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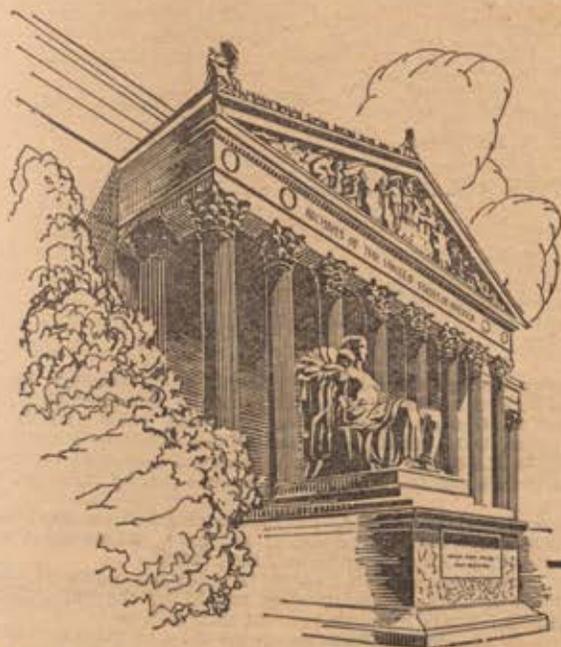
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Consumer and Marketing Service
Engineers Corps
Federal Aviation Agency
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Volume 78

UNITED STATES
STATUTES AT LARGE

[88th Cong., 2d Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1964, the twenty-fourth amendment to the Constitution, and Presidential proclamations. Included is a nu-

merical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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Title 3—THE PRESIDENT

Proclamation 3693

MODIFYING PROCLAMATION 3279 ADJUSTING IMPORTS OF PETROLEUM AND PETROLEUM PRODUCTS

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to section 2 of the act of July 1, 1954, as amended (72 Stat. 678), and section 232 of the Trade Expansion Act of 1962 (Public Law 87-794), findings and determinations have been made that adjustments in the imports of crude oil, unfinished oils, and finished products were necessary so that such imports would not threaten to impair the national security, such adjustments have been made by Proclamation 3279¹ (24 F.R. 1781) and modified by Proclamation 3290 (24 F.R. 3527), Proclamation 3328 (24 F.R. 10133), Proclamation 3386 (25 F.R. 13945), Proclamation 3389 (26 F.R. 507, 811), Proclamation 3509 (27 F.R. 11985), Proclamation 3531 (28 F.R. 4077), and Proclamation 3541 (28 F.R. 5931); and

WHEREAS, I find and determine that, in order to prevent total imports from impairing accomplishment of the purposes of Proclamation 3279, as amended, it is necessary to impose restrictions on the movement of crude oil, unfinished oils, and finished products into foreign trade zones; and

WHEREAS, I find and determine that for reasons of equity and competitive capability, there should be authority to include petrochemical plants within the system of allocation of imports; and

WHEREAS, it appears that, as represented by the Government of the Commonwealth of Puerto Rico, the development of a petrochemical industry in Puerto Rico will provide a substantial and much needed increase in opportunities for employment of its citizens, I find and determine that provisions should be made permitting the development, without impairment of the objectives of Proclamation 3279, as amended, of such an industry in Puerto Rico:

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including section 232 of the Trade Expansion Act of 1962, do hereby proclaim that:

1. Paragraph (a) of section 1 of Proclamation 3279, as amended, is amended to read as follows:

(a) In Districts I-IV, in District V, and in Puerto Rico, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption, and no foreign crude oil, unfinished oils, or finished products may be brought into a foreign trade zone in Districts I-IV or in District V for processing within the zone, except (1) by or for the account of a person to whom a license has been issued by the Secretary of the Interior pursuant to an allocation made to such person by the Secretary in accordance with regulations issued by the Secretary, and such entries, withdrawals, and shipments into foreign trade zones may be made only in accordance with the terms of such license, or (2) as authorized by the Secretary pursuant to paragraph (b) of this section, or (3) as to finished products, by or for the account of a department, establishment, or agency

¹ 3 CFR, 1959-1963 Comp., p. 11; 24 F.R. 1781.

of the United States, which shall not be required to have such a license but which shall be subject to the provisions of paragraph (c) of this section, or (4) crude oil, unfinished oils, or finished products which are transported into the United States by pipeline, rail, or other means of overland transportation from the country where they were produced, which country, in the case of unfinished oils or finished products, is also the country of production of the crude oil from which they were processed or manufactured.

* * * * *

2. Subparagraph (1) of paragraph (a) and paragraph (c) of section 2 of Proclamation 3279, as amended, are severally amended to read as follows:

(a) (1) In Districts I-IV, for a particular allocation period the maximum level of imports, subject to allocation, of crude oil, unfinished oils, and finished products (other than residual fuel oil to be used as fuel) shall be an amount equal to the difference between (i) 12.2 percent of the quantity of crude oil and natural gas liquids which the Secretary estimates will be produced in these districts during the particular allocation period and (ii) the quantity of imports of crude oil, unfinished oils, and finished products excepted by clause (4) of paragraph (a) of section 1 which the Secretary estimates will be imported into these districts during that allocation period plus the quantity estimated by the Secretary by which shipments of unfinished oils and finished products (other than residual fuel oil to be used as fuel) from Puerto Rico to Districts I-IV during that allocation period will exceed the quantity so shipped during a comparable base period in the year 1965. As used in this subparagraph (1), the term "natural gas liquids" means natural gas products and other hydrocarbons such as isopentane, propane, and butane, or mixtures thereof, recovered from natural gas by means other than refining. Within such maximum level, imports of unfinished oils shall not exceed such percentum of the permissible imports of crude oil and unfinished oils as the Secretary may determine and imports of finished products (other than residual fuel oil to be used as fuel) shall not exceed the level of imports of such products into these districts during the calendar year 1957.

* * * * *

(c) The Secretary, having taken into account the standards prescribed for allocation of imports of crude oil and unfinished oils into Puerto Rico, any actions taken pursuant to section 4, and shipments from Puerto Rico into Districts I-IV, shall establish for each allocation period a maximum level of imports into Puerto Rico of crude oil and unfinished oils which, in his judgment, is consonant with the objectives of this proclamation. The maximum level of imports of finished products into Puerto Rico for a particular allocation period shall be approximately the level of such imports during all or part of the calendar year 1958 as determined by the Secretary to be consonant with the purposes of this proclamation or such higher level as the Secretary may determine is required to meet a demand in Puerto Rico for finished products that would not otherwise be met.

* * * * *

3. Subparagraphs 1, 2, and 3 of paragraph (b) of section 3 of Proclamation 3279, as amended, are severally amended to read as follows:

(b) (1) With respect to the allocation of imports of crude oil and unfinished oils into Districts I-IV and into District V, such regulations shall provide, to the extent possible, for a fair and equitable distribution among persons having refinery capacity in these districts in relation to refinery inputs (excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of Section 1). The Secretary may by regulation also provide for the making of such allocations to persons having petrochemical plants in these districts in relation to inputs to such plants (excluding inputs of crude oil or unfinished oils imported pursuant to clause (4) of paragraph (a) of section 1). Provision may be made in the regulations for the making of such allocations on the basis of graduated scales of inputs. Provision shall be made in the regulations for the gradual reduction of

allocations made on the basis of the last allocations of imports of crude oil under the Voluntary Oil Import Program, except that provision shall be made for a more rapid reduction of those allocations based on allocations under the Voluntary Oil Import Program which reflected imports of crude oil in the category now covered by clause (4) of paragraph (a) of section 1.

(2) Such regulations shall provide for the allocation of imports of crude oil and unfinished oils into Puerto Rico among persons having refinery capacity in Puerto Rico in the calendar year 1964 on the basis of estimated requirements, acceptable to the Secretary, of each such person for crude oil and unfinished oils. The regulations shall provide also that if, during a period comprising the same number of months as an allocation period and ending three months before the beginning of the allocation period, any such person ships to Districts I-IV unfinished oils or finished products (other than residual fuel oil to be used as fuel) or sells unfinished oils or finished products (other than residual fuel oil to be used as fuel) which are shipped to Districts I-IV in excess of the volume of unfinished oils or finished products (other than residual fuel oil to be used as fuel) which he so shipped or which he sold and were so shipped during the corresponding base period in the years 1964 and 1965 or in the year 1965, as the case may be, the person's allocation for the next allocation period shall be reduced by the amount of the excess. In addition the Secretary may provide by regulation for the making, in instances in which the Secretary determines that such action would not impair the accomplishment of the objectives of this proclamation, of allocations of imports of crude oil and unfinished oils into Puerto Rico to persons as feedstocks for facilities which will be established or for the operation of facilities which are established and which in the judgment of the Secretary will promote substantial expansion of employment in Puerto Rico through industrial development, and such regulations shall provide for the imposition of such conditions and restrictions upon such allocations as the Secretary may deem necessary to assure that any imports so allocated are used for the purposes for which an allocation is made and that the holder of such an allocation fulfills commitments made in connection with the making of the allocation.

