discuss with the committee the factors considered in making the correction.

(d) Each week during the marketing season when volume regulation is likely to be recommended, the committee shall compute a prorate base for each handler who has made application in accordance with the provisions of this section. Except as provided in paragraph (e) of this section, such prorate base for each handler shall, for the 1965–66 fiscal period, be the quantity of grapefruit shipped by him during the preceding marketing season; for the 1966–67 fiscal period, be the average quantity of grapefruit shipped by him during the two preceding marketing seasons; and for subsequent fiscal periods, be the seasonal average quantity of grapefruit shipped by him during the three preceding marketing seasons.

(e) Any applicant for a prorate base who has made no shipments of grapefruit in the season immediately preceding the season for which prorate bases are being established, and who controls grapefruit and owns or has contracted for the use of packinghouse facilities to pack such grapefruit, shall be considered a new handler. The committee shall compute a prorate base for such applicant based upon his prior shipments of grapefruit, if any, grapefruit under his control, and any other factors which, in the judgment of the committee are relevant and proper to be used in arriving at an equitable prorate base for such handler. For the next succeeding fiscal period, the prorate base of such handler shall be the quantity of grapefruit shipped by him during the preceding marketing season, and for the second succeeding marketing season, his prorate base shall be the seasonal average quantity of grapefruit shipped by him during the two preceding marketing seasons.

§ 913.44 Allotments.

Whenever the Secretary has fixed the quantity of grapefruit which may be handled during any week, the committee shall calculate the quantity of grapefruit which may be handled during such week by each person who has applied for a prorate base. Such quantity shall be the allotment of such person and shall be that portion of the total quantity

fixed by the Secretary which, expressed in terms of percent, is equal to the percentage that such applicant's prorate base is of the aggregate of the prorate bases of all such applicants. The committee shall give reasonable notice to each person of the allotment computed for him pursuant to this section.

§ 913.45 Overshipments.

During any week for which the Secretary has fixed the total quantity of grapefruit which may be handled, any person who has received an allotment may handle, in addition to the total allotment available to him for use during such week, an amount of grapefruit equivalent to 10 percent of such total allotment, or 500 boxes, whichever is greater. The quantity of grapefruit so handled in excess of the total allotment which such person had available for use during such week (but not exceeding an amount equivalent to the excess shipments permitted under this section) shall be deducted from such person's allotment for the next week. If such person's allotment for such week is in an amount less than the excess shipments permitted under this section, the remaining quantity shall be deducted from succeeding weekly allotments issued to such person until such excess has been entirely offset: *Provided*, That at any time there is no volume regulation in effect it shall be deemed to cancel all requirements to undership allotments because of previous overshipments pursuant to this part.

§ 913.46 Undershipments.

If any person handles during any week a quantity of grapefruit, covered by a regulation issued pursuant to § 913.42, in an amount less than the total allotment available to him for such week, he may handle, during the next succeeding week, a quantity of grapefruit, in addition to that permitted by the allotment available to him for such week, equivalent to such undershipment or 25 percent of the allotment issued to him for the week during which the undershipment was made, whichever is the lesser: *Provided*, That the committee, with the approval of the Secretary, may increase or decrease such percentage.

§ 913.47 Allotment loans.

(a) A person to whom allotments have been issued, except a new handler, may lend such allotments to other persons to whom allotments have also been issued. A new handler may borrow allotments and repay same. Each party to any such loan agreement shall, prior to completion of the agreement, notify the committee of the proposed loan and the date of repayment and obtain the committee's approval of the agreement.

(b) The committee may act on behalf of persons desiring to arrange allotment loans. In each case, the committee shall confirm all such transactions immediately after the completion thereof by memorandum addressed to the parties concerned, which memorandum shall be deemed to satisfy the requirements of paragraph (a) of this section as to an approval of the loan agreement.

§ 913.48 Inspection and certification.

Whenever the handling of grapefruit is regulated pursuant to § 913.42, each handler who handles any grapefruit shall, prior to the handling of any lot of grapefruit, cause such lot to be inspected by the Federal or Federal-State Inspection Service and certified by it as meeting all applicable requirements of such regulation: *Provided*, That such inspection and certification shall not be required if the particular lot of fruit previously had been so inspected and certified.

REPORTS AND RECORDS

§ 913.50 Reports and records.

Upon request of the committee, made with approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, reports of overshipments and undershipments and such other reports and information as may be necessary for the committee to perform its duties under this part. Each handler shall maintain for such period of time as the committee shall prescribe, with the approval of the Secretary, such records of grapefruit handled as may be necessary to verify reports submitted pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 913.55 Fruit not subject to regulation.

Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 913.42 through 913.48 and the regulations issued thereunder, ship grapefruit for the following purposes:

(a) To a charitable institution for consumption by such institution;

(b) To a relief agency for distribution by such agency;

(c) To a commercial processor for conversion by such processor into canned or frozen products or into a beverage base;

(d) By parcel post; and

(e) In such minimum quantities, types of shipments, or for such purposes as the committee with the approval of the Secretary may specify. No assessment shall be levied on fruit so shipped. The committee shall, with the approval of the Secretary, prescribe such rules, regulations, or safeguards as it may deem necessary to prevent grapefruit handled under the provisions of this section from entering channels of trade for other than the purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications with the committee for authorization to handle grapefruit pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the grapefruit will not be used for any purpose not authorized by this section.

§ 913.56 Compliance.

Except as provided in this part, no person shall handle grapefruit during any week in which a regulation issued by the Secretary pursuant to § 913.42 is in effect, unless such grapefruit are, or have been, handled pursuant to an allotment therefor, or unless such person is otherwise permitted to handle such grapefruit under the provisions of this part; and no person shall handle grapefruit except in conformity with the provisions of this part and the regulations issued under this part.

§ 913.57 Right of Secretary.

The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 913.58 Effective time.

The provisions of this part shall become effective at such time as the Secretary may declare above his signature to this part, and shall continue in force until terminated in one of the ways specified in § 913.59.

§ 913.59 Termination.

(a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary shall terminate the provisions of this part at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers who, during the preceding fiscal period, have been engaged in the production for market of fruit: *Provided*, That such majority have, during such period, produced for market more than 50 percent of the volume of such fruit produced for market, but such termination shall be effective only if announced on or before July 31 of the then current fiscal period.

(c) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 913.60 Proceedings after termination.

(a) Upon the termination of the provisions of this part, the then functioning members of the committee shall continue as joint trustees, for the purpose of liquidating the affairs of the same committee, of all the funds and property then in the possession of or under control of such administrative committee, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees (1) shall continue in such capacity until discharged by the Secretary; (2) shall, from time to time, account for all receipts and disbursements or deliver all property on

hand, together with all books and records of the committee and of the joint trustees, to such person as the Secretary may direct; and (3) shall, upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee, or the joint trustees pursuant to this part.

(c) Any funds collected pursuant to § 913.31, over and above the amounts necessary to meet outstanding obligations and expenses necessarily incurred during the operation of this part and during the liquidation period, shall be returned to handlers to the extent practicable after the termination of this part. The refund to each handler shall be represented by the excess of the amount paid by him over and above his pro rata share of the expenses.

(d) Any person to whom funds, or claims have been transferred or delivered by the committee, or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of said committee and upon the said joint trustees.

§ 913.61 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon its termination, except with respect to acts done under and during the existence of this part.

§ 913.62 Agents.

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

§ 913.63 Derogation.

Nothing contained in this part is, or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 913.64 Personal liability.

No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any other person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, agent, or employee.

§ 913.65 Separability.

If any provision of this part is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part of the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Issued at Washington, D.C., this 6th day of December 1965, to become effective December 20, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-13188; Filed, Dec. 8, 1965; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 6417; Amdt. 39-164]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 188A and 188C Series Airplanes

Amendment 39-100 (30 F.R. 8329), AD 65-15-4 requires inspection of the left and right lower No. 4 wing plank drain holes for cracks and repair of any cracks found on Lockheed Models 188A and 188C Series airplanes. Subsequent to the issuance of Amendment 39-100, the Agency has determined that in certain cases the compliance time for the accomplishment of the permanent repair work may be extended to 900 hours' time in service by shortening the repetitive inspection interval during part of the extended period. Therefore, Amendment 39-100 is further amended to provide for the extension of the compliance time for the accomplishment of the permanent repair to 900 hours' time in service in those cases where crack lengths do not exceed 0.32 inch.

Since this amendment relieves a restriction, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-100 (30 F.R. 8329), AD 65-15-4 is amended by amending subparagraph (d) (3) to read as follows:

(3) If the crack length does not exceed 0.32 inch, measured from the center of the drain hole, permanent repair of the drain hole area in accordance with subparagraph (1) may be deferred for a period not to exceed 900 hours' time in service after inspection if the following is complied with:

(i) Before further flight, enlarge the drain hole to 0.75-inch diameter and deburr the edges.

(ii) Inspect the area surrounding the enlarged hole for cracks, by dye penetrant method or an FAA-approved equivalent, within 60 hours' time in service after compliance with subdivision (i), and thereafter at intervals not to exceed 60 hours' time in service from the last inspection for the first 450 hours' time in service and for the remaining allotted hours' time in service inspect the area surrounding the enlarged hole for cracks, by dye penetrant method or an FAA-approved equivalent, at intervals not to exceed 30 hours' time in service.

(iii) If a crack is found during the inspection required by subdivision (ii), install the permanent repair required by subparagraph (1) or (2), as applicable, before further flight. The airplane may be ferried in accordance with the provisions of FAR 21.197 to the base at which the repairs are to be accomplished.

This amendment becomes effective December 9, 1965.

(Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Washington, D.C., on December 2, 1965.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 65-13147; Filed, Dec. 8, 1965; 8:45 a.m.]

[Airspace Docket No. 65-SO-78]

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

Alteration of Transition Area

On October 26, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 13582) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Greensboro, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., February 3, 1966, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Greensboro, N.C., transition area (30 F.R. 202) is amended to read:

GREENSBORO, N.C.

That airspace extending upward from 700 feet above the surface within 2 miles each side of the Greensboro ILS SE course extending from the 5-mile radius control zone to 8 miles SE of the Greensboro VOR 087° radial; within 2 miles each side of the Greensboro VOR 207° radial extending from the 5-mile radius control zone to 8 miles SW of the VOR; within 2 miles each side of the Greensboro VOR 033° radial extending from the 5-mile radius control zone to 16 miles NE of the VOR; within 2 miles each side of the Runway 5 centerline extended extending from the 5-mile radius control zone to 8 miles NE of the airport reference point (latitude 36°05'36" N., longitude 79°56'34" W.); including the airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at the point of intersection of the W boundary of V-103 and the arc of a

35-mile circle centered at latitude 36°06'00" N., longitude 80°01'30" W.; thence clockwise along this arc to the point of intersection with the arc of a 55-mile radius circle centered at the Douglas Airport, Charlotte, N.C. (latitude 35°12'58" N., longitude 80°56'22" W.); thence counterclockwise along this arc to the point of intersection with the E boundary of V-37; thence N along the E boundary of V-37 to point of intersection of the E boundary of V-37 and a line 7 miles NW of and parallel to the centerline of V-222; thence NE along a line 7 miles NW of and parallel to the centerline of V-222 to the W boundary of V-103; thence S along the W boundary of V-103 to the point of beginning.

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

Issued in East Point, Ga., on December 2, 1965.

WILLIAM M. FLENER,
Acting Director, Southern Region.

[F.R. Doc. 65-13148; Filed, Dec. 8, 1965; 8:45 a.m.]

[Airspace Docket No. 65-SW-37]

PART 73—SPECIAL USE AIRSPACE

Modification of Restricted Area

The purpose of this amendment to Part 73 of the Federal Aviation Regulations is to reduce the time of use and lower the ceiling of Restricted Area R-3803 at Fort Polk, La.

The Department of the Air Force has advised the Federal Aviation Agency that the time of use and the ceiling could be reduced to permit greater availability to the public of this area. Therefore, action is taken herein to reflect these changes. In the event that the area is required for special training and other activities during other than the scheduled times, a NOTAM will be issued by the using agency at least 24 hours in advance.

Since this amendment is less restrictive in nature to the public, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 73 of the Federal Aviation Regulations is amended, effective upon publication in the FEDERAL REGISTER, as hereinafter set forth.

In § 73.38 (29 F.R. 17747; 30 F.R. 5831) the Designated altitudes and Time of designation of Restricted Area R-3803 at Fort Polk, La., are amended to read as follows:

Designated altitudes: Surface to 20,000 feet MSL.

Time of designation: Continuous from June 1 through August 31; other times as activated by NOTAM issued by the using agency at least 24 hours in advance.

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

Issued in Washington, D.C., on December 2, 1965.

CLIFFORD P. BURTON,
Acting Director, Air Traffic Service.

[F.R. Doc. 65-13149; Filed, Dec. 8, 1965; 8:45 a.m.]

[Airspace Docket No. 65-WE-101]

PART 75—ESTABLISHMENT OF JET ROUTES

Realignment of Jet Route

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to realign Jet Route No. 65 between the Blythe, Calif., and Palmdale, Calif., VORTACs. This action will eliminate a dog leg and shorten the distance between these points by 9 miles. The alignment has been flight checked by the Agency with an MEA of flight level 18,000 feet and an MAA of flight level 45,000 feet approved for the entire segment.

Since this amendment is procedural in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective immediately.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001, e.s.t., February 3, 1966, as hereinafter set forth.

Section 75.100 (29 F.R. 17776) is amended as follows:

1. In Jet Route J-65 delete "the INT of Blythe 272° and the Palmdale, Calif., 124° radials;" from the text of the description.

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

Issued in Washington, D.C., on December 2, 1965.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-13150; Filed, Dec. 8, 1965; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Cooperative Advertising Allowances

§ 15.10 Cooperative advertising allowances.

(a) A manufacturer was informed in an advisory opinion that the requirements of section 2(d) of the amended Clayton Act will be satisfied where the proposed advertising allowance program reflects that alternative methods of promotion are available to customers unable to use the preferred method of advertising in the regular course of their business.

(b) As explained by the manufacturer, all of its customers will be offered advertising allowances equal to 1 percent of net purchases to defray up to a maximum of 50 percent of the actual cost of advertising its branded, first-quality products in any ACB (Advertising Checking Bureau, Inc.) daily and Sunday newspaper. Where a retailer is unable in a practical business sense to advertise in such newspaper the program will provide him with adequate alternative methods of sales promotion such as, but not limited to, other newspapers, letter stuffers, or handbills as will enable him to earn the allowances specified. A retailer may use up to 30 percent of his allowance in Christmas catalog advertising where the brand name or label is prominently mentioned, payment for which is based on catalog circulation. New accounts and those with which the manufacturer has had less than 1 year's experience will be offered the same allowance, payment for which will be computed on the basis of purchases for the first full quarter year. All accounts will be notified of the program by first-class mail, by the manufacturer's sales representatives and by notices accompanying invoices.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: December 8, 1965.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 65-13139; Filed, Dec. 8, 1965; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Record Keeping; Controlled Accounts

On October 14, 1965, there was published in the FEDERAL REGISTER (30 F.R. 13076), a notice of proposed rule making regarding the amendment of § 1.33a of the general regulations (17 CFR 1.33a) under the Commodity Exchange Act. After due consideration of all relevant matters and pursuant to section 8a of the Commodity Exchange Act (7 U.S.C. 12a), § 1.33a is amended to read as follows:

§ 1.33a Controlled accounts.

(a) With respect to any account controlled by any person other than the customer for whom such account is carried, each futures commission merchant shall (1) promptly confirm in writing directly to the customer for whom such account is carried the execution of any trade originated by the controller of the account and retain a copy of such confirmation in accordance with the requirements of § 1.31; and (2) clearly show on each monthly statement furnished as required by § 1.33, or on an accompanying supplemental statement, the net profit or loss on all contracts closed since the date of the previous

statement, and the net unrealized profit or loss in all open contracts figured to the market: *Provided, however,* That the provisions of this paragraph shall not apply to an account controlled by the spouse, parent, or child of the customer for whom such account is carried.

(b) With respect to any account carried for or in the name of a pool or combination of persons trading in commodities, each futures commission merchant shall furnish promptly to each individual participating in such pool or combination a copy of the monthly statement provided for by § 1.33, and clearly show on such statement, or on an accompanying supplemental statement, the further information specified in paragraph (a)(2) of this section. It is not required that the confirmation provided for by paragraph (a)(1) of this section be sent to the several individuals participating in such pool or combination.

(Sec. 8a, 49 Stat. 1500, as amended; 7 U.S.C. 12a)

Effective date. The amendment shall become effective 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 6th day of December 1965.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 65-13187; Filed, Dec. 8, 1965; 8:48 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-272; Order 309]

PART 11—ANNUAL CHARGES

Costs of Administration

Correction

In F.R. Doc. 65-13028, appearing at page 15092 of the issue for Tuesday, December 7, 1965, the order number in the bracket heading should read as set forth above.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Washington Headquarters

Pursuant to section 701(a) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1055; 21 U.S.C. 371(a)) and section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002(a)(1)), and under the authority vested in the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 290), § 2.101 is amended by inserting before "Bureau of Medicine" the following new bureau with its divisions:

§ 2.101 Washington headquarters.[1]

* * * * *

BUREAU OF DRUG ABUSE CONTROL

Division of Case Assistance.
Division of Investigations.
Division of Drug Studies and Statistics.

* * * * *

Effective date. This order shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: December 2, 1965.

WINTON B. RANKIN,
Acting Commissioner of Food and Drugs.

[F.R. Doc. 65-13177; Filed, Dec. 8, 1965; 8:47 a.m.]

PART 8—COLOR ADDITIVES

Subpart E—Listing of Color Additives for Drug Use Subject To Certification

D&C RED NO. 39; LISTING AND CERTIFICATION FOR DRUG USE

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b), (c), 74 Stat. 399, 402; 21 U.S.C. 376(b), (c)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (21 CFR 2.90), the Commissioner of Food and Drugs, based on a petition filed by Winthrop Laboratories, Rensselaer, N.Y., and other relevant material, finds that the color additive D&C Red No. 39 is safe for use as a color additive in externally applied drugs under the conditions prescribed in this order. Therefore, Part 8 is amended by adding to Subpart E the following new section:

§ 8.4132 D&C Red No. 39.

(a) *Identity.* (1) The color additive D&C Red No. 39 is *o*-[*p*(*β*', *β*'-dihydroxydiethylamino)-phenylazo]-benzoic acid.

(2) Color additive mixtures made with D&C Red No. 39 may contain the following diluents: Water, acetone, isopropyl alcohol, and specially denatured alcohols used in accordance with 26 CFR Part 212.

(b) *Specifications.* D&C Red No. 39 shall conform to the following requirements:

Volatile matter (at 100° C.), not more than 2.0 percent.
Matter insoluble in acetone, not more than 1.0 percent.
Anthranilic acid, not more than 0.2 percent.
N,N-(*β,β*'-Dihydroxy-diethyl) aniline, not more than 0.2 percent.
Subsidiary colors, not more than 3.0 percent.
Lead, as Pb, not more than 20 parts per million.
Arsenic, as As, not more than 3 parts per million.
Pure dye, not less than 95.0 percent.

(c) *Uses and restrictions.* The color additive D&C Red No. 39 may be safely used for the coloring of quaternary ammonium type germicidal solutions intended for external application only, and subject to the further restriction that the quantity of the color additive does not exceed 0.1 percent by weight of the finished drug product.

(d) *Labeling requirements.* The color additive and any mixtures intended solely or in part for coloring purposes prepared therefrom shall bear, in addition to the other information required by the act, labeling in accordance with the provisions of § 8.32.

(e) *Certification.* All batches of D&C Red No. 39 shall be certified in accordance with regulations promulgated under Subpart A of this part.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20204, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 706 (b)(1), (c)(2), 74 Stat. 399, 402; 21 U.S.C. 376 (b)(1), (c)(2))

Dated: December 3, 1965.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 65-13178; Filed, Dec. 8, 1965; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 148b—AMPHOTERICIN

Miscellaneous Amendments

Pursuant to the authority provided in the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357), and delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90), Part 148b is amended as set forth below to provide for certain changes in testing methods to effect corrections and consistency of existing regulations.

§ 148b.1 [Amended]

1. Section 148b.1 is amended as follows:

a. Paragraph (a)(1)(vii) is changed to read:

(vii) It exhibits absorption maxima at 272, 282, 295, 362, 381, and 405 $m\mu$ when dissolved in dimethyl sulfoxide and diluted with absolute methyl alcohol.

b. Paragraph (b)(2)(v) is amended by changing the term "$[(B\times a)-(B\times A)]$", in the denominator of the equation, to read "$[(B\times a)-(b\times A)]$".

2. Section 148b.2 is amended by changing the section heading and the first and seventh sentences in paragraph (a)(1) to read as follows:

§ 148b.2 Amphotericin B for injection.

(a) *Requirements for certification—(1) Standards of identity, strength, quality, and purity.* Amphotericin B for injection is a dry powder containing in each immediate container 50 milligrams of amphotericin B, 41 milligrams of sodium desoxycholate, and suitable buffering substances. * * * The amphotericin B used conforms to the standards of § 148b.1(a)(1), except that its amphotericin A content is not more than 5.0 percent, its pH in a 3.0 percent aqueous suspension is not less than 3.5 and not more than 6.0, and its residue on ignition is not more than 0.5 percent. * * *

* * * * *

3. Section 148b.3(b)(1) is amended to read:

§ 148b.3 Amphotericin B lotion.

* * * * *

(b) *Tests and methods of assay—(1) Potency.* Dissolve an aliquot in sufficient dimethyl sulfoxide to produce a solution of convenient concentration. Proceed as directed in § 148b.1(b)(1). The amphotericin B content is satisfactory if it contains not less than 90 percent and not more than 125 percent of the number of milligrams of amphotericin B per milliliter that it is represented to contain.

* * * * *

4. Section 148b.4(b)(1) is amended to read:

§ 148b.4 Amphotericin B ointment.

* * * * *

(b) *Tests and methods of assay—(1) Potency.* With the aid of a high-speed glass blender dissolve an accurately weighed sample in sufficient dimethyl sulfoxide to produce a solution of convenient concentration. Proceed as directed in § 148b.1(b)(1). The amphotericin B content is satisfactory if it contains not less than 90 percent and not more than 125 percent of the number of milligrams of amphotericin B per gram that it is represented to contain.

* * * * *

The amendments included in this order do not affect the safety or efficacy of the drug amphotericin B and are neither restrictive nor controversial. I therefore find that the requirements of section 507 of the Federal Food, Drug, and Cosmetic Act have been complied with and find, further, that notice and public procedure and delayed effective date are not necessary in this instance.

Effective date. This order shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: December 3, 1965.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 65-13179; Filed, Dec. 8, 1965; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments are made to Chapter VII of Title 32:

SUBCHAPTER B—SALES AND SERVICES

Part 811 is revised to read as follows:

PART 811—SALE OF AERIAL AND DOCUMENTARY STILL PHOTOGRAPHY

Sec.
811.1 Purpose.
811.2 Exclusion.
811.3 Policy on release of photographs.
811.4 Who may sell photographs.
811.5 Who may purchase photographs.
811.6 Schedule of fees.
811.7 Collection and control of fees.

AUTHORITY: The provisions of this Part 811 issued under sec. 8012, 70A Stat. 488; sec. 501, 65 Stat. 290; 10 U.S.C. 8012, 5 U.S.C. 140.

SOURCE: AFR 95-4, November 17, 1965.

§ 811.1 Purpose.

This part controls the sale of unclassified Air Force documentary still photographs, explains when photographic material may be sold or released without charge, includes a schedule of fees, and tells how fees are collected and controlled.

§ 811.2 Exclusion.

This part does not apply to the sale of aerial photography. All requests for aerial photography will be referred to Defense Intelligence Agency, Washington, D.C., 20301, Attention: DIAAP-1L.

§ 811.3 Policy on release of photographs.

(a) *Sale of photographs.* Reproductions (prints and duplicate negatives) made from existing black and white negatives, duplicate color negatives and transparencies from existing counterpart color material, and ektacolor prints from existing ektacolor negatives may be sold, within the restrictions listed in this paragraph. The commander of the selling activity will insure that the purchaser understands the pertinent restrictions before photographs are released to him.

(1) The sale of photographs is discouraged. When they are sold, the number of prints sold from each negative will be limited to the minimum necessary.

(2) The following types of sales are prohibited:

(i) Prints and related photographic services that compete with commercial organizations.

(ii) Photographs not related to Air Force activities, even though they are made by Air Force photographers.

(iii) Photographs for any use which implies Air Force indorsement of a service or product, unless the buyer has obtained approval in writing from the Office of Information, Office of the Secretary of the Air Force.

(3) Each print sold will bear the official Air Force credit line as follows: "U.S. AIR FORCE PHOTO. Released by ____ Air Force Base."

(4) Sale of prints does not include waiver of proprietary or privacy rights, unless these rights and the right of transfer belong to the Air Force.

(5) No person or persons may claim exclusive rights to official Air Force photographs.

(b) *Photographs furnished without charge.* Photographs required to conduct official Department of Defense business will be furnished without charge. To the extent that workload and funds permit, prints requested by the following, for use as indicated, will be furnished without charge:

(1) The general public, to further the Armed Forces' Recruiting Program or public understanding of the Armed Forces.

(2) Members of Congress, for use in official governmental activities.

(3) Nonprofit organizations carrying on functions related to, or in the interest of, public health and welfare.

(4) Members of the Armed Forces in a casualty status, or their next of kin or authorized representatives, when the photographs requested relate to the casualty source.

(5) Prints required under statutes or executive orders.

(6) All Federal agencies carrying on functions related to Air Force objectives.

(7) Occasional or infrequent incidental requests (including those from residents in foreign countries) for which fees are determined to be inappropriate.

§ 811.4 Who may sell photographs.

Any Air Force activity with custody of still documentary negatives and transparencies may sell copies as outlined in this part.

§ 811.5 Who may purchase photographs.

The following may purchase unclassified Air Force photographs:

(a) Members and agencies of the Federal Government.

(b) The public; i.e., any person or group of persons, such as associations, organizations, partnerships, corporations, businesses, municipalities, counties, States, and territorial governments.

§ 811.6 Schedule of fees.

Fees are established by Department of Defense as follows:

NOTE: All prices listed are subject to change without notice.

(a) *Still pictorial or documentary photographic prints, black and white.* Not more than three prints may be sold from any individual negative on each order. Unlisted standard sizes of black and white prints may be furnished, if available, at proportionate fees.

(1) 8 x 10 single weight glossy finish, 1st print	$0.90
2d and 3d prints, each	.40
(2) 8 x 10 double weight matte finish, 1st print	.95
2d and 3d prints, each	.45
(3) 11 x 14 double weight matte finish, 1st print	1.15
2d and 3d prints, each	.45
(4) 16 x 20 double weight matte finish, 1st print	1.35
2d and 3d prints, each	.60
(5) 20 x 24 double weight matte finish, 1st print	1.50
2d and 3d prints, each	.70

(b) *Color transparencies.* Color prints will not be furnished for public use.

(1) 35 mm. color transparencies (cardboard mount), each	$1.10
(2) 4 x 5 color transparencies or color negative, each	6.00
(3) 8 x 10 color transparencies or color negative, each	10.00
(In quantities not to exceed three copies of any one view.)	

(c) *Photostat copies.* Photostat copies (8½" x 10") of records pertaining to documentary or historical events may be made available at $0.20 each.

§ 811.7 Collection and control of fees.

(a) The Air Force activity that makes the sale will collect payment in advance.

(b) Payments may be made by cash, U.S. money order, certified check, or their equivalent. Negotiable instruments will be drawn payable to the Treasurer of the United States.

NOTE: Refunds will not be made because of changes in regulations, directives, or fee schedules that occurred after the sale or service was completed, nor for overpayments of one dollar or less.

PART 812—USER CHARGES

Part 812 is set forth, in part, to show those changes made by the current directive and to correct the words "new revenues" in § 812.4. Those changed portions are set forth as follows:

1. The source citation in Part 812 is amended to read as follows:

SOURCE: AFR 177–8, June 11, 1965.

2. In § 812.3(a) the introductory text and subparagraph (8) are amended to read as follows:

§ 812.3 Determining costs and fees for special services.

(a) *Determining costs.* Costs shall be determined or estimated from the best available records in the activity; cost accounting systems will not be established solely for this purpose. The cost computation shall cover the direct and indirect costs incurred by the activity performing the service. This includes but is not limited to:

* * * * *

(8) The costs of research, establishing standards, enforcement and regulation, to the extent they are determined by the activity to be properly chargeable to the services performed.

* * * * *

3. Section 812.4 is amended to read as follows:

§ 812.4 Determining charges for lease or sale.

Where federally owned resources or property are leased or sold, obtain a fair market value. Determine charges, so far as practicable and feasible, in accordance with comparable commercial practices. Charges need not be limited to the recovery of costs—they may produce net revenues to the Government. The exceptions in § 812.3(b) (1) through (4) also apply to lease or sale.

SUBCHAPTER C—PUBLIC RELATIONS

PART 834—SELECTING ARCHITECT-ENGINEERS FOR PROFESSIONAL SERVICES BY NEGOTIATED CONTRACTS

In § 834.5(a), the reference is deleted. Paragraph (a) now reads as follows:

§ 834.5 Reports.

(a) *Architect-engineer progress report.* Each architect-engineer contract of 6 months' duration or longer will contain a provision requiring the architect-engineer to submit to the contracting officer, by the 10th day of each calendar month, a report of the work accomplished in performance of the contract during the preceding calendar month. This provision may be inserted in contracts of less than 6 months' duration when special circumstances make inclusion desirable. One copy of the report will be forwarded to the major air command concerned. This reporting requirement has been exempted by the Bureau of the Budget from clearance under the Federal Reports Act of 1942.

* * * * *

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)
[AFR 85–8, Feb. 17, 1964]

SUBCHAPTER E—SECURITY

PART 850—SAFEGUARDING CLASSIFIED INFORMATION

§ 850.16 [Amended]

1. In the Note following § 850.16(a), the reference is amended to read "§ 850.18."

§ 850.19 [Amended]

2. In § 850.19(f)(3)(ii), the reference "(see § 850.19)" is deleted.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)

PART 852—INDUSTRIAL SECURITY

Section 852.17(b) is revised to read as follows:

§ 852.17 Unsatisfactory security conditions.

* * * * *

(b) Initiate action, in coordination with the director of the DCAS Region exercising security cognizance over the facility, to terminate the classified contract for default. The contracting commander also shall consider whether action should be taken to debar or suspend the contractor.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)

By order of the Secretary of the Air Force.

FREDERICK A. RYKER,
Lieutenant Colonel, U.S. Air Force, Chief, Special Activities Group, Office of The Judge Advocate General.

[F.R. Doc. 65–13146; Filed, Dec. 8, 1965; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 29—MIXED CLASSES

Treatment of Undeliverable Combination Mailing Pieces; Correction

In F.R. Doc. 65–9594 appearing in the issue for Friday, September 10, 1965, at pages 11603–11604, the cross reference in line five of § 29.4(a) was inadvertently designated § 29.1(c). The corrected cross reference is § 29.2.

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65–13182; Filed, Dec. 8, 1965; 8:48 a.m.]

PART 121—OUTGOING PARCELS

PART 141—SHIPPER'S EXPORT DECLARATION

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Group Shipments of Parcels to Foreign Countries

A notice of proposed revision in §§ 121.7 and 168.5 of Title 39, Code of Federal Regulations, was published in the FEDERAL REGISTER of September 10, 1965 (30 F.R. 11645–11646), concerning the discontinuance of group shipments of parcels to foreign countries effective January 1, 1966. Interested persons were given 30 days in which to submit written comments with respect to this proposal.

After consideration of the comments received, the Department has reached the conclusion to adopt the proposal. The amendments to be effective on January 1, 1966 are as follows:

I. In § 121.6, paragraph (c)(2) is revised to read as follows:

§ 121.6 Documentation.

* * * * *

(c) *Parcel post sticker, Form 2922.*

* * *

(2) *Preparation by sender.* Prepare a parcel post sticker for each parcel. Indicate alternative disposition and place name at bottom of the form. Do not use

Form 2922 on parcels for U.S. possessions.

NOTE: The corresponding Postal Manual section is 231.632.

II. Section 121.7 is amended to read as follows:

§ 121.7 Group shipments.

A group shipment of several parcels mailed simultaneously by the same sender to the same addressee must have a completed set of parcel post forms attached to each parcel in the group. Senders may not attach a single set of tags, covering the entire consignment, to only one parcel in the group.

NOTE: The corresponding Postal Manual section is 231.7.

III. In § 141.1, the first sentence of the material is amended to provide that shipper's export declarations are only required for commercial shipments valued at $100 or more. As so amended, the first sentence reads as follows:

§ 141.1 When required.

Business concerns sending merchandise valued at $100 or over to other business concerns—

* * * * *

NOTE: The corresponding Postal Manual section is 251.1.

§ 168.5 [Amended]

IV. In § 168.5 *Individual country regulations*, under each country provisions allowing group shipments are hereby rescinded effective January 1, 1966.

NOTE: Material under each country will be amended accordingly at a future date.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-13236; Filed, Dec. 8, 1965; 8:49 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Individual Country Regulations

The regulations of the Post Office Department are amended as follows:

In § 168.5 *Individual country regulations*, make the following change to reflect current regulations:

In "Ghana", the item *Import restrictions* under Parcel Post is revised to read as follows:

Parcel Post

* * * * *

Import restrictions. The attention of senders should be called to the following requirements, which are to be met by addressees:

Addressees in Ghana are required to obtain import licenses for practically all types of merchandise.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-13183; Filed, Dec. 8, 1965; 8:48 a.m.]

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Individual Country Regulations

The regulations of the Post Office Department are amended as follows:

In § 168.5 *Individual country regulations*, make the following changes:

I. In "Philippines (Republic of The)" make the following changes to show the availability of insured parcel post service:

A. Under Parcel Post the material in the first two paragraphs under the item *Air parcel rates* is revised to read as follows:

Parcel Post

* * * * *

Air parcel rates. Four ounces or less, $1.93; each additional 4 ounces or fraction, 74 cents.

Weight limit: 44 pounds for all offices in the Philippines except for the offices listed below.
Sealing: Insured parcels must, and ordinary parcels may be sealed.
Group shipments: No.
Registration: No.
Insurance: Yes.
Postal forms required: 1 Form 2922; 1 Form 2966.

* * * * *

B. Under Parcel Post, the item *Indemnity* is deleted, and a new item *Insurance* is inserted in lieu thereof. As so inserted, new item *Insurance* reads as follows:

Parcel Post

* * * * *

Insurance. The following insurance fees and limits of indemnity apply:

Limit of indemnity:	*Fee, cents*
Not over $10	20
From $10.01 to $25	25
From $25.01 to $50	35
From $50.01 to $100	55
From $100.01 to $165	60

Print on the wrapper, near the "INSURED" endorsement and number, the amount for which the parcel is insured. This amount shall be shown in United States currency and in gold francs. The indication in United States currency shall be in figures and in letters spelled out in full, and the gold franc equivalent in figures only, as shown in the following example:

INSURED VALUE
$25.75 (U.S.)
TWENTY-FIVE DOLLARS AND SEVENTY-FIVE CENTS
77.25 GOLD FRANCS

See Part 133 of this chapter, for method of converting United States currency into gold francs and for general information on insurance.

Coins, banknotes, currency notes, or any kind of securities payable to bearer, platinum, gold, or silver, whether manufactured or unmanufactured, precious stones, jewelry, or other precious articles sent as parcel post must be insured.

* * * * *

C. Under Parcel Post, the last paragraph under the item *Observations* is deleted.

II. Under "Places not included in alphabetical list of countries," place in the proper alphabetical order the following new items: "Pemba (Tanzania)," "Tanganyika (Tanzania)," and "Zanzibar (Tanzania)."

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65-13184; Filed, Dec. 8, 1965; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-1—GENERAL

Subpart 9-1.7—Small Business Concerns

SCREENING OF PROCUREMENTS

Section 9-1.705-3, *Screening of procurements* (b) is revised to read as follows:

§ 9-1.705-3 Screening of procurements.

(b) *Class set-asides.* An agreement has been reached between the AEC and the SBA that AEC would accept SBA initiation of class set-asides for formally advertised construction procurements estimated to cost between $2,500 and $500,000, including new construction, and repair, maintenance, and alteration of structures. When, in the judgment of the contracting officer, a particular procurement falling within these dollar limits is determined unsuitable for a set-aside for exclusive small business participation, he shall notify the appropriate SBA representative of this decision. Unless SBA appeals the decision (see FPR 1-1.706-2), the contracting officer shall proceed to process the procurement on an unrestricted basis. Proposed contracts for construction, and repair, maintenance, and alteration of structures having an estimated cost of more than $500,000 shall not be set aside for exclusive small business participation.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. This amendment is effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 1st day of December 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 65-13143; Filed, Dec. 8, 1965; 8:45 a.m.]

Title 45—PUBLIC WELFARE

Chapter IV—Vocational Rehabilitation Administration, Department of Health, Education, and Welfare

PART 405—CORRECTIONAL REHABILITATION STUDY

These regulations are issued to implement and govern the administration of the Correctional Rehabilitation Study Act of 1965 (P.L. 89–178), the purpose of which is to provide Federal assistance for an objective, thorough, and nationwide analysis and reevaluation of the extent of and means of resolving the critical shortage of qualified manpower in the field of correctional rehabilitation.

Subpart A—Grants

Subpart B—National Advisory Council on Correctional Manpower and Training

AUTHORITY: The provisions of this Part 405 issued under sec. 7(b), Vocational Rehabilitation Act, 68 Stat. 659, 29 U.S.C. 37(b); and the Correctional Rehabilitation Study Act of 1965, Public Law 89–178, 79 Stat. 676.

Subpart A—Grants

§ 405.1 Purpose.