(3) Except for crude oil or unfinished oils imported pursuant to special relief granted pursuant to section 4, such regulations shall require that imported crude oil and unfinished oils be processed in the licensee's refinery or petrochemical plant, except that exchanges for domestic crude or unfinished oils may be made if otherwise lawful, if effected on a current basis and reported in advance to the Secretary, and if the domestic crude or unfinished oils are processed in the licensee's refinery or petrochemical plant.

4. Subparagraph (1) of paragraph (g) of section 9 of Proclamation 3279, as amended, is amended to read as follows:

(g)(1) Liquefied gases—hydrocarbon gases such as ethane, propane, propylene, butylene, and butanes (but not methane) which are recovered from natural gas or produced in the refining of petroleum and which, to be maintained in a liquid state at ambient temperatures, must be kept under greater than atmospheric pressures;

* * * * *

5. This amendatory proclamation shall become effective on January 1, 1966.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

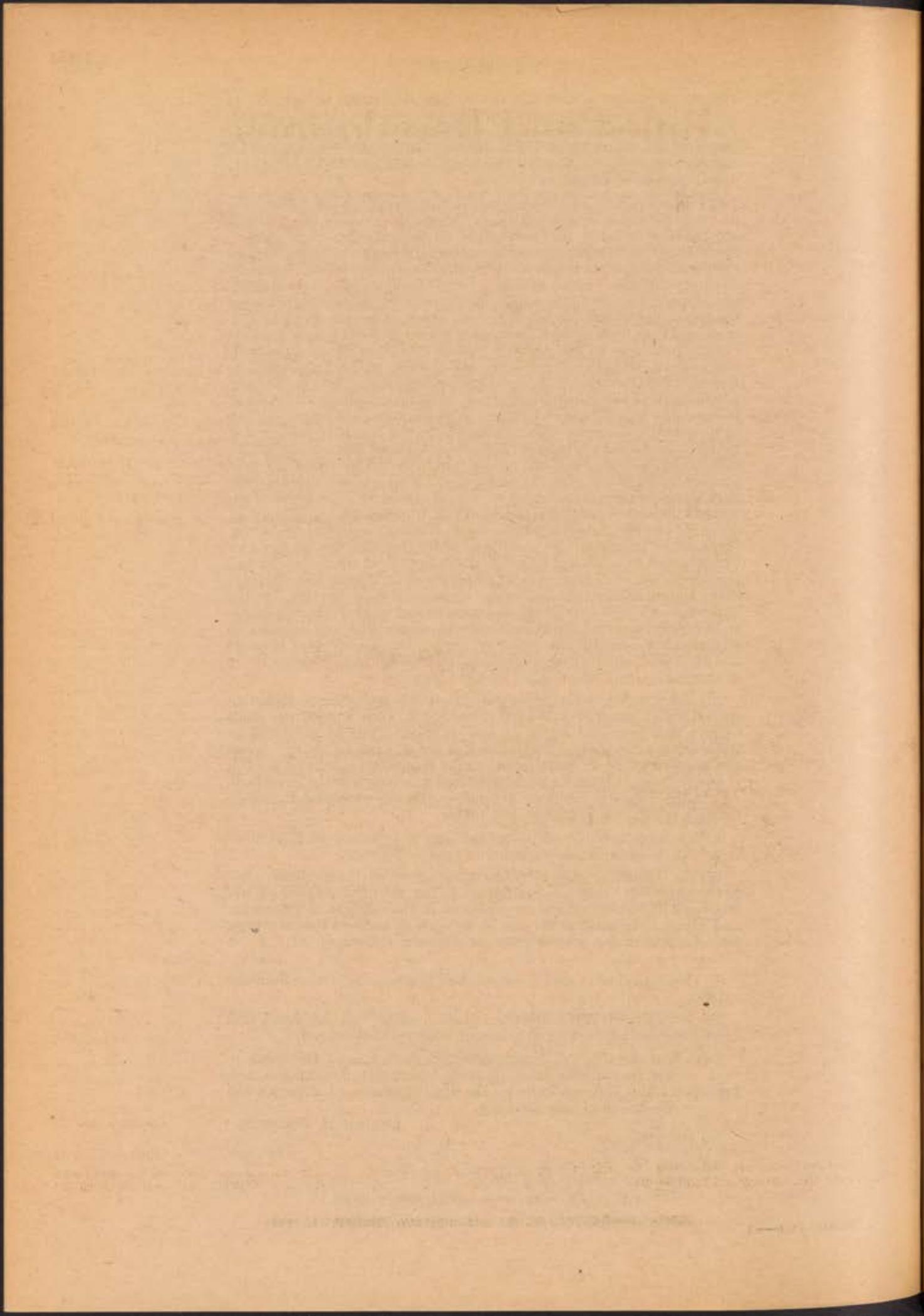
DONE at the City of Washington this tenth day of December in the year of our Lord nineteen hundred and sixty-five, and [SEAL] of the Independence of the United States of America the one hundred and ninetieth.

LYNDON B. JOHNSON

By the President:

GEORGE W. BALL,
Acting Secretary of State.

[F.R. Doc. 65-13488; Filed, Dec. 14, 1965; 1: 38 p.m.]



Rules and Regulations

Title 7—AGRICULTURE

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

[Milk Order 97]

PART 1097—MILK IN MEMPHIS, TENN., MARKETING AREA

Order Amending Order

§ 1097.0 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 the 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 Memphis, Tenn., 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; and

(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.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than December 15, 1965. Any delay beyond that date would tend to dis-

rupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs was issued November 23, 1965, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued December 8, 1965. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective December 15, 1965, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001-1011)

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

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

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

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

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

In § 1097.51(a), the introductory text of subparagraph (3) is revised to read as follows:

§ 1097.51 Class prices.

(a) *Class I milk price.* * * *
 (3) For a "minus deviation percentage" the Class I price shall be increased and for a "plus deviation percentage" the Class I price shall be decreased as follows: *Provided*, That from the effective date of this amended order, and each month thereafter, the plus or minus adjustment shall not exceed 25 cents:

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

Effective date. December 15, 1965.

Signed at Washington, D.C., on December 10, 1965.

GEORGE L. MEHREN,
 Assistant Secretary.

[P.R. Doc. 65-13432; Filed, Dec. 15, 1965; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-CE-106]

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

Alteration and Designation of Control Zones, Designation of Transition Area, and Revocation of Control Area Extension

On September 10, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 11644) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Sault Ste Marie, Mich., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable. Since the publication of the Notice, the Canadian Department of Transport has agreed to delete the use of the Sault Ste. Marie RBN for approach procedures into the Sault Ste. Marie, Ontario, Airport; and the ADF approach procedure (AL-503-ADF) for Sault Ste Marie, Mich., Airport is being canceled. Modification of the procedures by Canada and cancellation of the ADF approach procedure for Sault Ste. Marie, Mich., Airport eliminate the requirement for controlled airspace designated with reference to the Sault Ste. Marie RBN. Since this change in the proposed rule is less restrictive in nature and imposes no additional burden on any person, further notice and public procedure hereon are not necessary.

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

1. In § 71.165 (29 F.R. 17557) the Sault Ste. Marie, Mich., control area extension is revoked.

2. In § 71.171 (29 F.R. 17581) the following control zones are amended to read:

SAULT STE. MARIE, MICH. (KINCHELOE AFB)

Within a 5-mile radius of Kincheloe AFB (latitude 46°15'00" N., longitude 84°28'00"

W.), within 2 miles each side of the Kincheloe TACAN 143° radial extending from the 5-mile radius zone to 8 miles SE of the TACAN, within 2 miles each side of the Kincheloe VOR 150° radial extending from the 5-mile radius zone to 12 miles SE of the VOR; within 2 miles each side of the Kincheloe TACAN 337° radial extending from the 5-mile radius zone to 8 miles NW of the TACAN and within 2 miles each side of the Kincheloe ILS localizer NW course extending from the 5-mile radius zone to the OM.