Special project grants are authorized for the purpose of paying part of the cost of carrying out a program of research and study of the personnel practices and current and projected personnel needs in the field of correctional rehabilitation and of the availability and adequacy of the educational and training resources for persons in, or preparing to enter such field. This would include but not be limited to the availability of educational opportunities for persons in, or preparing to enter, such field, the adequacy of the existing curriculum and teaching methods and practices involved in the preparation of persons to work in this field, the effectiveness of present methods of recruiting personnel for such field and the extent to which personnel in the field are utilized in the manner which makes the best use of their qualifications.

§ 405.2 Eligible grantees; application.

(a) Grants may be made to one or more organizations. For this purpose, the term "organization" means a nongovernmental agency, organization, or commission, composed of representatives of leading professional associations, organizations, or agencies active in the field of corrections.

(b) Application shall be made in the form and detail required by the Commissioner of Vocational Rehabilitation. Applications for initial grants shall be submitted, not later than December 31, 1965, to the Assistant Commissioner, Research and Training, Vocational Rehabilitation Administration, DHEW, Washington, D.C., 20201, who processes them for submission to the National Advisory Council on Correctional Manpower and Training. The applicant may be requested to submit further information either before or after consideration of a project by the Council. All projects which meet the requirements for a grant are submitted to the Council which makes recommendations to the Commissioner. The Commissioner then determines the action to be taken with respect to each project and informs the applicant accordingly. In the case of approval, the applicant is advised of the amount and method of payment and the period to which the grant is to be applied. Separate application shall be made for continuation support.

§ 405.3 Grant conditions.

Grants under this part shall be subject to the following terms and conditions:

(a) The grantee organization will undertake and conduct, or if more than one organization is to receive grants, such organizations have agreed among themselves to undertake and conduct, a coordinated program of research into and study of all aspects of the resources, needs, and practices referred to in § 405.1;

(b) The research and study shall be completed not later than 3 years from the inauguration date specified in the approved application or applications;

(c) The grantee will file annual reports with the Secretary of Health, Education, and Welfare, the Commissioner of Vocational Rehabilitation, the Congress, the Governors of the several States and the President, among others the grantee may select; and the grantee will similarly file the final report; and

(d) Such other terms and conditions as the Commissioner of Vocational Rehabilitation may specify.

§ 405.4 Nondiscrimination and civil rights.

Attention is called to the requirements of Title VI of the Civil Rights Act of 1964. Section 601 provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. sec. 2000d). The regulation implementing such Title VI has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (Part 80 of this title) and is applicable to Federal financial assistance extended under this part.

§ 405.5 Financial participation.

Federal financial participation shall be available in expenditures specified in the approved budget. The grantee organization or organizations is authorized to accept additional financial support from private or other public sources to assist in carrying on the project authorized by this part.

Subpart B—National Advisory Council on Correctional Manpower and Training

§ 405.6 Appointment and composition.

The National Advisory Council on Correctional Manpower and Training shall consist of the Secretary of Health, Education, and Welfare (or his designee) as Chairman and 12 members, not otherwise in the regular full-time employ of the United States, appointed without regard to civil service laws by the Secretary after consultation with the Attorney General of the United States. The appointed members shall be leaders in fields concerned with correctional rehabilitation or in public affairs. In selecting persons for appointment to the Council, consideration shall be given to such factors, among others, as (a) familiarity with correctional manpower problems, and (b) particular concern with the training of persons in or preparing to enter the field of correctional rehabilitation. Four members shall come from State or local correctional services.

§ 405.7 Term of office.

Each appointed member shall hold office for a term extending to the completion of the correctional rehabilitation study described in § 405.1, and the filing of the final report. Vacancies may be filled as they occur.

§ 405.8 Duties.

The Council shall consider all applications for grants under Subpart A of this part and make recommendations with respect to approval of applications for and the amount of such grants.

§ 405.9 Per diem payments.

Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at a rate to be fixed by the Secretary of Health, Education, and Welfare, but not exceeding $100 per day, including travel time, and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Dated: December 3, 1965.

[SEAL] JOHN W. GARDNER,
Secretary.

[F.R. Doc. 65–13180; Filed, Dec. 8, 1965; 8:48 a.m.]

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER N—DANGEROUS CARGOES

[CGFR 65-52]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

Miscellaneous Amendments

The provisions of R.S. 4472, as amended (46 U.S.C. 170), require that the land and water regulations governing the transportation of dangerous articles or substances shall be as nearly parallel as practical. The provisions in 46 CFR 146.02-18 and 146.02-19 make the Dangerous Cargo Regulations applicable to all shipments of dangerous cargoes by vessels. The Interstate Commerce Commission in Change Order No. 67 has made changes in the ICC regulations with respect to definitions, descriptive names, classifications, specifications of containers, packing, marking, labeling, and certification for certain dangerous cargoes, which are now in effect for land transportation. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been included in this document in order that these regulations governing water transportation of certain dangerous cargoes will be as nearly parallel as practicable with the regulations of the Interstate Commerce Commission which govern the land transportation of the same commodities.

The amendments to 46 CFR Part 146 are considered to be interpretations of law, or revised requirements to agree with existing ICC regulations, or editorial in nature, and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, U.S. Code, and Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-14, dated November 26, 1954 (19 F.R. 8026), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendments are prescribed and shall be effective January 1, 1966; however, the regulations in this document may be complied within lieu of existing requirements prior to that date.

Subpart 146.04—List of Explosives or Other Dangerous Articles Containing the Shipping Name or Description of Articles Subject to the Regulations in This Subchapter

§ 146.04-5 [Amended]

1. Section 146.04-5 *List of explosives and other dangerous articles and combustible liquids*, is amended by adding, changing, and deleting certain items as follows:

Article	Classed as	Label required [1]
Items added		
* * *	* * *	* * *
Aldrin	Pois. B	Poison.
* * *	* * *	* * *
*Beryllium compounds, solid, N.O.S.	Pois. B	Poison.
* * *	* * *	* * *
Dichloroisocyanuric acid, dry, containing more than 39 percent available chlorine.	Oxy. M	Yellow.
* * *	* * *	* * *
Potassium dichloroisocyanurate, dry, containing more than 39 percent available chlorine.	Oxy. M	Yellow.
* * *	* * *	* * *
Sodium dichloroisocyanurate, dry, containing more than 39 percent available chlorine (see: "Potassium dichloroisocyanurate, dry, containing more than 39 percent available chlorine").	Oxy. M	Yellow.
* * *	* * *	* * *
Trichloroisocyanuric acid, dry, containing more than 39 percent available chlorine (see: "Dichloroisocyanuric acid, dry, containing more than 39 percent available chlorine").	Oxy. M	Yellow.
* * *	* * *	* * *
Items changed		
* * *	* * *	* * *
*Charcoal, activated	Inf. S	Yellow.
* * *	* * *	* * *
Collodion cotton, wet with water (export shipments only) (see: "Wet nitrocellulose").	Inf. S	Yellow.
* * *	* * *	* * *
Dimethylhexane dihydroperoxide, dry (see: *"Organic peroxides"*).	Oxy. M	Yellow.
Dimethylhexane dihydroperoxide, wet (*wet with at least 50 percent of water by weight*) (see: *"Organic peroxides"*).	Oxy. M	Yellow.
* * *	* * *	* * *
Oxide, spent (see: "Iron mass, spent").	Inf. S	Yellow.
* * *	* * *	* * *
Sodium chlorite solution (not exceeding 42 percent sodium chlorite).	Cor. L	White.
* * *	* * *	* * *
Beryllium metal powder	Pois. B	Poison.
* * *	* * *	* * *
Methyl bromide mixture, liquid (containing no Class A poison).	Pois. B	Poison.
* * *	* * *	* * *

[1] Unless otherwise exempt by the provisions of the detailed regulations.

Subpart 146.05—Shipper's Requirements Re: Packing, Marking, Labeling, and Shipping Papers

2. Section 146.05-15 is amended by changing paragraph (g) (13) to read as follows:

§ 146.05-15 Marking and labeling applying to domestic shipments only.

* * * * * * *

(g) * * *

(13) "Radioactive materials label" as described and illustrated in § 146.05-17 (w) on bundles, boxes, barrels, or crates of magnesium-thorium alloys, and on packages of uranium, normal or depleted, in solid form.

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Subpart 146.20—Detailed Regulations Governing Explosives

§ 146.20-7 [Amended]

3. Section 146.20-7 is amended by deleting paragraphs (i) through (t) and designating paragraphs (u) and (v) as (i) and (j), respectively.

4. Section 146.20-9 is amended by changing the text to read as follows:

§ 146.20-9 Class B explosives.

(a) Class B explosives are defined as those explosives which in general function by rapid combustion rather than detonation and include some explosive devices, such as, special fireworks, flash powders, some pyrotechnic signal devices, and liquid or solid propellant explosives which include some smokeless powders.

(b) Propellant explosives, Class B, are solid or liquid chemicals or chemical mixtures which function by combustion. The combustion is controlled by composition, size, form of grain, or other chemical or mechanical means. Any propellant is Class B which fails to detonate in five trials when tested in the package in which it is offered for shipment. In conducting the test, one propellant container shall be surrounded by inert loaded containers of the same weight, including one inert container placed on top of the propellant container. The propellant shall be ignited by means of a commercial electric squib placed within 4 inches of the bottom of the container. The presence of a crater and absence of flame shall be considered as evidence of detonation. Propellant explosives, Class B, include smokeless powder for small arms, smokeless powder for cannon, liquid monopropellant fuel, smokeless powder, or solid propellant explosives for rockets, jet thrust units, or other devices. Black powder is not included in this classification and is defined in § 146.20-7(a). Fire extinguisher charges containing not to exceed 50 grains of propellant explosives per unit are exempt from the regulations in this part.

5. Section 146.20-11 is amended by deleting paragraphs (a) through (dd) and changing the remaining text as follows:

§ 146.20-11 Class C explosives.

Class C explosives are defined as certain types of manufactured articles which contain Class A or Class B explosives, or both, as components but in restricted quantities, and certain types of fireworks.

§ 146.20-100 [Amended]

6. Section 146.20-100 *Table A—Classification: Class A; dangerous explosives* is amended as follows:

A. Amend "Ammunition for cannon with explosive projectiles, etc.", as follows:

(1) In column 2, delete "ICC packing regulations, etc.", and insert in lieu thereof:

Detonating fuzes, tracer fuzes, explosive, or ignition devices, or fuze parts with explosives contained therein must not be assembled in ammunition or included in the same outside package unless shipped by, for, or to the Departments of the Army, Navy, or Air Force of the U.S. Government or unless of a type approved by the Interstate Commerce Commission.

B. Under *"Ammunition—Projectiles, grenades, bombs, mines and torpedoes"*, amend the following:

1. Amend "Explosive projectiles" as follows:

(1) In column 2, delete "Shells, projectiles, etc." and insert in lieu thereof:

Shells, projectiles, warheads, or rocket heads, loaded with explosives or bursting charges, with or without other materials, for use in cannons, guns, tubes, mortars, or other firing or launching devices.

2. Amend "Explosive hand grenades, etc." as follows:

(1) In column 2, delete "They are filled with, etc.", and insert in lieu thereof:

They are filled with an explosive or a liquid, gas, or solid material such as a toxic or tear gas or an incendiary or smoke producing material and a bursting charge. When shipped without explosives or bursting charges, see "Chemical ammunition, Class A or B poisons", as set forth in §§ 146.25-100 and 146.25-200. For tear gas grenades see § 146.25-300.

3. Amend "Explosive bombs" as follows:

(1) In column 2, delete "Metal or other containers, etc.", and insert in lieu thereof:

Metal or other containers filled with explosives. They are used in warfare and include aeroplane bombs and depth bombs.

4. Amend "Explosive mines" as follows:

(1) In column 2, delete "Metal containers filled, etc." and insert in lieu thereof:

Metal or composition containers filled with high explosives.

C. Amend "Jet thrust units (jato), Class A explosives, etc.", as follows:

(1) In column 2, after "Metal cylinders, etc.", insert the following:

Jet thrust units are designed to be ignited by an electric igniter. They are used to assist aeroplanes to take off, to propel large missiles, and to drive moving targets for practice firing.

Devices consisting of an electrically operated or remotely controlled igniting element and a fast-burning composition assembled in a unit for use in igniting the propelling charge of jet thrust units. Under certain conditions the burning composition may explode.

D. Amend "Rocket ammunition with explosive projectiles, etc.", as follows:

(1) In column 2, delete "Rocket ammunition is fixed, etc.", and insert in lieu thereof:

Rocket ammunition (including guided missiles) consists of a completely assembled unit for launching from a tube, launcher, rails, trough, or other launching device, in which the propellant material is a solid propellant explosive. Such unit consists of an igniter, a rocket motor or jet thrust unit, and a warhead, either fuzed or unfuzed, containing high explosives or chemicals.

7. Section 146.20-200 *Table B—Classification: Class B; less dangerous explosives* is amended as follows:

§ 146.20-200 [Amended]

A. Amend "*Ammunition for cannon with nonexplosive projectile, etc.*", as follows:

(1) In Column (2), delete "Ammunition for cannon, etc.", and insert in lieu thereof:

Ammunition for cannon with empty projectiles, inert-loaded projectiles, solid projectiles, or without projectiles, or shell, and catapult charges exceeding 2 inches in diameter, is fixed ammunition assembled in a unit consisting of the cartridge case containing the propelling charge and primer with empty, inert-loaded, or solid projectiles, or without projectiles, which is fired from a cannon, mortar, gun, howitzer, or recoilless rifle.

B. Amend "Explosives power devices, Class B" as follows:

(1) In column 2, delete "Explosive power devices, Class B, etc.", and insert in lieu thereof:

Explosives power devices, Class B, are devices designed to operate ejecting apparatus or other mechanisms by means of a propellant explosive, Class B, and differ from explosive power devices, Class C, in that they contain larger or more powerful propellants. The devices must not rupture on functioning and must be of a type approved by the Interstate Commerce Commission. Explosive power devices, Class B, must not be shipped with igniters assembled therein unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the U.S. Government.

C. Amend "Jet thrust units (jato), Class B explosives, etc.", as follows:

(1) In column 2, delete "Jet thrust units (jato) Class B explosives, etc.", and insert in lieu thereof:

Jet thrust units (jato), Class B explosives, are metal cylinders containing a mixture of chemicals capable of burning rapidly and producing considerable pressure. Jet thrust units are designed to be ignited by an electric igniter. They are used to assist aeroplanes to take off, to propel large missiles, and to drive moving targets for practice firing.

(2) In column 2, delete "Igniters, jet thrust (jato) Class B explosives, etc." and insert in lieu thereof:

Igniters, jet thrust, are devices consisting of an electrically operated or remotely controlled igniting element and a fast-burning composition assembled in a unit for use in igniting the propelling charge of jet thrust units. Igniters must not be shipped assembled in the unit unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the U.S. Government.

D. Amend "Starter cartridges, jet engine, Class B explosives" as follows:

(1) In column 2, delete "Starter cartridges are used, etc." and insert in lieu thereof:

Starter cartridges, jet engine, consist of plastic/rubber cases, each containing a pressed cylinderical block of propellant explosives and having in the top of the case a small plastic compartment that encloses an electric squib, small amounts of black powder, and smokeless powder, which constitutes an igniter. The starter cartridge is used to activate a mechanical starter for jet engines. Igniter wires must be short-circuited when packed for shipment. Each outside package must be plainly marked "Starter cartridges, jet engine, Class B explosives".

§ 146.20-300 [Amended]

8. Section 146.20-300 *Table C—Classification: Class C; relatively safe explosives* is amended as follows:

A. Amend "Actuating cartridges, explosive, etc." as follows:

(1) In column 2, delete "*Used to actuate*, etc.", and insert in lieu thereof:

Actuating cartridges, explosive, fire extinguisher or valve consist of a small metal or fiber housing containing a small amount of initiating explosive and a propellant and are used to actuate valves on remotely controlled fire extinguishers or other apparatus.

B. Amend "Explosive auto alarms" as follows:

(1) In column 2, delete "Explosive auto alarms, etc.", and insert in lieu thereof:

Explosive auto alarms are tubular devices containing a small amount of explosive composition and igniting compound which is ignited by an electric spark. These devices must be so designed that they will neither burst nor cause external flame on functioning.

C. Amend "Trick matches" as follows:

(1) In column 2, delete "Trick matches are, etc." and insert in lieu thereof:

Trick matches consist of book matches, strike anywhere matches, or strike-on-box matches which have small amounts of explosives or pyrotechnic composition affixed to the match stem just below the match head. Cigarette loads, trick matches and trick noise makers, explosive must be of a type approved by the Interstate Commerce Commission.

D. Amend "Explosive power devices, Class C" as follows:

(1) In column 2, delete "Explosive power devices, Class C, etc." and insert in lieu thereof:

Explosive power devices, Class C, are devices designed to drive generators or mechanical apparatus by means of propellant explosives, Class B. The devices consist of a housing with a contained propellant charge and an electric igniter to squib. The devices must be of a design approved by the Interstate Commerce Commission for this classification.

E. Amend "Explosive release devices" as follows:

(1) In column 2, delete "Explosive release devices consist of, etc." and insert in lieu thereof:

Explosive release devices consist of a rod or link fitted with means for mechanical attachment to other apparatus or equipment and containing a small electrically initiated explosive charge which will break the rod or link upon functioning. These devices must be so designed that they will not function other explosive devices in the package sympathetically.

F. Amend "(*Fireworks, common, etc.*" as follows:

(1) In column 1, delete "*Helicopter type rockets*, etc." and insert in lieu thereof:

Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight. The inside tube diameter shall not exceed one-half inch.

(2) In column 1, delete "*(Skyrockets with sticks,* etc." and insert in lieu thereof:

Sky rockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight. The inside tube diameter shall not exceed one-half inch. The rocket sticks must be securely fastened to the tubes.

(3) In column 1, delete "*(Roman candles, not to exceed, etc.*" and insert in lieu thereof:

Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight. The inside tube diameter shall not exceed three-eighths inch.

(4) In column 2, delete the paragraphs "Common fireworks are, etc.", "Common fireworks must be, etc.", "No component part, etc." and insert in lieu thereof:

Common fireworks are fireworks devices suitable for use by the public and designed primarily to produce visible effects by combustion. Some small devices designed to produce audible effects are also included in this class. The types, sizes and amount of pyrotechnic contents of these devices are limited as enumerated in this paragraph. No component, of any device listed in this paragraph, which produces or is intended to produce an audible effect shall contain pyrotechnic composition in excess of 2 grains in weight; nor shall such device or component, upon functioning, project or disperse any metal, glass or brittle plastic fragments. (Propelling or expelling charges consisting of a mixture of sulfur, charcoal and saltpeter are not considered as designed to produce audible effects.) Any new device, not enumerated in this paragraph, must be approved by the ICC before being offered for transportation as common fireworks. Common fireworks must be in a finished state exclusive of mere ornamentation as supplied to the retail trade and must be so constructed and packed that loose pyrotechnic composition will not be present in packages in transportation. Fireworks, other than common fireworks as defined in this paragraph and those forbidden for transportation by § 146.20-3 are classed as special fireworks (see: Class B explosives).

G. Amend *"Flares and signalling devices"* as follows:

(1) In column 2, insert the following:

Smoke candles, smoke pots, smoke grenades, and smoke signals containing not more than 200 grams of pyrotechnic composition each exclusive of smoke compositions, without bursting charges, hand signal devices, very signal cartridges, and highway or railway fuses are devices designed to produce visible effects for signal purposes.

H. Amend *"Fuzes,* etc." as follows:

(1) In column 2, delete "Percussion fuzes, etc." and insert in lieu thereof:

Percussion fuzes, combination fuzes, and time fuzes are devices designed to ignite powder charges of ammunition or to initiate an intermediate charge (booster) in projectiles, bombs, etc. When such fuzes are assembled with booster charges they are properly described as "detonating fuzes".

(2) In column 2, delete "Detonating fuzes, Class C, etc." and insert in lieu thereof:

Detonating fuses, Class C explosives, are used in the military service to detonate high explosive bursting charges of projectiles, mines, bombs, torpedoes, grenades, demolition charges, and safety and arming devices. They contain a detonator and a quantity of high explosives. Additionally they may be used by the military or commercial users to transmit a detonation between two or more devices. This type detonating fuse contains either an explosive train consisting of mild detonating fuse, metal clad, igniter fuse, metal clad or similar type fuses, and any combination of one or more boosters, detonators and high explosives in a total quantity not exceeding 25 grams of explosive composition. All detonating fuses, Class C explosives, must be made and packed so that they will not cause functioning of other fuses, explosives, or other explosive devices if one of the fuses detonates in a shipping container or in adjacent containers.

I. Under *"Igniters"*, amend "Delay electric igniters" as follows:

(1) In column 2, delete "Delay electric igniters consist, etc." and insert in lieu thereof:

Delay electric igniters consist of small metal, fiberboard, or pasteboard tubes containing a wire bridge in contact with a small quantity of ignition compound. The ignition compound is in contact with or in close proximity to a short piece of safety fuse.

J. Amend "Safety fuse" as follows:

(1) In column 2, delete "Safety fuse consists of, etc." and insert in lieu thereof:

Safety fuse consists of a core of black powder overspun with yarns, water-proofing compounds, and/or tapes.

K. Amend "Small-arms ammunition, etc." as follows:

(1) In column 2, delete "Small-arms ammunition, etc." and insert in lieu thereof:

Small-arms ammunition is fixed ammunition consisting of a metallic, plastic composition, or paper cartridge case, a primer, and a propelling charge, with or without bullet, shot, tear gas material, tracer components, or incendiary compositions or mixtures, but not including bullets loaded with high explosives and is further limited to the following:

Ammunition designed to be fired from a pistol, revolver, rifle, or shotgun held by the hand or to the shoulder.

Ammunition of caliber less than .75 inch (19.05 millimeters) designed to be fired from machine guns.

Blank cartridges, including canopy remover cartridges, starter cartridges and seat ejector cartridges, containing not more than 500 grains of propellant powder, provided that such cartridges shall be incapable of functioning en mass as a result of the functioning of any single cartridge in the container or as a result of exposure to external flame.

L. Amend "Toy caps, etc." as follows:

(1) In column 2, delete "Toy paper caps, etc." and insert in lieu thereof:

Toy paper caps, consisting of paper cap ammunition for toy pistols, in sheets, strips, rolls, or individual caps, must not contain more than an average of twenty-five hundredths of a grain of explosive composition per cap and must be packed in inside packages constructed of cardboard not less than 0.013 inch in thickness, metal not less than 0.008 inch in thickness, or noncombustible plastic not less than 0.15 inch in thickness, which shall provide a complete enclosure and the minimum dimensions of each side or end of such package shall be not less than one-eighth inch in height. Unless greater weight of composition is approved by the Interstate Commerce Commission, the number of caps in these inside packages shall be limited so that not more than 10 grains of explosive composition shall be packed into 1 cubic inch of space and not exceeding 17.5 grains of the explosive composition of toy caps shall be packed in any inside container.

(2) In column 2, delete "Toy propellant devices, etc." and insert in lieu thereof:

Toy propellant devices and toy smoke devices consist of small paper or composition tubes or containers containing a small charge of slow burning propellant powder or smoke producing powder. These devices must be so designed that they will neither burst nor produce external flame on functioning.

Subpart 146.21—Detailed Regulations Governing Inflammable Liquids

9. A new section 146.21–77 is added to read as follows:

§ 146.21–77 Limited quantity shipments of cements.

(a) Cements, except cements containing carbon bisulfide, when packed in glass or earthenware containers of not over 1 quart capacity each, or metal containers not over 5 gallons capacity each, and packed in strong outside containers are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(b) Such shipments may be accepted on board all vessels subject to the regulations in this part, provided the bill of lading or other shipping paper correctly describes the article in accordance with the true name as shown in the commodity list. Stowage shall be "On deck under cover" or "Tween decks" in a compartment not subject to artificial heat.

10. A new section 146.21–79 is added to read as follows:

§ 146.21–79 Limited quantity shipments of inks.

(a) Inks, when packed in glass or earthenware containers of not over 1 quart capacity each, or metal containers not over 5 gallons capacity each, and packed in strong outside containers are exempt from specification packaging, marking other than name of contents, and labeling requirements.

(b) Such shipments may be accepted on board all vessels subject to the regulations in this part, provided the bill of lading or other shipping paper correctly describes the article in accordance with the true name as shown in the commodity list. Stowage shall be "On deck under cover" or "Tween decks" in a compartment not subject to artificial heat.

Subpart 146.22—Detailed Regulations Governing Inflammable Solids and Oxidizing Materials

§ 146.22–100 [Amended]

11. Section 146.22–100 *Table E—Classification: Inflammable solids and oxidizing materials* is amended as follows:

A. Amend "Calcium hypochlorite compounds, dry, etc." as follows:

(1) In columns 4, 5, 6, and 7, delete "Strong outside wooden or fiberboard packages, etc." and insert in lieu thereof:

Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.

B. After "Decaborane" insert the following:

(1) In column 1, insert:

Dichloroisocyanuric acid, dry, containing more than 39 percent available chlorine.
Trichloroisocyanuric acid, dry, containing more than 39 percent available chlorine.

(2) In column 2, insert:

White crystalline powder or granules.
Hygroscopic.
Up to 70 percent available chlorine.
Keep dry and cool.
White crystalline powder or granules.
Hygroscopic.
Up to 90 percent available chlorine.
Keep dry and cool.

(3) In column 3, insert:

Yellow.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks."
"Under deck, but not overstowed."
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(5) In column 5, insert:

Stowage:
"On deck under cover."
"'Tween decks readily accessible."
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(6) In column 6, insert:

Ferry stowage (AA).
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(7) In column 7, insert:

Ferry stowage (BB).
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

C. Amend "Lithium hydride, etc." as follows:

(1) In column 4, after "Lithium metal in cartridges containing more than 18 grams, etc." insert the following:

Authorized for lithium metal only:
ICC approved aluminum carrier tubes, WIC not over 50 gm. net wt.

D. Under "*Organic peroxides*", amend "Benzoyl peroxide, wet, etc." as follows:

(1) In column 4, add the following:

Fiber drum (ICC–21C) WIC of plastic, not over 225 lb. net wt.

E. After "Potassium bromate" insert the following:

(1) In column 1, insert:

Potassium dichloroisocyanurate, dry, containing more than 39 percent available chlorine.
Sodium dichloroisocyanurate, dry, containing more than 39 percent available chlorine.

(2) In column 2, insert:

White crystalline powder or granules.
Hygroscopic.
Up to 59 percent available chlorine.
Keep dry and cool.
White crystalline powder.
Hygroscopic.
Up to 60 percent available chlorine.
Keep dry and cool.

(3) In column 3, insert:

Yellow.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks."
"Under deck, but not overstowed."
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(5) In column 5, insert:

Stowage:
"On deck under cover."
"Tween decks readily accessible."
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(6) In column 6, insert:

Ferry storage (AA).
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

(7) In column 7, insert:

Ferry stowage (BB).
Outside containers:
Steel barrels or drums:
(ICC–6A, 6B, 6C) not over 55 gal. cap.
(ICC–17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Strong outside wooden or fiberboard packages with inside containers of glass not over 5 lb. cap. each, or with metal containers or plastic bottles not over 10 lb. cap. each. Outside wooden containers not to exceed 150 lb. gr. wt. and outside fiberboard containers not to exceed 65 lb. gr. wt.
Fiber drum (ICC–21C) WIL, not over 400 lb. net wt.

F. Amend the following items as indicated:

1. Potassium, metallic.
2. Sodium potassium alloys.

(1) In column 4, add the following:

ICC approved aluminum carrier tubes, WIC not over 50 gm. net wt.

G. Amend "Sodium hydrosulphite" as follows:

(1) In columns 4, 5, 6 and 7, delete "Fiber drums (ICC–21C), etc." and insert in lieu thereof:

Fiber drums (ICC–21C) not over 250 lb. net wt.

Subpart 146.23—Detailed Regulations Governing Corrosive Liquids

§ 146.23–100 [Amended]

12. Section 146.23–100 *Table F—Classification: Corrosive liquids* is amended as follows:

A. Amend "Bromotoluene, œ, etc." as follows:

(1) In column 4, after "Outside containers" insert the following:

Nickel drum (ICC–5K), not over 55 gal. cap.
Monel drum (ICC–5M), not over 10 gal. cap.

B. Amend "Compounds, cleaning, liquid (*containing hydrofluoric acid*), etc." as follows:

(1) In column 4, after "Outside containers:" insert the following:

Cylindrical steel overpack (ICC-6D) WIC ICC-2U, not over 15 gal. cap.

(2) In column 4, delete "Fiber drum (ICC-21C), etc." and insert in lieu thereof:

Fiber drum (ICC-21C) WIC ICC-2U, not over 15 gal. cap.

C. Amend "Hydrofluosilicic acid" as follows:

(1) In column 4, delete "Tank cars complying with ICC regulations".

(2) In column 4, under "Hydrofluosilicic acid of not over 40% strength, etc." insert:

Tank cars complying with ICC regulations.

D. Amend "Sodium chlorite solution, etc." as follows:

(1) In column 1, delete "Sodium chlorite solutions, etc." and insert in lieu thereof:

Sodium chlorite solution (not exceeding 42% sodium chlorite).

Subpart 146.25—Detailed Regulations Governing Poisonous Articles

13. Section 146.25-55 is amended by changing subparagraphs (b)(3) and (c)(1) as follows:

§ 146.25-55 Exemptions for poisons, Class B.

* * * * *

(b) * * *

(3) *Delete:*

Beryllium metal powder.

(c) * * *

(1) Cyanides, or cyanide mixtures, in tightly closed glass, earthenware, metal, or polyethylene inside containers, not over 1 pound each, securely cushioned and packed in outside wooden or fiberboard boxes, or in wooden barrels. Net weight of cyanides or cyanide mixtures in any outside container, not over 25 pounds.

* * * * *

§ 146.25-200 [Amended]

14. Section 146.25-200 *Table H—Classification: Class B; less dangerous poisons* is amended as follows:

A. Amend the following items as indicated:

1. Aldrin, etc.
2. Ammonium arsenate, solid.
3. Arsenic acid, solid, etc.
4. Arsenic bromide, solid, etc.
5. Arsenic sulfide (powder), solid.
6. Arsenical compounds or mixtures, N.O.S., solid.
7. Bordeaux arsenites, solid, etc.
8. Cocculus, solid (fishberry), etc.
9. Dinitrobenzol, solid, etc.
10. Drugs, chemicals, medicines or cosmetics, N.O.S. (solid), etc.
11. Ferric arsenate, solid, etc.
12. Insecticide, dry, etc.
13. Lead arsenate, solid, etc.
14. *Mercury compounds, solid,* etc.
15. Nicotine salicylate, etc.
16. Nitrochlorbenzene, meta or para, solid.
17. Poisonous solids, N.O.S.
18. Potassium arsenate, solid, etc.
19. Thallium salts, solid, etc.
20. Zinc arsenate, etc.

(1) In columns 4, 5, 6 and 7, wherever applicable, under "Steel barrels or drums:" add the following:

(ICC-37P) NRC, WIL, not over 15 gal. cap.

B. Amend "Aldrin mixtures, dry, etc." as follows:

(1) In column 1, insert:

Aldrin.

C. Amend "Beryllium metal powder" as follows:

(1) In column 1, delete "Beryllium metal powder" and insert in lieu thereof:

Beryllium compounds, solid, N.O.S.

(2) In column 2, delete:

A grey-white metal powder.

(3) In column 4, delete "Outside containers" and all subsequent text and insert in lieu thereof:

Outside containers:
Steel barrels or drums:
(ICC-5, 5A, 5B, 6B, 6C) not over 1,760 lb. gr. wt.
(ICC-6A) not over 880 lb. gr. wt.
(ICC-17E, 17H, 37A, 37B) STC, not over 375 lb. gr. wt.
When material is fused solid 880 lb. gr. wt. authorized.
Wooden barrels or kegs:
(ICC-10A, 10B, 10C) not over 600 lb. net wt.
(ICC-11A) not over 115 lb. net wt.
Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) WIC, not over 100 lb. net wt.
Wooden kits (ICC-18B) WPL, not over 30 lb. net wt.
Fiberboard box (ICC-12A) WIC, glass not over 5 lb. cap. each; not over 20 lb. net cap. total.
Fiberboard boxes (ICC-12B, 12C) WIC, not over 50 lb. net wt.
Fiber drum (ICC-21C) not over 250 lb. gr. wt.
Plywood drums (ICC-22A) not over 115 lb. net wt.
Tank cars complying with ICC regulations.

(4) In column 5, delete "Outside containers" and all subsequent text and insert in lieu thereof:

Outside containers:
Steel barrels or drums:
(ICC-5, 5A, 5B, 6B, 6C) not over 1,760 lb. gr. wt.
(ICC-6A) not over 880 lb. gr. wt.
(ICC-17E, 17H, 37A, 37B) STC, not over 375 lb. gr. wt.
When material is fused solid 880 lb. gr. wt. authorized.
Wooden barrels or kegs:
(ICC-11A) not over 115 lb. net wt.
Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) WIC, not over 110 lb. net wt.
Wooden kits (ICC-18B) WPL, not over 30 lb. net wt.
Fiberboard box (ICC-12A) WIC, glass not over 5 lb. cap. each; not over 20 lb. net cap. total.
Fiberboard boxes (ICC-12B, 12C) WIC, not over 50 lb. net wt.
Fiber drum (ICC-21C) not over 250 lb. gr. wt.
Plywood drums (ICC-22A) not over 115 lb. net wt.

(5) In column 6, delete "Outside containers" and all subsequent text and insert in lieu thereof:

Outside containers:
Steel barrels or drums:
(ICC-5, 5A, 5B, 6B, 6C) not over 1,760 lb. gr. wt.
(ICC-6A) not over 880 lb. gr. wt.
(ICC-17E, 17H, 37A, 37B) STC, not over 375 lb. gr. wt.
When material is fused solid 880 lb. gr. wt. authorized.
Wooden barrels or kegs:
(ICC-10A, 10B, 10C) not over 600 lb. net wt.
(ICC-11A) not over 115 lb. net wt.
Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) WIC, not over 100 lb. net wt.
Wooden kits (ICC-18B) WPL, not over 30 lb. net wt.
Fiberboard box (ICC-12A) WIC, glass, not over 5 lb. cap. each; not over 20 lb. net cap. total.
Fiberboard boxes (ICC-12B, 12C) WIC, not over 50 lb. net wt.
Fiber drum (ICC-21C) not over 250 lb. gr. wt.
Plywood drums (ICC-22A) not over 115 lb. net wt.

(6) In column 7, delete "Outside containers" and all subsequent text and insert in lieu thereof:

Outside containers:
Steel barrels or drums:
(ICC-5, 5A, 5B, 6B, 6C) not over 1,760 lb. gr. wt.
(ICC-6A) not over 880 lb. gr. wt.
(ICC-17E, 17H, 37A, 37B) STC, not over 375 lb. gr. wt.
When material is fused solid 880 lb. gr. wt. authorized.
Wooden barrels or kegs:
(ICC-10A, 10B, 10C) not over 600 lb. net wt.
(ICC-11A) not over 115 lb. net wt.
Wooden boxes (ICC-15A, 15B, 15C, 16A, 19A) WIC, not over 100 lb. net wt.
Wooden kits (ICC-18B) WPL, not over 30 lb. net wt.
Fiberboard box (ICC-12A) WIC, glass, not over 5 lb. cap. each; not over 20 lb. net cap. total.
Fiberboard boxes (ICC-12B, 12C) WIC, not over 50 lb. net wt.
Fiber drum (ICC-21C) not over 250 lb. gr. wt.
Plywood drums (ICC-22A) not over 115 lb. net wt.
Tank cars complying with ICC regulations.

D. Amend "Chlorpicrin, liquid, etc." as follows:

(1) In column 4, under "Outside containers, etc." delete all present text and insert in lieu thereof:

Wooden boxes (ICC-15A, 15B, 15C, 16A) WIC, not over 24 lb. net wt.
Fiberboard boxes (ICC-12B) WIC, not over 12 lb. net wt.
Cylinders (ICC-3A, 3AA, 3B, 3C, 3D, 3E, 4A, 4B, 4BA, 4C), not over 275 lb. water capacity.
Metal drums (ICC-5A), not over 33 gal. cap.
Tank cars complying with ICC regulations (trainships only).
Authorized only for chlorpicrin mixtures containing not to exceed 15% chlorpicrin by weight or 15% chlorpicrin by volume, 85% by volume dichloropropene technical, and only authorized for such mixtures not classed as inflammable under the regulations in this part:
Metal barrels or drums (ICC-17C, 17E) STC, not over 30 gal. cap.

E. Amend "Methyl bromide, liquid, etc." as follows:

(1) In columns 4, 5, 6, and 7, delete "Authorized only for mixtures, etc." and insert in lieu thereof:

Authorized only for mixtures of methyl bromide and ethylene dibromide, liquid containing not over 40% by weight of methyl bromide:
Metal barrels or drums:
(ICC–17C) STC, not over 5¼ gal. cap.

F. Amend the following items as indicated:

1. Parathion mixtures, dry.
2. Tetraethyl pyrophosphate mixture, dry, etc.

(1) In columns 4, 5, 6, and 7, delete "Authorized for dry mixtures not exceeding 5%, etc." and insert in lieu thereof:

Authorized for dry mixtures not exceeding 12% by weight of the liquid active ingredient:
Paper bags (ICC–44D) not over 50 lb. net wt.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 11239, 30 F.R. 9671, 3 CFR 1965 Supp. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167–14, November 26, 1964, 19 F.R. 8026)

Dated: November 30, 1965.

[SEAL] E. J. ROLAND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 65–13110; Filed, Dec. 8, 1965; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter II—Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER G—PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

PART 262—U.S. STANDARDS FOR GRADES OF FROZEN RAW BREADED SHRIMP

On Tuesday, August 3, 1965, there was published in the FEDERAL REGISTER, pages 9644–9647, inclusive, Part 262—U.S. Standards for Grades of Frozen Raw Breaded Shrimp.

A request has been received from the National Shrimp Breaders Association, an organization representing about 80 percent of the processors of frozen raw breaded shrimp within the United States, for modification of provision of the standard pertaining to condition of coating. It is their view that the present provision is too stringent to be met, on a practical basis. Accordingly, the first two paragraphs of page 9645 of the FEDERAL REGISTER of August 3, 1965, are hereby amended to read as follows:

This part shall become effective at the beginning of the 1st calendar day following the date of this publication in the FEDERAL REGISTER, *Except:* That the requirements for condition of coating shall become effective at the beginning of the 60th calendar day following the date of this publication in the FEDERAL REGISTER. This will give the breaded shrimp industry an opportunity to submit data to support their position for modification of the condition of coating provision.

Breaded shrimp inspected and graded in accordance with this revised part between the 1st and the 60th day following the date of this publication in the FEDERAL REGISTER shall meet the requirements for condition of coating as provided in Part 262—U.S. Grade Standards for Raw Breaded Shrimp and published in the FEDERAL REGISTER (25 F.R. 8444) dated September 1, 1960, as amended by interim regulations published on page 7444 of the FEDERAL REGISTER dated June 5, 1965.

DONALD L. MCKERNAN,
Director,
Bureau of Commercial Fisheries.

DECEMBER 3, 1965.

[F.R. Doc. 65–13158; Filed, Dec. 8, 1965; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 717]

HOLDING OF REFERENDA ON MARKETING QUOTAS

Notice of Proposed Rule Making

Pursuant to authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), amendments to the Regulations Governing the Holding of Referenda on Marketing Quotas (28 F.R. 13249, 29 F.R. 16844, 30 F.R. 2521, 2588, 6144, 14260, 14411) are under consideration.

As presently contemplated, the amendments would:

1. Provide that only one polling place be designated in a community. This is for the purpose of eliminating the possibility of undetected duplicate voting. In order to insure reasonably convenient polling places for all farmers to vote, the definition of a referendum community would be revised to permit a smaller area such as a township (political subdivision of a community) or a voting precinct under regular elections to be considered a referendum community.

2. Clarify the eligibility of a spouse to vote by providing that the spouse of an eligible producer be eligible to vote if such spouse shares in the crop or proceeds of the crop as a landlord, tenant, or sharecropper by virtue of being an owner or co-owner of land or a party to either a written or oral leasing agreement.

3. Provide that eligibility to vote in referenda be limited to persons 18 years of age or older. This is considered a reasonable age for recognition as a landlord, operator, share tenant, or sharecropper of a person who shares in a crop or the proceeds of a crop.

4. Require that a list of the eligible voters, prepared from county office records for each community, be furnished referendum committees prior to the date of the referendum. Any person not listed as an eligible voter would be permitted to vote but his vote would be challenged and his eligibility to vote determined in accordance with the regulations.

Prior to the amendments being issued, consideration will be given to any data, views, and recommendations which are submitted in writing to the Director, Farmer Programs Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250. To be considered any such submission must be presented not later than 10 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on December 6, 1965.

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

[F.R. Doc. 65-13164; Filed, Dec. 8, 1965; 8:46 a.m.]

Consumer and Marketing Service

[7 CFR Part 52]

FROZEN CONCENTRATED ORANGE JUICE

U.S. Standards for Grades; Notice of Proposed Rule Making

Notice is hereby given that the U.S. Department of Agriculture is considering an amendment to the U.S. Standards for Grades of Frozen Concentrated Orange Juice (7 CFR 52.1581-52.1592) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed amendment should file the same in duplicate not later than 30 days after publication hereof in the FEDERAL REGISTER with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, where they will be available for public inspection during official hours of business (paragraph (b) § 1.27, as amended at 29 F.R. 7311).

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

Statement of consideration leading to the proposed amendment. The matter of an upper limit of Brix value-acid ratio for Frozen Concentrated Orange Juice which would separate orange juice of very good flavor from that of less desirable flavor has been given careful study in the Department for a number of years. Packers who produce the greater volume of the Nation's pack of frozen concentrated orange juice urge that the maximum Brix value-acid level be increased to 19½ to 1 for the U.S. Grade A flavor classification. They contend that there is a considerable quantity of orange juice packed that meets excellent consumer acceptance up to this maximum.

In consideration of the foregoing matters it is now proposed to increase permitted maximum Brix value-acid ratios in U.S. Grade A from 18:1 to 19.5:1 and to remove the maximum ratio requirement from U.S. Grade B.

The proposed changes are as follows:

(1) The table contained in § 52.1589(a) would be deleted in its entirety and the following revised table substituted therefor.

	Brix value-acid ratio	
	Minimum	*Maximum*
(1) Without sweetener style:		
California or Arizona	11.5:1	19.5:1
Outside California or Arizona	12.5:1	19.5:1
(2) With sweetener style:		
California or Arizona	12:1	19.5:1
Outside California or Arizona	13:1	19.5:1

(2) The last sentence in § 52.1589(b) would be revised to read:

To score in this classification the frozen concentrated orange juice—irrespective of style or area of production—shall have a Brix value to acid ratio of not less than 10 to 1.

(Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624)

Dated: December 6, 1965.

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

[F.R. Doc. 65-13189; Filed, Dec. 8, 1965; 8:48 a.m.]

[7 CFR Part 959]

ONIONS GROWN IN SOUTH TEXAS

Notice of Proposed Expenses and Rate of Assessment

Consideration is being given to the approval of the expenses and rate of assessment, hereinafter set forth, which were recommended by the South Texas Onion Committee, established pursuant to Marketing Agreement No. 143 and Marketing Order No. 959, both as amended (7 CFR Part 959).

This marketing program regulates the handling of onions grown in designated counties in South Texas, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same in quadruplicate with the Hearing Clerk, Room 112, U.S. Department of Agriculture, Washington, D.C., 20250, not later than the 15th day after 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 proposals are as follows:

§ 959.206 **Expenses and rate of assessment.**

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning August 1, 1965, through July 31, 1966, by the South Texas Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate, will amount to $36,000.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be 1 cent ($0.01) per 50-pound sack of onions, or equivalent quantity, handled by him as the first handler thereof during said fiscal period.

(c) Terms used in this section have the same meaning as when used in the said marketing agreement and this part.

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

Dated: December 3, 1965.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 65-13166; Filed, Dec. 8, 1965; 8:46 a.m.]

[7 CFR Part 1136]

[Docket No. AO-309-A6]

MILK IN GREAT BASIN MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Salt Lake City, Utah, on March 23–25, 1965, pursuant to notice thereof issued on February 26, 1965 (30 F.R. 2723).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on October 1, 1965 (30 F.R. 12736; F.R. Doc. 65-10616) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (30 F.R. 12736; F.R. Doc. 65-10616) are hereby approved and adopted and are set forth in full herein subject to the following modifications:

1. Under subheading 2. *Milk to be priced and pooled.* A new paragraph is added after each, the 11th and 25th paragraphs; three new paragraphs are added after the 13th paragraph; two new paragraphs are added after each, the 24th and 30th paragraphs; and paragraphs 12, 29, and 30 are revised.

2. Under subheading 3. *Classification and allocation of milk.* A new paragraph is added after each, the 6th, 12th, and 17th paragraphs.

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

1. Expansion of marketing area;
2. Milk to be priced and pooled;
3. Classification and allocation of milk; and
4. Miscellaneous and administrative changes.

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

1. *Expansion of marketing area.* The marketing area should be expanded to include Cache and Rich Counties in Utah and the cities of Malad and Preston in the State of Idaho. Proponents abandoned the proposal to add to the marketing area Lincoln County, Wyo., and the Idaho counties of Bear Lake, Franklin, and Oneida, except for the cities of Malad and Preston.

Cache and Rich Counties abut the present marketing area. They form the only territory in the northern half of Utah which is not a part of the existing marketing area. Malad is 13 miles from the boundary of the present marketing area. Preston is 8 miles from the border of Cache County.

The health ordinances pertaining to the production and distribution of fluid milk in these areas are similar to those in effect in the existing marketing area.

Recently Federated Dairy Farms, Inc., a regulated handler, acquired the distribution of the major handler supplying the territory to be added to the marketing area. As a result regulated handlers now dispose of all the milk distributed in Rich County. In Cache County approximately 75 percent of the milk is distributed by regulated handlers. The remaining milk is distributed from several plants located in the county, each of which is a producer-handler as defined in the order. No unregulated milk is distributed in Malad. In Preston 87 percent of the milk sales are made by fully regulated handlers. Most of the remainder is distributed by producer-handlers. A very small quantity of the milk distributed in Preston originates at a plant in Boise, Idaho. A witness for the handler operating the Boise plant stated that his company had no objection to Preston's being added to the marketing area.

In the absence of regulation, disorderly marketing conditions could develop in Cache and Rich Counties and the cities of Malad and Preston. Should unregulated handlers seek an outlet in this area under competitive conditions which differ from those of regulated handlers, the stability of the market would be in jeopardy. Including this territory in the marketing area will maintain stable marketing conditions should unregulated milk be disposed of therein. It will permit such milk to be distributed under conditions comparable to those applying to the regulated milk.

The handling of milk in Cache and Rich Counties and in the cities of Malad and Preston is in the current of interstate commerce. Producers supplying Great Basin handlers are located in Idaho, Wyoming, and Nevada, as well as in Utah. Milk of out-of-State producers is intermingled with Utah produced milk in the plants where it is processed and packaged. It is then distributed throughout the entire area served by regulated handlers including Cache and Rich Counties, Utah, and the communities in southern Idaho. All the regulated milk disposed of in Malad and Preston, Idaho, is processed and packaged in Utah plants.

2. *Milk to be priced and pooled.* Producer-handlers should continue to be exempt from full regulation.

Cooperative associations proposed that producer-handlers be subject to full regulation as handlers and that their production be pooled as producer milk. The present record, however, does not afford a basis for extending full regulation to producer-handlers.

The cooperatives argued that producer-handlers should be fully regulated because their number was increasing and their sales were increasing at a faster rate than the sales of regulated handlers. In 1961 the average number of known producer-handlers on the Great Basin market was 34.3. The number operating during the year varied from 32 to 37. In 1964 the average number on the market was 36.2. The number varied from 35 to 38 during the year. The percentage of the market's total Class I disposition sold by producer-handlers increased from 5.2 in 1961 to 7.9 in 1964.

Of 38 producer-handlers who filed reports with the market administrator for the month of January 1964 approximately 12 distributed pasteurized milk. The remaining 26 were raw milk distributors. There are believed to have been five additional raw milk distributors who did not file reports with the market administrator. Of the raw milk distributors reporting, a few also sold pasteurized products which they acquired from pool handlers.

At least two of the pasteurizing producer-handlers were fully regulated handlers when the order first became effective. They produced a portion of their requirements and purchased the remainder of their needs from other producers. To avoid pooling their own production these handlers became producer-handlers. They did this by increasing the size of their herds and discontinuing the purchase of milk from other producers.

Many of the remaining pasteurizing producer-handlers were formerly producers who marketed their milk through one or the other of the cooperative associations. Several of these testified that a major factor in their decision to enter the distribution field was their inability to acquire additional base as they increased their production. Although the order no longer contains a base and excess plan of distributing returns to producers, the two major cooperative associations continue to use a base and excess plan to pay their producer members. Bases are assigned member producers by the associations on the basis of past mar-

ketings. All production in excess of the assigned base is paid for at manufacturing prices. It appears that bases are not adjusted to changes in production of the individual producer. One producer-handler testified that even though he was able to purchase some additional bases from other producers, he still received manufacturing prices for more than half of his total production. Faced with the alternatives of continuing to market substantial percentages of his production at manufacturing prices, of cutting back production or of becoming a producer-handler, he chose the latter and began to market his milk directly to consumers. He stated this was the only way he could increase his share of the Class I sales in the market to a level which would permit him to continue to produce Grade A milk.

Most of the producer-handlers are relatively small and dispose of raw milk on their farms. Under regulations of the Utah State Department of Agriculture raw milk can be sold at retail only on the premises where produced by licensed producers who meet specific production, sanitary and handling requirements.

Although the prices at which raw milk is sold to consumers are somewhat less than the retail prices of pasteurized milk, the record does not indicate that this has caused disorderly marketing conditions. The demand for raw milk is limited and those consumers who desire to purchase it must travel to the producer's farm to secure it.

The producer-handlers who pasteurize their milk, on the average, dispose of a somewhat greater quantity of fluid milk than the raw milk producer-handlers. Many of them, however, are located in the more rural portions of the marketing area and their sales are confined to neighboring counties. In the metropolitan areas there are a few large producer-handlers who dispose of milk through milk depots. The record evidence, however, does not indicate that these producer-handlers have had a disruptive effect on the market. The prices received for pasteurized milk by these producer-handlers generally are comparable to the prices at which the milk of fully regulated handlers is sold. There is no evidence that producer-handlers have started price wars or engaged in other practices which threaten the stability of the market.

The definition of "producer-handler" should be clarified, however, with respect to the amount of milk which a producer-handler may purchase without losing his status. The present order provides that a producer-handler may receive during the month only milk of his own farm production or milk from other pool plants in an amount equal to 3,000 pounds or 5 percent of his Class I sales, whichever is the larger. Without further definition the term "milk" could be interpreted to mean fluid milk products, whole milk, or the milk equivalent of all dairy products received.

The purpose of the tolerance is to permit a producer-handler to augment his own production in emergency situations when it is insufficient to meet his Class I sales or to acquire for resale byproducts such as flavored milk or buttermilk which it is not practical to produce on such a small scale. Hence, the order should specify that the 3,000-pound or 5-percent limit applies to fluid milk products whether they be in the form of whole milk, cream, skim milk or similar items. A producer-handler should not be precluded from purchasing manufactured dairy products, such as butter and cheese which are in a form such that they cannot be reconstituted into fluid milk products.

Exceptors stated that the producer-handler definition provided in the recommended order would not preclude a producer-handler from obtaining fluid milk products in excess of 3,000 pounds per month or 5 percent of a producer-handler's Class I sales. They pointed out that a producer-handler could augment his supplemental supply of milk by reconstituting milk products into fluid milk products. Therefore, in order to insure that a producer-handler is effectively limited to Class I sales during the month which are not in excess of his own farm production and 3,000 pounds per month or 5 percent of the producer-handler's Class I sales during the month, whichever is the larger, the definition of a producer-handler should be revised to consider milk products which have been reconstituted into fluid milk products as a part of the limited supplemental supply of fluid milk products available to a producer-handler.

A plant which has a manufacturing operation, but which neither receives milk from dairy farmers nor possesses the approval of any duly constituted health authority for the processing or packaging of Grade A fluid milk products should be excluded from the definition of an approved plant.

Presently, an ice cream plant at Orem, Utah, which serves as a distribution point for fluid milk products processed and packaged by a pool plant, is an approved plant under the order. Since this plant receives no milk from producers, it has no obligation to the producer-settlement fund. The only effect of exempting such plant from approved plant status is to relieve it of the obligation of reporting to the market administrator each month. Reports from manufacturing plants which have no producer receipts serve little, if any, purpose. By specifying that an approved plant must receive milk from dairy farmers, this plant will be excluded from the definition. Other plants presently defined as approved plants would continue to meet the revised definition.

Exceptors agreed that the Orem, Utah, plant should be exempt from reporting but emphasized that the books and records of the plant should be subject to audit. The order requires the market administrator to audit the records of any person upon whose utilization a transfer from a handler depends. Accordingly, there is no need to revise the order as requested by exceptors.

Exceptors further stated that the proposed definition for an approved plant would permit evasion of regulation by plants which are processing or packaging fluid milk products and from which any such products are disposed of on routes in the marketing area. One of the proposed conditions for qualifying as an approved plant is that a plant must receive milk from dairy farmers. If a presently approved plant were to discontinue receiving milk from dairy farmers and were to receive its total milk supply from other plants, such plant would not be an approved plant under the proposed order.

In order to insure that presently regulated pool plants which are processing or packaging fluid milk products continue to remain subject to full regulation, the approved plant definition should be revised to include any plant which either receives milk from dairy farmers or possesses the approval of any duly constituted health authority for the processing or packaging of Grade A fluid milk products.

The order should be amended to permit milk to be diverted for Class III use from other Federal orders to plants fully regulated by the Great Basin order without losing its identity as producer milk under the diverting order. There are many Eastern Colorado producers whose farms are located in Utah at a considerable distance from any Eastern Colorado pool plant. When this milk is not required for Class I use by Eastern Colorado handlers, it may be diverted to non-pool plants. Many of the Utah producers of the Eastern Colorado order are located close to Great Basin pool plants with manufacturing facilities. Under present order provisions the milk of these Eastern Colorado producers may not be diverted to Great Basin pool plants as producer milk of the diverting order. As a consequence, in order to maintain producer milk status under the Eastern Colorado order, it sometimes has been necessary to haul this milk to Eastern Colorado pool plants in Denver and its environs.

Manufacturing facilities in Eastern Colorado are very limited. Hence, it is often necessary after receiving the Utah milk in Denver, to haul it back to Utah to be manufactured in Great Basin pool plants. Handling milk in this manner is inefficient and costly. The order should be amended to permit such milk to be pooled in the Eastern Colorado market even though diverted directly from the farm to manufacturing facilities which are regulated under the Great Basin order.

The order should also be amended to permit producer milk to be diverted for Class III by handlers under the Great Basin order to pool plants under any order which has a reciprocal provision whereby such milk is excluded from pooling in the market of actual receipt. Since it is possible for the same farmer to be a producer under two orders during the month, provision should be made to preclude pooling the same milk under two orders. As a general rule, when order provisions permit, the milk should be priced and pooled in the market with which it is primarily associated. How-

ever, when the reserve supply of one market is diverted to plants in another market for manufacturing use, such milk should be pooled in the market from which diverted, even though the greater volume of the milk of the producers involved may be received in the market to which the milk is diverted. Therefore if milk is diverted to other order plants for Class III use, it will be pooled as producer milk in the Great Basin market even though more of the producer's milk is delivered to the other order plant than to pool plants. Similarly, should milk of producers of another order which is surplus to its needs be diverted to a Great Basin pool plant for manufacturing use, the milk should continue to be pooled in the market from which diverted even though, during the month, the majority of such producer's milk was received at a Great Basin pool plant.

To be considered as a diversion, it is provided that the diverting handlers and the operator of the plant at which the milk is physically received must both report to their respective market administrators that such milk was diverted for Class III use. If the provisions of a neighboring order do not exclude from pooling milk which might be diverted from the Great Basin market, then milk so diverted will be excluded from pooling in Great Basin and will be pooled in the market where physically received. In order to avoid duplication of pooling it is provided that milk diverted to another order plant will lose its status as pool milk under the Great Basin order immediately upon becoming subject to pooling under the other order as producer milk defined therein.

The order should be amended to include in the category of exempt plants all governmental agencies and Brigham Young University. At the present time the order exempts from regulation plants from which the total route distribution of fluid milk products is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions.

Utah State University at Logan would undoubtedly become a producer-handler under the terms of the present order on the addition of Cache County to the marketing area. This is a state institution. It operates a dairy farm and a processing plant. Most of the milk produced on the farm is received at the dairy plant. There a portion of it is bottled for consumption in the campus facilities. The remainder of the milk received is manufactured into dairy products. If production in the school farm exceeds the needs of the school plant, the excess is sold to the Cache Valley Dairy Association which operates a manufacturing plant at Smithfield, Utah.

Utah State University is a state operated institution which produces and processes milk in part for the education of students in dairy husbandry and dairy technology, and in part for its own use. It does not compete with proprietary handlers for sales off campus. Because of the nature of its operation both the production and processing facilities should be exempt.

The record is silent as to whether there are other governmental agencies, State or municipal, which produce and process milk for their own use. If such agencies do exist they should likewise be exempt from all regulation.

Although Brigham Young University is not government operated, its production and processing facilities fall in the same category as those of Utah State University. At the present time the market administrator has determined that Brigham Young is a producer-handler. As such it is exempt except for the filing of monthly reports. While these reports are necessary in the case of producer-handlers who dispose of milk on routes or through depots in competition with regulated handlers, they are not necessary in the case of Brigham Young University in view of the nature of its operation. Therefore, it should be exempt also.

While these exempt plants will have no obligation to report to the market administrator, the order should provide that if they find it necessary to purchase milk from pool plants, sales to such institutions by pool plants will be classified as Class I. Likewise, any disposition of milk by these institutions to pool plants will be classified as Class III.

The milk which is surplus to the fluid requirements of these institutions is not a source of supply which can be depended upon to fulfill the regular requirements of the market. It bears the same relationship to the marketwide pool as does the surplus of producer-handlers and it should be allocated in the same manner as a receipt from a producer-handler. Accordingly, milk received at pool plants from plants operated by these institutions should receive a Class III classification.

Exceptors agreed that governmental agencies, Brigham Young University and plants whose total route distribution is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions should be exempted from all provisions of the order. They requested, however, that the operations of such plants be subject to audit by the market administrator to determine whether these plants continue to meet the prescribed conditions necessary to maintain an exempt status.

It is not necessary that regular audits of the books and records of such plant be made to verify the continuation of exemption from order provisions for these plants. The market administrator may make such determination by survey or means other than audit. Accordingly, the exception is denied.

The recommended decision provided that the definition of a pool plant be revised to require that a distributing plant need dispose of only 30 percent of its receipts as fluid milk products on routes. In view of the exceptions received, the order should be revised to provide that the percentage of route disposition required for pooling be fixed at 50 percent during each month of the year. The requirement that 15 percent of the total route dispositions be disposed of on routes within the marketing area should be retained.

During the past several years it has been necessary to suspend provisions of the Great Basin milk order with respect to pooling standards for distributing plants. These suspensions have been necessary to enable cooperative associations to qualify their pool plants.

Cooperative associations represent more than 90 percent of the producers supplying the Great Basin marketing area. In addition to furnishing most of the milk utilized by proprietary handlers, the two major cooperatives each operate a distributing plant. Both of these plants have manufacturing facilities and handle a substantial portion of the reserve supplies of the market. In the flush months they have been unable to meet the pooling requirements of the order.

Cooperatives proposed that in determining the pool status of distributing plants which they operate there should be added to the receipts and utilization of their own plants, the deliveries of member milk to plants of other handlers classified according to its utilization at the receiving handler's plant. They also proposed that the percentage of route disposition required for pooling be fixed at 50 percent the year round. At the present time 40 percent route distribution is required during the months of April through July.

Exceptions were filed on behalf of the cooperative associations requesting that their proposal for qualifying a distributing pool plant be adopted in lieu of the requirements contained in the recommended order. The pooling standards contained in the recommended order would have required a distributing plant to dispose of 30 percent of its Grade A receipts on routes and to dispose of 15 percent of its total route disposition on routes within the marketing area. After reviewing the record evidence in light of the exceptions received, it is concluded that a distributing plant should be required to dispose of at least 50 percent of its Grade A receipts on routes and 15 percent of its total route disposition on routes within the marketing area to qualify as a pool plant.

In determining the qualification of a plant operated by a cooperative association the deliveries of milk of its members to plants of other handlers classified according to its utilization at the receiving handler's plant should be added to the receipts and utilization at the plant of the cooperative association.

The bottling plants of the cooperative associations are combination plants which have sizable manufacturing operations. These plants handle much of the reserve supply of the market. In the months of flush production and on weekends throughout the year, substantial volumes of reserve milk associated with the Class I sales of other handlers are received at the cooperative plants and manufactured into dairy products. The cooperative association plants can continue to perform this service of balancing the market supplies only if they retain pool plant status. It is proper, therefore, in determining the qualification of these cooperative plants to include the utilization of the plants for

which they handle the reserve supplies.

The rules governing diversions should provide more flexibility by permitting diversions on the basis of the percentage of the total volume of milk delivered to pool plants, either by a group of nonmember producers or by a cooperative association, rather than on deliveries of the individual producer.

The order presently provides that an individual producer who delivers milk to a pool plant may have his milk diverted to a nonpool plant or to a receiving facility not approved for handling milk for fluid consumption located at another pool plant, in an amount equal to not more than 200 percent of the milk physically received from such producer at pool plants.

Proponents requested that the diversion percentage to nonpool plants be limited to 25 percent of the producer milk. They further requested that two or more cooperative associations be permitted to combine their total deliveries to pool plants for the purpose of calculating the amount of milk which they may divert jointly as producer milk.

Since the impact on the pool fund is the same whether the milk of one producer or another producer is diverted, the order should provide the flexibility needed by cooperatives in serving the market efficiently. The same flexibility should be accorded also to handlers who may need to divert nonmember milk. This can be accomplished by having the percentages apply to total diversions instead of individual producers. However, a 3-day delivery requirement for each of the producers whose milk is diverted to nonpool plants during the month should be provided to assure that the producer's milk is acceptable in terms of quality for sale in the fluid market and that the milk furnished by the producer is available for fluid use.

Presently, two-thirds of a producer's deliveries may be diverted to nonpool plants or to a receiving facility not approved for handling milk for fluid consumption located at another pool plant. The percentage limitations herein provided permit diversions of producer milk in an amount not to exceed one-fourth of the total deliveries received at pool plants from producers. Even though the total amount of milk which may be diverted is greatly reduced, the flexibility provided by allowing milk of producers located nearest to nonpool plants to be diverted, will facilitate the handling of the market's reserve supply by creating greater efficiency in its handling.

Diversions in excess of 25 percent shall not be producer milk and the diverting handler or diverting cooperative shall specify the dairy farmers whose milk is ineligible as producer milk.

The option to permit two or more cooperatives to combine their deliveries to pool plants for the purpose of calculating the amount of milk which they may divert jointly should only apply when each association has filed a written request with the market administrator on or before the first day of the month for which the agreement is effective. This request should also indicate the responsibility each association assumes for designating the farmers whose milk is diverted in excess of the allowable amounts.

This amendment will facilitate for the proponent cooperative associations the arranging of their operations so that milk not needed for fluid use in the market can be more readily diverted to manufacturing pool plants nearer the production area. It will eliminate the need for milk to be hauled long distances to keep it associated with the pool while milk produced in areas near pool plants is being diverted to nonpool plants. Thus, the necessary reserve for the market would be utilized more efficiently.

Permitting cooperative associations to combine total deliveries to pool plants for calculating the quantity of milk which they may divert will not result in the total amount of milk which may be diverted as producer milk being any greater than by allowing the cooperatives to divert separately. It will provide, however, more flexibility in diverting milk of producers. It would be difficult for the market administrator to fix the responsibility for milk diverted in excess of permissible quantities when two or more cooperatives are involved. Therefore, in its request to exercise this option, each cooperative should state the basis on which over-diverted milk is to be assigned to producer-members of each cooperative association. Such basis of assignment must be approved in advance by the market administrator as a practical method which will insure the application of the intended limits with respect to total eligible diversions.

Presently, all producer milk disposed of both within the marketing area and outside such area is fully regulated and priced under the present order. It is necessary that this arrangement be continued under the amended Great Basin order. Otherwise, the effect of the order would be nullified and the orderly marketing process would be jeopardized.

If only his "in-area" sales were subject to classification, pricing and pooling, a pool handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce his average cost of all of his Class I milk below that of other pool handlers having all, or substantially all, of their Class I sales within the marketing area. In short, unless all milk of such a handler is fully regulated under the order, he would not be subject to effective price regulation. The absence of effective classification, pricing and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and could lead to a complete breakdown of the order. If a pool handler were free to value a portion of his milk at any price he chose, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payment to the producers who supply the market. It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

Limited quantities (as provided) of Class I milk may be sold within the regulated marketing area from plants not under any Federal order. There is, of course, no way to treat such unregulated milk uniformly with regulated milk other than to regulate it fully. Nevertheless, it has been concluded that the application of "partial" regulation to plants having less association than required for market pooling would not jeopardize marketing conditions within the regulated marketing area. Official notice is taken of the June 19, 1964, decision (29 F.R. 9213) supporting amendments to several orders, including the Great Basin order.

The operator of the partially regulated plant is afforded the options of: (1) Paying an amount equal to the difference between the Class I price and the uniform price of producer milk with respect to all Class I sales made in the marketing area; (2) purchasing at the Class I price under any Federal order sufficient Class I milk to cover his limited disposition within the marketing area; or (3) paying his dairy farmers an amount not less than the value of all their milk computed on the basis of the classification and pricing provisions of the order (the latter representing an amount equal to the order obligation for milk which is imposed on fully regulated handlers).

While all fluid milk sales of the partially regulated plant are not necessarily priced on the same basis as fully regulated milk, the provisions described are, however, adequate under most circumstances to prevent sales of milk not fully regulated (pooled) from adversely affecting operation of the order and the fully regulated milk.

3. *Classification and allocation of milk.* A proposal to classify cream, pot and baker's cheese as Class II products was abandoned by proponents at the hearing. In the absence of any testimony in support of reclassifying such cheeses, the Class III classification should be retained on such products.

The request that sour cream be classified as Class II is denied. The principal evidence offered in support of the reclassification of sour cream was the fact that sales of the product have been declining in recent months, particularly in the wholesale trade to bakeries and restaurants. Sour cream is being displaced in these outlets by substitute products made from vegetable fat which are priced far below the price of sour cream.

Under the effective health regulations in the marketing area sour cream must be produced from Grade A milk. Sour cream is disposed of in the marketing area from both pool plants and nonpool plants. The sour cream from the nonpool plants, however, is labeled Grade A. There is no evidence that sour cream is disposed of in the marketing area other than under a Grade A label. Likewise, there is no evidence with respect to the labeling or composition of products such as dips and dressing whose principal ingredient is sour cream. Neither is their any evidence that such products are being disposed of in the marketing area from non-Grade A sources.

It must be recognized that it is not feasible to reduce the price of fluid milk products to a level at which they can compete on an equal price basis with nondairy substitutes. Lowering the pricing of sour cream to the Class II level would not reduce its cost to a point at which handlers could compete on an equal price basis with nondairy substitutes. The price resulting from a Class II classification for sour cream would reduce returns to producers for a product which must be made from Grade A milk and must be so labeled. The resulting price would not be low enough to increase sales of the product in competition with nondairy substitutes. To classify sour cream as Class II would be inconsistent with the established practice of uniform pricing of products which must be made from Grade A milk. Since sour cream is required to be produced from Grade A milk and is so labeled, producers should be paid on the same basis as for other fluid milk products which are required by local health authorities to be produced from Grade A milk.

The request that cream be classified as Class II is denied. Cream sold for fluid consumption in the marketing area is required to be made of Grade A milk and to be packaged under a Grade A label. Cooperative associations asked for a lower price in an effort to increase cream sales. The extent cream sales might be expected to increase if priced as Class II is highly speculative. Since the product is required to be produced from Grade A milk and is merchandised to consumers on the basis of its Grade A quality, producers should be paid on the same basis as for other fluid milk products disposed of under a Grade A label.

Bulk sales of fluid milk products to any commercial candymaking establishment which does not dispose of fluid milk products for fluid consumption either on or off the premises should be classified as Class III milk. Proponents stated that candymakers are presently using condensed milk and Grade C cream but would use Grade A products if they could be purchased at a Class III price. Since candymaking represents an additional use for milk which is surplus to the fluid requirements of the market, a Class III utilization should be assigned to such uses to encourage the use of producer milk by candy manufacturers.

Exceptors asked that a Class III classification for fluid milk products transferred to a candy manufacturer be conditioned upon books and records being made available to the market administrator. The order presently requires that the market administrator shall audit the records of any person upon whose utilization the classification of skim milk and butterfat transferred by a handler depends. Accordingly, no need exists for the conditional transfer requested by exceptors.

The definition of Class III milk should be clarified to state clearly that the skim milk portion of any fluid milk product which is disposed of for livestock feed or dumped shall be classified as Class III milk. The Class III classification of dumped milk, of course, is subject to the present order requirements of prior notification to the market administrator and opportunity for physical verification of such dumping.

The definition of other source milk should be amended to exclude Class II products received from other pool plants. Under present order provisions such a receipt would be allocated to Class III use in the transferee plant. Its disposition from the transferee plant, however, would be a Class II disposition. Thus the transferee handler would be assessed the difference between the Class II and Class III prices on milk which had already been classified and priced as Class II in the transferor plant. This situation will be avoided by excluding from the definition of other source milk, Class II products received from other pool plants.

The other source milk definition should be further revised to include any disappearance of products other than fluid milk products, which are in a form in which they may be converted into fluid milk products and which are not otherwise accounted for by plant records.

The order now includes in the definition of other source milk only those nonfluid milk products which have been reprocessed or converted to another product in the plant during the month. It can be argued that the handler is not required under the present order to account to the market administrator for such products which have disappeared but which are not shown to have been reprocessed or used in the manufacture of other products. Proper administration of the order requires that the handler account for the disposition of such products. Otherwise, the door is left open for circumvention of the order provisions.

By adding to the definition of other source milk, "any disappearance of products, other than fluid milk products, which are in a form in which they may be converted into fluid milk products and which are not otherwise accounted for," there will be no doubt of the market administrator's authority to consider as used for fluid purposes such products for which the handler was unable or unwilling to account otherwise.

In order to verify the actual utilization of milk received from producers, it is necessary that the market administrator be in a position to reconcile all receipts of milk and dairy products with the disposition records of the plant. If such records cannot be reconciled, the handler must be held responsible for the shrinkage or the overrun which occurs as a result of the discrepancy between the records of receipts and disposition. Otherwise, the handler with improper records would be in a position to gain an advantage over his competitors who properly accounted for all milk and dairy products received at the plant. It is equally necessary that the handler be required to account for all nonfluid dairy products which are in a form in which they can be converted into Class I products. Otherwise, a handler, by failing to keep records of nonfat dry milk products and similar products which he reconstituted into skim milk or other Class I items, could gain a competitive advantage over other handlers in the market.

Exceptions were received to the proposed definition of other source milk. Exceptors stated the inclusion in the other source milk definition of any disappearance of product other than a fluid milk product which is in a form in which it may be converted into a fluid milk product was unduly restrictive. They suggested that the provision should be modified to include only any unreasonable disappearance of such products. These exceptions are denied for the reasons previously stated.

It was proposed that the reporting and classification sections of the order be revised to permit a handler operating two or more pool plants a choice of accounting for his operation either on an individual plant basis for each plant, or on the basis of the combined operation of all his pool plants. The basis for the proposal was that it would be cheaper to prepare one combined report rather than individual reports.

The order presently provides that pool plant operators must submit a separate report for each pool plant. However, classification, the computation of shrinkage and allocation are based upon the combined pool plant operation of a handler.

The order herein set forth provides that pool plant operators shall continue to submit a separate report for each pool plant. It is further provided that classification and shrinkage shall be based upon the operation of each individual plant. Allocation is to be performed separately at each pool plant unless the pool plant handler receives other source milk which is subject to prorata assignment. In such instance the market administrator shall combine the total receipts at each pool plant before allocating other source milk.

Although it is likely that combined reporting of pool plant operations by a multiple pool plant handler may be less expensive than individual plant reporting, a more important reason exists for separate reporting. Separate reports for each pool plant will permit shrinkage to be computed separately for each pool plant. This will preclude a handler operating two or more pool plants from offsetting shrinkage in one plant against overage in another.

Proponents asked that shrinkage be on a combined basis even though no milk was transferred between such plants. Unless milk is transferred between pool plants of the handler, no means exist by which overage in one of such plants could be the cause of shrinkage in any of the remaining pool plants. Even if milk were transferred between pool plants of the same handler, the same care should be given to recording the weights and tests of milk so transferred as is given to transfers to pool plants of other handlers. The requirement that each plant must be separately accountable for shrinkage or overage will result in the multiple pool plant operator accounting to the pool on the same basis

for shrinkage or overage as is now required of the operator of an individual plant.

Exceptors objected to provisions requiring handlers to continue to report separately for each pool plant and to account for shrinkage at each pool plant. The arguments advanced in support of such objections are not persuasive and, therefore, the exceptions are denied for the reasons previously stated.

It was proposed that a provision of the transfer section of the order dealing with movements of milk between two pool plants be deleted. This provision requires that a transfer to a pool plant from a pool plant handler who has received other source milk at any of his pool plants shall be classified as though it had been a direct receipt of other source milk at the transferee plant. Its application can result in numerous reclassifications and minor audit adjustments between handlers. In most cases these adjustments in no way affect the total classification or value of the producer milk in the pool. Neither do they affect the classification of the other source milk.

The provision was intended to prevent a handler operating a pool plant with a low utilization from receiving a high Class I classification on receipts of other order milk or milk from unregulated supply plants, by having such milk received first at a high utilization plant and then transferred to the low utilization plant. As noted above, the provision can result in numerous adjustments which affect the pool not at all, but involve a great deal of bookkeeping and revision of records. In order to prevent meaningless adjustments, but effectuate the purpose for which the provision was designed, the order should provide that, if the transferor handlers has received other source milk, the transferred milk shall be classified at both plants so as to allocate the greatest possible Class I utilization to producer milk. The subsequent application of the allocation provisions will result in the same total classification of other source milk and producer milk as is provided by the present order.

4. *Miscellaneous and administrative changes.* The market administrator should no longer be the intermediary between the handler and the cooperative associations with respect to payments for any of the milk received from the cooperative associations. Presently, the sum of the final payments due the individual producer-members of a cooperative association for milk received by handlers is paid by the market administrator to any cooperative association which is authorized by its members to collect payment for their milk and which has requested such payment from any handler in writing. The need for this provision ceased to exist upon the termination of the base plan previously a part of the order.

Official notice is taken of a final decision issued June 23, 1961 (26 F.R. 5807), by the Secretary of Agriculture. This decision states in part:

> Under the base-excess plan of payment effective under the order February 1, 1961, it is difficult for the handler to determine the quantity of base milk associated with a part-month delivery of such a producer.
>
> This difficulty can be overcome by requiring that handlers, upon request of the cooperative authorized to collect payments, pay the class use value of milk received from producer-members to the market administrator, who will remit to the cooperative association the value of such milk at the base and excess producer prices of the order.

Official notice also is taken of the termination order issued on August 28, 1964 (29 F.R. 12507), by the Assistant Secretary of Agriculture. This order terminated the base plan contained in the order. Therefore, the producer payment section should be revised to provide that handlers shall make payments for milk delivered by producer-members of cooperative associations directly to the associations entitled to receive payments for milk on behalf of their members.