SAULT STE. MARIE, MICH. (MUNICIPAL AIRPORT)

Within the United States within a 5-mile radius of Sault Ste. Marie Municipal Airport (latitude 46°28'40" N., longitude 84°21'55" W.), excluding the portion W of a line between the INTs of the 5-mile radius and the Sault Ste. Marie, Ontario, Canada, control zone.

3. In § 71.171 (29 F.R. 17581) the following control zone is added:

SAULT STE. MARIE, ONTARIO, CANADA

Over the United States within a 5-mile radius of the Sault Ste. Marie Airport (latitude 46°29'00" N., longitude 84°31'00" W.), and within 2 miles each side of the Sault Ste. Marie ILS localizer NW course extending from the 5-mile radius zone to the OM, excluding the portion east of a line between the INTs of the 5-mile radius and the 5-mile radius of the Sault Ste. Marie, Mich., control zone.

4. In § 71.181 (29 F.R. 17643) the following transition area is added:

SAULT STE. MARIE, MICH.

That airspace within the United States extending upward from 700 feet above the surface within a 7-mile radius of Kincheloe AFB (latitude 46°15'00" N., longitude 84°28'00" W.); within 2 miles each side of the Sault Ste. Marie VOR 153° radial extending from the VOR to 8 miles SE of the VOR, within 2 miles each side of the Sault Ste. Marie, Ontario, Canada, ILS localizer NW course extending from the OM to 8 miles NW of the OM, and within 2 miles each side of the 293° bearing from the Gros Cap RBN extending from the RBN to 8 miles NW of the RBN and the airspace within the United States extending upward from 1,200 feet above the surface within a 34 mile radius of Kincheloe AFB and within 8 miles NE and 5 miles SW of the Whitefish, Michigan, VOR 118° and 298° radials extending from 12 miles SE to 13 miles NW of the VOR.

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

Issued in Kansas City, Mo., on December 2, 1965.

DONALD S. KING,
Acting Director, Central Region.

[F.R. Doc. 65-13457; Filed, Dec. 15, 1965; 8:49 a.m.]

[Airspace Docket No. 65-CE-109]

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

Designation of Transition Area, and Alteration of Control Zones, and Revocation of Control Area Extension

On September 16, 1965, a notice of proposed rule making was published in the

FEDERAL REGISTER (30 F.R. 11874) stating that the Federal Aviation Agency proposed to alter controlled airspace in the Marquette, Mich., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through 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., March 3, 1966, as hereinafter set forth.

1. In § 71.165 (29 F.R. 17557) the Marquette, Mich., control area extension is revoked.

2. In § 71.171 (29 F.R. 17581) the following control zones are amended to read:

MARQUETTE, MICH. (MARQUETTE COUNTY AIRPORT)

Within a 5-mile radius of Marquette County Airport (latitude 46°32'03" N., longitude 87°33'35" W.); within 2 miles each side of the Marquette VOR 084° and 250° radials, extending from the 5-mile radius zone to 8 miles E and W of the VOR.

MARQUETTE, MICH. (K. I. SAWYER AFB)

Within a 5-mile radius of K. I. Sawyer AFB (latitude 46°21'15" N., longitude 87°23'40" W.); within 2 miles each side of the K. I. Sawyer AFB ILS localizer S course extending from the 5-mile radius zone to the LOM; within 2 miles each side of the K. I. Sawyer AFB TACAN 183° radial extending from the 5-mile radius zone to 8 miles S of the TACAN; and within 2 miles each side of the K. I. Sawyer TACAN 015° radial extending from the 5-mile radius zone to 8 miles N of the TACAN.

3. In § 71.181 (29 F.R. 17643) the following transition area is added:

MARQUETTE, MICH.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Marquette County Airport (latitude 46°32'03" N., longitude 87°33'35" W.); within 8 miles S and 5 miles N of the Marquette VOR 250° radial extending from the VOR to 12 miles W of the VOR; within an 8-mile radius of K. I. Sawyer AFB (latitude 46°21'15" N., longitude 87°23'40" W.); within 2 miles each side of the K. I. Sawyer AFB ILS localizer course extending from the 8-mile radius area to 12 miles S of the LOM; within 2 miles each side of the K. I. Sawyer AFB TACAN 183° radial, extending from the 8-mile radius area to 12 miles S of the TACAN; and within 2 miles E and 5 miles W of the K. I. Sawyer AFB TACAN 015° radial, extending from the 8-mile radius area to 12 miles N of the TACAN; and that airspace extending upward from 1,200 feet above the surface within a 40-mile radius of K. I. Sawyer AFB, excluding the portion which overlies the Escanaba, Mich., transition area.

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

Issued in Kansas City, Mo., on December 3, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-13458; Filed, Dec. 15, 1965; 8:49 a.m.]

[Airspace Docket No. 65-CE-116]

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

Alteration of Control Zone and Transition Area

On September 29, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (39 F.R. 12415) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Muncie, Ind., terminal area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The Air Transport Association concurred in the proposal; however, Mr. Thomas E. Reese of Reese Flying Service and the Aircraft Owners and Pilots Association objected to the portion of the proposal which included Reese Airport within the Muncie control zone. A review of the proposal revealed that a modification could be made to the VOR approach procedure for Runway 32 at Muncie which would eliminate the requirement to have Reese Airport within the Muncie control zone. The VOR approach procedure which was proposed for Runway 20 at Muncie will not be published. Therefore, there will be no requirement for a control zone extension and 700 foot floor transition area extension to the north. As a result of the exclusion of Reese Airport from the control zone, the above-mentioned objections were withdrawn. Since these changes in the proposed rule are less restrictive in nature and impose no additional burden on any person, further notice and public procedure hereon are not necessary.

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

1. § 71.171 (29 F.R. 17581) the Muncie, Ind., control zone is amended to read:

MUNCIE, IND.

Within a 5-mile radius of Delaware County Airport, Muncie, Ind. (latitude 40°14'28" N., longitude 85°23'43" W.); and within 2 miles each side of the Muncie VOR 125° and 320° radials extending from the 5-mile radius zone to 8 miles SE and NW of the VOR from 0700 to 2300 hours local time daily.

2. In § 71.181 (29 F.R. 17643) the Muncie, Ind., transition area is amended to read:

MUNCIE, IND.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Delaware County Airport, Muncie, Ind. (latitude 40°14'28" N., longitude 85°23'43" W.); within 2 miles each side of the Muncie VOR 320° radial extending from the 5-mile radius area to 8 miles NW of the VOR, and within 2 miles each side of the Muncie VOR 125° radial extending from the 5-mile radius area to 13 miles SE of the VOR; and that airspace extending upward from 1,200 feet above the surface within the area bounded by the line beginning at latitude 40°40'00"

N., longitude 85°30'00" W.; to latitude 40°30'00" N., longitude 85°22'00" W.; to latitude 40°30'00" N., longitude 84°49'00" W.; to latitude 40°10'00" N., longitude 85°00'00" W.; to latitude 40°10'00" N., longitude 85°05'45" W.; to latitude 40°00'00" N., longitude 84°58'00" W.; to latitude 40°00'00" N., longitude 86°00'00" W.; to latitude 40°07'00" N., longitude 86°00'00" W.; to latitude 40°30'00" N., longitude 85°50'00" W.; to the point of beginning and within a 12-mile radius of Marion Municipal Airport.

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

Issued in Kansas City, Mo., on December 7, 1965.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 65-13459; Filed, Dec. 15, 1965; 8:49 a.m.]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-284; Order No. 311]

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

F.P.C. Form No. 1; Report Form Prescribed for Class A and Class B Electric Utilities and Others Subject to the Federal Power Act; Miscellaneous Amendments

DECEMBER 8, 1965.

On September 21, 1965, the Commission issued a notice of proposed rule-making in this proceeding (30 F.R. 12360, Sept. 28, 1965), wherein it proposed to amend several of the schedules in FPC Form No. 1, the annual report required by § 141.1 of the regulations under the Federal Power Act to be made by public utilities, licensees and others subject to the reporting requirements of the Federal Power Act.

The changes proposed in the notice were, for the most part, in response to suggestions made by representatives of the electric power industry and were designed to minimize existing reporting requirements. Among the changes proposed, however, were others, more fully described in the notice, which were designed to supply additional information to assist the Commission in the proper performance of its responsibilities under the Act.