The order should also specify that handlers shall pay a cooperative association which is a handler pursuant to § 1136.9(c) at the uniform price for milk received directly from producers' farms. Any audit adjustments arising in connection with such milk would be made through the handler rather than through the cooperative association. At the present time when an audit adjustment is made on such milk, the market administrator must bill the cooperative which, in turn, must bill the handler for the money due the producer-settlement fund. If a refund is due a handler, such refund must now be made to the cooperative association, which in turn, passes it on to the handler. This is a cumbersome procedure and, in case of default by a handler, it might be necessary to institute action against the cooperative association as well as the handler. Requiring payment at the uniform price instead of class prices for bulk tank milk for which the cooperative association is the handler will permit audit adjustments on such milk to be made directly with the handler utilizing such milk.

As a carryover from the base and excess plan the order in many places contains the term "weighted average price." The term "weighted average price" as used in the order refers to the weighted average of the base price and the excess price. Since the order now provides for a year-round uniform price, the several sections of the order which contain the terms "weighted average price" should be revised by substituting the word "uniform price" therefor.

The marketing service provision of the order should be retained. The proposal to delete the provision was made by a handler who receives milk from producers who are not members of a cooperative association.

A producer shipping milk to this handler supported the proposal on the grounds that his milk was weighed and tested regularly by the purchasing handler and only occasionally by the market administrator.

One of the terms and conditions provided for in the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. sec. 608c(5)) states in part:

> (E) Providing (1) except as to producers for whom such services are rendered by a cooperative association, * * *, for market information to producers and for the verification of weights, sampling, and testing of milk purchased from producers, and for making appropriate deductions therefor from payments to producers * * *.

The statute provides for verification of (rather than ascertainment of) weights, sampling and testing of milk of producers who are not members of a cooperative association which is performing such services. Thus, it is clear that such verification must be performed by a disinterested party, not by the handler who purchases the milk from producers. The marketing services provided by the market administrator are a verification process for the benefit of producers rather than a daily weighing and testing of each handler's producer receipts.

One of the objections to marketing service provided for nonmember producers concerned the allocation of assessment fees. When marketing services are provided by the market administrator, the rate of assessment is based on the expense incurred in performing services for the total volume of milk supplied the market by producers who are not members of any cooperative association. It is based on the cost per hundredweight of milk and not on the cost per producer just as the administrative assessment is based on the cost per hundred-weight, not on the cost per handler.

There are less than 50 nonmember producers. These producers are widely dispersed throughout the marketing area. As a consequence the cost of performing marketing services is higher than it would be if there were more producers, or if their farms were concentrated in the same locality.

It should be provided that no deductions for marketing service is to be made on a handler's own farm production. The principal reason for providing marketing service to producers is to verify weighing, testing and sampling of producer milk which is performed by the handler who purchases the milk. In the case of a handler receiving milk which he has produced himself, no purpose is served by verifying the accuracy with which he weighs and tests his own production.

Proponents abandoned those proposals contained in the notice of hearing which would have provided for storage and distribution depots to be considered as part of a pool plant operation, for a different assignment of shrinkage classification between producer milk and other source milk eligible for a prorata allocation, and for an interest charge on

amounts owed by a handler to the market administrator. Since these proposals were not supported at the hearing, no further consideration of these proposals is warranted on this record.

Although the marketing area is being expanded, the supply-demand adjustment to the Class I price need not be changed. As previously noted, no new handlers will be brought under regulation by the expansion of the marketing area. In addition, no significant change has been made in the classification of fluid milk products. Thus, there will be no change in the receipts and utilization of pooled milk as a result of the expansion.

The order has been drafted to incorporate the conforming and clarifying changes necessary to effectuate the findings and the conclusions made herein. Except for those amendments specifically discussed above, these changes will not affect the scope of the order or its application to any handler subject thereto.

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

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

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

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

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

(d) All milk and milk products handled by handlers, as defined in this order, are in the current of interstate commerce in milk or its products; and

(e) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to:

(1) Producer milk (including that classified pursuant to § 1136.40(b) but excluding, in the case of a cooperative association which is a handler pursuant to § 1136.9(c), milk which was received at the pool plant of another handler) and such handler's own production;

(2) Other source milk allocated to Class I pursuant to § 1136.44(a) (3) and (7) and the corresponding steps of § 1136.44(b); and

(3) Class I milk disposed of from partially regulated distributing plants on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

RULINGS ON EXCEPTIONS

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

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Great Basin Marketing Area" and "Order Amending the Order Regulating the Handling of Milk in the Great Basin Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

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

REFERENDUM ORDER; DETERMINATION OF REPRESENTATIVE PERIOD; AND DESIGNATION OF REFERENDUM AGENT

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

The month of September 1965 is hereby determined to be the representative period for the conduct of such referendum.

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

Signed at Washington, D.C., on December 6, 1965.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Great Basin Marketing Area

§ 1136.0 Findings and determinations.

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

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

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

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

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

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

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

(5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 4 cents per hundredweight or such lesser amount as the Secretary may prescribe, with respect to:

(i) Producer milk (including that classified pursuant to § 1136.40(b) but excluding, in the case of a cooperative association which is a handler pursuant to § 1136.9(c), milk which was received at the pool plant of another handler) and such handler's own production;

(ii) Other source milk allocated to Class I pursuant to § 1136.44(a) (3) and (7) and the corresponding step of § 1136.44(b); and

(iii) Class I milk disposed of from partially regulated distributing plants on routes in the marketing area that exceeds Class I milk received during the month at such plants from pool plants and other order plants.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof, the handling of milk in the Great Basin marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on October 1, 1965, and published in the FEDERAL REGISTER on October 6, 1965 (30 F.R. 12736; F.R. Doc. 65-10616) shall be and are the terms and provisions of this order, and are set forth in full herein subject to the following revisions:

1. In § 1136.8, paragraph (b) is revised.
2. Section 1136.10 is revised.
3. In § 1136.11, paragraph (a) is revised.
4. In § 1136.42, paragraph (a) is revised.
5. Section 1136.44(a)(2) is revised.

1. Section 1136.6 is revised to read as follows:

§ 1136.6 Great Basin marketing area.

"Great Basin marketing area" hereinafter called the "marketing area" means all the territory, including all government reservations and installations and all municipalities, within the places listed below:

UTAH COUNTIES

Box Elder.	Rich.
Cache.	Salt Lake.
Carbon.	Sanpete.
Daggett.	Sevier.
Davis.	Summit.
Duchesne.	Tooele.
Emery.	Uintah.
Grand.	Utah.
Juab.	Wasatch.
Millard.	Weber.
Morgan.	

NEVADA COUNTIES

Elko.	White Pine.

IDAHO COUNTIES

Franklin (city of Preston only).
Oneida (Malad City only).

WYOMING COUNTY

Uinta (town of Evanston only).

2. Section 1136.7 is revised to read as follows:

§ 1136.7 Producer.

"Producer" means a dairy farmer (except a producer-handler or a producer-handler under another Federal milk order) who produces milk in compliance with the inspection requirements of a duly constituted health authority for fluid consumption (as used in this subpart, compliance with inspection requirements shall include production of milk acceptable for fluid consumption of agencies of the United States Government located in the marketing area) which milk is delivered to a pool plant during the month or diverted to a nonpool plant within the limits set forth in § 1136.13. The term shall not include such person with respect to milk diverted to a pool plant from an other order plant if the operator of both the transferor plant and the transferee plant have requested Class III classification in the reports of receipts and utilization filed with their respective market administrators.

3. In § 1136.8, paragraph (b) is revised to read as follows:

§ 1136.8 Producer-handler.

* * * * *

(b) Receives either at such plant or for disposition on routes (1) milk from his own farm production, (2) fluid milk products from pool plants, and (3) nonfluid other source milk: *Provided*, That the sum of the quantity specified in § 1136.8(b)(2) and the quantity specified in § 1136.8(b)(3) which is reconstituted into a fluid milk product during the month is not in excess of the larger of 3,000 pounds or 5 percent of such person's Class I sales.

* * * * *

4. Section 1136.10 is revised to read as follows:

§ 1136.10 Approved plant.

"Approved plant" means a plant which either receives milk from dairy farmers or possesses the approval of any duly constituted health authority for the processing or packaging of Grade A fluid products, and (a) in which milk or milk products are processed or packaged and from which any fluid milk product is disposed of during the month on routes in the marketing area, or (b) in which milk is received or processed and from which milk or skim milk is shipped during the month to a plant described in paragraph (a) of this section.

5. In § 1136.11, paragraph (a) is revised to read as follows:

§ 1136.11 Pool plant.

* * * * *

(a) An approved plant, except the plant of a producer-handler as described in § 1136.8, from which during the month there is disposed of on routes fluid milk products equal to not less than 50 percent of the receipts during the month at such plant of producer milk, producer milk diverted therefrom by the plant operator and receipts at the plant of fluid milk products from plants described pursuant to paragraph (b) of this section, and there are disposed of on routes in the marketing area fluid milk products equal to not less than 15 percent of the total fluid milk product disposition from the plant on routes. If any cooperative association operating an approved plant as defined in § 1136.10(a) causes producer milk to be delivered to a pool plant pursuant to this paragraph operated by another handler, such producer milk shall be included for the computations made pursuant to this paragraph for such cooperative association's plant along with the receipts of producer milk at such cooperative association's plant, and the quantity of such milk calculated as Class I milk pursuant to § 1136.22(b) shall be included for such computations along with the fluid milk products disposed of on routes from such cooperative association's plant. If such a cooperative association operates more than one approved plant as defined in § 1136.10(a), such producer milk and Class I milk shall be included in the computation for whichever plant the cooperative association requests in writing to the market administrator. If no such written request is made, such producer milk and Class I milk shall be prorated among the plants. If a handler operates more than one approved plant, the combined receipts and disposition of any of such plants may be used as the basis for qualifying the respective plants pursuant to the preceding computations specified in this paragraph if the handler in writing so requests the market administrator.

* * * * *

6. Section 1136.13 is revised to read as follows:

§ 1136.13 Producer milk.

"Producer milk" means only that skim milk and butterfat contained in milk from producers (in an amount determined by weights and measurements for individual producers, as taken at the farm in the case of milk moved from the farm in a tank truck) which is:

(a) Received from producers at a pool plant but not including milk of producers for which another person is the handler pursuant to § 1136.9(c): *Provided*, That milk received at a pool plant by diversions from a plant at which such milk would be fully subject to pricing and pooling under the terms and provisions of another order issued pursuant to the Act shall not be producer milk.

(b) Diverted by a handler from a pool plant to a nonpool plant or to a receiving facility not approved for handling milk for fluid consumption located at another pool plant. Such handler may divert the milk of any producer from whom at least three deliveries of milk have been received at a pool plant during the month in an amount equal to not more than the following:

(1) For a handler pursuant to § 1136.9 (a) 25 percent of the producer milk received from producers who are not members of a cooperative association. Diversions in excess of such percentage shall not be considered producer milk, and the diverting handler shall specify the dairy farmers whose milk is ineligible as producer milk; or

(2) For a cooperative association which is a handler, 25 percent of the producer milk of members of such cooperative association: *Provided*, That such diverted milk shall be accounted for as a receipt of producer milk by the handler diverting the milk. Diversions in excess of such percentage shall not be considered producer milk, and the diverting cooperative shall specify the dairy farmers whose milk is ineligible as producer milk;

(3) Two or more cooperative associations may have their allowable diversions computed on the basis of the combined deliveries of milk by their member-producers if each association has filed such a request in writing with the market administrator on or before the first day of the month the agreement is effective. This request shall specify the basis for assigning over-diverted milk to the producer members of each cooperative according to a method approved by the market administrator; and

(c) Received by a cooperative association which is defined as a handler pursuant to § 1136.9(c).

7. In § 1136.14, paragraph (b) is revised to read as follows:

§ 1136.14 Other source milk.

* * * * *

(b) Products (except Class II products received from pool plants), other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month, and any disappearance of products other than fluid milk products which are in a form in which they may be converted into fluid milk products and which are not otherwise accounted for pursuant to § 1136.33.

8. Section 1136.40 is revised to read as follows:

§ 1136.40 Responsibility of handlers.

(a) Except as provided in paragraphs (b), and (c) of this section, all skim milk and butterfat shall be classified as Class I milk unless the handler who first received (or diverted) such skim milk and butterfat establishes that it should be classified otherwise.

(b) For the purposes of §§ 1136.41 through 1136.45, 1136.50 through 1136.54, and 1136.70 through 1136.74, milk delivered by a cooperative association in its capacity as a handler pursuant to § 1136.9(c) shall be classified and allocated as producer milk according to the use or disposition by the receiving handler and the value thereof at class prices shall be included in the receiving handler's net pool obligation pursuant to § 1136.70.

(c) In the case of milk received from producers by a cooperative association handler pursuant to § 1136.9(c), the cooperative association shall be responsible for proving that skim milk and butterfat in such milk which was not received at a pool plant should be classified other than as Class I and the operator of a pool plant receiving skim milk and butterfat from a cooperative association handler pursuant to § 1136.9(c) shall be responsible for proving that such skim milk and butterfat shall be classified other than as Class I.

9. Section 1136.41 is revised to read as follows:

§ 1136.41 Classes of utilization.

Subject to the conditions set forth in §§ 1136.42 through 1136.45, the classes of utilization shall be as follows:

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

(1) Disposed of from a plant in the form of a fluid milk product except:

(i) Those classified pursuant to paragraph (c) (3), (4), and (7) of this section; and

(ii) Any product fortified with added solids shall be Class I in an amount equal only to the weight of an equal volume of a like unmodified product of the same butterfat content; or

(2) Not otherwise specifically accounted for as Class II or Class III utilization.

(b) *Class II milk.* Class II milk shall be all skim milk and butterfat used to produce cottage cheese.

(c) *Class III milk.* Class III milk shall be all skim milk and butterfat:

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

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

(3) Contained in fluid milk products disposed of for livestock feed (skim milk portion only);

(4) Contained in fluid milk products dumped (skim milk portion only) after prior notification to and opportunity for verification by the market administrator;

(5) In shrinkage of skim milk and butterfat, respectively, at each pool plant, or for which a cooperative association is the handler pursuant to § 1136.9(c), assigned pursuant to § 1136.45(b)(1), but not to exceed the following:

(i) Two percent of producer milk (except diverted milk); plus

(ii) One and one-half percent of milk received in bulk tank lots from other pool plants; plus

(iii) One and one-half percent of milk received from a cooperative association which is the handler for such milk pursuant to § 1136.9(c) (except that if the handler operating the pool plant files notice with the market administrator that he is purchasing such milk on the basis of farm weights, the applicable percentage shall be 2 percent); plus

(iv) One and one-half percent of receipts of fluid milk products in bulk from an other order plant, exclusive of the quantity for which Class III utilization was requested by the operator of such plant and the handler; plus

(v) One and one-half percent of receipts of fluid milk products in bulk from unregulated supply plants, exclusive of the quantity for which Class III utilization was requested by the handler; less

(vi) One and one-half percent of milk disposed of in bulk tank lots to other pool plants (except when the exception specified in subdivision (iii) of this subparagraph applies, the applicable percentage shall be two percent).

(6) In shrinkage assigned pursuant to § 1136.45(b)(2);

(7) Disposed of in bulk to a commercial candy manufacturer who does not dispose of fluid milk products for consumption either on or off the premises; and

(8) Contained in any fortified fluid milk product in excess of the pounds classified as Class I milk pursuant to paragraph (a)(1)(ii) of this section.

10. In § 1136.42, paragraphs (a) and (b) are revised to read as follows:

§ 1136.42 Transfers.

* * * * *

(a) Except as provided in § 1136.40(b) if transferred to a pool plant of another handler (or other pool plants, if applicable) as fluid milk products shall be classified as Class I milk unless the operators of both plants claim utilization thereof in another class in their reports submitted pursuant to § 1136.30 subject in either event to the following conditions:

(1) The skim milk or butterfat so assigned to any class shall be limited to the amount thereof remaining in such class in the plant(s) of the transferee handler after computations pursuant to § 1136.44 (a)(8) and the corresponding step of § 1136.44(b);

(2) If the transferor handler received during the month other source milk to be allocated pursuant to § 1136.44(a)(3) and the corresponding step of § 1136.44 (b), the skim milk and butterfat so transferred shall be classified so as to allocate the lowest possible classification to such other source milk; and

(3) If the transferor handler received during the month other source milk to be allocated pursuant to § 1136.44(a) (7)

and (8) and the corresponding steps of § 1136.44(b), the skim milk and butterfat so transferred shall be classified so as to assign to producer milk the greatest possible Class I utilization at both plants;

(b) If transferred to the plant of a producer-handler or to an exempt plant as defined in § 1136.60a in the form of fluid milk products shall be classified as Class I milk;

* * * * *

11. Section 1136.43 is revised to read as follows:

§ 1136.43 Computation of skim milk and butterfat in each class.

For each month the market administrator shall correct for mathematical and other obvious errors, the reports of receipts and utilization submitted pursuant to § 1136.30. The skim milk contained in any product utilized, produced or disposed of by the handler during the month shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids. The market administrator shall compute the skim milk and butterfat in each class as follows:

(a) If no fluid milk products to be assigned pursuant to § 1136.44(a) (7) or (8) were received at any pool plant of the handler, allocation pursuant to § 1136.44 and computation of obligation pursuant to § 1136.70 shall be made separately for each pool plant of a handler operating two or more pool plants;

(b) Unless the conditions specified in paragraph (a) of this section apply, the market administrator will compute the pounds of skim milk and butterfat in each class at all pool plants of such handler, exclusive of any classification based upon movements between such plants, and allocation pursuant to § 1136.44 and computation of obligation pursuant to § 1136.70 shall be based upon the combined utilization so computed; and

(c) Producer milk for which a cooperative association is the responsible handler pursuant to § 1136.9 (b) or (c) shall be treated separately from the operations of any pool plant(s) operated by such cooperative association for the purpose of allocation pursuant to § 1136.44 and computation of obligation pursuant to § 1136.70.

12. Section 1136.44 is revised to read as follows:

§ 1136.44 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 1136.43, the market administrator shall determine each month the classification of milk received from producers by each cooperative association handler pursuant to § 1136.9 (b) and (c) which was not received at a pool plant and the classification of milk received from producers and from cooperative association handlers pursuant to § 1136.9 (c) by each handler (or pool plant, if applicable) as follows:

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

(1) Subtract from the total pounds of skim milk in Class III the pounds of skim milk classified as Class III pursuant to § 1136.41(c)(5);

(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk in fluid milk products received in packaged form from other order plants as follows:

(i) From Class III milk, the lesser of the pounds remaining or the quantity associated with such receipts and classified as Class III pursuant to § 1136.41(c)(8) plus two percent of such receipts (weight of an equal volume of a like unmodified product of the same butterfat content);

(ii) From Class I milk, the remainder of such receipts; and

(iii) In the event that packaged other order milk receipts are in excess of the total amount subtracted pursuant to § 1136.44(a)(2) (i) and (ii), the remaining quantity shall be subtracted from the utilization remaining in Class III and then Class II;

(3) Subtract, in the order specified below, the pounds of skim milk in each of the following:

(i) From the pounds of skim milk remaining in each class, in series beginning with Class III:

(*a*) Other source milk in a form other than that of a fluid milk product;

(*b*) Receipts of fluid milk products not qualified for fluid consumption, or which are from unidentified sources; and

(*c*) Receipts of fluid milk products from a producer-handler, as defined under this or any other Federal order, and from exempt plants as defined in § 1136.60a;

(ii) From the pounds of skim milk remaining in Class II and Class III, beginning with Class II, receipts from pool plants of other handlers (or other pool plants, if applicable) in the form of cottage cheese;

(4) Subtract, in the order specified below in sequence beginning with Class III, from the pounds of skim milk remaining in Classes II and III but not in excess of such quantity:

(i) Receipts of fluid milk products from an unregulated supply plant for which the handler requests Class III utilization;

(ii) Receipts of fluid milk products from an unregulated supply plant which are in excess of the pounds of skim milk determined as follows:

(*a*) Multiply the pounds of skim milk remaining in Class I by 1.25; and

(*b*) Subtract from the result the sum of the pounds of skim milk in producer milk, in receipts from pool plants of other handlers (or other pool plants, if applicable), and in receipts in bulk from other order plants;

(iii) Receipts of fluid milk products in bulk from an other order plant in excess of similar transfers to such plant, if Class III utilization was requested by the transferee handler and the operator of the transferor plant requests the lowest class utilization under the other order;

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

(6) Add to the remaining pounds of skim milk in Class III milk the pounds subtracted pursuant to subparagraph (1) of this paragraph;

(7) Subtract from the pounds of skim milk remaining in each class, pro rata to such quantities, the pounds of skim milk in receipts of fluid milk products from unregulated plants which were not subtracted pursuant to subparagraph (4) (i) or (ii) of this paragraph;

(8) Subtract from the pounds of skim milk remaining in each class, in the following order, the pounds of skim milk in receipts of fluid milk products in bulk from an other order plant(s), in excess in each case of similar transfers to the same plant, which were not subtracted pursuant to subparagraph (4) (iii) of this paragraph:

(i) In series beginning with Class III, the pounds determined by multiplying the pounds of such receipts by the larger of the percentage of estimated Class II and Class III utilization of skim milk announced for the month by the market administrator pursuant to § 1136.22(l) or the percentage that Class II and Class III utilization remaining is of the total remaining utilization of skim milk at the pool plant (or pool plants, if applicable) of the handler; and

(ii) From Class I, the remaining pounds of such receipts;

(9) Subtract from the pounds of skim milk remaining in each class the pounds of skim milk received in fluid milk products from pool plants of other handlers (or other pool plants, if applicable) according to the classification assigned pursuant to § 1136.42(a);

(10) If the pounds of skim milk remaining in all classes exceed the pounds of skim milk in producer milk, subtract such excess from the pounds of skim milk remaining in each class in series beginning with Class III. Any amount so subtracted shall be known as "overage";

(b) Butterfat shall be allocated in accordance with the procedure outlined for skim milk in paragraph (a) of this section; and

(c) Combine the amounts of skim milk and butterfat determined pursuant to paragraphs (a) and (b) of this section into one total for each class and determine the weighted average butterfat content of producer milk in each class.

13. Section 1136.45 is revised to read as follows:

§ 1136.45 Shrinkage.

The market administrator shall assign shrinkage at each pool plant to receipts at such plant as follows:

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

(b) Prorate each resulting amount computed in paragraph (a) of this section between the amounts of skim milk and butterfat, respectively, contained in:

(1) Receipts specified in § 1136.41(c)(5); and

(2) Remaining receipts of other source milk received in bulk form as fluid milk products.

14. A new § 1136.60a is added and reads as follows:

§ 1136.60a Exempt plants.

None of the provisions of this part shall apply to a governmental agency, to Brigham Young University, or to any approved plant from which the total route disposition of fluid milk products is to individuals or institutions for charitable purposes and is without remuneration from such individuals or institutions. Sales of fluid milk products from a pool plant to such an agency or institution shall be Class I and receipts of fluid milk products at a pool plant from such an agency or institution shall be Class III.

15. In § 1136.62, subdivision (i) of subparagraph (1) of paragraph (a) and subparagraph (4) of paragraph (b) are revised to read as follows:

§ 1136.62 Obligations of handler operating a partially regulated distributing plant.

* * * * *

(a) * * *

(1) (i) The obligation that would have been computed pursuant to § 1136.70 at such plant shall be determined as though such plant were a pool plant. For purposes of such computation, receipts at such nonpool plant from a pool plant or an other order plant shall be assigned to the utilization at which classified at the pool plant or other order plant and transfers from such nonpool plant to a pool plant or an other order plant shall be classified as Class III (or Class II) milk if allocated to such class at the pool plant or other order plant and be valued at the uniform price of the respective order if so allocated to Class I milk. There shall be included in the obligation so computed a charge in the amount specified in § 1136.70(e) and a credit in the amount specified in § 1136.82(b)(2) with respect to receipts from an unregulated supply plant, unless an obligation with respect to such plant is computed as specified in subdivision (ii) of this subparagraph;

* * * * *

(b) * * *

(4) From the value of such milk at the Class I price applicable at the location of this nonpool plant, subtract its value at the uniform price applicable at such location (not to be less than the Class III price).

16. In § 1136.70, the introductory text preceding paragraph (a) is revised to read as follows:

§ 1136.70 Computation of the net pool obligation of each pool handler.

The net pool obligation of each pool handler (at each pool plant, if applicable) and of each cooperative association handler pursuant to § 1136.9 (b) and (c) shall be a sum of money computed each month by the market administrator as follows:

17. In § 1136.71, paragraph (f) is revised to read as follows:

§ 1136.71 Computation of uniform price.

* * * * *

(f) Subtract not less than 5 cents nor more than 6 cents per hundredweight. The result shall be known as the uniform price.

18. In § 1136.73, paragraph (b) is revised to read as follows:

§ 1136.73 Location differentials to producers and on nonpool milk.

* * * * *

(b) For purposes of computations pursuant to §§ 1136.82 and 1136.83 the uniform price shall be adjusted at the rates set forth in § 1136.53 applicable at the location of the nonpool plant from which the milk was received.

19. Section 1136.80 is revised to read as follows:

§ 1136.80 Time and method of payment for producer milk.

(a) Except as provided in paragraph (b), (d), or (e) of this section, each handler shall make payment to each producer from whom milk is received as follows:

(1) On or before the last day of each month, for producer milk received during the first 15 days of the month, at not less than 1.2 times the Class III price for the preceding month; and

(2) On or before the 17th day of the following month, for producer milk received during the month, at not less than the uniform price pursuant to § 1136.71 adjusted by the butterfat and location differentials to producers, subject to the following adjustments:

(i) Less marketing service deductions made pursuant to § 1136.85;

(ii) Less the payment made pursuant to subparagraph (1) of this paragraph;

(iii) Plus or minus adjustments for errors made in previous payments to such producer and proper deductions authorized in writing by such producer; and

(iv) If by the date specified, such handler has not received full payment from the market administrator pursuant to § 1136.83 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payments to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after the receipt of the balance due from the market administrator.

(b) In the case of a cooperative association which is authorized by its members to collect payment for their milk and which has requested such payment from any handler in writing and has so notified the market administrator, payment for milk received during the month by such handler(s) from producer-members of such association shall be accomplished as follows:

(1) On or before the third day prior to the last day of each month such handler shall pay to such cooperative association not less than 1.2 times the Class III price for the preceding month for the hundredweight of such milk received during the first 15 days of the month;

(2) On or before the 16th day of the following month such handler shall pay to such cooperative association the sum of the payments computed at the appropriate uniform price with respect to deliveries by producer-members of such association to handlers from whom payments have been requested, less the amounts of payments made to such association pursuant to subparagraph (1) of this paragraph, and less the amount retained by handlers as authorized deductions.

(c) Each handler who received milk from producers for which payment is to be made to a cooperative association pursuant to paragraph (b) of this section shall report to such cooperative association and to the market administrator on or before the 7th day of the following month, as follows:

(1) The total pounds of milk received during the month, and if requested, the pounds received from each member-producer;

(2) The amount of payment made pursuant to paragraph (b)(1) of this section and the quantity of milk to which such payment applied; and

(3) The amount or rate and nature of any proper deductions authorized to be made from payments.

(d) Each handler shall pay a cooperative association for milk received by him from such cooperative which is classified pursuant to § 1136.40(b) as follows:

(1) On or before the second day prior to the last day of each month, for milk received during the first 15 days of the month an amount per hundredweight not less than 1.2 times the Class III price for the preceding month; and

(2) On or before the 15th day of the following month for milk received during the month, not less than the value of such milk at the applicable uniform price, less payment made pursuant to subparagraph (1) of this paragraph.

(e) Each handler shall pay a cooperative association for milk received by him from a pool plant operated by such association as follows:

(1) On or before the second day prior to the end of each month, for milk received during the first 15 days of the month an amount per hundredweight not less than 1.2 times the Class III price for the preceding month; and

(2) On or before the 15th day of the following month for milk received during the month, not less than an amount computed by multiplying the minimum prices for milk in each class subject to the applicable location adjustment provided in § 1136.53 and the butterfat differential provided by § 1136.52, by the hundredweight of milk in each class pursuant to § 1136.44, such amount to be reduced in the amount of the payment made pursuant to subparagraph (1) of this paragraph.

20. Section 1136.82 is revised to read as follows:

§ 1136.82 Payments to the producer-settlement fund.

On or before the 14th day after the end of the month each handler shall pay to the market administrator the amount, if any, by which the total amount (for each pool plant, if applicable) specified in paragraph (a) of this section exceeds the amounts specified in paragraph (b) of this section:

(a) The sum of:

(1) The total of the net pool obligation computed pursuant to § 1136.70 for such handler; and

(2) In the case of a cooperative association which is a handler, the minimum amounts due from other handlers pursuant to § 1136.80 (d) and (e).

(b) The sum of:

(1) The value of milk received by such handler from producers and from cooperative association handlers pursuant to § 1136.9(c) at the uniform price adjusted by applicable differentials pursuant to §§ 1136.72 and 1136.73; and

(2) The value at the uniform price(s) applicable at the location of the plant(s) from which received (not to be less than the value at the Class III price) with respect to other source milk for which a value is computed pursuant to § 1136.70 (e).

21. In § 1136.85, paragraph (a) is revised to read as follows:

§ 1136.85 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler in making payments to producers for milk pursuant to § 1136.80 (other than milk of his own production) shall deduct 6 cents per hundredweight, or such lesser amount as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 14th day after the end of the month. Such money will be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of their milk for producers who are not receiving such services from a cooperative association;

* * * * *

22. Section 1136.86 is revised to read as follows:

§ 1136.86 Expense of administration.

As his pro rata share of the expense of administration of the order, each handler shall pay to the market administrator on or before the 14th day after the end of the month 4 cents per hundredweight or such lesser amount as the Secretary may prescribe with respect to:

(a) Producer milk (including that classified pursuant to § 1136.40(b) but excluding, in the case of a cooperative association which is a handler pursuant to § 1136.9(c), milk which was received at the pool plant of another handler) and such handler's own production;

(b) Other source milk allocated to Class I pursuant to § 1136.44(a) (3) and (7) and the corresponding steps of § 1136.44(b); and

(c) Class I milk disposed of from a partially regulated distributing plant on routes in the marketing area that exceeds Class I milk received during the month at such plant from pool plants and other order plants.

[F.R. Doc. 65-13190; Filed, Dec. 8, 1965; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-EA-69]

VOR FEDERAL AIRWAYS, AND LOW ALTITUDE REPORTING POINTS

Proposed Realignment, Revocation and Designation

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations which will accomplish the following:

1. Realign V-232 segment from Chardon, Ohio, direct Franklin, Pa., direct to Keating, Pa.

2. Realign V-119 segment from Clarion, Pa., direct to Bradford, Pa.

3. Realign V-184 segment from Tidioute, Pa., to Philipsburg, Pa., via the intersection of the Tidioute 154° T (160° M) and the Philipsburg 296° (303° M) radials.

4. Delete the Fitzgerald, Pa., low altitude reporting point.

5. Designate the Cooksburg, Pa., Intersection (intersection of the Clarion, Pa., 044° T (050° M) and the Franklin, Pa., 099° T (105° M) radials), as a low altitude reporting point.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should 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.

The above proposed airspace actions will permit decommissioning of the Fitzgerald VOR since it has been determined that this facility no longer is required to support low altitude airway structure in that area. Elimination of this VOR will not derogate the low altitude airway structure.

The 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. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

These amendments are proposed under section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on December 2, 1965.

JAMES L. LAMPL,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 65-13152; Filed, Dec. 8, 1965; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Butylated, Styrenated Cresols as Components of Food-Packaging Materials; Proposed Additional Use and Definition

The Commissioner of Food and Drugs has received a petition (FAP 5B1806) from the Goodyear Tire & Rubber Co., 1144 Market Street, Akron, Ohio, 44316, proposing that the food additive regulations be amended to provide for the additional use of butylated, styrenated cresols as antioxidants and/or stabilizers for polystyrene, rubber-modified polystyrene, and olefin polymers used in the manufacture of articles intended for use in contact with food.

On the basis of the information submitted in the petition, and other relevant material, and under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785; 21 U.S.C. 348), and delegated by him to the Commissioner (21 CFR 2.90), it is proposed to amend the food additive regulations to provide for the above-mentioned additional use of the subject additives and to further define the additives where they are listed in §§ 121.2520 and 121.2562. (These listings were made in response to petitions (FAP 1154, 1333) filed by the Goodyear Tire & Rubber Co.)

Accordingly, it is proposed to amend Part 121:

§ 121.2520 [Amended]

1. By changing in paragraph (c)(5) of §121.2520 *Adhesives*, the item "Butylated, styrenated cresols" to read "Butylated, styrenated cresols identified in § 121.2566(b)."

§ 121.2562 [Amended]

2. By changing in paragraph (c)(4)(iii) of § 121.2562 *Rubber articles intended for repeated use* the item "Butylated, styrenated cresols" to read "Butylated, styrenated cresols identified in § 121.2566(b)."

3. By inserting alphabetically in the list in § 121.2566(b) a new item, as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) List of substances:

	Limitations
* * *	* * *
Butylated, styrenated cresols produced when equal moles of isobutylene, styrene, and a metacresol paracresol mixture having a 3° C. distillation range including 202° C. are made to react so that the final product contains 20–24 percent of butylated cresols, 23.5–28.5 percent of styrenated cresols, 42–48 percent of butylated, styrenated cresols, and meets the following specifications: Acidity not more than 0.003 percent, and refractive index at 25° C. of 1.5500–1.5600, as determined by ASTM D 1218–61.	For use only: 1. As provided in §§ 121.2520 and 121.2562. 2. At levels not to exceed 0.5 percent by weight of polystyrene, rubber modified polystyrene, or olefin polymers used in articles that contact food only under the conditions described in § 121.2526 (c), table 2, under conditions of use C through G.
* * *	* * *

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: December 3, 1965.

J. K. KIRK,
Assistant Commissioner for Operations

[F.R. Doc. 65–13181; Filed, Dec. 8, 1965; 8:48 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Part 22]

QUALIFICATIONS FOR SECOND-CLASS PRIVILEGES

Notice of Proposed Rule Making; Correction

In F.R. Doc. 65–12990 appearing in the issue for Friday, December 3, 1965, at page 14993–14994, § 22.2(b)(8)(ii) should read as follows:

(ii) At a reduction to the subscriber, under a premium offer or any other arrangements, of more than 50 percent of the amount charged at the basic annual rate for a subscription which entitles the subscriber to receive one copy of each issue published during the subscription period. The value of a premium is considered to be its actual cost to the publisher, the recognized retail value, or the represented value, whichever is highest.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501)

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 65–13185; Filed, Dec. 8, 1965; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16331; FCC 65–1080]

FM BROADCAST STATIONS

Proposed Table of Assignments

In the matter of amendment of § 73.202, *Table of Assignments, FM Broadcast Stations* (Quincy, Calif., McKinney, Tex., Glens Falls, N.Y., Gilroy, Calif., Panama City, Fla., Stillwater, Okla., St. Louis, Mo., and Granite City, Ill., Harriman, Tenn., St. Ignace, Mich., Cape May, N.J., Wichita Falls, Tex., and Centerville, Iowa); Docket No. 16331, RM–847, RM–859, RM–861, RM–868, RM–855, RM–858, RM–872, RM–873, RM–875.

1. Notice is hereby given of proposed rule making in the above-entitled matters, concerning amendments of the FM Table of Assignments contained in § 73.202 of the Commission's rules. All proposed assignments are alleged and appear to meet the separation requirements of the rules. All proposed assignments which are within 250 miles of the United States-Canadian border require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as noted, all channels proposed for shift or deletion are unoccupied and not applied for, and all population figures are taken from the 1960 U.S. Census.

2. *RM–847 Quincy, Calif.* (Wonderland Broadcasting Co.); *RM–859 McKinney, Tex.* (Disan Engineering Corp.); *RM–861 Glens Falls, N.Y.* (Normandy Broadcasting Corp.); *RM–868 Gilroy, Calif.* (Radio KPER);[1] *RM–872 Harriman, Tenn.* (Folkways Broadcasting Co., Inc.); *RM–873 St. Ignace, Mich.* (Mighty-Mac Broadcasting Co.); *RM–875 Cape May, N.J.* (Owen W. Hand and Edward Evanchyk). In these seven cases, interested parties have sought the assignment of a first Class A channel without requiring any changes in the Table. The communities are of substantial size and appear to warrant the proposed assignments. Comments are therefore invited on the additions to the Table listed below:

City	Channel No.
Quincy, Calif.	[2] 240A
Glens Falls, N.Y.	240A
McKinney, Tex.	237A
Gilroy, Calif.	232A
Harriman, Tenn.	224A
St. Ignace, Mich.	272A
Cape May, N.J.	269A

[2] Petitioner points out that Channel 257A may also be assigned in full conformance with all the rules.

[1] On Nov. 17, 1965, Pacifica Foundation filed a statement requesting that Channel 228A be assigned to Gilroy instead of the requested 232A. This suggestion will be considered in the proceeding.

3. *RM–855. Panama City, Fla.* In a petition for rule making filed on September 17, 1965, Don Industries, Inc., prospective applicant for a new FM station in Panama City, Fla., requests the addition of Channel 261A to Panama City. This city presently has assigned Channels 223 and 300, both of which have been authorized. It has a population of 33,275 and is the largest community and county seat of Bay County (population 67,131). In addition to the two FM stations, Panama City and nearby Panama City Beach have four AM stations, two of which are unlimited time operations. Petitioner urges that the community needs an economic community service and that a Class A assignment would provide adequate coverage in view of the isolated situation of the city.