Many of the comments filed offer criticisms of the items in the latter class of proposals and we shall consider those in the future course of this proceeding. In the meantime there is no reason to delay incorporation of the other changes in the form for the reporting year 1965.

The amendments prescribed herein to the schedules on pages 432, 432b, 436-437, and 442 of form No. 1 were not included in the notice of proposed rule-making. However, they are of a clarifying nature and will not impose any sub-

stantial added burden to the reporting requirements.

The Commission finds:

(1) The amendments to the annual report form here prescribed are necessary and appropriate for the administration of the Federal Power Act.

(2) Since the amendments prescribed herein which were not included in the notice in this proceeding are of a clarifying nature further notice thereof is unnecessary.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly sections 4 (a), (b), (c), 301(a), 302, 304, 309, and 311 thereof (49 Stat. 839, 854, 855, 858, 859; 16 U.S.C. 797 (a), (b), (c), 825(a), 825a (a), 825c, 825b, 825j), orders:

(A) Annual Report FPC Form No. 1, prescribed by § 141.1(a), Subchapter D, Chapter I, Title 18 of the Code of Federal Regulations, is amended as follows:

1. In schedule (p. 201) entitled "Non-utility Property (Account 121)", instruction paragraph 4 is amended to read as follows: "List separately any property previously devoted to public service having an original cost of \$150,000 or more and give date of transfer to Account 121, Nonutility Property. Other items of property previously devoted to public service may be grouped provided that the number of properties so grouped is indicated."

2. The two schedules (p. 203) entitled, respectively, "Special Funds (Accounts 125, 126, 127, 128)" and "Special Deposits (Accounts 132, 133, 134)" are deleted.

3. The schedule (p. 204) entitled "Notes and Accounts Receivable" is amended by deleting the parenthetical references "(see schedule p. 205)" and inserting in the heading thereof the following: "Show separately by footnote the total amount of notes and accounts receivable from directors, officers, and employees included in Notes Receivable (Account 141) and Other Accounts Receivable (Account 143)."

4. The two schedules (p. 205) entitled, respectively, "Notes Receivable (Account 141)" and "Accounts Receivable (Accounts 142, 143)" are deleted.

5. In schedule (p. 405) entitled "Electric Plant Held For Future Use (Account 105)", instruction paragraphs 1 and 2 are amended to read as follows:

1. Report separately each property held for future use at end of the year having an original cost of \$100,000 or more. Other items of property held for future use may be grouped provided that the number of properties so grouped is indicated.

2. For property having an original cost of \$100,000 or more previously used in utility operations, now held for future use, give, in addition to other required information, the date that utility use of such property was discontinued, and the date the original cost was transferred to Account 105.

6. In schedule (p. 426) entitled "Franchise Requirements (Account 927) (Electric)", delete the figure "\$2500" wherever it appears in instruction paragraph 1, and insert in lieu thereof the figure "\$10,000".

7. In schedule (p. 432) entitled "Steam-Electric Generating Plant Sta-

tistics (Large Plants)", change designation of instruction paragraph 7 to 8 and insert a new instruction as follows:

7. If more than one fuel is burned in a plant furnish only the composite heat rate for all fuels burned.

8. In the portion of the same schedule appearing on page 432b, insert a new instruction paragraph 3 as follows:

3. All heat rates on this page and also on pages 432 and 432a should be computed on the basis of total fuel burned including burner lighting and banking fuel.

9. In schedule (pp. 436-437) entitled "Steam-Electric Generating Plants" insert the following footnote to columns (e), (f), (g), (i), (k), and (n): "* * * Include both ratings for the boiler and the turbine-generator of dual-rated installations."

10. In schedule (p. 442) entitled "Transmission Line Statistics" insert the following footnote to the column heading above columns (f) and (g): "* * * In the case of underground lines, report circuit miles."

11. The last page entitled "Verification" is amended to read as set out in the attachment hereto.¹

(Secs. 4 (a), (b), (c), 301(a), 302, 304, 309, 311, 49 Stat. 839, 854, 855, 858, 859; 16 U.S.C. 797 (a), (b), (c), 825(a), 825a(a), 825c, 825b, 825j)

(B) The amendments prescribed herein shall be effective for the reporting year 1965 and thereafter.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13414; Filed, Dec. 15, 1965; 8:45 a.m.]

[Docket No. R-283; Order No. 310]

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

F.P.C. Forms No. 2 and No. 2-A; Annual Reports of Classes A, B, C, and D Natural Gas Companies Subject to the Natural Gas Act; Miscellaneous Amendments

DECEMBER 8, 1965.

On September 20, 1965, the Commission issued a notice of proposed rule-making in this proceeding (30 F.R. 12361, Sept. 28, 1965), wherein it proposed to amend several of the schedules in FPC Form No. 2 and FPC Form No. 2-A, the annual reports required by §§ 260.1 and 260.2, respectively, of the Regulations Under the Natural Gas Act to be made by natural gas pipeline companies subject to the Natural Gas Act.

The changes proposed in the notice were, for the most part, in response to suggestions made by representatives of the natural gas industry and were designed to minimize existing reporting requirements. Among the changes pro-

¹ Filed as part of the original document.

posed, however, were others, more fully described in the notice, which were designed to supply additional information to assist the Commission in the proper performance of its responsibilities under the Act.

Many of the comments filed offer criticisms of the items in the latter class of proposals and we shall consider those in the future course of this proceeding. In the meantime there is no reason to delay incorporation of the other changes in the form for the reporting year 1965.

The Commission finds: The amendments to the annual report form here prescribed are necessary and appropriate for the administration of the Natural Gas Act.

The Commission, acting pursuant to the provisions of the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (52 Stat. 826, 830; 15 U.S.C. 7171, 7170), orders:

(A) Annual Report FPC Form No. 2, prescribed by § 260.1(a), Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, is amended as follows:

1. In General Instruction 14., delete the sentence reading "If B.t.u. reported by respondent was determined on a different basis, explain such different basis."

2. In schedule (p. 201) entitled "Non-utility Property (Account 121)", instruction paragraph 4 is amended to read as follows: "List separately any property previously devoted to public service having an original cost of \$150,000 or more and give date of transfer to Account 121, Nonutility Property. Other items of property previously devoted to public service may be grouped provided that the number of properties so grouped is indicated."

3. The two schedules (p. 203) entitled, respectively, "Special Funds (Accounts 125, 126, 127, 128)" and "Special Deposits (Accounts 132, 133, 134)" are deleted.

4. The schedule (p. 204) entitled "Notes and Accounts Receivable" is amended by deleting the parenthetical references "(see schedule p. 205)" and inserting in the heading thereof the following: "Show separately by footnote the total amount of notes and accounts receivable from directors, officers, and employees included in Notes Receivable (Account 141) and Other Accounts Receivable (Account 143)."

5. The two schedules (p. 205) entitled, respectively, "Notes Receivable (Account 141)" and "Accounts Receivable (Accounts 142, 143)" are deleted.

6. In schedule (p. 506) entitled "Gas Plant Held For Future Use" (Account 105), instruction paragraphs 1 and 2 are amended to read as follows:

1. Report separately each property held for future use at end of the year having an original cost of \$100,000 or more. Other items of property held for future use may be grouped provided that the number of properties so grouped is indicated.

2. For property having an original cost of \$100,000 or more previously used in utility operations, now held for future use, give, in addition to other required information,

the date that utility use of such property was discontinued, and the date the original cost was transferred to Account 105.

7. In schedule (p. 542) entitled "Franchise Requirements (Account 927) (Gas)", delete the figure "\$2500" wherever it appears in instruction paragraph 1, and insert in lieu thereof the figure "\$10,000".

8. The last page entitled "Verification" is amended to read as set out in the attachment hereto.

(Secs. 10, 16, 52 Stat. 826, 830; 15 U.S.C. 7171, 7170)

(B) Annual Report FPC Form No. 2-A, prescribed by § 260.2(a), Subchapter G, Chapter I, Title 18 of the Code of Federal Regulations, is amended by deleting the "Verification" on page 14 thereof and inserting in lieu thereof the "Attestation" set out in the attachment hereto.¹

(C) The amendments prescribed herein shall be effective for the reporting year 1965 and thereafter.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 65-13413; Filed, Dec. 15, 1965;
8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Amdt. 4]

PART 120—LOAN POLICY

Terms and Conditions of Financial Assistance

The Small Business Administration Loan Policy Regulation, as revised in 28 F.R. 6675, and amended in 29 F.R. 2486, 18419, and 30 F.R. 9813, is hereby further amended as follows:

By deleting § 120.2(b)(2)(ii) and (iii) in their entirety and substituting a new § 120.2(b)(2)(ii) as follows:

§ 120.2 Terms and conditions of financial assistance.

(b) Charges on guaranteed loans—

(2) Interest. . . .

(ii) Direct loans: Except as provided in subdivision (iv) of this subparagraph, interest on all direct loans which may be made by SBA shall be at the rate of 5½ percent per annum, except as may be otherwise required by reason of the provisions of the Servicemen's Readjustment Act of 1944, as amended.

¹ Filed as part of the original document.

Effective date. This amendment shall be effective for all direct loans approved on or after November 8, 1965.

Dated: December 7, 1965.

ROSS D. DAVIS,
Executive Administrator.

[F.R. Doc. 65-13440; Filed, Dec. 15, 1965;
8:48 a.m.]

Title 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 50—NEIGHBORHOOD YOUTH CORPS PROJECTS FOR UNEMPLOYED YOUTH

Miscellaneous Amendments

Pursuant to authority contained in section 602(n) of the Economic Opportunity Act of 1964 (78 Stat. 508) and Delegation No. 1-64 (29 F.R. 14764), the Secretary of Labor and the Director of the Office of Economic Opportunity hereby amend Title 29, Part 50, of the Code of Federal Regulations as set forth below.

The provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) which require notice of proposed rule making, opportunity for public participation, and delay in effective date are not applicable because these rules involve matters that relate only to public benefits. We do not believe such procedures will serve a useful purpose here. Accordingly, these amendments shall become effective immediately.

The amendments read as follows:

1. Paragraph (n) of § 50.1 is amended to read as follows:

§ 50.1 Definitions.

(n) "Unemployed youth" means a youth who at the time of his selection for a project is not working regularly for remuneration in excess of 10 hours a week.

2. Paragraph (b) of § 50.12 is amended to read as follows:

§ 50.12 Enrollment in other programs.

(b) A youth formerly enrolled in a regular Institutional or On-the-Job Training program under the Manpower Development and Training Act may be enrolled in a project only with the permission of the Secretary.

3. Paragraph (g) of § 50.22 is amended to read as follows:

§ 50.22 Standards for a project.

(g) The enrollees' rates of pay and other conditions of employment are appropriate and reasonable in the light of such factors as the types of work performed, the geographical region and the proficiency of the enrollee, and comply

with all applicable Federal, State and local laws, rules and regulations dealing with or relating to employment conditions: *Provided*, That, consistent with this section, the sponsor may set a uniform wage rate for all enrollees on the project: *Provided further*, That no enrollee shall be employed for more than 40 hours per week except on projects of the type described in § 50.32(c); and

4. Paragraph (b) of § 50.26 is amended to read as follows:

§ 50.26 Safety and workmen's compensation.

(b) Except as provided herein acceptable workmen's compensation insurance which meets existing requirements under State law shall be provided for each staff employee engaged at least one-half of his working time on the project and for each enrollee. Such insurance shall provide, notwithstanding the absence of such a requirement under State law, for the payment of medical, surgical, nursing, and hospital services, medical and surgical apparatus and appliances, and medicines which may be reasonably necessary to treat injury or disease arising out of and in the course of employment. Where the State law limits the liability of the employer in permanent total disability cases to a maximum total dollar amount or to a specified period of time, the level of benefits provided by State law immediately prior to any expiration of such benefits shall be continued for the full period of such disability without regard to any maximum total dollar limitation. Such insurance shall not be required when State law prohibits a sponsor from providing such benefits or when the Secretary has determined it is impractical to provide such benefits.

5. Section 50.28 is amended to read as follows:

§ 50.28 Length of project.

Each project shall be for a period which is of sufficient duration to achieve its objective consistent with § 50.22(a), but shall not exceed such period as may be prescribed by law.

(Sec. 602, 78 Stat. 528)

Signed at Washington, D.C., this 8th day of December 1965.

W. WILLARD WIRTZ,
Secretary of Labor.

R. SARGENT SHRIVER,
Director, Office
of Economic Opportunity.

[F.R. Doc. 65-13423; Filed, Dec. 15, 1965;
8:46 a.m.]

Chapter V—Wage and Hour Division,
Department of Labor

SUBCHAPTER A—REGULATIONS

PART 694—MINIMUM WAGE RATES
IN INDUSTRIES IN THE VIRGIN
ISLANDS

Pursuant to sections 5 and 8 of the
Fair Labor Standards Act of 1938 (29

U.S.C. 205 and 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 594 (30 F.R. 10115), the Secretary of Labor appointed and convened Special Industry Committee No. 9 for the Virgin Islands, and referred to it the question of the minimum rate or rates of wages to be fixed for all industries in the Virgin Islands in which employees are engaged in commerce or in the production of goods for commerce (except those industries and parts thereof to which a minimum wage of \$1.25 an hour is now applicable under 29 CFR Part 694) or are employed in enterprises engaged in commerce or in the production of goods for commerce as those terms are defined in section 3 of the Act.

Administrative Order No. 594 also gave due notice of the hearing of the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing findings of fact and recommendations with respect to the matters referred to it.

Accordingly, pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Special Industry Committee No. 9 for the Virgin Islands are hereinafter published in this order amending 29 CFR Part 694.

Effective January 1, 1966, 29 CFR Part 694 is revised to read as follows:

Sec.

694.1 Definitions of industries; classifications.

694.2 Minimum wage rates.

694.3 Notices.

AUTHORITY: The provisions of this Part 694 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 694.1 Definitions of industries; classifications.

(a) *Air transportation industry.* This industry includes the transportation of passengers and cargo by air, and all activities in connection therewith.

(b) *Alcoholic beverages and industrial alcohol industry.* This industry includes the manufacture of alcoholic beverages, including, but not by way of limitation, the distilling, rectifying, blending, or bottling of rum, gin, whiskey, brandy, liqueurs, cordials, wine and beer, and the manufacture of industrial and other types of alcohol.

(c) *Banking, real estate, accounting, and insurance industry.* This industry includes the business carried on by any banking, insurance, financial, real estate, or accounting firm, institution, agency, or enterprise.

(d) *Bay rum and other toilet preparations industry.* This industry includes the manufacture, including bottling and packaging, of bay oil, bay rum, perfumes, colognes, toilet waters and other toilet preparations.

(e) *Communications and public utilities industry.* This industry includes the activities carried on by any radio or television system of communication or by any messenger service; and the activities carried on by any public utility enterprise engaged in the furnishing of such services as the transmission of messages, the operation of a telephone system, the generation or distribution of electric power, the manufacture or distribution of gas, the storage or distribution of water, or any similar service.

(f) *Distribution, trucking and construction industry.* This industry includes: (1) The wholesaling, warehousing, and other distribution of commodities, including, but without limitation, the activities of importers, exporters, wholesalers, retailers, public warehouses, and brokers and agents (except realty and financial), including manufacturers' selling agencies; (2) the activities carried on by any common or contract carrier engaged in the transportation of property by motor vehicle; (3) the designing, construction, reconstruction, alteration, repair, and maintenance of buildings, structures, and other improvements, the assembling at the construction site and the installation of machinery and other facilities in or upon such buildings, structures, and improvements, and the dismantling, wrecking or other demolition of such improvements and facilities.

(g) *Jewelry, pen, thermometer, industrial belting and miscellaneous metal products industry.* This industry includes the manufacture of precious and costume jewelry, watchbands, cigarette lighters, scissors, fishing rods and reels, binoculars, ballpoint pens, thermometers, metal floor dividers, industrial belting and parts therefor, and the assembling and manufacture of clocks and watches.

(h) *Shipping, marine transportation, and ship and boat building industry—(1) The industry.* This industry includes: The transportation of passengers and cargo by water, and all activities in connection therewith, including, but without limitation, the operation of terminals, piers, wharves, and docks, including bunkering, stevedoring, storage, and lighterage operations, and the operations of tourist bureaus, and travel and ticket agencies; and the building, repairing, and maintenance of ships and boats, and the manufacture and repairing of sails, rope, fenders, and other marine equipment.

(2) *Seamen classification in the industry.* This classification of the shipping, marine transportation, and ship and boat building industry in the Virgin Islands includes the activities engaged in by seamen employed on vessels documented under the laws of the United States and registered in the Virgin Islands.