4. We are of the view that we should invite comments on the petitioner's proposal. However, since Panama City has been assigned the number of FM assignments contemplated for cities of this size in setting up the FM Table of Assignments, comments are invited on the issue of whether the proposed addition preclude any needed future assignments in the general area. Also, since we have been reluctant to mix Class A and C assignments in the same city to avoid competitive inequality wherever possible, comments are invited on this aspect of the proposal. Comments are therefore invited on the following:

City	Channel No.	
	Present	Proposed
Panama City, Fla.	223, 300	223, 261A, 300

5. *RM–859. Stillwater, Okla.* On September 27, 1965, Disan Engineering Corp. filed a petition for rule making on behalf of Oklahoma State University requesting the addition of Channel 288A to Stillwater, Okla. Stillwater has a population of 23,965 and is the largest city and county seat of Payne County, which has a population of 44,231. It has one FM station in operation on Channel 230 and one daytime-only AM station. The University also operates an educational FM station (KOSU–FM) on Channel 219. Petitioner states that the University uses its radio facilities to train students who may eventually "be the controllers of tomorrow's radio" and that it is anxious to function as a regular commercial operator. Petitioner further submits that the University will eliminate its AM "wired-wireless" in the event it is granted the use of a commercial Class A assignment.

6. We are of the opinion that Stillwater may be large and important enough to warrant the assignment of an additional Class A channel, even though this may result in the mixing of a Class A and C assignment. We point out that if the proposal is adopted, the channel will be available for application by any other interested party, in addition to Oklahoma State University. Comments are invited therefore on the petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
Stillwater, Okla.	230	230, 288A

7. *RM–858. St. Louis, Mo., and Granite City, Ill.* On September 24, 1965, Charles H. Norman, permittee of FM Station WGNO, on Channel 293 at Madison, Ill., filed a petition for rule making requesting that Channel 293 be shifted from St. Louis, Mo., to Granite City, Ill., and for an order to him to show cause why the outstanding authorization for WGNO should not be modified to specify operation at Granite City rather than Madison. Petitioner received a construction permit for WGNO on Channel 293, assigned to St. Louis, under the "25-mile rule." Granite City has a population of 40,073 and Madison has 6,861. The only FM assignment in Granite City, Channel 285A, is licensed to Station WCBW in Columbia, Ill., also under the "25-mile rule." Thus, the relatively large city of Granite City is presently without an FM station. The only AM station located there is a daytime-only (WGNU) licensed to petitioner. Mr. Norman states that the permit for WGNO specifies a site and studio only 2 miles north of Granite City, that the station will provide a signal over the city of the strength required by the rules, and that identification of WGNO as a Granite City station would serve the public interest. St. Louis has seven Class C assignments other than Channel 293 as well as eight AM stations, six of which are unlimited time stations.

8. We are of the view that rule making should be instituted on petitioner's proposal. If it is determined by the Commission that the amendment proposed will serve the public interest, the Commission will take such further action as may be appropriate with respect to the outstanding authorization of WGNO. Comments are invited on the proposal therefore, to delete Channel 293 from St. Louis, Mo., and to assign it to Granite City, Ill.

9. *Wichita Falls, Tex., and Centerville, Ohio.* In addition to the above proposals made by interested parties, we wish to make two additional changes in the Table on our own motion to remove short-spaced assignments. First, Channel 247 was inadvertently assigned to Wichita Falls, Tex., in violation of the spacing rules. Second, in acting on RM–701 in Docket No. 15935 we assigned Channel 233 to Kirksville, Mo., without substituting Channel 237A for 232A at Centerville, Iowa, as requested by petitioner. We therefore propose to make the necessary changes as follows:

City	Channel No.	
	Present	Proposed
Wichita Falls, Tex.	225, 236, 247, 260, 277	225, 236, 260, 277
Centerville, Iowa	232A	237A

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

11. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before January 3, 1966, and reply comments on or before January 14, 1966. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

12. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Attention is directed to the provisions of paragraph (c) of § 1.419 which require that any person desiring to file identical documents in more than one docketed rule making proceeding shall furnish the Commission two additional copies of any such document for each additional docket unless the proceeding have been consolidated.

Adopted: December 1, 1965.

Released: December 3, 1965.

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

[F.R. Doc. 65–13192; Filed, Dec. 8, 1965; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 16004]

FIELD STRENGTH CURVES FOR FM AND TV BROADCAST STATIONS

Order Extending Time for Filing Comments and Reply Comments

In the matter of §§ 73.333 and 73.699, field strength curves for FM and TV broadcast stations; Docket No. 16004.

1. In its notice of proposed rule making in the above-entitled matter (FCC 65–383) the Commission invited comments by June 14, 1965, and reply comments by June 25, 1965. In subsequent notices and orders the time was extended until December 15, 1965, and December 31, 1965, respectively. In the most recent order extending the time issued on October 21, 1965, the Commission discussed an engineering conference held for the purpose of providing the Association of Federal Communications Consulting Engineers and other interested engineers an opportunity to submit any additional measurements or information they might have which would help the Commission in adopting the best available propagation curves for FM and TV. As a result of this conference a working group was formed to complete the work of the conference. This group has not had sufficient time to accomplish its purpose. It is expected that the work of the group will be completed before March 15, 1966.

2. We are of the view that a further extension of time for filing comments in this proceeding would serve the public interest. *Accordingly, it is ordered,* This 30th day of November, 1965, that the time for filing comments and reply comments are extended from December 15, 1965, to March 15, 1966, and from December 31, 1965, to March 31, 1966, respectively.

3. This action is taken pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules.

Released: December 2, 1965.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 65–13193; Filed, Dec. 8, 1965; 8:49 a.m.]

[1] Concurring statement of Commissioner Cox filed as part of original document; Commissioner Wadsworth absent.

FEDERAL HOME LOAN BANK BOARD

[No. 19,542]

[12 CFR Part 545]

FEDERAL SAVINGS AND LOAN SYSTEM

Determination Date; Correction

DECEMBER 7, 1965.

Resolved that in Federal Register Document No. 65–13141 proposing an amendment to paragraph (d) of § 545.1–1 of Subchapter C of Chapter V of Title 12 of the Code of Federal Regulations, published at 30 F.R. 15174, the following correction is hereby made: The last sentence in the proposed amendment is changed to read as follows: "Payments received by the association on or before such determination date shall receive earnings as if invested on the first of such month; payments received subsequent to such determination date shall receive earnings as if invested on the first of the next succeeding month, except that, after adoption by the association's board of directors of a resolution so providing and while such resolution remains in effect, payments received subsequent to a determination date which is not later than the tenth of the month shall receive earnings from the date of receipt."

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 65–13240; Filed, Dec. 8, 1965; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Ch. I]

[Ex Parte No. 246]

FEES FOR SERVICES PERFORMED IN CONNECTION WITH LICENSING AND RELATED ACTIVITIES

Extension of Time for Representations

DECEMBER 1, 1965.

The date for filing representations in the above-entitled proceeding has been extended to February 1, 1966, at the request of Mr. Harry C. Ames, Jr., on behalf of the Motor Carriers Lawyers Association.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-13171; Filed, Dec. 8, 1965; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Antidumping—AA 643.3–p]

TITANIUM DIOXIDE FROM FRANCE

Determination of Sales at Not Less Than Fair Value

DECEMBER 1, 1965.

On May 15, 1965, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that titanium dioxide, pigment grade, imported from France is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until June 14, 1965, to make written submissions or to request in writing an opportunity to present views in connection with the tentative determination.

After consideration of all comments received, I hereby determine that for the reasons stated in the tentative determination titanium dioxide, pigment grade, imported from France is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 65–13167; Filed, Dec. 8, 1965; 8:46 a.m.]

[Dept. Order 205–3]

DIRECTOR OF THE MINT

Delegation of Authority To Purchase Certain Equipment and Facilities

DECEMBER 2, 1965.

By virtue of the authority vested in the Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, and by virtue of the authority vested in me as Assistant Secretary of the Treasury by Treasury Department Order No. 190 (Revision 3), there is hereby delegated to the Director of the Mint, without limitation, all the authority vested in the Secretary by the Act of August 20, 1963, Pub. L. 88–102, § 1, 77 Stat. 129 (31 U.S.C. 291) to furnish and equip the buildings described therein with all the necessary coinage and other special equipment and facilities. Any action heretofore taken by the Director of the Mint which involved the exercise of authority hereby granted is affirmed and ratified.

[SEAL] ROBERT A. WALLACE,
Assistant Secretary of the Treasury.

[F.R. Doc. 65–13170; Filed, Dec. 8, 1965; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Oregon 016990 (Wash.)]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Land

DECEMBER 1, 1965.

The Corps of Engineers, U.S. Department of the Army, has filed an application, Serial No. Oregon 016990 (Washington), for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws (Chap. 2, 30 U.S.C.) and mineral leasing laws.

The applicant desires to use the land in connection with project planning and the construction of Asotin Dam and Reservoir Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 Northeast Holladay, Portland, Oreg., 97232.

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 Corps of Engineers.

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:

WASHINGTON

WILLAMETTE MERIDIAN

T. 7 N., R. 46 E.,
Sec. 12, lots 1, 2, 3, and SW¼NE¼;
Sec. 13, SW¼SW¼.
T. 10 N., R. 46 E.,
Sec. 27, SW¼SE¼;
Sec. 35, SE¼SE¼.
T. 7 N., R. 47 E.,
Sec. 6, lot 8, and SW¼SE¼;
Sec. 7, lots 1, 2, 3, 4 and 5, and NE¼NW¼;
Sec. 29, lots 1, 3, 4 and 5, and E½SW¼;
Sec. 32, lots 1 and 2, SW¼NE¼, and E½SE¼;
Sec. 33, lots 1 and 2.
T. 8 N., R. 47 E.,
Sec. 5, lot 1;
Sec. 6, lot 2;
Sec. 21, lot 1.

The areas described aggregate 961.55 acres.

D. B. LEIGHTNER,
Acting Land Office Manager.

[F.R. Doc. 65–13160; Filed, Dec. 8, 1965; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 152; Amdt. 1]

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

Delegation of Authority

The following amendent to the order was issued by the Secretary of Commerce on December 3, 1965. This material amends the material appearing at 29 F.R. 5408–5409 of April 22, 1964.

Department Order 152, dated April 2, 1964, is hereby amended as follows:

In section 3, Delegation of Authority, a new subparagraph .01 10. is added to read:

10. Headnote 2, subpart B, part 6, schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) relating to the development, maintenance, and publication of a list of bona fide motor-vehicle manufacturers, and authority to promulgate rules and regulations pertaining thereto under section 501(2) of Title V of the Automotive Products Trade Act of 1965 (Public Law 89–283, 79 Stat. 1016).

Effective date: December 3, 1965.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 65–13234; Filed, Dec. 8, 1965; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-130]

NORTHERN STATES POWER CO.

Notice of Issuance of Provisional Operating License Amendment

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 3 to Provisional Operating License No. DPR-11. The license, as previously issued, authorized Northern States Power Co. to operate the Pathfinder nuclear reactor located near Sioux Falls, S. Dak., at steady state power levels up to one (1) megawatt thermal. The amendment authorizes the licensee to increase the maximum steady state operating power level of the reactor to 190 megawatts thermal in accordance with the application for license amendment dated February 12, 1965, and the supplements thereto dated March 5, 1965, and April 28, 1965.

The amendment, as issued, is as set forth in the notice of proposed issuance of provisional operating license amendment published in the FEDERAL REGISTER on October 2, 1965, 30 F.R. 12645.

Dated at Bethesda, Md., this 2d day of December 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-13197; Filed, Dec. 8, 1965; 8:49 a.m.]

[Docket No. 50-237]

COMMONWEALTH EDISON CO.

Notice of Designation of Alternate Member of Atomic Safety and Licensing Board

In the matter of Commonwealth Edison Co. (Dresden Nuclear Power Station Unit 2).

By "Notice of Hearing on Application for Provisional Construction Permit," dated October 25, 1965, and by "Notice of Designation of Replacement of Member of Atomic Safety and Licensing Board," dated December 3, 1965, in the above captioned matter, the Atomic Energy Commission designated an Atomic Safety and Licensing Board consisting of Dr. Hugh Paxton, Los Alamos, N. Mex.; Dr. Eugene Grueling, Durham, N.C.; and J. D. Bond, Esq., Chairman, Washington, D.C., to conduct the hearing on the Commonwealth Edison Co.'s application for a provisional construction permit.

The Atomic Energy Commission has designated Dr. David B. Hall, Los Alamos, N. Mex., as an alternate technically qualified member of the Atomic Safety and Licensing Board.

Dated at Washington, D.C., this 7th day of December 1965.

United States Atomic Energy Commission.

W. B. MCCOOL,
Secretary.

[F.R. Doc. 65-13217; Filed, Dec. 8, 1965; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16692]

TRANSPORTES AEREOS PORTUGUESES, S.A.R.L.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be held on December 17, 1965, at 10 a.m., e.s.t., in Room 925, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., December 2, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-13176; Filed, Dec. 8, 1965; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16318; FCC 65M-1569]

NEW SOUTH BROADCASTING CORP.

Order Scheduling Hearing

In re application of New South Broadcasting Corp., Meridian, Miss., Docket No. 16318, File No. BPH-4818; for construction permit:

It is ordered, This 3d day of December 1965, that Isadore A. Honig shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on January 19, 1966, at 10 a.m.; and that a prehearing conference shall be held on December 28, 1965, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: December 6, 1965.

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

[F.R. Doc. 65-13194; Filed, Dec. 8, 1965; 8:49 a.m.]

[Docket Nos. 16301, 16312; FCC 65M-1570]

SAWNEE BROADCASTING CO. (WSNE), AND HALL COUNTY BROADCASTING CO. (WLBA)

Order Scheduling Hearing

In re applications of John T. Pittard, trading as Sawnee Broadcasting Co. (WSNE), Cumming, Ga., Docket No. 16301, File No. BP-16375; Ernest H. Reynolds, Jr., trading as Hall County Broadcasting Co. (WLBA), Gainesville, Ga., Docket No. 16312, File No. BP-16606; for construction permits:

It is ordered, This 3d day of December 1965, that Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on January 20, 1966, at 10 a.m.; and that a prehearing conference shall be held on December 28, 1965, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: December 6, 1965.

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

[F.R. Doc. 65-13195; Filed, Dec. 8, 1965; 8:49 a.m.]

[Docket Nos. 16310, 16311; FCC 65M-1568]

WILKESBORO BROADCASTING CO. AND WILKES COUNTY RADIO

Order Scheduling Hearing

In re applications of Fletcher R. Smith and Madge P. Smith, doing business as Wilkesboro Broadcasting Co., Wilkesboro, N.C., Docket No. 16310, File No. BP-16466; Paul L. Cashion and J. B. Wilson, Jr., doing business as Wilkes County Radio, Wilkesboro, N.C., Docket No. 16311, File No. BP-16556; for construction permits:

It is ordered, This 3d day of December 1965, that Jay A. Kyle shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on January 17, 1966, at 10 a.m.; and that a prehearing conference shall be held on December 29, 1965, commencing at 9 a.m.: *And, it is further ordered,* That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: December 6, 1965.

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

[F.R. Doc. 65-13196; Filed, Dec. 8, 1965; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G–4574, etc.]

J. RALPH GARNER ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

NOVEMBER 30, 1965.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 22, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
G–4574 E 11–15–65	J. Ralph Garner (successor to Finch & Snider Oil and Gas Co.), Route No. 1, Bristol, W. Va.	Pennzoil Co., Ten Mile District, Harrison County, W. Va.	12.0	15.325
G–6170 D 11–22–65	The Superior Oil Co., Post Office Box 1521, Houston, Tex., 77001.	Southern Natural Gas Co., Gwinville Field, Jefferson Davis County, Miss.	Assigned	.....
G–8735 E 11–5–65	HRC Gas and Oil Associates (successor to the Manufacturers Light and Heat Co.), Post Office Box 628, Fairmont, W. Va.	Consolidated Gas Supply Corp., Proctor and Center Districts, Wetzel County, W. Va.	20.0	15.325
G–11074 D 11–18–65	The Superior Oil Co., Post Office Box 1521, Houston, Tex., 77001.	Kansas-Nebraska Natural Gas Co., Inc., Big Springs Field, Deuel County, Nebr.	(1)	.....
G–15951 E 11–12–65	Charles K. Williams (successor to J. F. Pritchard), c/o Wilbur J. Holleman, attorney, 325 National Bank of Tulsa Bldg., Tulsa, Okla., 74103.	Mississippi River Fuel Corp., Ruston Field, Lincoln Parish, La.	[2] 13.75	15.025
G–17339 D 11–18–65	The California Co., a Division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La., 70112 (partial abandonment).	Consolidated Gas Supply Corp., Acreage in Acadia Parish, La.	Uneconomical	.....
CI64–189 C 11–15–65 [3]	Robert A. Lee and Hilton L. Ladner (Operator), et al.,[3] 903 First National Bank Bldg., Jackson, Miss.	United Gas Pipe Line Co., Pistol Ridge Field, Pearl River County, Miss.	20.0	15.025
CI64–1392 C 11–19–65	Monsanto Co. (Operator), et al., 1300 Main St., Houston, Tex., 77002.	Lone Star Gas Co., North Dibble and Southeast Boyle Areas, McClain County, Okla.	15.0	14.65
CI65–205 C 11–12–65	Rodman Oil Co., Post Office Box 3826, Odessa, Tex.	West Lake Natural Gasoline Co., Nena Lucia Area, Nolan County, Tex.	8.5	14.65
CI66–34 C 11–17–65	Phillips Petroleum Co. (Operator), et al., Bartlesville, Okla., 74004.	American Louisiana Pipe Line Co., Hog Bayou Field, Block 1, Offshore Cameron Parish, La.	19.0	15.025
CI66–410 [4] A 11–15–65	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	Northern Natural Gas Co., Eldorado Plant, Schleicher County, Tex.	16.5	14.65
CI66–414 B 11–17–65 [4]	V–T Drilling Co., c/o Mr. Ira Van Tuyl, 711 Hulman Bldg., Evansville, Ind.	Consolidated Gas Supply Corp., Freemans Creek District, Lewis County, W. Va.	Production declined	.....
CI66–415 A 11–18–65	Occidental Petroleum Corp., 5000 Stockdale Highway, Bakersfield, Calif.	Trunkline Gas Co., Mulvey Field, Vermilion Parish, La.	[2] 17.0	15.025
CI66–416 A 11–18–65	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex., 77001.	American Louisiana Pipe Line Co., Buck Point Field, Vermilion Parish, La.	21.25	14.65
CI66–417 A 11–5–65	Wood Oil Co., 800 Midstates Bldg., Tulsa, Okla., 74103.	Cities Service Gas Co., Eureka Field, Grant and Alfalfa Counties, Okla.	[5] 12.0	14.65
CI66–418 A 11–19–65	Sunray DX Oil Co., Post Office Office Box 2039, Tulsa, Okla., 74102.	American Louisiana Pipe Line Co., Buck Point Field, Vermilion Parish, La.	21.25	15.025
CI66–419 A 11–19–65	....do.....	American Louisiana Pipe Line Co., East Buck Point Field, Vermilion Parish, La.	21.25	15.025
CI66–420 A 11–19–65	The California Co., a division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La., 70112.	American Louisiana Pipe Line Co., Southwest Lake Arthur Field, Cameron Parish, La.	20.625	15.025
CI66–421 A 11–19–65	Robert Mosbacher, 602 Bank of Commerce Bldg., Houston, Tex., 77002.	American Louisiana Pipe Line Co., Buck Point Field, Vermilion Parish, La.	21.25	15.025
CI66–422 A 11–19–65	Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla., 74102.	American Louisiana Pipe Line Co., Boston Bayou Field, Vermilion Parish, La.	21.25	15.025
CI66–423 A&E 11–12–65	Texota Oil Co. (successor to Douglas Corp.) [6] Petroleum Club Bldg., Suite 400, 110 16th St., Denver, Colo., 80202.	El Paso Natural Gas Co., Blanco Field, San Juan County, N. Mex.	11.0	15.025
CI66–424 A 11–22–65	Tidewater Oil Co., Post Office Box 1404, Houston, Tex., 77001.	American Louisiana Pipe Line Co., Southwest Lake Arthur Field, Cameron Parish, La.	20.625	15.025
CI66–425 A 11–22–65	Tenneco Oil Co., Post Office Box 2511, Houston, Tex., 77001.	American Louisiana Pipe Line Co., Boston Bayou Field, Vermilion Parish, La.	21.25	15.025
CI66–426 A 11–22–65	Shell Oil Co., 50 West 50th St., New York, N.Y., 10020.	Arkansas Louisiana Gas Co., Red Oak Field, LeFlore County, Okla.	15.0	14.65
CI66–427 A 11–22–65	Isaac Arnold et al., 500 Jefferson Bldg., Houston, Tex., 77002.	American Louisiana Pipe Line Co., Bayou Hebert Field, Vermilion Parish, La.	21.25	15.025
CI66–429 A 11–18–65 [6]	Tenneco Oil Co.,[6] Post Office Box 2511, Houston, Tex., 77001.	El Paso Natural Gas Co., Allison Unit Area, La Plata County, Colorado and San Juan County, N. Mex.	13.0	15.025
CI66–430 A 11–19–65	Calvert Drilling Co., F. A. Calvert and Houston Huffman, c/o Barth P. Walker, Attorney, 220 Cravens Bldg., Oklahoma City, Okla., 73102.	Panhandle Eastern Pipe Line Co., Acreage in Woods County, Okla.	17.0	14.65
CI66–431 B 11–22–65	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla., 74102.	United Gas Pipe Line Co., North Charco Field, Goliad County, Tex.	Depleted	.....
CI66–432 B 11–22–65	Sunset International Petroleum Corp., 8920 Wilshire Blvd., Beverly Hills, Calif., 90211.	El Paso Natural Gas Co., Acreage in Ochiltree County, Tex.	[7]	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
C166-433 ..... A 11-22-65	Robert Thorsen et al., 909 First National Bank Bldg., 38 South Dearborn St., Chicago, Ill., 60603.	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025

[1] Deletes terminated leases from basic contract.
[2] Includes 1.333 cents per Mcf tax reimbursement.
[3] Application to amend certificate filed by Hilton L. Ladner, Operator and Part Owner, to add acreage acquired by virtue of various farmouts; such farmout acreage is presently subject to contracts between United Gas Pipe Line Co. and George D. Hunt and Bonnie C. Whitaker—Docket No. G-8402; J. C. Vaughan, Jr.—Docket No. G-9160; W. B. and C. R. Ridgway—Docket Nos. G-8854 through G-8864; Humble Oil & Refining Co.—Docket No. G-8816; Gulf Oil Corp.—Docket No. G-7168; and Crow Drilling Co.—Docket No. G-7313.
[4] Gas-well gas. Meets or exceeds all pipeline quality standards as set out in the Commission's Opinion No. 468.
[5] Abandons service previously rendered by Prime Petroleum Co. et al—Docket No. C163-1507.
[6] Subject to 1.0 cent per Mcf per stage of compression in the event Buyer elects to compress gas.
[7] Subject to reduction of 0.75 cent per Mcf for dehydration and 1¼ cents per Mcf if compressor facilities are installed and placed in operation.
[8] Predecessor has no certificate or rate schedule on file.
[9] For Applicant's interest in properties acquired from Delhi-Taylor Oil Corp. Predecessor has no certificate or rate schedule on file.
[10] Lease was surrendered and terminated as a result of litigation in court, and Applicant has no further interest therein.

[F.R. Doc. 65-13103; Filed, Dec. 8, 1965; 8:45 a.m.]

[Project No. 2552]

CENTRAL MAINE POWER CO.

Notice of Application for License for Constructed Project

DECEMBER 1, 1965.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Central Maine Power Co. (correspondence to: W. H. Kimball, Vice President and Comptroller, 9 Green Street, Augusta, Maine, 04332), for license for constructed Project No. 2552, known as the Fort Halifax Project, located on Sebasticook River in the towns of Winslow and Benton, in Kennebec County, Maine.

The existing project consists of: (1) A dam comprising a nonoverflow section 50 feet long at elevation 60 feet, an Ambursen type overflow section about 352 feet long with crest elevation 47.5 feet to a wing wall at the intake section (the dam crest being equipped with 2 feet of pin-type flashboards); (2) a reservoir extending to the town of Benton; (3) a 74-foot 6-inch long and 88-foot wide intake and flume protected by racks and equipped with slide gates 6 feet 6 inches by 18 feet; (4) a powerhouse approximately 46 feet by 53 feet, concrete structure and brick superstructure containing two 750 kw generators each coupled to a turbine; and (5) appurtenant electrical and mechanical facilities.

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 January 17, 1966. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13153; Filed, Dec. 8, 1965; 8:45 a.m.]

[Docket No. E-7259]

GULF STATES UTILITIES CO.

Notice of Application

DECEMBER 1, 1965.

Take notice that on November 26, 1965, Gulf States Utilities Co. (Applicant), a public utility incorporated under the laws of the State of Texas and qualified to carry on business in the State of Louisiana with its principal place of business office at Beaumont, Tex., filed an application with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, seeking authority to issue $20,000,000 principal amount of First Mortgage Bonds.

According to the application the new Bonds will be issued under the Applicant's Indenture of Mortgage dated September 1, 1926, as modified by Supplemental Indentures to and including a 21st Supplemental Indenture dated as of May 1, 1962, and as to be further supplemented by a 22d Supplemental Indenture to be dated as of the first day of the month in which the new Bonds are issued. Applicant proposes on or about January 6, 1966, to invite bids for the purchase of the new Bonds which bids must be in writing and specify the interest rate of the new Bonds and the price (exclusive of accrued interest) to be paid to the Applicant for the new Bonds which shall be not less than 100 percent nor more than 102½ percent.

According to the application, the proceeds from the issue of the new Bonds will initially reimburse the Applicant in part for the construction expenditures heretofore made and will enable the Company to pay in full all of its short-term notes estimated to be outstanding as of the date of the issuance of the new Bonds and permit carrying forward the Company's 1966 construction program. Applicant estimates that its 1966 construction program will require expenditures of $8.6 million for generation facilities, $19.3 million for transmission facilities and $900,000 for distribution facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 21, 1965, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13154; Filed, Dec. 8, 1965; 8:45 a.m.]

[Docket No. E-7260]

NIAGARA MOHAWK POWER CORP.

Notice of Application

DECEMBER 2, 1965.

Take notice that on November 26, 1965, Niagara Mohawk Power Corp., (Niagara Mohawk), filed an application with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, seeking authority to acquire certain hydroelectric facilities from Henry Ford & Son, Inc. (Henry Ford).

Niagara Mohawk is incorporated under the laws of the State of New York with its principal place of business office at Syracuse, N.Y., and is engaged in the electrical utility business in 42 counties in upstate New York. Henry Ford is incorporated under the laws of the State of New York and authorized to do business in the State of New York with its principal place of business office at Dearborn, Mich.

The facilities which Niagara Mohawk proposes to acquire consist of Henry Ford's Green Island Hydroelectric Project located on the Hudson River at U.S. Navigation Lock and Dam on Green Island in Albany County, N.Y. This facility is licensed as FPC Project No. 13. Niagara Mohawk and Henry Ford have already filed an application pursuant to section 8 of the Federal Power Act for authority to transfer the license for this facility. Public notice of this application for transfer of license was issued on September 29, 1965.

As consideration for the transfer of this facility, Niagara Mohawk proposes to pay to Henry Ford the sum of $100,000 and to record the proposed acquisition by charging said amount to Account No. 102, Electric Plant Purchased. After the transaction is consummated, the manufacturing plant of Ford Motor Co. at Green Island, N.Y., will become a customer of Niagara Mohawk and Project No. 13 will be added to the available production facilities of Niagara Mohawk.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 20, 1965, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13155; Filed, Dec. 8, 1965; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[01-24]

ATLANTIC TRUST CO.

Notice of Application and Opportunity for Hearing

DECEMBER 2, 1965.

Notice is hereby given that Atlantic Trust Co. (the "Company"), Atlantic National Bank of Jacksonville, Jacksonville, Fla., 32202, has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("Act"), for an order of the Commission exempting the Company from the provisions of section 12(g) of the Act. Exemption from section 12(g) will have the additional effect of exempting the Company from sections 13 and 14 of the Act and any officer, director, or beneficial owner of more than 10 percent of any class of equity security from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity security of every issuer which is engaged in, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total asssets exceeding $1,000,000, and a class of equity security held of record initially by 750 or more persons, and after July 1, 1966, by 500 or more persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting and proxy solicitation provisions and to grant exemption from the insider reporting and trading provisions of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

The application of the Company states in part:

1. All the capital stock of the Company is held in trust for the pro rata benefit of the 960 stockholders of the Atlantic National Bank of Jacksonville ("Bank"), as a class, whoever they may be from time to time, by three trustees who are officers of the Bank. The trust under which the capital stock of the Company is held has been in existence since its creation in 1923 and had as of December 31, 1964, assets in excess of $1,000,000.

2. The trust has never issued or used trust certificates; the Bank stock bears no statement or reference concerning the holder's beneficial interest in the Company. The only evidence of such interest in the Company is contained in the trust instrument. The beneficial interest cannot be separately transferred, but it passes only as an incident to a transfer of the Bank Stock.

3. The Bank wished to have the trustees transfer all shares of the Company to the Bank without consideration. The effect of this would be to make Bank the holder of the legal and equitable title of the Company Stock and the Bank the sole record and beneficial stockholder of the Company.

4. Both the Comptroller of the Currency and the Federal Reserve has held that this is permissible. On November 4, 1965, all the outstanding shares of stock of the Company were transferred without consideration, pursuant to express authorization in the trust agreement, to the Bank.

5. The Bank and the Company are and have been subject to regulation and examination by both the Comptroller of the Currency (the "Comptroller") and the Federal Reserve under the National Banking Act, the Federal Reserve Act and the Bank Holding Company Act of 1956. Under section 12(i) of the Exchange Act the Comptroller is vested with the enforcement powers granted the Commission under sections 12, 13, 14(a), 14(c), and 16 of the Exchange Act as to the Bank. Section 12(g)(1) will not apply to the Company beginning with the year 1966.

For a more detailed statement of matters of fact and law asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than December 27, 1965, submit to the Commission in writing his views or any additional facts bearing upon his application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued by the Commission unless an order for hearing upon said application is issued upon request or upon the Commission's own motion.

By the Commission.

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

[F.R. Doc. 65-13162; Filed, Dec. 8, 1965; 8:46 a.m.]

[01-37]

CORONET PETROLEUM CORP.

Notice of Application and Opportunity for Hearing

DECEMBER 2, 1965.

Notice is hereby given that Coronet Petroleum Corp. (Coronet), 2957 Humble Building, Houston, Tex., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("the Act") for an order exempting it from the registration provisions of section 12(g) of the Act. Exemption from section 12(g) will have the additional effect of exempting Coronet from section 13 or 14 of the Act and any officer, director or beneficial owner of more than 10 percent of Coronet's capital stock from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer which is engaged in, or in a business affecting, interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total assets exceeding $1 million and a class of equity securities held of record initially by 750 or more persons, and after July 1, 1966, by 500 or more persons. Registration is terminated 90 days after the issuer files a certification with the Commission that the number of holders of the registered class of equity securities is fewer than 300 persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuer from the registration, periodic reporting and proxy solicitation provisions of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

Coronet's application states, in part:

1. Coronet, a Delaware corporation, had over $1 million total assets and in excess of 750 holders of its single class of capital stock, par value 20 cents on December 31, 1964. It would, therefore, be subject to the registration requirements of section 12(g).

2. Pursuant to a purchase agreement adopted by its shareholders on April 15, 1965, Coronet sold all its assets to the Texstar Corp. in exchange for stock of Texstar. On October 29, 1965, the shareholders of Coronet adopted a plan of complete liquidation and dissolution calling for the distribution to the shareholders pro rata of the Texstar stock.

For a more detailed statement of the information presented, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that any interested person may, not later than December 27, 1965, submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearng thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of fact and law raised by the application which he desires to controvert. At any time after said date, an order granting the application may be issued by the Commission unless an order for hearing upon said application is issued upon re-

quest or upon the Commission's own motion.

By the Commission.

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

[F.R. Doc. 65-13163; Filed, Dec. 8, 1965; 8:46 a.m.]

TARIFF COMMISSION

[337-D-23]

WALKIE-TALKIE UNITS

Notice of Dismissal of Complaint

After preliminary inquiry in accordance with § 203.3 of its rules of practice and procedure (19 CFR 203.3), the U.S. Tariff Commission, on December 1, 1965, dismissed the complaint filed under section 337 of the Tariff Act of 1930 by the Electrosolids Corp. of Los Angeles, Calif. The complaint alleged unfair methods of competition and unfair acts in the importation and sale of certain walkie-talkie units incorporating high gain superregenerative detector circuits, insofar as the circuitry incorporated in such walkie-talkie embodied, employed, or contained the invention disclosed in claims 5 and 6 of U.S. Letters Patent 3,151,297, assigned to Electrosolids.

Information obtained in the course of the preliminary inquiry shows that the patented circuits forming the basis of the complaint are not produced in the United States by or on behalf of the complainant, but rather are obtained by complainant from abroad. Section 337 does not apply in this case, since there is no industry in the United States producing the patented circuits nor any evidence that the effect or tendency of the importation or sale of any such patented circuits (or articles containing such circuits) has been to destroy or to prevent the establishment of such an industry.

Issued: December 2, 1965.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 65-13142; Filed, Dec. 8, 1965; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 853]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FORWARDER APPLICATIONS

DECEMBER 3, 1965.

The following applications are governed by Special Rule 1.247[1] of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, effective January 1, 1964. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.40 of the general rules of practice which requires that it set forth specifically the grounds upon which it is made and specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. 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.

The publications hereinafter set forth reflect the scope of the applications as filed by applicants, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

No. MC 1124 (Sub-No. 211), filed November 1, 1965. Applicant: HERRIN TRANSPORTATION COMPANY, a corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's representative: Ralph W. Pulley, Jr., 45th Floor, First National Bank Building, Dallas, Tex., 75202. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, commodities in bulk, those of unusual value and those requiring special equipment), (1) between Phenix City, Ala., and Memphis, Tenn.; from Phenix City over U.S. Highway 280 to Birmingham, Ala., thence over U.S. Highway 78 to Memphis and return over the same route, serving all intermediate and off-route points in Russell County, Ala.; (2) between Phenix City, Ala., and El Dorado, Ark.; from Phenix City over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 82 to El Dorado and return over the same route, serving those intermediate points in Arkansas on U.S. Highway 82 between Lake Village and El Dorado, Ark., and all intermediate and off-route points in Russell County, Ala.; (3) between Phenix City, Ala., and Monroe, La., over U.S. Highway 80, serving Jackson, Miss., as a point of joinder only and serving all intermediate and off-route points in Russell County, Ala.; (4) between Phenix City, Ala., and Mobile, Ala.; from Phenix City over U.S. Highway 80 to Montgomery, Ala., thence over U.S. Highway 31 to Mobile and return over the same route, and serving Mobile, Ala., as a point of joinder only and serving all intermediate and off-route points in Russell County, Ala.; (5) between Phenix City, Ala., and New Orleans, La.; from Phenix City over U.S. Highway 80 to Meridian, Miss.

Thence over U.S. Highway 11 to New Orleans and return over the same route, serving all intermediate and off-route points in Russell County, Ala.; (6) between Phenix City, Ala., and Baton Rouge, La.; from Phenix City over U.S. Highway 80 to Meridian, Miss., thence over U.S. Highway 11 to junction U.S. Highway 190, thence over U.S. Highway 190 to Baton Rouge and return over the same route, serving all intermediate and off-route points in Russell County, Ala.; (7) between Phenix City, Ala., and Jacksonville, Fla.; from Phenix City over U.S. Highway 280 to Richland, Ga., thence over Georgia Highway 55 to Dawson, Ga., thence over U.S. Highway 82 to Waycross, Ga., thence over U.S. Highway 23 to Jacksonville and return over the same route, serving all intermediate and off-route points in Russell County, Ala.; (8) between Phenix City, Ala., and Savannah, Ga., over U.S. Highway 80, serving all intermediate and off-route points in Russell County, Ala.; (9) between Phenix City, Ala., and Pensacola, Fla.; from Phenix City over U.S. Highway 431 to Dothan, Ala., thence over U.S. Highway 231 to junction U.S. Highway 90, thence over U.S. Highway 90 to Pensacola and return over the same route, serving all intermediate and off-route points in Russell County, Ala.; and (10) between Phenix City, Ala., and Macon, Ga., over U.S. Highway 80, serving all intermediate and off-route points in Russell County, Ala. NOTE: If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 2594 (Sub-No. 1), filed November 23, 1965. Applicant: MICHAEL'S TRUCK RENTAL SERVICE, INC., 97 Summit Road, Port Washington, N.Y., 11050. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, *equipment, materials and supplies* used in the conduct of such business, between New York, N.Y., and points in Nassau, Suffolk, and Westchester Counties, N.Y., and those in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 25869 (Sub-No. 49), filed November 19, 1965. Applicant: NOLTE BROS. TRUCK LINE, INC., 2509 O Street, Post Office Box 184, South Omaha, Nebr. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

[1] Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

ing: *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 points in Saunders County, Nebr., to points in Indiana. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 29079 (Sub-No. 22), filed November 22, 1965. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1100 Home Avenue, Kokomo, Ind. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (A) *Copper wire* and *cable,* from the plantsite of Anaconda Wire and Cable Co., near La Grange (Oldham County), Ky., to points in Illinois, Indiana, Michigan, Ohio, and St. Louis, Mo., and (B) *general commodities* (except commodities in bulk, those of unusual value, dangerous explosives, household goods and those requiring special equipment), from points in Illinois, Indiana, Michigan, Ohio, and St. Louis, Mo., to the plantsite of Anaconda Wire and Cable Co., near La Grange (Oldham County), Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Cleveland, Ohio, or St. Louis, Mo.

No. MC 29929 (Sub-No. 6), filed November 22, 1965. Applicant: CANNY TRUCKING CO., INC., 6-18 Spring Forest Avenue, Binghamton, N.Y., 13905. Applicant's representative: Donald C. Carmien, 300 Press Building, Binghamton, N.Y., 13902. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, those requiring special equipment, those of unusual value, classes A and B explosives and household goods as defined by the Commission), serving points in Nassau County, N.Y., as off-route points in connection with applicant's authorized regular-route operations between Painted Post, N.Y., and New York, N.Y., commercial zone, restricted to traffic to and from points on regular-route authority outside of the New York, N.Y., commercial zone as defined by the Commission. NOTE: If a hearing is deemed necessary, applicant requests it be held at Binghamton, N.Y.