(i) *Miscellaneous industry.* This industry includes the manufacture of all products and other activities except those included in the definitions of other industries in the Virgin Islands as defined herein. This industry is divided into two classifications which are designated and defined as follows:

(1) *Wool yarn classification.* The spinning of woolen yarn and operations incidental thereto.

(2) *General classification.* All activities and the manufacture of all products included in the miscellaneous industry, except those included in the wool yarn classification.

§ 694.2 Minimum wage rates.

Every employer shall pay to each of his employees in the Virgin Islands, who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in any enterprise engaged in commerce or in the production of goods for commerce (as those terms are defined in section 3 of the Act), wages at a rate not less than the minimum rate or rates of wages prescribed in this section for the industries and classifications in which such employee is engaged.

(a) *Alcoholic beverages and industrial alcohol industry.* The minimum wage for this industry is \$1.20 an hour.

(b) *The seamen classification of the shipping, marine transportation and ship and boat building industry.* The minimum wage for this classification is \$1.15 an hour.

(c) *The wool yarn classification of the miscellaneous industry.* The minimum wage for this classification is \$1.05 an hour.

(d) *Other industries and classifications in the Virgin Islands.* The minimum wage for all industries and classifications in the Virgin Islands except those named in paragraphs (a), (b), and (c) of this section is \$1.25 an hour.

§ 694.3 Notices.

Every employer subject to the provisions of § 694.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 694.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 10th day of December 1965.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 65-13461; Filed, Dec. 15, 1965; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 9—Atomic Energy Commission

PART 9-16—PROCUREMENT FORMS

Subpart 9-16.9—Illustration of Forms

Subpart 9-16.50—Contract Outlines

MISCELLANEOUS AMENDMENTS

Section 9-16.951-2 (AEC 103a) *Purchase Order Terms*, paragraph 5, *Non-*

discrimination in employment, is revised to read as follows:

§ 9-16.951-2 (AEC 103a) *Purchase Order Terms.*

5. *Equal opportunity in employment.* The Equal Opportunity clause in FPR 1-12.803-2 is incorporated herein by reference and is applicable unless this contract is exempt under the rules and regulations of the Secretary of Labor issued pursuant to Executive Order No. 11246 of September 24, 1965 (30 F.R. 12319, Sept. 28, 1965).

Section 9-16.5002-8, *Outline of fixed-price contract for research and development with educational institutions*, ARTICLE B-XI—PAYMENTS, paragraphs (a) and (b) of the Note are revised to read as follows:

§ 9-16.5002-8 *Outline of fixed-price contract for research and development with educational institutions.*

ARTICLE B-XI—PAYMENTS

NOTE: * * *

(a) The Commission shall issue a letter of credit as provided for by Treasury Department Circular No. 1075 of May 28, 1964, under which payments to the Contractor with respect to the amount of consideration provided for in Article III of this contract will be made. The Contractor agrees that the first ninety (90) percent of the amount of consideration provided for in said Article III will be under the letter of credit and will be subject to the submission by the Contractor of a Payment Voucher on Letter of Credit (Standard Form 218), in accordance with procedures based upon Treasury Department Circular No. 1075 of May 28, 1964, which are agreed to by the parties. Following submission by the Contractor of the annual progress report or final report provided for in Article B-XXI, in form and content satisfactory to the Commission within a reasonable period of time following the expiration of an annual contract period, and upon submission by the Contractor to the Commission of such invoices or vouchers as are satisfactory to the Commission, the Commission shall pay the Contractor the final ten (10) percent of the consideration provided for in Article III of this contract; provided, however, that if the Contractor submits a renewal proposal with such annual progress report, as provided for in Article B-XXI, and the renewal proposal is accepted by the Commission, the amount covered by the letter of credit will be increased, within a reasonable period of time following the expiration of an annual contract period, to include the final ten (10) percent of the consideration provided for in Article III and payment of the final ten (10) percent will be under the letter of credit and will be subject to submission by the Contractor of a Payment Voucher on Letter of Credit (Standard Form 218) in accordance with the aforesaid procedures.

(b) The Commission reserves the right to cancel or modify, increase or decrease the amount covered by the letter of credit, provided that such action is required because of a change in the amount of consideration provided for in Article III of a contract covered by the letter of credit or is taken pursuant to the pertinent provisions of paragraph 1 of this Article. The issuance and use of a letter of credit and receipt of funds pursuant thereto shall not prejudice or otherwise adversely affect any of the Government's rights under the contract.

(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. These amendments are effective upon publication in the FEDERAL REGISTER.

Dated at Germantown, Md., this 8th day of December 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 65-13406; Filed, Dec. 15, 1965; 8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter 1—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Merritt Island National Wildlife Refuge, Fla.

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

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

FLORIDA

MERRITT ISLAND NATIONAL WILDLIFE REFUGE

Sport fishing on the Merritt Island National Wildlife Refuge, Titusville, Fla., is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 17,240 acres are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The sport fishing season extends from January 9, 1966 through November 24, 1966.

(2) Fishing may be prohibited at certain times in all or part of Banana Creek when safety and operational factors by NASA so require. At such times the area will be posted as closed. Bank fishing along Banana Creek is prohibited.

(3) Fishermen may not leave fishing rods and/or poles unattended.

(4) Air-thrust boats are prohibited. Inboard and outboard boats are permitted in the waters open to fishing, except in areas specifically designated by suitable posting by the refuge officer-in-charge as closed to motor boat operation.

(5) Access will be permitted only during the period from one hour before sunrise to one hour after sunset.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas

generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

W. L. TOWNS,
Acting Regional Director,
Bureau of Sport Fisheries and Wildlife.
[F.R. Doc. 65-13420; Filed, Dec. 15, 1965;
8:46 a.m.]

PART 33—SPORT FISHING

**Tamarac National Wildlife Refuge,
Minn.**

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

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

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Sport fishing on the Tamarac National Wildlife Refuge, Rochert, Minn., is permitted only on the areas designated by signs as open to fishing. This posted area, comprising 9,000 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from date of this publication through February 15, 1966, during daylight hours only.

(2) The use of minnows or fish, or parts thereof, for bait is not permitted.

(3) Fishing in the Ottertail River at the bridge on County Road 26 is limited to 100 yards upstream and downstream from the bridge.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through February 15, 1966.

R. W. HUNT,
Refuge Manager, Tamarac National Wildlife Refuge, Rochert, Minn.

DECEMBER 2, 1965.

[F.R. Doc. 65-13421; Filed, Dec. 15, 1965;
8:46 a.m.]

PART 33—SPORT FISHING

**DeSoto National Wildlife Refuge,
Iowa and Nebraska**

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

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

IOWA AND NEBRASKA

DESOTO NATIONAL WILDLIFE REFUGE

Sport fishing on the DeSoto National Wildlife Refuge, Iowa and Nebraska, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 850 acres, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn., 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Open season: Daylight hours January 1, 1966, through February 28, 1966, and 4:30 a.m. to 10 p.m., May 1, 1966, through September 15, 1966.

(2) All fishermen shall conform with the regulations of the State in which he is properly licensed—either Iowa or Nebraska.

(3) Trot lines are not permitted.

(4) Archery fishing is not permitted.

(5) The use of motor boats is permitted during the May 1 to September 15 period.

(6) Motor or wind driven conveyances are not permitted on the ice during the January 1 to February 28 period.

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

and are effective through September 15, 1966.

KERMIT D. DYBSETTER,
Refuge Manager, DeSoto National Wildlife Refuge, Missouri Valley, Iowa.

DECEMBER 10, 1965.

[F.R. Doc. 65-13437; Filed, Dec. 15, 1965;
8:47 a.m.]

**Title 33—NAVIGATION AND
NAVIGABLE WATERS**

**Chapter II—Corps of Engineers,
Department of the Army**

PART 203—BRIDGE REGULATIONS

**Waterways Along Atlantic and Gulf
Coasts**

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.240 is hereby amended changing the caption for the purpose of clarification and the note at the end of the section effective upon publication in the FEDERAL REGISTER, as follows:

§ 203.240 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico (including coastal waterways contiguous thereto and tributaries to such waterways and the Lower Atchafalaya River, La.), except the Mississippi River and its tributaries and outlets; bridges.

NOTE: The special regulations contained in §§ 203.245 to 203.491, prescribed where local conditions require to govern the operation of certain bridges, supplement the general regulations contained in § 203.240.

[Regs., Dec. 1, 1965, 1507-32 (Waterways Along Atlantic and Gulf Coasts)—ENGCON] (sec. 5, 28 Stat. 362; 33 U.S.C. 499)

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

[F.R. Doc. 65-13411; Filed, Dec. 15, 1965;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[27 CFR Part 6]

RETAILERS OF INTOXICATING LIQUORS

Inducements Furnished

Notice is hereby given, pursuant to the provisions of section 5 of the Federal Alcohol Administration Act (49 Stat. 981 as amended; 27 U.S.C. 205), of a public hearing to be held at 10 a.m., e.s.t., on January 11, 1966, at Room 2326, Internal Revenue Service Building, 12th Street and Constitution Avenue NW., Washington, D.C., at which time and place all interested parties will be afforded opportunity to be heard, in person or by authorized representative, with reference to proposals, the substance of which are stated below, to amend 27 CFR Part 6, Inducements Furnished to Retailers.

Written data, views, or arguments relevant and material to these proposals may be submitted in duplicate for incorporation into the record of hearing (1) by mailing the same to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington, D.C., 20224, provided they are received prior to the termination of the hearing, or (2) by presenting the same at the said hearing. At the conclusion of the hearing a reasonable opportunity will be afforded interested parties for examination of the record and for the submission of briefs.

This hearing is called in response to a petition filed by the Distilled Spirits Institute. It is limited to distilled spirits since it is understood from representatives of the wine and malt beverage trade associations that the recognition given by the existing regulations to trade practices in the wine and malt beverages area is satisfactory and, therefore, the proposed relaxation of the present regulations does not cover wine and malt beverages.

Substance of proposals. 1. To amend § 6.21 by changing the proviso therein to read as follows: "Provided, That, except for the inside signs and displays covered by § 6.23a, such furnishing is not conditioned, directly or indirectly, on the purchase of distilled spirits, wine, or malt beverages".

2. To amend § 6.23a to permit displays (for use in windows or elsewhere in the interior of a retail establishment) to include items having utilitarian or secondary-use value to the retailer, if such items are an integral part of the display and their cost does not exceed \$3 (this amount subject to increase or decrease on the basis of evidence submitted at the hearing), and such cost is included in the overall cost of the display. Only

one such item would be permitted in any one display.

3. To amend § 6.28 with respect to distilled spirits only, so as to increase from \$10 to \$25 (or to some intermediate amount) the limitation contained therein on the aggregate annual cost of retailer advertising specialties in any one retail establishment.

[SEAL]

HAROLD A. SEER,
Director, Alcohol and Tobacco
Tax Division, Internal Revenue
Service.

[F.R. Doc. 65-13491; Filed, Dec. 15, 1965;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1068]

[Docket No. AO-178-A15]

MILK IN MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions 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), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, by the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Minneapolis, Minn., on July 21-23, 1965, pursuant to notice thereof which was issued June 22, 1965 (30 F.R. 8227).

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

1. Expansion of the marketing area;

2. Pool plant requirements;
3. Classification and pricing of milk used to produce cottage cheese;
4. Transfers;
5. Class I pricing;
6. Location adjustments;
7. Butterfat differentials and butterfat allowance in fluid skim milk;
8. Deletion of the base and excess plan; and
9. Administrative changes.

Issue 5 was considered in a separate decision. The remaining issues are considered herein.

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

1. *Expansion of the marketing area.* The marketing area should not be expanded.

A group of proprietary handlers proposed that the Minneapolis-St. Paul marketing area be expanded to include the presently unregulated portions of Hennepin County, Dakota County, Washington County, and the part of Anoka County south of a line extending due west from the northwest corner of Washington County, all in the State of Minnesota.

In support of the proposal to expand the marketing area, handler witnesses stressed the need for assuring that all handlers selling in the communities adjacent to the present marketing area purchase milk on the same basis as fully regulated handlers. The record, however, contains no information on the prices paid for milk by unregulated handlers. Neither does it indicate whether their milk is customarily purchased at a flat price or on a classified pricing system.

The proponent handlers claimed to dispose of 71 percent of the Class I sales within the marketing area. The remaining 29 percent is disposed of by handlers who did not support the expansion of the marketing area. Proponents estimated that their proportion of the sales of regulated milk in the proposed area would be about the same.

They did not know, however, what percentage of the Class I sales in the proposed area were made by regulated handlers. This information is lacking both for the proposed area as a whole and for the individual communities contained therein. Likewise, the record contains only sketchy information concerning the unregulated handlers selling in the proposed area. From the evidence it is impossible to determine either the total volume or percentage of Class I sales disposed of by unregulated handlers. With respect to the individual unregulated plants known to be disposing of milk in the proposed area, in most cases it is impossible to estimate whether such

plants would be subject to full regulation if the area were expanded.

Unregulated handlers who appeared in opposition to the proposal alleged that if disorderly marketing conditions did exist in some parts of the proposed area, these resulted from the price-cutting tactics of regulated handlers who were attempting to expand their distribution areas into localities served by the unregulated handlers.

The largest cooperative association in the market did not support the proposal. Another cooperative which operates both regulated plants and an unregulated plant which would become subject to partial regulation under the proposal, opposed expansion of the marketing area. Its representative testified that there are no disorderly marketing conditions in the proposed area.

The present record affords no basis for adding to the marketing area any portion of the proposed territory.

2. Pool plant requirements. The percentage of total Grade A receipts which a plant processing or packaging milk must dispose of for Class I purposes to qualify as a pool plant should be reduced.

The order presently provides that for a plant processing or packaging milk to qualify as a pool plant, 40 percent of its total Grade A receipts must be disposed of as Class I milk during each of the months of January through June and 60 percent during each of the months of July through December. These percentages should be changed to 30 percent and 50 percent, respectively. This reduction was proposed by the Farmers Cooperative Creamery Co. There was no opposition to this proposal.

The proposal is intended to insure pool status for a distributing plant located in St. Paul. This plant has been a major handler on the market continuously during the entire period of regulation. In addition to its fluid milk distribution business, this handler is engaged in the manufacture of cottage cheese. As a result of the expansion of its cottage cheese business, there have been a few months in the recent past when the percentage of Class I utilization in the plant fell below the required percentages for pooling.

The proponent cooperative association operates a supply plant which is the primary source of supply for the distributing plant. When the proponent is unable to furnish sufficient milk for the needs of the distributing plant, it arranges for additional supplies to be delivered by another cooperative association. The latter milk is delivered directly from producer farms.

When this occurs it does not affect the pool status of the milk in the plant, since its entire supply is received from cooperative association handlers. Whether this plant is a pool plant or a nonpool plant, however, does affect the allocation of the milk in the plant, and the percentage of milk from the supply plant which may be subject to a location differential.

Whether it has met the pooling standards cannot be determined until its

monthly report of receipts and utilization has been received and checked. If it has failed to qualify as a pool plant it is necessary to revise the reports of the cooperative association suppliers before computing the uniform price for the month.

Reducing the percentage of total receipts which must be disposed of as Class I milk to 30 percent during January through June and 50 percent during July through December will enable the St. Paul plant to qualify as a pool plant in all months of the year. There are no partially regulated plants which would become regulated by virtue of this change. Thus, this change will not affect the present status of any other plant. The present pooling requirement that a plant must distribute 15 percent of its total Class I sales within the marketing area will continue to assure that only plants associated with the Minneapolis-St. Paul market will participate in the marketplace pool.

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 Minneapolis-St. Paul 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. 9110) supporting amendments

to several orders, including the Minneapolis-St. Paul 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 pricing of milk used to produce cottage cheese. No change should be made in the classification of skim milk and butterfat used to produce cottage cheese. The order presently classifies all manufactured products, including cottage cheese, as Class II. The Class II price is the average price per hundredweight for manufacturing grade milk, f.o.b. plants in Minnesota and Wisconsin, as reported by the U.S. Department of Agriculture, adjusted to 3.5 percent butterfat content.

Farmers Cooperative Creamery Co. and Land O'Lakes Creameries, Inc., proposed that milk used to produce cottage cheese be priced 20 cents above the Class II price. Twin City Milk Producers Association and Minnesota Milk Co. opposed any increase in the price of milk used to produce cottage cheese.

Health regulations in Minneapolis and St. Paul require that cottage cheese manufactured or sold within the city limits be made from Grade A milk and labeled as such. There was conflicting testimony concerning the regulations in the remainder of the marketing area. The record contains no specific evidence regarding health regulations for cottage cheese sold within this area. However, cottage cheese not bearing a Grade A label is being sold in portions of the marketing area. Some of this cheese is actually made from Grade A milk but it is not known if this is true of all the cottage cheese sold in containers which are not labeled Grade A.