No. MC 40428 (Sub-No. 13), filed November 26, 1965. Applicant: CROSS TRANSPORTATION, INC., Carll's Corner, Bridgeton, N.J. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Glass containers, and boxes, paper, fiberboard* or *pulpboard* in sheets or rolls and *paper, fiberboard or pulpboard liners or fillers,* from North Bergen, N.J., to points in Maine, Vermont, New Hampshire, Rhode Island, Pennsylvania (except points in the Philadelphia, Pa., commercial zone), Maryland, Delaware, Virginia, and the District of Columbia; (2) *plastic containers, and boxes,* from Jersey City, N.J., to points in Maine, Vermont, New Hampshire, Rhode Island, Connecticut, New York (except points in the New York, N.Y., commercial zone), Delaware, Maryland, Virginia, and the District of Columbia; and (3) *rejected, returned and damaged shipments,* from the above described destination points, to the above described origin points. NOTE: Applicant states that it presently holds authority to perform all of the above service via gateways of Bridgeton and Glassboro, N.J., and also holds general commodity authority via irregular and regular routes between Boston, Mass., and Newark, N.J., covering intermediate and off-route points in New York, Connecticut, Rhode Island, and Massachusetts. Applicant also states that it holds authority to serve all of Rhode Island and Connecticut via Boston, Mass. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 42487 (Sub-No. 640), filed November 22, 1965. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's representative: Robert C. Stetson (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Animal feed,* liquid and dry, (1) from Morrill, Nebr., to points in Colorado, Montana, South Dakota, and Wyoming, and (2) from Cody, Wyo., to points in Montana and South Dakota. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Cheyenne, Wyo.

No. MC 50069 (Sub-No. 336), filed November 18, 1965. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Petroleum products,* in bulk, in tank vehicles, from Chicago, Ill., to Ravenswood, W. Va. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 50069 (Sub-No. 337), filed November 18, 1965. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 930 North York Road, Hinsdale, Ill., 60521. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia,* in bulk, in tank vehicles, from the plantsite of Central Farmers Fertilizer Co. at or near Albany, Ill., to points in Iowa, Minnesota, Wisconsin, Indiana, Missouri, Nebraska, South Dakota, and Illinois. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 55236 (Sub-No. 118), filed November 22, 1965. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1976 South Broadway, Post Office Box 1187, Green Bay, Wis. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia,* in bulk, in tank vehicles, from the plant and terminal facilities of Olin-Mathieson Chemical Corp., at Joliet, Ill., to points in Illinois, Indiana, Iowa, Michigan, Missouri, Minnesota, Wisconsin, Kentucky, and Ohio. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 59120 (Sub-No. 23), filed November 22, 1965. Applicant: EAZOR EXPRESS, INCORPORATED, Eazor Square, Pittsburgh, Pa., 15201. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Iron and steel* and *iron and steel articles,* as described in appendix V to the report in *Descriptions in Motor Carrier Certificates,* 61 M.C.C. 209, between points in Pennsylvania on and west of U.S. Highway 219 on the one hand, and, on the other, points in Illinois, Indiana, the Southern Peninsula of Michigan, New York, New Jersey, Ohio, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 59680 (Sub-No. 152), filed November 19, 1965. Applicant: STRICKLAND TRANSPORTATION CO., INC., Post Office Box 5689, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City 3, Okla. 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 Memphis, Tenn., and New Orleans, La.; from Memphis over U.S. Highway 61 through Baton Rouge, La., to New Orleans and return over the same route, serving the intermediate points of Zee, St. Francisville, Port Hudson, and Baton Rouge, La. NOTE: Applicant states that it intends to tack the above proposed operation with (1) its presently held authority in its (Sub-No. 117), to serve between Houston, Tex., and New Orleans, La., and (2) its authority presently held in its prime numbered certificate to serve Memphis, Tenn. If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 61403 (Sub-No. 143), filed November 19, 1965. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's representative: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Benzene phosphorous dichloride,* in bulk, in tank vehicles, from the plantsite of Stauffer Chemical Co. at or near Mount Pleasant, Tenn., to Gallipolis Ferry, W. Va. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61592 (Sub-No. 51) (Amendment), filed September 10, 1965, published FEDERAL REGISTER, issue of September 30, 1965, republished as amended

October 7, 1965, and further amended November 26, 1965, and republished as further amended this issue. Applicant: JENKINS TRUCK LINE, INC., 3708 Elm Street, Bettendorf, Iowa, 52722. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames or fifth wheels), (2) *agricultural machinery and implements*, (3) *industrial and construction machinery and equipment*, (4) *equipment* designed for use in connection with tractors, (5) *trailers* designed for the transportation of the commodities described above (other than those designed to be drawn by passenger automobiles), (6) *attachments* for the commodities described above, (7) *internal combustion engines*, and (8) *parts* of the commodities described in (1) through (7) above when moving in mixed loads with such commodities, (a) from the plant and warehouse sites, and experimental farms of Deere & Co. in Dodge County, Wis., to points in Illinois, Iowa, and St. Louis, Mo., and (b) from the plant and warehouse sites, and experimental farms of Deere & Co. in Rock Island County, Ill., to points in Wisconsin and Iowa, and *damaged, rejected and returned shipments*, on return in (a) and (b) above. NOTE: The purpose of this republication is to add Iowa as a destination State to part (b) above of the territory sought. Applicant states the proposed operations in (a) and (b) above will be restricted to traffic originating at the plant and warehouse sites, and experimental farms, named above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 63613 (Sub-No. 3), filed November 22, 1965. Applicant: SANDERCOCK TRANSFER & STORAGE CO., a corporation, 1708 Beach Street, San Luis Obispo, Calif. Applicant's representative: Arthur D. Guy, Jr., Dover Building, Suite 8, 833 Dover Drive, Newport Beach, Calif., 92660. 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 Santa Cruz, San Luis Obispo, Santa Barbara, Monterey, and Ventura Counties, Calif. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 64932 (Sub-No. 389), filed November 19, 1965. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chlorobutadiene*, in bulk, in tank vehicles, from Montague, Mich., to Louisville, Ky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 64932 (Sub-No. 390), filed November 26, 1965. Applicant: ROGERS CARTAGE CO., a corporation, 1439 West 103d Street, Chicago, Ill., 60643. Applicant's representative: 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: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Seymour, Ind., and points within 10 miles thereof, to points in Illinois, Kentucky, and Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 66140 (Sub-No. 4), filed November 18, 1965. Applicant: FYOCK MOTOR LINES, INC., 831 Pennsylvania Avenue, Pittsburgh 33, Pa. Applicant's representative: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned fruit and vegetable juices*, from Baltimore, Md., to points in that part of Maryland, Pennsylvania, Ohio, Virginia, West Virginia, and the District of Columbia, bounded by a line beginning at Baltimore and extending along U.S. Highway 40 to Hancock, Md., thence along U.S. Highway 522 to Warfordsburg, Pa., thence along Pennsylvania Highway 126 to Breezewood, Pa., thence along U.S. Highway 30 to Bedford, Pa., thence along U.S. Highway 220 to Duncansville, Pa., thence along Pennsylvania Highway 764 to Altoona, Pa., thence along U.S. Highway 220 to Hollidaysburg, Pa., thence west along U.S. Highway 22 to Ebensburg, Pa., thence along U.S. Highway 422 to Youngstown, Ohio, thence along U.S. Highway 62 to Salem, Ohio, thence along Ohio Highway 9 to Carrollton, Ohio, thence along Ohio Highway 39 to Roswell, Ohio, thence along unnumbered highway to Midvale, Ohio, thence along Ohio Highway 8 to the Ohio River, thence across the Ohio River to Sistersville, W. Va., thence along West Virginia Highway 18 to junction West Virginia Highway 23, thence along West Virginia Highway 23 to Salem, W. Va., thence along U.S. Highway 50 to Clarksburg, W. Va., thence along U.S. Highway 19 to Weston, W. Va., thence along U.S. Highway 33 to Franklin, W. Va., thence along U.S. Highway 220 to Romney, W. Va., thence along U.S. Highway 50 to Washington, D.C., and thence along U.S. Highway 1 to point of beginning, including points on the indicated portions of the highways specified, except those between Baltimore and Hollidaysburg, Pa., on U.S. Highways 40, 30, 220, and Pennsylvania Highway 126. NOTE: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 73165 (Sub-No. 208), filed November 10, 1965. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel* and *iron and steel articles, pipe* and *pipe fittings* (except those items the transportation of which requires special equipment) and (restricted to the use of flatbed trailers), between points on the Mississippi and Tennessee Rivers on and south of the Kentucky-Tennessee State line and points in Alabama, Arkansas, Georgia, Florida, Mississippi, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala., and Memphis, Tenn.

No. MC 80289 (Sub-No. 11), filed November 22, 1965. Applicant: HARRY KOVLER, doing business as RED LINE FURNITURE CARRIERS, 1339 Unruh Street, Philadelphia 11, Pa. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Housewares*, such as, but not limited to, bathroom scales, brush holders, breadboxes, towel holders, and canister sets, from New York, N.Y., to points in Connecticut, Delaware, Indiana, Illinois, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 80289 (Sub-No. 12), filed November 26, 1965. Applicant: HARRY KOVLER, doing business as RED LINE FURNITURE CARRIERS, 1339 Unruh Street, Philadelphia, Pa. Applicant's representative: Morris Honig, 150 Broadway, New York 38, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Indiana, Illinois, Maryland, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. NOTE: Applicant states that no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 80609 (Sub-No. 1), filed November 22, 1965. Applicant: H. S. FOREMAN, INC., 25 Foreman Road, Elizabethtown, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer* and *fertilizer ingredients*, in bulk, from Baltimore, Md., to points in New York; and (2) *urea*, in bulk, from North Claymont, Del., to points in New York and Pennsylvania. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 83539 (Sub-No. 165), filed November 18, 1965. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex., 75222. Applicant's representative: W. T. Brunson, 419 Northwest Sixth Street, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or in the same vehicle with commodities which because of size or

weight require the use of special equipment, (a) between points in Wisconsin, on the one hand, and, on the other, points in Arkansas, Colorado, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas, and Wyoming, and (b) between points in Texas and Oklahoma, on the one hand, and, on the other, points in North Dakota and South Dakota. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 9 Certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (B) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between Wichita, Kans., on the one hand, and, on the other, points in Missouri, Nebraska, Colorado, and those in Texas on and north of U.S. Highway 80.

NOTE: Applicant states it presently holds the authority in (1) above in its Sub 12 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (C) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in that part of Texas on and north of U.S. Highway 80 from the Texas-Louisiana State line through Marshall, Dallas, and Fort Worth to Mineral Wells, Tex., and on and east of U.S. Highway 281 from Mineral Wells through Wichita Falls to the Texas-Oklahoma State line, on the one hand, and, on the other, points in Colorado, Nebraska, and Missouri. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 13 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (D) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, (a) between points in Kansas, New Mexico, Texas, Oklahoma, and Louisiana, (b) between points in New Mexico, Texas, and Oklahoma, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Mississippi, and Arkansas, and (c) between points in Illinois, Indiana, Kentucky, Mississippi, and Arkansas. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 14 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (E) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, (a) from Oil City and Braddock, Pa., to points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Montana, North Dakota, Oklahoma, and Wyoming, (b) from points in Arkansas, Illinois, Kansas, Louisiana, Mississippi, Oklahoma, and Texas to Oil City and Braddock, Pa., and (c) from Wichita Falls, Tex., to points in Pennsylvania (except Oil City and Braddock).

Restriction: The proposed authority herein in "E" shall not be tacked or joined with "A" through "D" above for the purpose of conducting through operations. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 17 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (F) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, from points in Ohio, to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 20 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (G) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment between points in Illinois and Indiana, on the one hand, and, on the other, points in Louisiana. Restriction: The service proposed in "G" above shall not be joined with or tacked to the authority in "A" through "F" herein above. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 21 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (H) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Texas, on the one hand, and, on the other, points in Oregon and Washington.

NOTE: Applicant states it presently holds the authority in (1) above in its Sub 30 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (I) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Alaska, on the one hand, and, on the other, points in the continental United States south of the southern United States-Canada boundary line and west of the Mississippi River (except points in Idaho, California, and Nevada) and points in Wisconsin, Michigan, Illinois, Ohio, Pennsylvania, New York, and New Jersey. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 39 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (J) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Kansas and Oklahoma, on the one hand, and, on the other, points in Oregon and Washington. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 66 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (K) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, from points in Ohio to points in Kansas and Mississippi.

NOTE: Applicant states it presently holds the authority in (1) above in its Sub 82 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (L) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Texas, on the one hand, and, on the other, points in Alabama, Georgia, and Florida. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 92 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (M) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between Nashville, Tenn., and points in Tennessee within 50 miles of Nashville, on the

one hand, and, on the other, points in Alabama, Arkansas, Georgia, Kentucky, Missouri, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 93 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (N) (1) *Machinery* which because of size or weight requires the use of special equipment or handling, and (2) *machinery* which does not require the use of special equipment when moving in the same shipment or on the same vehicle with machinery which because of size or weight require the use of special equipment, between points in Wyoming, Colorado, Montana, North Dakota, South Dakota, and Utah. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 96 certificate and is not requesting any extension of territory.

Applicant is seeking only an extension of authority in (2) above. (O) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, (a) between points in Texas, on the one hand, and, on the other, points in Pennsylvania, New York, and New Jersey, and (b) between points in Michigan, Ohio, and Pennsylvania on the one hand, and, on the other, points in Montana, North Dakota, South Dakota, and Wyoming. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 102 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (P) (1) *Machinery* which because of size or weight requires the use of special equipment or handling, and (2) *machinery* which does not require the use of special equipment when moving in the same shipment or on the same vehicle with machinery which because of size or weight require the use of special equipment, between points in Washington, Oregon, Idaho, and that part of Montana on and west of a line extending north and south through Dupuyer and Butte, Mont. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 138 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (Q) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, (a) between points in Nebraska, Iowa, Missouri, Kansas, and South Dakota. Restriction: Carrier shall not transport (1) any shipment which originates at St. Louis or Kansas City, Mo., and which is destined to any points in Missouri, Kansas, or Iowa, or (2) any shipment which originates at any points in Missouri, Kansas, or Iowa, and which is destined to St. Louis and Kansas City; (b) between points in Illinois, Iowa, and Nebraska, (c) between points in Douglas and Sarpy Counties, Nebr., on the one hand, and, on the other, points in Arkansas, Indiana, Kentucky, Michigan, New Mexico, North Dakota, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

Restriction: The proposed authority immediately above shall not be combined or joined with the authority described in Q above for the purpose of performing any through service; and (d) between points in Nebraska on the one hand, and, on the other, points in Montana. NOTE: Applicant states it presently holds the authority in (1) above in its Sub 146 certificate and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (R) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between Seagraves, Tex., and points in Texas within 250 miles of Seagraves and those in that part of Texas North of U.S. Highway 80 and west of U.S. Highway 75 beyond such 250-mile radius including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Arizona. NOTE: Applicant states it presently holds the authority in (1) above in its Docket No. MC–F–7115 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (S) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, (a) between Tacoma, Wash., and points in Oregon, and those in that part of California on and north of a line beginning at Santa Cruz, Calif., and extending along California Highway 17 to junction unnumbered highway (formerly portion California Highway 17), thence along unnumbered highway through Milpitas, Calif., to junction California Highway 21, thence along California Highway 21 to Dublin, Calif., thence along U.S. Highway 50 to junction unnumbered highway (formerly portion U.S. Highway 50),

Thence along unnumbered highway through Livermore, Calif., to junction U.S. Highway 50, thence along U.S. Highway 50 to junction unnumbered highway (formerly portion of U.S. Highway 50), thence along unnumbered highway through Folsom, Calif., to junction U.S. Highway 50, thence along U.S. Highway 50 to junction unnumbered highway (formerly portion of U.S. Highway 50), thence along unnumbered highway through Camino, Calif., to junction U.S. Highway 50, and thence along U.S. Highway 50 to the California-Nevada State line, and (b) from points in King and Pierce Counties, Wash., to points in Oregon. NOTE: Applicant states it presently holds the authority in (1) above in Docket No. MC–F–8496 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (T) (1) *Commodities* which because of size or weight require the use of special equipment or handling, and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or on the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Cuyahoga County, Ohio, on the one hand, and, on the other, points in New Jersey. NOTE: Applicant states it presently holds the authority in (1) above in Docket No. MC–F–9244 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. Applicant further states it proposes to tack or join the authority which may be issued to it in this proceeding and perform a through service via its authorized gateways to the same extent that through service may be performed under its existing certificates. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Chicago, Ill., Dallas, Tex., and Los Angeles, Calif.

No. MC 85231 (Sub-No. 10), filed November 18, 1965. Applicant: FRANK WILLIAMS TRANSFER & STORAGE CO., a corporation, 204 North Franklin Avenue, Mansfield, Ohio. Applicant's representative: Richard H. Brandon, Hartman Building, Columbus, Ohio, 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Stoves, stove parts, refrigerators, freezers, kitchen equipment*, and *appliances*, from Shelby, Ohio, to points in Illinois, Indiana, Kentucky, Maryland, Michigan, Missouri, New Jersey, New York, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin; (2) *refrigerators and freezers*, from Galesburg, Ill., to Shelby, Ohio; (3) *ventilating hoods*, from Freeland, Pa., to Shelby, Ohio; and (4) *kitchen cabinets* from Richmond, Ind., to Shelby, Ohio. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio.

No. MC 94201 (Sub-No. 57), filed November 9, 1965. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, Post Office Box 2188, East Gadsden, Ala. Applicant's representative: Maurice F. Bishop, 325–29 Frank Nelson Building, Birmingham 3, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, foodstuffs, and beverages*, not requiring refrigeration, from points in Florida, to points in Alabama, Georgia, and Tennessee. NOTE: Applicant states that it intends and proposes to tack the authority sought herein with its existing authority to provide a through service to territories presently authorized to be served, including points in North Carolina, and South Carolina,

and points authorized in its Sub 52 and Sub 53 authorities, wherein applicant is authorized to conduct operations in the States of Connecticut, New Jersey, New York, Virginia, Maryland, Pennsylvania, Delaware, and Washington, D.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Orlando, Fla.

No. MC 94430 (Sub-No. 27), filed November 18, 1965. Applicant: WEISS TRUCKING COMPANY, INC., Mongo, Ind. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Silica, Ohio, to Charlevoix, Mich. NOTE: If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 96176 (Sub-No. 12), filed November 18, 1965. Applicant: RAY CARTER, INC., 1629 Rozelle Street, Memphis, Tenn. Applicant's representative: 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: (1) *Commodities*, which because of size or weight require the use of special equipment or special handling; and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or in the same vehicle with commodities which because of size or weight require the use of special equipment, between points in Tennessee, Louisiana, Arkansas, Mississippi, Kentucky, and Alabama. NOTE: Applicant states that no extension of territorial authority is sought. If a hearing is deemed necessary, applicant requests it be held at Memphis, Tenn.

No. MC 96498 (Sub-No. 22), filed October 28, 1965. Applicant: BONIFIELD BROS. TRUCK LINES, INC., 1200 East Second Street, Metropolis, 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), between junction U.S. Highway 45 and Illinois Highway 145 at or near Brookport, Ill., and junction U.S. Highway 45 and Illinois Highway 145 at or near Harrisburg, Ill., over Illinois Highway 145, 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 St. Louis, Mo.

No. MC 101474 (Sub-No. 12), filed November 22, 1965. Applicant: RED TOP TRUCKING, INCORPORATED, 7020 Cline Avenue, Hammond, Ind., 46323. Applicant's representative: 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: (1) *Such commodities* as require the use of special equipment by reason of size or weight; and (2) *commodities* which do not require the use of special equipment when moving in the same shipment or in the same vehicle with commodities which because of size or weight require the use of special equipment, (a) between points in Illinois and Indiana; and (b) between points in Illinois and Indiana, on the one hand, and, on the other, points in the Lower Peninsula of Michigan. NOTE: Applicant states that it presently holds the authority in (1) (a) and (b) above and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) (a) and (b) above. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 237), filed November 15, 1965. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. Applicant's representative: John E. Lesow, 3737 North Meridian Street, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Campers, travel trailers*, and *trailers* designed to be drawn by passenger automobiles in initial movements, from points in Flathead County, Mont., to points in the United States, including Alaska, but excluding Hawaii. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 105375 (Sub-No. 22), filed November 19, 1965. Applicant: DAHLEN TRANSPORT OF IOWA, INC., 875 North Prior Avenue, St. Paul, Minn., 55104. Applicant's representatives: J. William Cain and Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the Mid America Pipeline Terminal at or near Cantril, Iowa, to points in Illinois and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 106074 (Sub-No. 15), filed November 15, 1965. Applicant: B & P MOTOR LINES, INC., Main Street, Hazelwood, N.C. Applicant's representative: James N. Golding, Plaza Building 4, South Pack Square, Asheville, N.C., 28807. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, crated, cartoned, and uncrated from Woodfin, N.C., to points in Illinois (except Chicago); those in Missouri (except St. Louis); Michigan (except Detroit), and those in Wisconsin, and *refused, returned*, and *damaged shipments* on return. NOTE: If a hearing is deemed necesary, applicant requests it be held at Asheville, N.C., or Charlotte, N.C.

No. MC 106674 (Sub-No. 49), filed November 22, 1965. Applicant: OSBORNE TRUCKING CO., INC., Schilli Building, East St. Louis, Ill. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and processed foodstuffs*, from Mount Summit, Ind., to Collinsville, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107002 (Sub-No. 274), filed November 19, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representatives: Harry C. Ames, Jr., 529 Transportation Building, Washington, D.C., 20006, 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: *Creosote oil*, in bulk, from Jasper, Tex., and points within five (5) miles thereof, to points in Louisiana, Mississippi, Arkansas, and Oklahoma. NOTE: If a hearing is deemed necessary, applicant requests it be held at New Orleans or Shreveport, La.

No. MC 107403 (Sub-No. 656), filed November 19, 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: *Varnish*, in bulk, in tank vehicles, from Pennsauken, N.J., to Tampa, Fla. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 432), filed November 22, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa, 50309. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, from the plantsite of Alpha Portland Cement Co. at or near St. Louis, Mo., to points in Illinois. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 107839 (Sub-No. 95), filed November 19, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York, Box 16021, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Box 2028, 605 South 14th Street, Lincoln, Nebr., 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods, fruit juices and fruit drinks* in containers, from points in Florida, to points in Alabama, Georgia, Louisiana, Mississippi, Nebraska, New Mexico, and Texas, and (2) *ingredients, materials and supplies* used in or for the manufacturing, processing, packaging, or distribution of foodstuffs, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

No. MC 107839 (Sub-No. 96), filed November 26, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Post Office Box 16021, Denver, Colo. Applicant's representative: 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, transport-

ing: *Potato products*, from points in Colorado, to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 109326 (Sub-No. 81), filed November 24, 1965. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala., 36601. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. 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*, 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 points in Adams County, Nebr., to points in Alabama, Louisiana, Mississippi, Tennessee, and Texas, restricted to traffic originating at points in Adams County, Nebr., and destined to points in the States named. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 109637 (Sub-No. 293), filed November 22, 1965. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fluorine*, in bulk, in shipper owned tank vehicles, from Metropolis, Ill., to points in Nevada. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 110988 (Sub-No. 163), filed November 22, 1965. Applicant: KAMPO TRANSIT, INC., 200 Cecil Street, Neenah, Wis. Applicant's representative: E. Stephen Heisley, 529 Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper mill waste*, in bulk, in tank or hopper type vehicles, from Cloquet, Minn., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 111076 (Sub-No. 2), filed June 10, 1965. Applicant: M. & J. TRUCKING CO., INC., Post Office Box 664, Greensburg, Pa. Applicant's representatives: Jerome Solomon, 1302 Grant Building, Pittsburgh, Pa., 15219, and S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between East Liverpool, Ohio, and Cleveland, Ohio; from East Liverpool over Ohio Highway 7 to Conneaut, Ohio, thence over U.S. Highway 20 to Cleveland, and return over the same routes, serving all intermediate points; (2) between Youngstown, Ohio, and Ashtabula, Ohio, from Youngstown over U.S. Highway 422 to junction Ohio Highway 46, thence over Ohio Highway 46 to Ashtabula, and return over the same route, serving all intermediate points; (3) between Youngstown, Ohio, and Cleveland, Ohio; from Youngstown over U.S. Highway 422 to Auburn Corners, Ohio, thence over Ohio Highway 44 to junction U.S. Highway 322, thence over U.S. Highway 322 to Cleveland, and return over the same route, serving all intermediate points; (4) between East Liverpool, Ohio, and Cleveland, Ohio; from East Liverpool over U.S. Highway 30 to Lisbon, Ohio, thence over Ohio Highway 45 to Salem, Ohio, thence over Ohio Highway 14 to Cleveland, and return over the same route, serving all intermediate points; (5) between Lisbon, Ohio, and Wooster, Ohio, over U.S. Highway 30, serving all intermediate points; (6) between Lisbon, Ohio, and Canton, Ohio; from Lisbon as specified above to Salem.

Thence over U.S. Highway 62 to Canton, and return over the same route, serving all intermediate points; (7) between Steubenville, Ohio, and Zanesville, Ohio, over U.S. Highway 22, serving all intermediate points; (8) between Bridgeport, Ohio, and Cambridge, Ohio, over U.S. Highway 40, serving all intermediate points; (9) between Bridgeport, Ohio, and Wooster, Ohio, over U.S. Highway 250, serving all intermediate points; (10) between Zanesville, Ohio and Cleveland, Ohio; from Zanesville over Ohio Highway 60 (formerly Ohio Highway 77) to Trinway, Ohio, thence over Ohio Highway 16 to Coshocton, Ohio, thence over Ohio Highway 76 to Wooster, Ohio, thence over Ohio Highway 3 to Medina, Ohio, thence over Ohio Highway 252 to Bay Village, Ohio, and thence over Interstate Highway 90 or U.S. Highway 6 to Cleveland, and return over the same routes, serving all intermediate points. NOTE: Applicant holds authority to transport the above specified commodities between the points indicated above over irregular routes. The purpose of this application is to convert such irregular route authority to regular-route operations. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 111231 (Sub-No. 96), filed November 17, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic conduit, pipe*, or *tubing*, with or without valves or fittings; *compound joint sealer*, and *bonding cement*, used in the installation of such conduit, pipe or tubing, from Oklahoma City, Okla., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Pennsylvania, and West Virginia. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111231 (Sub-No. 97), filed November 22, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, from Kankakee, Ill., to points in Missouri. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 111231 (Sub-No. 98), filed November 26, 1965. Applicant JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids, chemicals, fertilizer, and fertilizer ingredients* between points in Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a location .

No. MC 111231 (Sub-No. 99), filed November 26, 1965. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed and canned foodstuffs* between Collinsville, Ill., and points in Tennessee. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 111812 (Sub-No. 322), filed November 15, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102, and William J. Walsh (same address as applicant). 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, from Schuyler, Nebr., to points in Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, restricted to traffic originating at the plantsite of Spencer Packing Co. at Schuyler, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112669 (Sub-No. 6), filed November 19, 1965. Applicant: FRIESEN TRUCK LINE, INC., 1207 East Second Street, Hutchinson, Kans. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans., 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream* and *ice cream products, dairy products* and *eggs*, from Hutchinson, Wichita, and Hillsboro, Kans., to points in New Mexico and points in Sedgwick, Logan, Weld, Larimer, Boulder, Morgan, Phillips, Yuma, Washington, Jefferson, Adams, Arapahoe, Douglas, Elbert, Kit Carson, Lincoln, El Paso, Cheyenne, Kiowa, Crowley, Pueblo, Huerfano, Las Animos, Baca, Prowers, Bent, and Otero Counties, Colo. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Wichita, Kans.

No. MC 113325 (Sub-No. 64), filed November 18, 1965. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. Applicant's representative: 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: *Anhydrous ammonia, aqua ammonia*, and *liquid fertilizers*, in bulk, in tank vehicles, from Muscatine, Iowa, and points within 5 miles thereof, to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Illinois, Tennessee, Mississippi, Michigan, Indiana, Kentucky, Alabama, Ohio, and West Virginia. NOTE: If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113624 (Sub-No. 26), filed November 19, 1965. Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's representative: 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: *Coal tar products*, in bulk, in tank vehicles, between points in Colorado, Nebraska, New Mexico, North Dakota, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 113678 (Sub-No. 195), filed November 19, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: 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*, from Westfield, N.Y., and North East, Pa., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 113678 (Sub-No. 196), filed November 22, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery and confectionery products*, from Duryea, Pa., to points in Michigan, Illinois, Iowa, Missouri, Colorado, Indiana, Nebraska, Ohio, Pennsylvania, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 113855 (Sub-No. 124), filed November 18, 1965. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's representative: Gene P. Johnson First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Load packers*, (2) *garbage truck bodies*, (3) *dump bodies*, (4) *winches*, (5) *hoists*, and (6) *parts* of the commodities described in (1) through (5) above, from Wayne, Mich., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113855 (Sub-No. 125), filed November 22, 1965. Applicant: INTERNATIONAL TRANSPORT, INC., U.S. Highway 52 South, Rochester, Minn., 55901. Applicant's representative: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asbestos cement pipe, conduit, and couplings*, with *accessories* necessary for installation thereof, from Riverside, Calif., and points within 3 miles thereof, to points in Oregon, Washington, Idaho, Montana, Wyoming, Utah, and Colorado. NOTE: If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif., Seattle, Wash., or Salt Lake City, Utah.

No. MC 113974 (Sub-No. 17), filed November 19, 1965. Applicant: PITTSBURGH & NEW ENGLAND TRUCKING CO., a corporation, 211 Washington Avenue, Dravosburg, Pa., 15034. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Articles* requiring specialized handling or rigging, because of size or weight, and (2) *articles* which do not require specialized handling or rigging, because of size or weight, when moving in the same shipment or in the same vehicle with articles requiring specialized handling or rigging, because of size or weight, between Norristown, Pa., and points in Pennsylvania, New York, New Jersey, Delaware, and Maryland within 150 miles of Norristown; (B) (1) *such commodities* as require the use of special equipment by reason of size or weight, and (2) *commodities* which do not require the use of special equipment by reason of size or weight, when moving in the same shipment or in the same vehicle with such commodities as require the use of special equipment by reason of size or weight, between points in Ohio, Pennsylvania, and West Virginia within 125 miles of Wheeling, W. Va., including Wheeling; (C) (1) *machinery, power plant equipment, transformers, construction equipment, structural steel, building materials, timbers, wire* and *cable, poles, boilers, stacks*, and *tanks* (except lumber and lumber products), restricted to transportation requiring special equipment, and (2) *machinery, power plant equipment, transformers, construction equipment, structural steel, building materials, timbers, wire* and *cable, poles, boilers, stacks*, and *tanks* (except lumber and lumber products), not restricted to transportation requiring special equipment, when moving in the same shipment or in the same vehicle with machinery, power plant equipment, transformers, construction equipment, structural steel, building materials, timbers, wire and cable, poles, boilers, stacks, and tanks (except lumber and lumber products), restricted to transportation requiring special equipment, between points in New York within 65 miles of Poughkeepsie, N.Y., including Poughkeepsie, on the one hand, and, on the other, points in that part of Connecticut, Massachusetts, New Jersey, New York, and Pennsylvania, in the territory bounded by a line beginning at Schenectady, N.Y., and extending along New York Highway 7 to Richmondville, N.Y.

Thence along New York Highway 10 to Deposit, N.Y., thence along New York Highway 17 to Monticello, N.Y., thence along New York Highway 42 to Port Jervis, N.Y., thence along U.S. Highway 209 to junction business route U.S. Highway 209 (formerly portion U.S. Highway 209) at or near Marshalls Creek, Pa., thence along business route U.S. Highway 209 to Stroudsburg, Pa., thence along U.S. Highway 611 to Easton, Pa., thence along U.S. Highway 22 to junction New Jersey Highway 28, thence along New Jersey Highway 28 to Bound Brook, N.J., thence along New Jersey Highway 18 to Highland Park, N.J., thence along New Jersey Highway 27 to Rahway, N.J., thence along unnumbered highway to junction U.S. Highway 1, thence along U.S. Highway 1 to New Haven, Conn., thence along Connecticut Highway 15 via East Hartford, Conn., to the Connecticut-Massachusetts State line, thence along Massachusetts Highway 15 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction Massachusetts Highway 12, thence along Massachusetts Highway 12 via Worcester, Mass., to Fitchburg, Mass., thence along Massachusetts Highway 2A (formerly portion Massachusetts Highway 2) to junction Massachusetts Highway 2 near Westminster, Mass., thence along Massachusetts Highway 2 to the Massachusetts-New York State line, thence along New York Highway 2 to Troy, N.Y., and thence along New York Highway 7 to point of beginning, including points on the indicated portions of the highways specified: Restriction: No service shall be performed in the transportation of cement, in bulk, in tank vehicles, between points in New York within 65 miles of Poughkeepsie, N.Y., including Poughkeepsie, N.Y., on the one hand, and, on the other, points in the above specified area. NOTE: Applicant states that it presently holds the authority in (A)(1), (B)(1), and (C)(1) above and the purpose of this application is to obtain authority to transport the commodities specified in (A)(2), (B)(2), and (C)(2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114529 (Sub-No. 5), filed June 16, 1965. Applicant: TRAVELERS MOTOR FREIGHT, INC., Post Office Box 664, Greensburg, Pa. Applicant's representatives: Jerome Solomon, 1302 Grand Building, Pittsburgh, Pa., and S. Harrison Kahn, Suite 733, Investment Building, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (ex-

cept those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between New York, N.Y., and Wheeling, W. Va.; from New York over U.S. Highway 1 to junction U.S. Highway 22, thence over U.S. Highway 22 to Harrisburg, Pa., thence over U.S. Highway 11 to the Pennsylvania Turnpike, thence over the Pennsylvania Turnpike to the New Stanton Exit of the Pennsylvania Turnpike, and thence over Interstate Highway 70 to junction U.S. Highway 40, thence over U.S. Highway 40 to Wheeling and return over the same routes, serving all intermediate points; (2) between New York, N.Y., and Philadelphia, Pa.; from New York over U.S. Highway 1 to Trenton, N.J., thence over U.S. Highway 13 or U.S. Highway 1 to Philadelphia, and return over the same routes, serving all intermediate points; and serving all points in New York and New Jersey within 30 miles of Newark, N.J., as off-route points; (3) between Philadelphia, Pa., and Harrisburg, Pa.; from Philadelphia over U.S. Highway 76 to the Pennsylvania Turnpike and thence over the Pennsylvania Turnpike to Harrisburg, and return over the same routes, serving all intermediate points; (4) between Philadelphia, Pa., and New Stanton, Pa.; from Philadelphia over U.S. Highway 30 to Lancaster, Pa., thence over U.S. Highway 230 to Harrisburg, Pa.

Thence over U.S. Highway 22 to New Alexandria, Pa., and thence over U.S. Highway 119 to New Stanton, and return over the same routes, serving all intermediate points; (5) between Parkersburg, W. Va., and Cleveland, Ohio; from Parkersburg over U.S. Highway 21 to Cleveland, and return over the same routes, serving all intermediate points; (6) between Canton, Ohio, and Van Wert, Ohio; from Canton over U.S. Highway 30 to Van Wert, and return over the same routes, serving all intermediate points; (7) between Pittsburgh, Pa., and Wheeling, W. Va.; from Pittsburgh over U.S. Highway 30 to junction West Virginia Highway 2, thence over West Virginia Highway 2 to Wheeling, and return over the same routes, serving all intermediate points; (8) between Weirton, W. Va., and Cleveland, Ohio; from Weirton over U.S. Highway 22 to Steubenville, Ohio, thence over Ohio Highway 43 to Canton, Ohio, and thence over Ohio Highway 8 to Cleveland, and return over the same routes, serving all intermediate points; (9) between Zanesville, Ohio, and Cincinnati, Ohio; from Zanesville over U.S. Highway 22 to Cincinnati, and return over the same routes, serving all intermediate points, and serving Newark, Coshocton, and Chillicothe, Ohio, as off-route points; (10) between New Stanton, Pa., and Washington, Pa.; from New Stanton over U.S. Highway 119 to Uniontown, Pa., and thence over U.S. Highway 40 to Washington, and return over the same routes, serving all intermediate points; (11) between New Stanton, Pa., and Toledo, Ohio; from New Stanton over U.S. Highway 119 to Greensburg, Pa., thence over U.S. Highway 30 to East Liverpool, Ohio, thence over Ohio Highway 7 to Youngstown, Ohio, thence over Ohio Highway 18 to Akron, Ohio, thence over U.S. Highway 21 to Cleveland, Ohio, and thence over Ohio Highway 2 to Toledo, and return over the same routes, serving all intermediate points; and serving Salem, Lisbon, and Alliance, Ohio, as off-route points; (12) between Wheeling, W. Va., and Cincinnati, Ohio; from Wheeling over U.S. Highway 40 to junction U.S. Highway 25, thence over U.S. Highway 25 to Cincinnati, and return over the same routes, serving all intermediate points; and (13) between Wheeling, W. Va., and Sandusky, Ohio; from Wheeling over the Ohio River Bridge to Bridgeport, Ohio, and thence over U.S. Highway 250 to Sandusky, and return over the same routes, serving all intermediate points. NOTE: Applicant holds authority to transport the above specified commodities between the points indicated over irregular routes. The purpose of this application is to convert such irregular route authority to regular-route operations. If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa.

No. MC 114533 (Sub-No. 114), filed November 26, 1965. Applicant: B.D.C. CORPORATION, 4970 South Archer Avenue, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commercial papers, documents, non-negotiable securities* except coin and currency and *negotiable securities* as are used in the conduct and operation of banks and banking institutions, and (2) *office records, documents, papers* that are used in the processing of data by electronic machines (computing) *punch cards, magnetic encoded documents, punch paper tape, printed reports* and *audit media*, (a) between Benton Harbor, Buchanan, Galien, and Baroda, Mich., and South Bend, Ind., and (b) between Benton Harbor, Buchanan, Niles, Cassopolis, Jackson, and Battle Creek, Mich., and Michigan City, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 114552 (Sub-No. 25), filed November 22, 1965. Applicant: SENN TRUCKING COMPANY, a corporation, Post Office Box 333, Newberry, S.C. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C., 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood*, from points in Greensville County, Va., to points in Delaware, Illinois, Indiana, Maryland, Michigan, North Carolina, New Jersey, New York, Ohio, Pennsylvania, South Carolina, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbia, S.C.

No. MC 115180 (Sub-No. 25), filed November 23, 1965. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. 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*, 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 Schuyler, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at the plantsite and/or warehouse facilities of Spencer Packing Co., located at or near Schuyler, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 119), filed November 22, 1965. Applicant: W. J. DIGBY, INC., Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery*, and *advertising matter, display racks*, and *premiums*, used in the sale and distribution of candy and confectionery, from Chicago, Ill., to points in Idaho, Oregon, Montana, Washington, and Salt Lake City, Utah. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 115826 (Sub-No. 120), filed November 23, 1965. Applicant: W. J. DIGBY, INC., 1960 31st Street, Post Office Box 5088, Terminal Annex, Denver, Colo., 80217. 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 the plantsite and/or cold storage facilities of The Rath Packing Co. at or near Sidney, Nebr. (restricted to traffic originating at such facilities), to points in Arizona, California, Nevada, Oregon, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 115841 (Sub-No. 257), filed November 19, 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: *Food* and *foodstuffs* (except frozen foods), in vehicles equipped with mechanical refrigeration (except in bulk or tank vehicles), from Memphis, Tenn., to points in Arizona, California, Colorado, Nevada, Oregon, Utah, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 115841 (Sub-No. 258), filed November 19, 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: *Candy, confectionery, and confectionery products*, in vehicles equipped with mechanical refrigeration (except in bulk or tank vehicles), from the plantsite of Topps

Chewing Gum Co. at or near Duryea, Pa., to points in Alabama, Mississippi, Tennessee, Georgia, Arkansas, and Kentucky. NOTE: If a hearing is deemed necessary, appplicant does not specify a particular location.

No. MC 115841 (Sub-No. 259), filed November 19, 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: *Foodstuffs* (except frozen), in vehicles equipped with mechanical refrigeration (except in bulk or tank vehicles), from points in Kent County, Del., to points in Tennessee, Alabama, Mississippi, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dover, Del.

No. MC 115841 (Sub-No. 260), filed November 19, 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: (1) *Foodstuffs*, and (2) *commodities*, the transportation of which is partially exempt under the provisions of section 203(b)(6) of the Interstate Commerce Act, if transported in vehicles not used in carrying any other property when moving in the same vehicle at the same time with foodstuffs, from points in Jefferson County, Ala., to points in California, Oregon, and Washington. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 116063 (Sub-No. 84), filed November 18, 1965. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Post Office Box 270, Fort Worth, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrups and blends* thereof, in bulk, in tank vehicles, from Wichita, Kans., to points in Arkansas, Colorado, New Mexico, Oklahoma, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 116101 (Sub-No. 2), filed November 18, 1965. Applicant: QUICK AIR FREIGHT, INC., Cargo Building, Port Columbus, Columbus, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Ohio, on the one hand, and, on the other, points in Illinois, Indiana, Michigan, New York, Ohio, and Pennsylvania. NOTE: Applicant states the above proposed operations will be restricted to traffic requiring expedited, special delivery express-type transportation. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 116254 (Sub-No. 63), filed November 22, 1965. Applicant: CHEM-HAULERS, INC., Post Office Box 245, Sheffield, Ala. Applicant's representative: Walter Harwood, Nashville Bank & Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and coke*, and *mixtures* and *compounds thereof*, in bulk, from points in Tuscaloosa County, Ala., to points in Florida, Georgia, Mississippi, Alabama, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala., or Atlanta, Ga.

No. MC 117686 (Sub-No. 68), filed November 22, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in George, Hinds, Rankin, Copiah, and Greene Counties, Miss., to points in Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, Georgia, Florida, Tennessee, Alabama, Arkansas, Kentucky, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jackson, Miss.

No. MC 117686 (Sub-No. 69), filed November 22, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. Applicant's representative: J. Max Harding, Post Office Box 2028, Lincoln, Nebr., 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Macon, Marshall, Moberly, Carrollton, and Milan, Mo., to points in Arkansas, Oklahoma, Kansas, and Missouri. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 118196 (Sub-No. 51), filed November 19, 1965. Applicant: RAYE & COMPANY TRANSPORTS, INC., Highway 71, North, Post Office Box 613, Carthage, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food products*, from St. James, Minn., and points within five (5) miles thereof, and Madelia, Minn., and points within five (5) miles thereof, to points in Texas, Missouri, Oklahoma, Kansas, Arkansas, Iowa, Nebraska, and Colorado. NOTE: If a hearing is deemed necessary, applicant did not specify any particular area.

No. MC 119531 (Sub-No. 49), filed November 19, 1965. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, Ohio, 45226. Applicant's representative: Charles W. Singer, Suite 3600, 33 North La Salle Street, Chicago, Ill., 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers* and *covers*, from Hoopeston, Ill., to points in Indiana, Kentucky, and Ohio, and *materials* and *supplies* used in or incidental to the manufacture, sale, and distribution of metal containers, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119732 (Sub-No. 7) (Amendment), filed June 14, 1965, published FEDERAL REGISTER issue of July 9, 1965, amended November 22, 1965, and republished as amended this issue. Applicant: PLAINFIELD TRUCKING, INC., Plainfield, Wis. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison 5, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bean harvesters* (bean harvesting machinery), owned or leased by Green Giant Co., between points in Wisconsin, Illinois, Indiana, Arkansas, Oklahoma, Missouri, Tennessee, Kentucky, Michigan, Minnesota, Iowa, Mississippi, South Dakota, and those in Texas on and east of U.S. Highway 83, restricted to service to be performed under a continuing contract, or contracts, with the Green Giant Co., Beaver Dam, Wis. NOTE: The purpose of this republication is to clearly set forth authority sought. Applicant states no duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC 119741 (Sub-No. 24), filed November 18, 1965. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., Post Office Box 1453, Winter Haven, Fla. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and 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 points in Adams County, Nebr., to points in Minnesota, Iowa, Kansas, Missouri, Wisconsin, and Illinois. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119767 (Sub-No. 140), filed November 18, 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*, from Winona, Minn., to points in Illinois, Indiana, and Wisconsin. NOTE: Applicant presently holds authority to transport prepared food products between points in Wisconsin, on the one hand, and, on the other, points in Minnesota, Illinois, and Indiana. No duplicative authority is sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Winona, Wis.

No. MC 119767 (Sub-No. 141), filed November 22, 1965. Applicant: BEA-

VER TRANSPORT CO., a corporation, Post Office Box 339, 100 South Calumet Street, Burlington, Wis. Applicant's representative: Fred H. Figge (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned or preserved foodstuff*, from Delphos and Van Wert, Ohio, and Hoopeston, Ill., to points in Nebraska and Kansas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 119767 (Sub-No. 142), filed November 22, 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., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Charcoal* and *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 charcoal and charcoal briquettes, from Burnside, Ky., to points in Illinois on and south of U.S. Highway 36. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 119767 (Sub-No. 143), filed November 22, 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., 53105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs*, from the plantsite of American Home Foods, located at Milton, Pa., to points in Illinois, Indiana, Michigan, and Ohio; and (2) *foodstuffs* (other than frozen), from the plantsite of American Home Foods, located at La Porte, Ind., to Milton, Pa. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 119778 (Sub-No. 96) (Correction) filed October 18, 1965, published FEDERAL REGISTER, issue of November 4, 1965, and republished as corrected this issue. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala., 35211. Applicant's representative: James A. Harkin, Post Office Box 426, Tampa, Fla., 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro-alloys*, in bulk, from Rockwood, Tenn., to Fairfield, Ala. NOTE: The purpose of this republication is to show the destination point as Fairfield, Ala., in lieu of that previously published. If a hearing is deemed necessary, applicant requests it be held at Birmingham or Montgomery, Ala., or Nashville, Tenn.

No. MC 119789 (Sub-No. 15), filed November 18, 1965. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6, Opelousas, La. Applicant's representative: Paul M. Daniell, Suite 1600, First Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and 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 points in Adams County, Nebr., to points in Alabama, Arkansas, Louisiana, Mississippi, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119789 (Sub-No. 16), filed November 18, 1965. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6, Opelousas, La. Applicant's representative: 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: *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 Schuyler, Nebr., to points in Alabama, Arkansas, Louisiana, Mississippi, Tennessee and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 119789 (Sub-No. 17), filed November 19, 1965. Applicant: CARAVAN REFRIGERATED CARGO, INC., Post Office Box 6, Opelousas, La. Applicant's representative: 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: *Meats, meat products, meat byproducts* and *articles distributed by meat packinghouses*, as described in section A and C of 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 Salina, Kans., to points in Alabama, Arkansas, Louisiana, Mississippi, Tennessee, and Texas. NOTE: If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans., or Kansas City, Mo.

No. MC 119792 (Sub-No. 24), filed November 19, 1965. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in George, Hinds, Rankin, Copiah, and Greene Counties, Miss., to points in Illinois, Indiana, Iowa, Nebraska, Kansas, Missouri, Ohio, Wisconsin, and Minnesota. NOTE: If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 119792 (Sub-No. 25), filed November 19, 1965. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's representative: Joseph M. 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, 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 the plantsite, warehouse, or other facilities of the Spencer Packing Co., located at or near Schuyler, Nebr., to points in Arkansas, Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 119792 (Sub-No. 26), filed November 19, 1965. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts, dairy products*, 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 (except commodities in bulk, in tank vehicles); (2) *foods, foodstuffs and food ingredients* and *food mixtures;* (3) *chemicals, chemical blends* and *ingredients*, the transportation of which does not require special equipment or tank vehicles; (4) *inedible meats, meat products, lard, tallows* and *oil* (except in bulk or tank vehicles); (5) *animal, poultry or pet foods*, or *ingredients;* (6) *agricultural products and those commodities* included in section 203(b)(6) of Part II of the Interstate Commerce Act, when moving in the same vehicle with those under economic regulation, and (7) *coffee, coffee extracts, blends* or *mixtures, tea, tea extracts* or *blends*, and *sugar*, from Gulfport, Miss., to points in Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Ohio, Minnesota, Wisconsin, and Michigan. NOTE: If a hearing is deemed necessary, applicant does not specify location.

No. MC 119792 (Sub-No. 27), filed November 19, 1965. Applicant: CHICAGO SOUTHERN TRANSPORTATION COMPANY, a corporation, 4000 Packers Avenue, Chicago, Ill. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *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 Adams County, Nebr., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119864 (Sub-No. 17), filed November 18, 1965. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuff*, and *food preparations*, from Beaver Dam, Fox Lake, Ripon, and Rosendale, Wis., to points in Ohio, Indiana, Michigan, and Kentucky, and *damaged and rejected shipments and pallets* with their protective packaging, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119864 (Sub-No. 18), filed November 18, 1965. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of the Green Giant Co. located at or near Belvidere, Ill., to points in Kentucky, and *damaged and rejected shipments and pallets* with their protective packaging equipment, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119864 (Sub-No. 19), filed November 22, 1965. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio, 43551. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, from Rittman, Ohio, to Indianapolis, Ind., and *damaged and rejected shipments* on return. NOTE: Applicant states the proposed operation will be restricted to shipments originating at the plantsite of the Morton Salt Co., Rittman, Ohio, on shipments designated to the plantsite of Standard Brands Co. at Indianapolis, Ind. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119974 (Sub-No. 8), filed November 22, 1965. Applicant: L. C. L. TRANSIT COMPANY, a corporation, Post Office Box 949, Green Bay, Wis. Applicant's representative: Edward Solie, Suite 100, Executive Building, 4513 Vernon Boulevard, Madison 5, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, and *related advertising material, premiums*, and *dispensing equipment* when shipped with foodstuffs, from Cincinnati, Ohio, to Warsaw, Ind. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123407 (Sub-No. 23), filed November 22, 1965. Applicant: SAWYER TRANSPORT, INC., 2424 Minnehaha Avenue, Minneapolis, Minn. Applicant's representative: Alan Foss, First National Bank Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles* from Fairbury, Ill., to points in Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 124183 (Sub-No. 7), filed November 22, 1965. Applicant: GARRISON TRANSPORT, INC., 405 South Grant Avenue., Fowler, Ind. Applicant's representative: Robert C. Smith, 620 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, (1) from Burlington, Wis., to points in Iowa, Nebraska, and Minnesota, and (2) from Mundelein, Ill., to Terre Haute, Ind., and *damaged and rejected shipments* on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 124183 (Sub-No. 8), filed November 26, 1965. Applicant: GARRISON TRANSPORT, INC., 409 East 9th, Fowler, Ind. Applicant's representative: Walter F. Jones, Jr., 1017–19 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Beaver Dam, Fox Lake, Ripon, and Rosendale, Wis., to points in Indiana, Kentucky, Ohio, and the Lower Peninsula of Michigan. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 124211 (Sub-No. 76), filed November 22, 1965. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, 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, from points in Logan County, Colo., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124211 (Sub-No. 77), filed November 22, 1965. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed* and *feed ingredients* between points in Illinois, Iowa, Minnesota, Missouri, Nebraska, and Wisconsin, on the one hand, and, on the other, points in Colorado, Idaho, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 124211 (Sub-No. 78), filed November 22, 1965. Applicant: HILT TRUCK LINE, INC., 3751 Sumner Street, Post Office Box 824, Lincoln 1, 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, as described in appendix I, to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from points in Morgan County, Colo., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 124546 (Sub-No. 2), filed November 18, 1965. Applicant: VELTMAN TERMINAL CO., a corporation, 4459 Fruitland Avenue, Los Angeles, Calif. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are sold by retail stores*, from Los Angeles, Calif., to the stores and warehouses of J. C. Penney Co., Inc., located at Lompoc, Santa Maria, San Luis Obispo, Indio, Lancaster, and Palmdale, Calif., and at points in Kern, Kings, Fresno, Tulare, and San Joaquin Counties, Calif. NOTE: Applicant states that the operations performed herein are limited to a transportation service to be performed under a continuing contract or contracts with the J. C. Penney Co., Inc. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 124692 (Sub-No. 15), filed November 22, 1965. Applicant: MYRON SAMMONS, Post Office Box 933, Missoula, Mont. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (not including tractors with vehicle beds, bed frames, or fifth wheels), (2) *agricultural machinery and implements*, (3) *industrial and construction machinery and equipment*, (4) *equipment designed for use in conjunction with tractors*, (5) *trailers* designed for the transportation of the commodities described above (other than those designed to be drawn by passenger automobiles), (6) *attachments for the commodities* described above, (7) *internal combustion engines*, and (8) *parts* of the commodities described in 1 through 7 above when moving in mixed loads with such commodities, (A) from plant and warehouse sites, and experimental farms, of Deere & Co. located in Black Hawk and Dubuque Counties, Iowa, to points in the United States (except Alaska and Hawaii), and (B) from plant and warehouse sites and experimental farms, of Deere & Co. located in Rock Island County, Ill., Polk and Wapello Counties, Iowa, and Dodge County, Wis., to points in the United States (except Alaska and Hawaii), and *damaged, rejected and return shipments*, on return. NOTE: Applicant states that the requested authority will be restricted to traffic originating at the plant and warehouse sites, and experimental farms, named above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124692 (Sub-No. 16), filed November 22, 1965. Applicant: MYRON SAMMONS, Post Office Box 933, Mis-

soula, Mont., 59801. Applicant's representative: Charles E. Nieman, 1160 Northwestern Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, as described in appendix VI to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 279, and *wallboard, pulpboard, hardboard, insulating and padding and cushioning materials*, and *accessories* for the installation thereof, from points in Illinois, Wisconsin, and Minnesota to points in Wyoming, Oregon, and Washington, and those points in Utah in and north of Tooele, Utah, Duchesne and Uintah Counties, Utah. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Minneapolis, Minn.

No. MC 124774 (Sub-No. 33), filed November 22, 1965. Applicant CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, 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 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 York County, Nebr., to points in North Dakota, South Dakota, Colorado, Kansas, Missouri, Iowa, Minnesota, Wisconsin, Illinois, Indiana, Michigan, Ohio, and Kentucky. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 125420 (Sub-No. 9), filed November 19, 1965. Applicant: MERCURY TANKLINES LIMITED, Post Office Box 5858, South Edmonton, Alberta, Canada. Applicant's representative: J. F. Meglen, 207 Behner Building, 2822 Third Avenue North, Billings, Mont., 59103. Authority sought to operate as a *contract carrier*, by motor vehicle; over irregular routes, transporting: *Edible oil*, in bulk, in tank vehicles, for the account of Standard Brands, Ltd., from Jacksonville, Ill., to ports of entry on the international boundary line between the United States and Canada, at or near Sweetgrass, Mont., and Portal, N. Dak. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

No. MC 125741 (Sub-No. 4), filed November 22, 1965. Applicant: M. H. BRYAN AND C. W. EADS, a partnership, doing business as RIVERTON-BIG HORN FREIGHT LINES, Post Office Box 2050, Casper, Wyo. Applicant's representative: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Himes, Wyo., as an offroute point in connection with applicant's regular route operations between Casper and Cody, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Casper, Wyo., or Billings, Mont.

No. MC 127215 (Sub-No. 11), filed November 19, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. Applicant's representative: Thomas F. Kilroy, Federal Bar Building, 1815 H Street NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Pana, Ill., and points within 10 miles thereof, to points in Indiana, Iowa, Missouri, Wisconsin, and Illinois. NOTE: Applicant is presently authorized to operate as a contract carrier in Permit No. MC 110117 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.

No. MC 127215 (Sub-No. 12), filed November 19, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Salem, Ill. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Wood River, Ill., to points in Arkansas, Indiana, Iowa, Kansas, Kentucky, Michigan, Mississippi, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Tennessee. NOTE: Applicant is presently authorized to operate as a contract carrier in Permit No. MC 110117 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 127215 (Sub-No. 13), filed November 19, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Salem, Ill. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and asphalt products, and coal tar, and coal tar products*, in bulk, in tank vehicles, from points in Hamilton County, Ohio, to points in Illinois. NOTE: Applicant presently is authorized to operate as a contract carrier in Permit No. MC 110117 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127215 (Sub-No. 15), filed November 24, 1965. Applicant: KENDRICK CARTAGE CO., a corporation, Salem, Ill. Applicant's representative: Thomas F. Kilroy, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt* and *asphalt products*, and *coal tar*, and *coal tar products*, in bulk, in tank vehicles, between points in Hamilton County, Ohio, on the one hand, and, on the other, points in Arkansas. NOTE: Applicant presently holds authority to operate as a contract carrier under Permit No. MC 110117 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio.

No. MC 127527 (Sub-No. 1), filed November 19, 1965. Applicant: CARL W. REAGAN, doing business as SOUTHEAST TRUCKING CO., 8372 State Route 18, Rural Delivery No. 6, Ravenna, Ohio. Applicant's representative: Robert N. Krier, 3430 LeVeque-Lincoln Tower, 50 West Broad Street, Columbus, Ohio, 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Vitrified sewer pipe*, with or without mechanized joints and fittings, *wall coping*, and *experimental articles*, and *related articles and materials*, used in the installation of such commodities, including, but not limited to, lubricants, plastic bonding materials, and adhesives; *clay*, in bags; *clay products*, and *refractory materials*, including, but not limited to, firebrick, fireclay, furnace and kiln lining cements, and high temperature bonding mortar, from the plantsite of the United States Concrete Pipe Co., located at or near Mogadore, Ohio, to points in Michigan, West Virginia, Pennsylvania, New York, Maryland, New Jersey, Delaware, and the District of Columbia, and *damaged or rejected shipments* on return. NOTE: Applicant proposes to conduct operations under the applied for authority under continuing contract with the United States Concrete Pipe Co. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127674 filed October 22, 1965. Applicant: OWEN MICKEY LITTLE, doing business as OWEN M. LITTLE, Zionville, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cinder blocks, gravel*, and *crushed stone*, (1) from points in Watauga County, N.C., to points in Johnson County, Tenn., and (2) from Dante, Va., to Boone, N.C. NOTE: If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C.

No. MC 127732, filed November 22, 1965. Applicant: VESTER HARRIFORD, Post Office Box 52, Oakland, Ky. Applicant's representative: Whayne C. Priest, Jr., 511 East 10th Street, Bowling Green, Ky., 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* and *related advertising materials*, from Peoria and Belleville, Ill., Milwaukee, Wis., St. Joseph and St. Louis, Mo., Detroit, Mich., Cincinnati, Ohio, and Evansville, Ind., to Bowling Green, Ky., and *rejected and returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 127741, filed November 22, 1965. Applicant: ELWYN WEHE, doing business as WEHE TRUCK LINE, Blanca, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer* from Tulsa, Oklahoma City, and Pryor, Okla.: Military and Lawrence, Kans.; and Horn, Mo., to points in Colorado.

NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 127742, filed November 22, 1965. Applicant: CLEVELAND GENERAL TRANSPORT CO., INC., 1 Van Street, Staten Island, New York, N.Y. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Contractor's and factory equipment*, including heavy machinery; *steel and other materials and supplies* (including fuel) such as are used in construction, erection and building operations; *automotive display vehicles; airplanes; tractors, chassis*, and *other automotive equipment; forest products* (such as poles and piling); *metals; oils and greases; pipe; electrical equipment; building materials* of various kinds such as are ordinarily transported in flatbed vehicles, between points in New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia; and (B) *building materials* and *other commodities* ordinarily transported in dump trucks, *such as common brick, ashes, cinders*, and *pig iron*, between Newark, N.J., and points within 50 miles of Newark. NOTE: Applicant presently holds the above proposed authority as a contract carrier in Permit No. MC 5619. The purpose of this application is to convert present authority to that of common carriage. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 127745 (Sub-No. 1), filed November 22, 1965. Applicant: GEORGE B. KING, doing business as KING TRANSFER, 714 Pearl Street, Onawa, Iowa. Applicant's representative: Ervin A. Hutchison, 420 Security Bank Building, Sioux City, Iowa, 51101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between Omaha, Nebr., and Little Sioux, Modale, Mondamin, Pisgah, Moorhead, Blenco, Onawa, Soldier, Turin, Ute, Castana, Mapleton, Whiting, Danbury, Hornick, Sloan, Climbing Hill, Salix, Sioux City Airbase, Sergeant Bluff, Bronson, and Sioux City, Iowa. NOTE: If a hearing is deemed necessary, applicant requests it be held at Sioux City, Iowa.

No. MC 127746, filed November 26, 1965. Applicant: LOUIS VENEZIA, Bear More Trailer Park, Belmar, N.J. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic pellets*, in containers, *plastic scrap, additives for plastic* in containers, and *packaging materials* for plastic pellets, from points in New York, Pennsylvania, Delaware, Rhode Island, Connecticut, and Massachusetts, Hazelhurst, Ga., Akron, Ohio, Chicago and Elk Park Village, Ill., to Asbury Park, N.J., and (2) *plastic pellets*, in containers from Asbury Park, N.J., to the above described origin points. NOTE: Applicant states that the above proposed operation will be conducted under contract with Monmouth Plastics Division New York & New Jersey Cleaning & Dyeing Co., Inc. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIERS OF PASSENGERS

No. MC 1934 (Sub-No. 19), filed November 17, 1965. Applicant: THE ARROW LINE, INC., 70 Florence Street, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special, all-expense, round-trip sightseeing and pleasure tours, in seasonal operations extending between April 26 and October 27 of each year, between points in Fairfield, New Haven, Middlesex, and Hartford Counties, Conn., on the one hand, and, on the other, port of entry on the international boundary line between the United States and Canada located at Champlain, N.Y. NOTE: Applicant states "that any authority granted herein be limited in point of time for such period in the year 1967 as the Montreal World's Fair is open to the public (The Montreal World's Fair is known as Expo 67)." If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 96318 (Sub-No. 12) filed November 19, 1965. Applicant: YELLOW COACH LINES, INC., 99 New West Street, Pittsfield, Mass. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special operations limited to round-trip sight-seeing and pleasure tours designed for leisurely travel, as distinguished from expeditious point-to-point transportation, beginning and ending at points in Berkshire County, Mass., and extending to points in the United States, excluding Alaska and Hawaii. NOTE: Applicant states: (1) each tour must include (a) sightseeing stops en route, and (b) an overnight stop every night during the entire tour, (2) on each tour the passengers must (a) maintain their identity as a group for the duration of the tour, (b) engage in some group activities that are organized, supervised, and controlled by the carrier, and (c) be accompanied by a tour conductor or guide and (3) the price of each tour must include (a) some of the meals, (b) lodging for each night during the entire tour, (c) admission fees to any point or events of interest for which a fee is charged and (d) the cost of transportation. If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.

No. MC 107048 (Sub-No. 4), filed November 22, 1965. Applicant: KEYSTONE CHARTER SERVICE, INC., 901 North Cameron Street, Harrisburg, Pa. Applicant's representative: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage* and *express* and *newspapers*, in the same vehicle with passengers, between Harrisburg, Pa., and Wilmington, Del.; from Harrisburg over U.S. Highway 230 to Lancaster, Pa., thence over U.S. Highway 30 to junction Pennsylvania Highway 41, thence over Pennsylvania Highway 41 to the Pennsylvania-Delaware State line, thence over Delaware Highway 48 to Wilmington and return over the same route, serving all intermediate points. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 127603 (Sub-No. 2), filed November 19, 1965. Applicant: GEORGE'S BUS CO. INC., 956 Dean Street, Brooklyn, N.Y. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* in special operations, in daily round-trip service, between U.S. Naval Shipyard, Brooklyn, N.Y., and U.S. Naval Shipyard, Philadelphia, Pa. NOTE: If a hearing is deemed necessary applicant requests it be held at New York, N.Y.

No. MC 127678 (Correction), filed October 25, 1965, published in FEDERAL REGISTER, issue of November 11, 1965, and republished this issue. Applicant: MYER GOODWIN, 67 Rockland Street, Natick, Mass. Applicant's representative: John F. Curley, 15 Court Square, Boston, Mass. NOTE: The purpose of this republication is to show the address of applicant's representative as shown above in lieu of that previously published.

No. MC 127733, filed November 22, 1965. Applicant: FITCHBURG AND LEOMINSTER STREET RAILWAY COMPANY, a corporation, R1427 Water Street, Fitchburg, Mass., 01420. Applicant's representative: Frank Daniels, 15 Court Square, Boston, Mass., 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *newspapers*, in the same vehicle with passengers, between Fitchburg, Mass., and Greenville, N.H.: (1) From Fitchburg over city streets to junction Massachusetts Highway 31, thence over Massachusetts Highway 31 to the Massachusetts-New Hampshire State line, thence over New Hampshire Highway 31 to Greenville, and return over the same route, serving all intermediate points; and (2) from Fitchburg over city streets to junction Massachusetts Highway 31, thence over Massachusetts Highway 31 to juntion Massachusetts Highway 119, thence over Massachusetts Highway 119 to Ashby Center, Mass., thence over Turnpike Road to junction Massachusetts Highway 31, thence as specified in (1) above to Greenville, and return over the same route, serving all intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

APPLICATION OF FREIGHT FORWARDER

FREIGHT FORWARDER OF PROPERTY

No. FF-330, HOME-PACK TRANSPORT, INC., freight forwarder application, filed November 22, 1965. Applicant: HOME-PACK TRANSPORT, INC., 57-48 49th Street, Maspeth, N.Y. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y., 10036. Authority sought under Part IV of the Interstate Commerce Act as a freight forwarder in interstate or foreign commerce, in the forwarding of *used household goods, used automobiles,* and *unaccompanied baggage,* between points in the United States, including Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 113024 (Sub-No. 50), filed November 22, 1965. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C., 20005. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Bathroom and washroom fixtures, sinks,* and *attachments and accessories therefor,* from the plantsite of Universal-Rundle Corp., Camden, N.J., to Garden Grove, Ventura, and Whittier, Calif. NOTE: Applicant states that the above proposed operation will be conducted for the account of Universal-Rundle Corp., New Castle, Pa.

No. MC 114290 (Sub-No. 25), filed November 18, 1965. Applicant: EXLEY EXPRESS, INC., 2610 Southeast 8th Avenue, Portland, Oreg., 97202. Applicant's representative: James T. Johnson, IBM Building, Seattle, Wash., 98101. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Frozen vegetables* (cooked, glazed, or with sauces), (1) from points in California to points in Yamhill, Multnomah, Marion, and Washington Counties, Oreg., and Seattle, Wash.; (2) from points in Oregon to points in California; (3) from points in Yamhill, Umatilla, Multnomah, Marion, and Washington Counties, Oreg., to Seattle, Wash., and Phoenix and Tucson, Ariz., (4) from points in Washington to points in California and points in Marion, Multnomah, Washington, Umatilla, and Yamhill Counties, Oreg.; (5) from Walla Walla, Wash., to Phoenix, Ariz.; (6) from Nampa, Idaho, to Hillsboro, Woodburn, and Portland, Oreg., and San Francisco, Calif.; and (7) from points in Oregon and Washington to points in California and Phoenix, Safford, and Tucson, Ariz. NOTE: Applicant states that the purpose of this application is to add to its commodity description language which will specifically authorize the transportation of frozen vegetables which have been cooked, glazed or had sauce or butter added between the same points and areas it is presently authorized to serve in the transportation of frozen vegetables.

No. MC 115668 (Sub-No. 9), filed November 18, 1965. Applicant: WYLLIS B. HERRICK, doing business as W. B. HERRICK, Rural Route No. 2, Kendallville, Ind. Applicant's representative: William L. Carney, 105 East Jennings, South Bend, Ind. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Cookies* and *cakes,* from the plantsite of Continental Baking Co. at or near River Forest, Ill., to North Judson and Rensselaer, Ind., and (2) *stale returned or rejected shipments,* and *empty containers,* from North Judson and Rensselaer, Ind., to the plantsite of Continental Baking Co. at or near River Forest, Ill.

No. MC 127737, filed November 22, 1965. Applicant: JIM EDWARD GODFREY, Route 3, Gaffney, S.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials and ingredients,* in bulk, in spreader service, and in bags, from Spartanburg, S.C., to points in Avery, Buncombe, Burke, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Madison, McDowell, Mecklenburg, Mitchell, Polk, Rutherford, Transylvania, Union, and Yancey Counties, N.C., and *refused, rejected, and damaged fertilizer, fertilizer materials and ingredients,* on return.

No. MC 127740, filed November 19, 1965. Applicant: GUY SEAY, Route 6, Spartanburg, S.C. Applicant's representative: H. Overton Kemp, 327 North Tryon Street, Post Office Box 20202, Charlotte, N.C., 28202. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer materials and ingredients,* in bags and in bulk, from Spartanburg, S.C., to points in Avery, Buncombe, Burke, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Madison, McDowell, Mecklenburg, Mitchell, Polk, Rutherford, Transylvania, Union, and Yancey Counties, N.C.

MOTOR CARRIER OF PASSENGERS

No. MC 9598 (Sub-No. 5), filed November 22, 1965. Applicant: UNION STREET RAILWAY COMPANY, a corporation, 935 Purchase Street, New Bedford, Mass. Applicant's representative: Neal Holland, 77 Franklin Street, Boston, Mass., 02110. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Passengers and their baggage,* and *express, mail and newspapers* in the same vehicle with passengers, between New Bedford, Mass., and Taunton, Mass., from New Bedford over Massachusetts Highway 18 to junction unnumbered highway (County Street) in Freetown, Mass.; thence over unnumbered highway (County Street) through Freetown, Lakeville, and Berkley, Mass., to junction Massachusetts Highway 140 at or near Taunton, Mass., thence over Massachusetts Highway 140 to Taunton, and return over the same route, serving all intermediate points. NOTE: Common control may be involved.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 65-13118; Filed, Dec. 8, 1965; 8:45 a.m.]

[Notice 97]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 6, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 113855 (Sub-No. 126 TA), filed December 2, 1965. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. Applicant: Alan Foss, First National Building, Fargo, N. Dak., 58102. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Asbestos cement pipe, conduit and couplings, with accessories necessary for installation thereof,* from Riverside, Calif., and points within 3 miles thereof, to points in Idaho, Oregon, Utah, Washington, Montana, Wyoming, and Colorado, for 180 days. Supporting shipper: Certain-teed Products Corp., Pipe Division, Lea Building, Ambler, Pa., 19002. Send protests to: C. H. Bergquist, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., 55401.

No. MC 119114 (Sub-No. 4 TA), filed December 1, 1965. Applicant: HASKELL F. YOUNG, 1421 Chandler Drive, Charleston, W. Va. Applicant's representative: Donald P. Krisher, 623 Peoples Building, Charleston, W. Va., 25301.

Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pies, pastries, and baked goods, and empty containers or other incidental facilities used in transporting these commodities*, from South Charleston and Bluefield, W. Va., and London, Ky., to Greenville and Anderson, S.C., and Atlanta, Ga.; and from South Charleston, W. Va., to Uhrichsville, Ohio, for 180 days. Supporting shipper: Griffin Pie Co. of South Charleston, South Charleston, W. Va. Send protests to: H. R. White, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 126724 (Sub-No. 4), filed December 2, 1965. Applicant: DOBSON MILK TRANSIT, INC., Box 206, Orfordville, Wis., 53576. Applicant's representative: Geo. K. Steil, Janesville, Wis., 53545. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen orange juice*, from points in Florida, and *empty corrugated boxes* from Rome, Ga., in shipper-owned air ride suspension trailer, with applicant providing air ride suspension tractor, to Bancroft Dairy at Madison, Wis., for 180 days. Supporting shipper: Bancroft Dairy, 1010 South Park Street, Madison, Wis., 53715. Charles W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 126724 (Sub-No. 5 TA), filed December 2, 1965. Applicant: DOBSON MILK TRANSIT, INC., Box 206, Orfordville, Wis., 53576. Applicant's representative: Geo. K. Steil, Janesville, Wis., 53545. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in section B of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in shipper-owned air ride suspension trailers, with applicant providing tractor with air ride suspension, from Bancroft Dairy, Madison, Wis., to Tallahassee, Winter Haven, Miami, Fort Lauderdale and West Palm Beach, Fla., for 180 days. Supporting shipper: Bancroft Dairy, 1010 South Park Street, Madison, Wis., 53715. Send protests to: Charles W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 127750 TA, filed December 1, 1965. Applicant: GEORGE T. ALLEN, doing business as ALLEN SALES AND SERVICE, Carnesville, Ga. Applicant's representative: Wm. Addams, 6th Floor, 1776 Peachtree Street Building, Atlanta, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Expanded polystyrene insulating material*, (unpackaged), weighing less than two (2) pounds per cubic foot, from the plantsite of Dyplast of South Carolina, and Anderson, S.C., to points in North Carolina, Georgia, Florida, Alabama, Louisiana, and Virginia, for 180 days. Supporting shipper: Dyplast of South Carolina, Anderson, S.C. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations and Compliance, 680 West Peachtree Street NW., Room 300, Atlanta, Ga., 30308.

No. MC 127751 TA, filed December 2, 1965. Applicant: RAYMOND R. JONES, doing business as JONES ENTERPRISES, 1135 NE 113th Street, Portland, Oreg., 97220. Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Heavy equipment parts* and *oilfield equipment and supplies*, from Portland, Oreg., to points within, and between points in Oregon and Washington, for 150 days. Supporting shippers: Vinnell-McNamara-Mannis-Fuller, Post Office Box 67, Rufus, Oreg.; Western Offshore Drilling & Exploration Co., Post Office Box 1417, Newport, Oreg.; and, Shell Oil Co., 1008 West 6th Street., Los Angeles, Calif., 90054. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 538 Pittock Block, Portland, Oreg., 97205.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 65-13172; Filed, Dec. 8, 1965; 8:47 a.m.]

[Notice 1270]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 6, 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 person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

MC-FC-68075. By order of November 30, 1965, the Transfer Board approved the transfer to Great Northern Cartage Co., a corporation, Lincoln, Nebr., of a portion of the Certificate in No. MC-43925, issued May 10, 1954, to Brandt, Incorporated, Omaha, Nebr., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, over regular routes, between Omaha, Nebr., and Homer, Nebr., serving all intermediate points on the highways specified. Charles J. Kimball, Box 2028, Lincoln, Nebr., attorney for applicants.

No. MC-FC-68230. By order of November 30, 1965, the Transfer Board approved the transfer to John Sherman and Charles Clark, a partnership, doing business as Sherman & Clark, Howard, S. Dak., of the operating rights issued by the Commission January 20, 1956, and October 16, 1961, under Certificates Nos. MC-81667 and MC-81667 (Sub-No. 3), respectively, to Harvey S. Church, Madison, S. Dak., authorizing the transportation, over irregular routes, of livestock, emigrant movables, and household goods, between Madison, S. Dak., and points within 25 miles of Madison, on the one hand, and, on the other, points in Iowa, Minnesota, and Nebraska; milled feed, between Madison, S. Dak., and Sioux City, Iowa; and milled feeds, from Sioux City, Iowa, to points in South Dakota as described. Mead Bailey, 509 South Dakota Avenue, Sioux Falls, S. Dak., attorney for applicants.

No. MC-FC-68323. By order of November 30, 1965, the Transfer Board approved the transfer to Globe Storage & Moving Co., Inc., New York, N.Y., of the operating rights issued by the Commission September 3, 1940, under Certificate No. MC-24322, to Charles A. Johnson, Brooklyn, N.Y., authorizing the transportation, over irregular routes, of household goods, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, Vermont, and the District of Columbia. Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y., attorney for applicants.

No. MC-FC-68327. By order of November 30, 1965, the Transfer Board approved the transfer to Ivan Thompson and Lloyd Thompson, a partnership, doing business as Thompson & Son, Bridgewater, Iowa, of the certificate in No. MC-53492, issued October 2, 1959, to Ivan Thompson, Bridgewater, Iowa, authorizing the transportation of: Livestock, feed, and grain, over regular routes, between Fontanelle, Iowa, and Omaha, Nebr., serving intermediate and off-route points within 15 miles of Fontanelle; and livestock, agricultural commodities, building materials, agricultural implements, machinery and parts, feeds, and farm hardware, over regular routes, between Fontanelle, Iowa, and Omaha, Nebr., serving intermediate and off-route points within 13 miles of Fontanelle. A. R. Fowler, 2288 University Avenue, St. Paul, Minn., 55114, representative for applicants.

No. MC-FC-68328. By order of November 30, 1965, the Transfer Board approved the transfer to S & S Trucking, Inc., Belle Fourche, S. Dak., of the permit in No. MC-113635, issued April 5, 1954, to Pete C. Shear, Belle Fourche, S. Dak., authorizing the transportation of: Bentonite, from points in Wyoming, Montana, and South Dakota within 100 miles of Colony, Wyo., to Colony, Wyo. R. E. Brandenburg, 612 6th Avenue, Belle Fourche, S. Dak., 57717, attorney for applicants.

No. MC-FC-68334. By order of November 30, 1965, the Transfer Board approved the transfer of William Owen Rogers, doing business as Bill Rogers Trucking Co., Odessa, Tex., of the operating rights of J. S. Brimberry, doing business as Oilfield Transportation Co., Odessa, Tex., in Certificate No. MC-34209,

issued March 20, 1943, authorizing the transportation, over irregular routes, of machinery, materials, supplies, and equipment, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between Ranger, Tex., and points within 100 miles of Ranger, on the one hand, and, on the other, points in Lea and Eddy Counties, N. Mex., and between Big Spring, Tex., and points in Texas within 120 miles of Big Spring, not including those within 100 miles of Ranger, Tex., on the one hand, and, on the other, Hobbs, N. Mex., and points in New Mexico within 50 miles of Hobbs, and between points in Texas. Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex., 75201, attorney for applicants.

No. MC-FC-68335. By order of November 30, 1965, the Transfer Board approved the transfer to William P. Ralston, Bern, Kans., of the operating rights of Clarence Shaw, Sabetha, Kans., in Certificate No. MC-61152, issued September 8, 1961, authorizing the transportation, over irregular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Oneida, Kans., and points within 10 miles thereto, on the one hand, and, on the other, St. Joseph, Mo., and the transportation, over irregular routes, of livestock, farm machinery, farm machinery parts, agricultural commodities, and feed, between Oneida, Kans., and points within 10 miles thereof, on the one hand, and, on the other, Kansas City, Kans., and Kansas City, Mo., and of livestock, between Oneida, Kans., and points within 10 miles thereof, on the one hand, and, on the other, Omaha, Nebr. John E. Jandera, 641 Harrison, Topeka, Kans., 66603, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 65-13173; Filed, Dec. 8, 1965; 8:47 a.m.]

[Notice No. 96]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 3, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 17002 (Sub-No. 25 TA), filed November 29, 1965. Applicant: CASE DRIVEWAY, INC., 6001 U.S. Route 60 East, Post Office Box 1156, Huntington, W. Va., 25714. Applicant's representative: Paul F. Sullivan, 1815 H Street, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, and *iron and steel articles*, from the plant site of the H. K. Porter Co., Huntington, W. Va., to points in Iowa, for 180 days. Supporting shipper: H. K. PORTER COMPANY, INC., Post Office Box 118, Huntington, W. Va., 25706. Send protests to: H. R. White, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 3202 Federal Office Building, Charleston, W. Va., 25301.

No. MC 33273 (Sub-No. 1 TA), filed December 1, 1965. Applicant: KENMAC VAN & STORAGE, INC., Post Office Box 323, Lawton, Okla., 73502. Applicant's representative: Alan F. Wohlstetter, 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 Oklahoma and points in Cooke, Montague, Archer, Baylor, Knox, Childress, Wichita, Wilbarger, Hardeman, Foard, Cottle, and Collingsworth, Tex., 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, for 180 days. Supporting shippers: Mr. Robert M. Graham, operations manager, Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif.; Mr. Raymond Nishida, vice president, Higa Fast Pac, Inc., 25 California Street, San Francisco, Calif.; and, Mr. A. A. Protenic, vice president, Routed Thru-Pac, Inc., 350 Broadway, New York 13, N.Y. Send protests to: Ralph Bezner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 816 T&P Building, Fort Worth, Tex., 76102.

No. MC 61403 (Sub-No. 145 TA), filed November 29, 1965. Applicant: THE MASON AND DIXON TANK LINES, INC., Eastman Road, Kingsport, Tenn. Applicant's representative: Charles E. Cox (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Resins*, dry, in bulk, in tank or hopper type vehicles, from the plant site of Pantasote Corp., at or near Point Pleasant (Mason County), W. Va., to points in Alabama, California, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois (except points in Bond, Clinton, Jersey, Madison, Monroe, Perry, Randolph, St. Clair, and Washington Counties), Indiana, Iowa (except points on and west of U.S. Highway 65), Kentucky, Louisiana (except points on and west of U.S. Highway 67), Maine (except points in Aroostook and Penobscot Counties), Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: The Pantasote Co., 26 Jefferson Street, Passaic, N.J., 07056. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn., 37203.

No. MC 66562 (Sub-No. 2129 TA), filed December 1, 1965. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y., 10017. Applicant's representative: William H. Marx (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* moving in express service (including class A and B explosives), between Memphis, Tenn., and Bowling Green, Ky., serving the intermediate and/or off-route points of Arlington, Brownsville, Bells, Humboldt, Milan, McKenzie, Paris, and Clarksville, Tenn., and Russellville, Ky., (1) from Memphis over U.S. Highway 79 to junction U.S. Highway 68, thence over U.S. Highway 68 to Bowling Green, and return over the same route; and (2) from Memphis over Interstate Highway 40 to junction U.S. Highway 45, thence over U.S. Highway 45 to junction U.S. Highway 45-E to Milan, and return over the same route, as an alternate route for operating convenience only, for 150 days. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency. Shipments transported shall be limited to those moving on through bills of lading or express receipts. NOTE: The above authority corresponds in part to applicant's existing authority between Memphis and Trenton, Tenn., MC-66562 Sub 1749, which does not authorize service to intermediate points. No duplication of authority is sought or intended by this application. Supporting shippers: There are twelve (12) supporting statements from shippers which may be examined here at the Commission, in Washington, D.C., or at the New York field office named below. Send protests to: Stephen P. Tomany, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 77380 (Sub-No. 3 TA), filed November 29, 1965. Applicant: HEICK MOVING AND STORAGE, INC., 3618

Lexington Avenue, Madison, Wis., 53714. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis., 53705. 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 Adams, Columbia, Crawford, Dane, Dodge, Fond du Lac, Grant, Green, Green Lake, Iowa, Jefferson, Juneau, La Crosse, LaFayette, Marquette, Monroe, Richland, Rock, Sauk, Vernon, Walworth, Waushara, and Winnebago Counties, Wis., restricted to shipments having a prior or subsequent movement beyond said counties 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, for 180 days. Supporting shipper: Home-Pack Transport, Inc., 57–48 49th Street, Maspeth, N.Y., 11378. Send protests to: Charles W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 90195 (Sub-No. 5 TA), filed December 1, 1965. Applicant: ABE FRANK, doing business as F. & B. TRUCKING, 14–50 128th Street, College Point, Long Island, N.Y., 11356. Applicant's representative: Martin Werner, 2 West 45th Street, New York, N.Y., 10036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New upholstered furniture*, from the plantsite of Valley Upholstery Corp., in Bridgeport, Conn., to New York City, and points in Nassau, Suffolk, Rockland and Westchester Counties, N.Y., points in New Jersey on and north of New Jersey Highway 33, and Philadelphia and Allentown, Pa., *materials and supplies* used in the manufacture of upholstered furniture (except commodities in bulk, in tank vehicles) and *returned shipments of new upholstered furniture*, from the above-named destination points to the above-named plant site, for 150 days. Supporting shipper: Valley Upholstery Corp., 14–50 128th Street, College Point 56, N.Y. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 107002 (Sub-No. 275 TA), filed November 29, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal fats or oils* (tallow), in bulk, in tank vehicles, from Hernando, Miss., to Memphis, Tenn., for 150 days. Supporting shipper: Humko Products, Sterick Building, Memphis, Tenn., 38101. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107002 (Sub-No. 276 TA), filed November 29, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Baton Rouge, La., to White Sands Proving Grounds near Las Cruces, N. Mex., for 180 days. Supporting shipper: Allied Chemical Corporation, 40 Rector Street, New York, N.Y., 10006. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107002 (Sub-No. 277 TA), filed November 29, 1965. Applicant: HEARIN-MILLER TRANSPORTERS, INC., Post Office Box 1123, Highway 80 West, Jackson, Miss., 39205. Applicant's representative: D. D. Kennedy (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid latex*, having a prior transportation by rail, from Greenville, Miss., to Monticello, Ark., for 180 days. Supporting shipper: General Tire & Rubber Co., Post Office Box 951, Akron, Ohio, 44309. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 320 U.S. Post Office Building, Jackson, Miss., 39201.

No. MC 107403 (Sub-No. 657 TA), filed November 29, 1965. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa., 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible tallow*, in bulk, in tank vehicles, from Canton, Ohio, to McKees Rocks, Pa., for 150 days. Supporting shipper: The Sugardale Provision Co., 1600 Harmont Avenue NE., Post Office Box 310, Canton, Ohio, 44701. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Philadelphia, Pa., 19106.

No. MC 108207 (Sub-No. 173 TA), filed November 29, 1965. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, Post Office Box 5888, Dallas, Tex. Applicant's representative: J. E. McClellan (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma*, from Memphis, Tenn., to Berkeley, Calif., for 150 days. Supporting shipper: Cutter Laboratories, Fourth and Parker Streets, Berkeley, Calif. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex., 75202.

No. MC 113678 (Sub-No. 201 TA), filed December 1, 1965. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo., 80216. Applicant's representative: Duane W. Acklie, NSEA Building, 14th and J Streets, Post Office Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products*, from the plant and storage facilities of Minden Dressed Beef Co., located in Kearney County, Nebr., to York and Omaha, Nebr., for tacking with authority held in Sub 63 and Sub 66, for 180 days. Supporting shippers: Cornland Dressed Beef Co., Lexington, Nebr.; and, Minden Dressed Beef Co., Minden, Nebr. Send protests to: Herbert C. Ruoff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo., 80202.

No. MC 114084 (Sub-No. 5 TA), filed November 30, 1965. Applicant: S AND S TRUCKING COMPANY, a corporation, 118 South Oakland Street, Statesville, N.C. Applicant's representative: H. Overton Kemp, Room 101, 327 North Tryon Street, Charlotte, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture and furniture* parts, from points in Rutherford County, N.C., to points in Maine, New Hampshire, and Vermont, for 180 days. Send protests to: Broyhill Furniture Industries, Lenoir, N.C. Send protests to: Jack K. Huff, District supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 118959 (Sub-No. 25 TA), filed November 29, 1965. Applicant: JERRY LIPPS, INC., 130 South Frederick, Cape Girardeau, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boards, building, wall or insulating, and materials and supplies used in their installation*, from Macon, Ga., and Pensacola, Fla., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Texas, and Wisconsin, for 180 days. Supporting shipper: Armstrong Cork Co., Harry W. Deck, operations transportation manager, Lancaster, Pa. Send protests to: J. P. Werthmann, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 3248–B, 1520 Market Street, St. Louis, Mo., 63103.

No. MC 124078 (Sub-No. 172 TA), filed November 29, 1965. Applicant: SCHWERMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis., 53246. Applicant's representative: James R. Ziperski (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, and in packages, from the distribution terminal of Lone Star Cement Corp. at Louisville, Ky.; to points in Kentucky, points in Clay, Richland, Lawrence, Wayne, Edwards, Wabash, Hamilton, White, Saline, Gallatin, Pope and Hardin Counties, Ill.; Posey, Gibson,

Knox, Vanderburgh, Daviess, Pike, Warrick, Spencer, Dubois, Martin, Lawrence, Orange, Crawford, Perry, Jackson, Washington, Harrison, Floyd, Clark, Scott, Jefferson, Jennings, Ripley, Dearborn, Ohio, and Switzerland Counties, Ind.; Hamilton, Clermont, and Brown Counties, Ohio; and Stewart, Houston, Humphreys, Montgomery, Dickson, Robertson, Cheatham, Davidson, Sumner, Trousdale, Wilson, Macon, Smith, Clay, Jackson, Putnam, Overton, Pickett, Cumberland, Fentress, Scott, Morgan, Campbell, Anderson, Clairborne, Union, Knox, and Grainger Counties Tenn., for 150 days. Supporting shipper: Lone Star Cement Corp., 100 Park Avenue, New York, N.Y., 10017, R. E. Buckwalter, general traffic manager. Send protests to: W. F. Sibbald, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 108 West Wells Street, Room 511, Milwaukee, Wis., 53203.

No. MC 124389 (Sub-No. 6 TA), filed November 29, 1965. Applicant: TORVAL R. MONCRIEFF, 1701 East First Avenue, Anchorage, Alaska, 99501. Applicant's representative: Lloyd I. Hoppner, Post Office Box 516, Fairbanks, Alaska. Authority sought to operate as a *contract carrier*, over irregular routes, transporting: *Meat, 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, between Anchorage and Fairbanks, Alaska; also between Tok Junction, Alaska, and Anchorage and Fairbanks, Alaska; including service to points intermediate thereto, as an extension of and with the right to combine the authority herein sought with that presently held under MC-124389 Sub 3, for 180 days. Supporting shipper: Western Supply, Inc., 1101 Whitney Road, Anchorage, Alaska, 99501. Send protests to: District Supervisor Hugh H. Chaffee, Interstate Commerce Commission, Bureau of Operations and Compliance, Post Office Box 1532, Anchorage, Alaska, 99501.

No. MC 127746 (Sub-No. 1 TA), filed December 1, 1965. Applicant: LOUIS VENEZIA, Bear More Trailer Park, Belmar, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y., 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pellets* in containers, *plastic scrap, additives* for plastic in containers, *packaging materials* for plastic pellets, from New Castle, Del., Hazlehurst, Ga., New York, Garden City, and Mount Vernon, N.Y., Akron, Ohio, Darby, Pottsville, Kobuta, and Washington, Pa., and Nasonville, R.I., to Asbury Park, N.J., and *plastic pellets* in containers, from Asbury Park, N.J., to the above named origin points, for 180 days. Supporting shipper: Monmouth Plastics Division, New York & New Jersey Dyeing Co., Inc., 814 Asbury Avenue, Asbury Park, N.J.

No. MC 127558 (Sub-No. 1 TA), filed November 29, 1965. Applicant: CALVIN C. ROSS, Hillsboro, Wis., 54634. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, Wis., 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rough lumber*, when moving on flatbed semitrailers, from Gotham, Wis., to Blue Island, Freeport, and Waukegan, Ill., and from La Farge, Wis., to Menominee, Mich., and Freeport, Ill., for 180 days. Supporting shippers: Bert Grell, Saw Mill, Gotham, Wis.; and, H&D Lumber Co., La Farge, Wis. Send protests to: Charles W. Buckner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis., 53703.

No. MC 127748 TA, filed December 1, 1965. Applicant: FOURMEN DELIVERY SERVICE, INC., 153-58 Rockaway Boulevard, Jamaica, N.Y., 11434. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y., 11432. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Luggage and such personal property usually carried by airline passengers;* between La Guardia Airport, John F. Kennedy International Airport, New York, N.Y., and Newark Airport, Newark, N.J., on the one hand, and, on the other, points in New York, Connecticut, Massachusetts, New Jersey, Pennsylvania, Maryland, and Washington, D.C., for 180 days. Supporting shippers: Pilgrim Airlines, New London-Waterford Airport, Box 1743, New London, Conn.; Scandinavian Airlines System, Inc., International Arrivals Building, New York International Airport, Jamaica, N.Y., 11430; Lufthansa German Airlines, John F. Kennedy International Airport, Jamaica 30, Long Island, N.Y.; Pan American World Airways, John F. Kennedy International Airport, Jamaica, N.Y., 11430; Irish International Airlines, New York International Airport, Jamaica 30, N.Y.; Eastern Air Lines, Inc., John F. Kennedy International Airport, Jamaica, N.Y., 11430. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

MOTOR CARRIER OF PASSENGERS

No. MC 127678 (Sub-No. 1 TA), filed November 30, 1965. Applicant: MYER GOODWIN, 67 Rockland Street, Natick, Mass. Applicant's representative: John F. Curley, 15 Court Square, Boston, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* in special operations, beginning and ending at Natick, Framington, Wellesley, Waltham, Hopkinton, Norwood, Wayland, Sherborn, Maynard, Marlboro, Canton, Dover, Ashland, Weston, Duxbury, Holliston, Milford, Westwood, Concord, Lincoln, and Lexington, Mass., and extending to Lincoln Downs Race Track, Lincoln, R.I., and Narragansett Park, Pawtucket, R.I., for 150 days. Supporting shippers: Robert Tetrault, Holliston, Mass.; Charles Ateroniam, Holliston, Mass.; Clarence L. Storer, Waltham, Mass.; Charles R. Maud, Waltham, Mass.; Vernon P. Gates, Waltham, Mass.; Leo Dee, Concord, Mass.; Richard Morrill, Wellesley, Mass.; John McDougall, Westwood, Mass.; Gordon H. Atkinson, Westwood, Mass.; George F. Dickey, Wayland, Mass.; Charles E. Ramsey, Wayland, Mass.; Peter Caradonna, Canton, Mass.; Francis Burke, Canton, Mass.; Thomas J. Kennedy, Norwood, Mass.; Phyllis F. Rowe, Weston, Mass.; Marie Bassett, Weston, Mass.; Barry Fahey, Lexington, Mass.; Frank Girdon, Lincoln, Mass.; Fred J. Berghesi, Ashland, Mass.; Frederick Murphy, Hopkinton, Mass.; David Treadwell, Dover, Mass.; John Sacco, Framingham, Mass.; Paul T. Mason, Marlboro, Mass.; Raymond W. Bridge, Natick, Mass.; John Handrahan, Sudbury, Mass.; and, Zakie Zakorian, Milford, Mass. Send protests to: James F. Martin, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 30 Federal Street, Boston, Mass., 02110.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 65-13112; Filed, Dec. 7, 1965; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 6, 1965.

Protests to the granting of an application must be prepared in accordance with § 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 40162—*Sand to New Britain, Conn.* Filed by Southwestern Freight Bureau, agent (No. B-8788), for interested carriers. Rates on sand, as described in the application, in carloads, from specified points in Missouri and Oklahoma, also Guion, Ark., and Brady, Tex., to New Britain, Conn.

Grounds for relief—Carrier competition.

Tariff—Supplement 81 to Southwestern Freight Bureau, agent, tariff I.C.C. 4565.

FSA 40163—*Ethylene glycol from Doe Run, Ky.* Filed by O. W. South, Jr., agent (No. A4805), for interested carriers. Rates on ethylene glycol, in tank carloads, from Doe Run, Ky., to Atlas and Hercules, Mo.

Grounds for relief—Market competition.

Tariff—Supplement 96 to Southern Freight Association, agent, tariff ICC S-240.

FSA 40164—*Superphosphate from Epco, Idaho.* Filed by Western Trunk Line Commitee, agent (No. A-2437), for interested carriers. Rates on superphosphate, not defluorinated superphosphate, nor feed grade superphosphate, in carloads, from Epco, Idaho, to points in western trunkline territory.

Grounds for relief—Market competition.

Tariff—Supplement 137 to Western Trunk Line Committee, agent, tariff ICC A–4411.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 13174; Filed, Dec. 8, 1965; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U.S.C. 201 et seq.), and Administrative Order 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

The Arrow Co., division of Cluett, Peabody & Co., Inc., Shamokin, Pa.; effective 11–4–65 to 11–3–66 (men's sport shirts).

Baumel Dress Corp., corner Willow and Grant Streets, Olyphant, Pa.; effective 11–5–65 to 11–4–66 (ladies' and children's dresses).

Benjamin & Johnes, Inc., 410 Ashe Avenue, Dunn, N.C.; effective 11–9–65 to 11–8–66 (foundation garments).

J. H. Bonck Co., Inc., 1100 South Jefferson Davis Parkway, New Orleans, La.; effective 10–31–65 to 10–30–66 (men's and boys' sport shirts).

Carthage Shirt Corp., Carthage, Tenn.; effective 11–3–65 to 11–2–66 (men's and boys' sport and dress shirts).

Choctaw Manufacturing Co., Inc., Silas, Ala.; effective 11–2–65 to 11–1–66 (men's trousers).

Cowden-Mt. Sterling Co. & Cowden-Greer Co., 124 Apperson Heights, Mount Sterling, Ky.; effective 10–23–65 to 10–22–66 (men's work clothes).

Dixie Manufacturing Co., Inc., 14th and Bailey Streets, Columbia, Tenn.; effective 11–12–65 to 11–11–66. Learners may not be employed at special minimum wage rates in the production of skirts (ladies' and girls' sportswear, shorts, and slacks).

Dover Mills, Inc., Pisgah, Ala.; effective 10–30–65 to 10–29–66 (children's knit shirts).

E & W of Canton, Inc., a division of Washington Manufacturing Co., Inc., Canton, Miss.; effective 11–20–65 to 11–19–66 (men's sport shirts).

The Eastern Isles Manufacturing Corp., Richlands, Va.; effective 11–1–65 to 10–31–66 (ladies' pajamas, nightgowns).

Elder Manufacturing Co., Webb City, Mo.; effective 10–31–65 to 10–30–66 (boys' shirts).

Executive Service Co., Pickens, S.C.; effective 10–27–65 to 10–26–66 (men's dress shirts).

Four's Co., Inc., Rural Delivery No. 1, Blairsville, Pa.; effective 11–16–65 to 11–15–66 (children's dresses).

Glamorise Foundations, Inc., 2729 Reach Road, Williamsport, Pa.; effective 11–3–65 to 11–2–66 (brassieres, girdles, corselettes).

H. W. Gossard Co., 105 North Franklin Street, Bicknell, Ind.; effective 11–11–65 to 11–10–66 (foundation garments).

Guntown Slacks, Inc., Guntown, Miss.; effective 11–12–65 to 11–11–66 (men's and boys' slacks).

Hicks-Ponder Co., 1795 Maple Avenue, Yuma, Ariz.; effective 11–13–65 to 11–12–66 (men's pants).

Imperial Reading Corp., Marshall, Tex.; effective 11–14–65 to 11–13–66 (denim jeans).

Imperial Reading Corp., Christiansburg, Va.; effective 10–31–65 to 10–30–66 (men's and boys' denim jeans).

Kenrose Manufacturing Co., Inc., Buchanan, Va.; effective 11–1–65 to 10–31–66 (women's dresses).

Key Work Clothes of Missouri, Nevada, Mo.; effective 11–1–65 to 10–31–66 (men's work pants and work shirts).

Knickerbocker Manufacturing Co., West Point, Miss.; effective 11–9–65 to 11–8–66 (men's woven sleepwear).

Lansford Apparel Co., West Patterson Street, Lansford, Pa.; effective 10–31–65 to 10–30–66 (children's dresses).

The H. D. Lee Co., Inc., Boaz, Ala.; effective 11–5–65 to 11–4–66 (men's work clothing).

Luverne Slacks Co., Inc., Luverne, Ala.; effective 11–1–65 to 10–31–66 (men's slacks).

Martin Manufacturing Co., Inc., Ramer, Tenn.; effective 11–3–65 to 11–2–66 (uniform shirts).

Masterson, Inc., North 3d Street, Booneville, Miss.; effective 10–28–65 to 10–27–66 (boys' and girls' cotton outerwear jackets).

McNair Clothing Manufacturing Co., 759 East Fronton Street, Brownsville, Tex.; effective 10–25–65 to 10–24–66 (men's work pants and work shirts).

Milan Shirt Manufacturing Co., 134 Williamson Street, Milan Tenn.; effective 11–4–65 to 11–3–66 (work shirts).

Orangeburg Manufacturing Co., Inc., Orangeburg, S.C.; effective 11–8–65 to 11–7–66 (children's dresses).

Press Dress & Uniform Co., Hummelstown, Pa.; effective 10–29–65 to 10–28–66 (maids' and nurses' uniforms and cotton dresses).

Rob Roy Co., Inc., Cambridge, Md.; effective 11–1–65 to 10–31–66 (boys' shirts).

Rector Garment Co., Inc., Rector, Ark.; effective 10–28–65 to 10–27–66 (men's trousers).

S. & S. Manufacturing Co., Inc., 200 West Main Street, Spartanburg, S.C.; effective 11–1–65 to 10–31–66 (ladies' and children's blouses).

Salant & Salant, Inc., First Street, Lexington, Tenn.; effective 11–9–65 to 11–8–66 (boys' shirts).

Salant & Salant, Inc., Pine Street, Lexington, Tenn.; effective 11–6–65 to 11–5–66 (men's and boys' slacks).

Salant & Salant, Inc., Washington Street, Paris, Tenn.; effective 11–9–65 to 11–8–66 (men's and boys' shirts).

Salant & Salant, Inc., Tennessee Avenue, Parsons, Tenn.; effective 11–8–65 to 11–7–66 (men's and boys' work pants).

Shane Uniform Co., Inc., 2015 West Maryland Street, Evansville, Ind.; effective 11–6–65 to 11–5–66 (washable service apparel for men and women).

Shelburne Shirt Co., Inc., 69 Alden Street, Fall River, Mass.; effective 11–1–65 to 10–31–66 (men's dress shirts).

Sherman Underwear Mills, Inc., Welwood Avenue, Hawley, Pa.; effective 10–23–65 to 10–22–66 (ladies' and children's panties).

Sparta Garment Co., Inc., Sparta, Ga.; effective 10–31–65 to 10–30–66 (men's and boys' trousers).

Stadium Manufacturing Co., Inc., Box 97, Winfield, Ala.; effective 11–21–65 to 11–20–66 (men's and boys' slacks).

Levi Strauss & Co., 1808 Cherry Street, Knoxville, Tenn.; effective 11–9–65 to 11–8–66 (men's, ladies' and children's overalls, men's and children's slacks).

Steele Apparel Co., Steele, Mo.; effective 11–5–65 to 11–4–66 (ladies' dresses).

Walhalla Garment Co., Inc., Walhalla, S.C.; effective 11–6–65 to 11–5–66 (women's dresses).

Washington Overall Manufacturing Co., South Court Street, Scottsville, Ky.; effective 10–26–65 to 10–25–66 (men's and boys' trousers).

Wentworth Manufacturing Co., Blanding Street, Lake City, S.C.; effective 11–9–65 to 11–8–66 (ladies' wash frocks).

Wilgree Manufacturing Co., Inc., North Harney Street, Camilla, Ga.; effective 11–3–65 to 11–2–66 (men's shirts).

Winfield Manufacturing Co., Winfield, Ala.; effective 11–5–65 to 11–4–66 (men's trousers).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Bonacci Sportswear Co., 312 Penn Avenue, Scranton, Pa.; effective 10–28–65 to 10–27–66; 5 learners (ladies' outerwear jackets).

Burgaw Manufacturing Co., Burgaw, N.C.; effective 10–27–65 to 10–26–66; 10 learners (women's dresses).

Edison Textiles, Inc., Edison, Ga.; effective 11–3–65 to 11–2–66; 10 learners (infants' and girls' panties).

Eileen Hope, Inc., 110 South 2d Street, Halifax, Pa.; effective 10–27–65 to 10–26–66; 10 learners (women's dresses).

Garan, Inc., Eupora, Miss.; effective 11–4–65 to 11–3–66; 5 learners (men's and boys' knitted polo shirts).

Manila Manufacturing Co., Inc., Manila, Ark.; effective 10–27–65 to 10–26–66; 10 learners (ladies' dresses).

Oswego Foundations, Inc., 185 East Seneca Street, Oswego, N.Y.; effective 11–1–65 to 10–31–66; 10 learners (women's girdles and corsets).

Protexall, Inc., 77 South Henderson Street, Galesburg, Ill.; effective 10–27–65 to 10–26–66; 10 learners (men's work clothing).

Summit Sportswear, Inc., 44 Ludlow Street, Summit Hill, Pa.; effective 11–6–65 to 11–5–66; 5 learners (ladies' and children's blouses).

Willmar Garment Co., Industrial Park, Willmar, Minn.; effective 10–27–65 to 10–26–66; 10 learners (children's outer garments).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

The Arrow Co., a division of Cluett, Peabody & Co., Inc., Carbon Hill, Ala.; effective 11–8–65 to 5–7–66; 60 learners (boys' shirts).

E & W of Heber Springs, Inc., Heber Springs, Ark.; effective 10–23–65 to 4–22–66; 50 learners (boys' shirts).

Form-O-Uth Brassiere Co., d.b.a. Marie Foundations Branch, 800 East Kingsmill,

Pampa, Tex.; effective 10-25-65 to 4-24-66; 25 learners (women's brassieres and girdles).

Glenn Clothing Manufacturing Co., Inc., Dickenson County, Clintwood, Va.; effective 10-28-65 to 4-27-66; 15 learners (boys' trousers).

Reidbord Bros. Co., Lumber Street, Buckhannon, W. Va.; effective 11-1-65 to 4-30-66; 25 learners (men's dress slacks).

Rector Garment Co., Inc., Rector, Ark.; effective 11-7-65 to 5-6-66; 30 learners (men's trousers).

Steele Apparel Co., Steele, Mo.; effective 11-5-65 to 5-4-66; 15 learners (ladies' dresses).

Washington Garment Co., 2020 Main Street Extension, Washington, Pa.; effective 11-6-65 to 5-5-66; 40 learners (ladies' sportswear).

Winfield Manufacturing Co., Winfield, Ala.; effective 11-5-65 to 5-4-66; 15 learners (men's trousers).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.80 to 522.85, as amended).

Cardinal Glove Co., Inc., 158 Summit Street, Newark, N.J.; effective 10-29-65 to 10-28-66; 10 learners for normal labor turnover purposes (cotton work gloves).

Mountain City Glove Co., Inc., Mountain City, Tenn.; effective 10-28-65 to 10-27-66; 10 learners for normal labor turnover purposes (work gloves).

Northern Glove & Mitten Co., 1514 Morrow Street, Green Bay, Wis.; effective 11-3-65 to 11-2-66; 5 learners for normal labor turnover purposes (leather gloves and mittens).

Twin City Glove Manufacturing Co., Inc., 237 Jefferson Street, Martins Ferry, Ohio; effective 11-2-65 to 11-1-66; 10 learners for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Bear Brand Hosiery Co., Henderson, Ky.; effective 11-6-65 to 11-5-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Charles H. Bacon Co., Inc., Loudon, Tenn.; effective 11-3-65 to 11-2-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Beaver Hosiery Co., Hickory, N.C.; effective 10-23-65 to 10-22-66; 5 learners for normal labor turnover purposes (seamless).

Danville Knitting Mills, Inc., Lynn and Newton Streets, Danville, Va.; effective 10-23-65 to 10-22-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Ridgeview Hosiery Mill Co., Newton, N.C.; effective 11-6-65 to 11-5-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Wyatt Knitting Co., 1006 Goldsboro Avenue, Sanford, N.C.; effective 11-1-65 to 10-31-66; 5 learners for normal labor turnover purposes (full-fashioned, seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended and 29 CFR 522.30 to 522.35, as amended).

Athens Lingerie Corp., Athens, Ala.; effective 11-2-65 to 11-1-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie and sleepwear).

Casa Grande Mills, a division of the Parsons & Baker Co., North Pinal Avenue, Casa Grande, Ariz.; effective 11-16-65 to 11-15-66; 5 learners for normal labor turnover purposes (infants' underwear).

Cullman Lingerie Corp., Cullman, Ala.; effective 10-31-65 to 10-30-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie and sleepwear).

Dri-Set, Inc., Graysville, Tenn.; effective 11-9-65 to 11-8-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' knitted sleeping wear).

Haleyville Textile Mills, Inc., Haleyville, Ala.; effective 10-31-65 to 10-30-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's underwear and sleepwear).

Knickerbocker Manufacturing Co., West Point, Miss.; effective 11-9-65 to 11-8-66; 5 percent of the total number of factory production workers engaged in the production of men's woven underwear for normal labor turnover purposes (men's woven underwear).

O'Bryan Bros., Inc., 600 West Seminary, Richland Center, Wis.; effective 11-15-65 to 11-14-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's and children's pants and slips).

Rocky Mount Undergarment Co., Inc., 1536 Boone Street, Rocky Mount, N.C.; effective 11-8-65 to 11-9-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's panties).

Sherman Underwear Mills, Inc., Welwood Avenue, Hawley, Pa.; effective 11-5-65 to 11-4-66; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' and children's panties) (replacement certificate).

Sylvester Textile Corp., Sylvester, Ga.; effective 11-13-65 to 5-12-66; 10 learners for plant expansion purposes (ladies' and children's underwear).

The following student-worker certificates were issued pursuant to the regulations applicable to the employment of student-workers (29 CFR 527.1 to 527.9). The effective and expiration dates, occupations, wage rates, number of student-workers, and learning periods for the certificates issued under Part 527 are as indicated below.

Campion Academy, Southwest 42d and Academy Drive, Loveland, Colo.; effective 11-5-65 to 8-31-66; authorizing the employment of 35 student-workers in the broom manufacturing industry in the occupations of broom maker, stitcher, sorter, winder, and related skilled and semiskilled occupations, for a learning period of 360 hours at rates of $1.10 an hour for the first 180 hours and $1.15 an hour for the remaining 180 hours.

Forest Lake Academy, Maitland, Fla.; effective 10-8-65 to 8-31-66; authorizing the employment of: (1) 25 student-workers in the printing industry in the occupations of compositor, pressman, and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 1,000 hours at the rates of $1.10 an hour for the first 500 hours and $1.15 an hour for the remaining 500 hours; and (2) 80 student-workers in the bookbindery industry in the occupations of bookbinder, bindery worker, sewer, trimmer, backer, cutter, casemaker and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours at the rates of $1.10 an hour for the first 300 hours and $1.15 an hour for the remaining 300 hours.

The student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificates, as interpreted and applied by Part 527.

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Pursuant to the provisions of 29 CFR 522.9, any person aggrieved by the issuance of any learner certificate may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER.

Learner and student-worker certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 26th day of November 1965.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 65-13161; Filed, Dec. 8, 1965; 8:46 a.m.]

CUMULATIVE LIST OF CFR PARTS AFFECTED—DECEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during December.

1 CFR

Page

Ch. I 15122

3 CFR

PROCLAMATION:
3691 15139
EXECUTIVE ORDERS:
Mar. 10, 1924 (modified by PLO 3885) 14989
2910 (revoked by PLO 3887) 14932
5327 (modified by PLO 3882) 14929
11157 (amended by EO 11259) 15057
11259 15057

5 CFR

213 ..... 15059, 15141, 15203
1204 14965

6 CFR

530 15089

7 CFR

15 14845
68 14965
215 14910
321 15141
401 ..... 14845, 14846
403 14846
722 15141
815 15091
841 14846
849 15203
863 15028
895 15203
905 15029–15031
907 ..... 14847, 15031, 15142
910 ..... 15032, 15092
911 14847
913 15204
944 14848
971 15143
1030 14849
1031 14849
1032 14849
1038 14849
1039 14849
1051 14849
1062 14849
1063 14849
1070 14850
1078 14850
1079 14850
1421 ..... 15032, 15033
1425 14915
PROPOSED RULES:
52 15222
68 14991
717 15222
815 14855
907 15104
959 15222
967 14991
999 14934
1003 14992
1016 14992
1032 14993
1044 14993
1045 14993
1050 14993
1068 14855
1125 15152
1136 15223

8 CFR

Page

243 15033

9 CFR

201 14839
203 14966

12 CFR

206 15089
545 ..... 14916, 15174
555 14916
PROPOSED RULES:
545 ..... 14861, 15236

13 CFR

107 14850
PROPOSED RULES:
107 14862

14 CFR

39 ..... 14967, 15209
71 ..... 14916–14919, 14968–14970, 15015, 15080, 15209
73 ..... 14971, 15080, 15210
75 ..... 14919, 15210
95 15024
97 ..... 14840, 15016, 15081
127 14919
137 15143
231 14971
311 14920
385 14972
PROPOSED RULES:
1 15040
71 ..... 14996–14998, 15234
91 15040
399 15173

15 CFR

230 14921

16 CFR

13 ..... 14851, 14852, 14922–14924, 15090, 15091
15 15210

17 CFR

1 15210
17 14973
PROPOSED RULES:
240 15105
249 15105

18 CFR

11 ..... 15092, 15211

19 CFR

10 15143

21 CFR

2 15211
8 15211
141a 15093
146a 15093
148b 15211
PROPOSED RULES:
120 14857
121 ..... 15105, 15234
130 15105
144 15105

24 CFR

3 15145
200 15033
1000 15033

26 CFR

Page

1 15094
145 15039
PROPOSED RULES:
240 15099
251 15172

29 CFR

60 14979
453 14925
1604 14926
PROPOSED RULES:
1602 15040

32 CFR

1 14887
2 14889
3 14889
4 14892
7 14893
10 14897
12 14901
16 14902
230 14902
232 14903
233 14905
234 14905
235 14907
263 14908
543 14974
729 14910
811 15212
812 15213
834 15213
850 15213
852 15213

33 CFR

82 15149
85 15149
202 15150
203 15150

38 CFR

3 14981

39 CFR

15 14928
17 14928
25 14928
29 15213
33 14928
35 14928
121 15213
141 15213
168 ..... 15213, 15214
PROPOSED RULES:
22 ..... 14993, 15235

41 CFR

9–1 15214
9–4 15096

43 CFR

PUBLIC LAND ORDERS:
1745 (revoked by PLO 3893) 15039
3744 (corrected by PLO 3894) 15097
3882 14929
3883 14930
3884 14930
3885 14989
3886 14930
3887 14932
3888 14989