Proponents argued that the order price of skim milk used in the production of cottage cheese was less than the cost of skim milk from alternative sources. During 1964 the average value of skim milk in Class II uses was 63 cents per hundredweight. Had the revised butterfat differential adopted below been in effect, the value of the skim milk would have been 76 cents per hundredweight. Prices allegedly paid for skim milk at several plants were offered in evidence.

Except in one instance, however, the price quoted represented the amount remaining after subtracting a butterfat value from the average price paid by the plant for whole milk. These plants process other products and distribute fluid milk products in addition to their cottage cheese operations. Therefore, it is not appropriate to compare the skim milk value in these plants with the cost of skim milk used to produce cottage cheese. The only price quoted for skim milk was 92 cents per hundredweight delivered to the plant. This included a hauling charge of 7 cents. The price actually received at the plants which separated the milk was 85 cents per hundredweight. Since the cost of handling and separating the skim milk is included, this price is not comparable to the Class II skim value under the order. If these costs were deducted, the resulting figure would be no greater than the Class II skim value provided in the attached order.

Approximately 40 percent of the cottage cheese manufactured by handlers is disposed of outside the marketing area in competition with cottage cheese manufactured in unregulated plants or in plants regulated under other nearby orders. One large manufacturer of cottage cheese stated that recently several accounts in the marketing area had been lost to outside competition.

A comparison of prices fixed by nearby orders for skim milk used in cottage cheese reveals that the price provided in this order is equal to or higher than the price established in any of the surrounding markets with which Minneapolis-St. Paul handlers may be in competition. These include Duluth-Superior, Chicago, North Central Iowa, and the Wisconsin markets. Although there are few or no sales of cottage cheese within the Minneapolis-St. Paul marketing area from any of these orders at the present time, too high a price for cottage cheese under Order No. 68 could result in local manufacturers being at a competitive disadvantage in the Twin Cities market. One witness stated that a manufacturer of cottage cheese whose plant is regulated by the Chicago order has been soliciting accounts in the area.

If milk used in cottage cheese were priced higher than the alternative product cost, use of local skim milk in this product would be discouraged. There is no advantage to producers in obtaining a higher price for milk used in cottage cheese if the resulting higher finished product cost reduces sales.

It is concluded that no change should be made in the classification of skim milk and butterfat used to produce cottage cheese.

4. Transfers. The order should be amended to permit Class II classification of milk which is transferred in bulk to nonpool plants within a 150-mile radius of the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minn. The present order provides that bulk transfers shall be Class I if the nonpool plant is more than 100 miles from such point in St. Paul.

The area within which milk may be transferred to nonpool plants and classified in accordance with its actual use is normally called the "surplus disposal area". Land O'Lakes Creameries, Inc., proposed the expansion of the surplus disposal area. Their representative testified that it has been necessary for this cooperative to transfer milk from their pool supply plant at Mondovi, Wis., to their nonpool manufacturing plant at Whitehall, Wis. There has been a difference of opinion between the proponent and the market administrator concerning the distance between the Whitehall plant and St. Paul, Minn. The plant is located almost exactly 100 miles from the Minnesota Transfer Viaduct. It was further stated that it would on occasion facilitate their operation if milk could be transferred from the Mondovi plant to a manufacturing plant which they operate at Caledonia, Minn. This plant is more than 100 but less than 150 miles from St. Paul.

To accommodate the orderly and economical marketing of the market's reserve supplies, the surplus disposal area should be expanded to encompass the territory within a radius of 150 miles from St. Paul. Located within this area are most of the manufacturing plants in Minnesota and a significant portion of the manufacturing plants in Wisconsin. The manufacturing facilities within this area are fully adequate to handle the milk not needed by order handlers for Class I purposes. Transfers to nonpool plants at greater distances are normally for Class I use.

When a fluid milk product in bulk is transferred to a nonpool plant within the surplus disposal area, the market administrator is required to verify the utilization claimed. A surplus disposal area larger than that provided would greatly increase the costs of the market administrator in verifying the utilization of occasional or irregular shipments to nonpool plants located beyond this distance. The area described will encompass the normal production area for the market and the nonpool plants where the surplus production can be conveniently handled.

The present order defines distance in terms of "airline miles". When the order was issued it was intended that the distance should be computed in a straight line rather than in terms of highway mileage. The use of statute miles was intended and the order has always been so interpreted. In computing aeronautical distances, however, nautical miles are used. Thus the term "airline mile" is frequently interpreted to mean a nautical mile of approximately 6,080 feet rather than a statute mile of 5,280 feet. To avoid confusion and insure the continuance of existing location differentials at their present rate, distance should be expressed in terms of a radius from the Minnesota Transfer Viaduct based on statute miles. This language should be incorporated in the provisions dealing with location differentials as well as with the surplus disposal area.

Prior to the amendments which became effective August 1, 1964, the trans-

fer provisions permitted cream transferred to a nonpool plant from which no fluid milk is distributed on routes to be classified as Class II regardless of the location of the receiving plant. Through an oversight this provision was omitted from the present order when it was last amended. This provision is appropriate and desirable and, therefore, it should be reinstated in the order.

6. Location adjustments. No location adjustments should be applicable on milk used to produce manufactured products.

Farmers Cooperative Creamery Co. and Land O'Lakes Creameries, Inc., proposed that location adjustments be made applicable on milk used to produce cottage cheese. At the hearing, however, Land O'Lakes withdrew support of its proposal. These proposals were predicated on a separate classification and higher price for milk used to produce cottage cheese. Since it has been concluded that no change should be made in the classification or pricing of skim milk and butterfat used to produce cottage cheese, location differentials for this product become a moot question. In any event, location adjustments are not appropriate for any manufactured product, such as cottage cheese, based upon the location of the plant to which the milk is delivered. There is little or no difference in the value of milk for manufacturing uses associated with the location of the plant receiving the milk in the Twin Cities milk supply area. This is because of the low cost per hundredweight of milk equivalent involved in transporting finished manufactured products. There is no evidence in the record that prices paid by manufacturing plants within the milkshed reflect any difference in value associated with location.

7. Butterfat differentials and butterfat in fluid skim milk. The butterfat differentials which are used for adjusting class prices for each one-tenth percent variation in the butterfat content of the milk in each class should be revised. The Class I butterfat differential should be computed by adding 20 percent to the price of New York Grade AA butter and dividing the resulting value by 10. The Class II butterfat differential should be computed by adding 15 percent to the butter price and dividing the result by 10. The percentages presently provided in the order for Class I milk are 25 percent during December through June and 35 percent during all other months. For Class II milk 21.14 percent is added to the New York butter price.

The differentials provided herein will better reflect the respective values of skim milk and butterfat under current marketing conditions. In recent years the sales of fluid milk products containing a high proportion of butterfat have been decreasing while sales of products made up of a high percentage of solids not fat have tended to increase. This is reflected by the fact that in 1956 the average butterfat content of producer milk in Class I was 3.96 percent while in 1964 it had dropped to 3.44 percent. With too high a butterfat differential, producers do not receive their appropri-

ate share of the Class I sales value represented by the solids not fat portion of fluid milk products. A high butterfat differential also has the effect of pricing cream for Class I use at a high level. The Class I differential adopted should give encouragement to increasing the disposition of butterfat in fluid outlets.

The Class II differential will more closely reflect actual paying prices for butterfat at local manufacturing plants. Therefore, it will facilitate the movement of butterfat in the reserve supply of milk to manufacturing outlets and eliminate the possibility of unstable marketing conditions which could arise if excess butterfat cannot be readily disposed of at the order price. As discussed above this change will also increase the value of skim milk used to produce cottage cheese.

The butterfat differential to producers should be calculated at the average of the Class I and Class II differentials weighted by the proportion of butterfat in producer milk classified in each class during the month. Under the present order the producer butterfat differential is identical to the Class II butterfat differential. The method provided herein will reflect the actual value of butterfat in producer milk at its utilization at the class prices provided by the order just as the uniform price reflects the average utilization value of the whole milk.

It was proposed that the provision in the order which permits handlers to claim 0.065 percent butterfat in fluid skim milk in the absence of actual tests should be deleted.

This provision should be revised rather than deleted. The order should provide that, if the handler fails to report the butterfat content of skim milk, or has inadequate records to substantiate a claimed butterfat content other than 0.065 percent, the market administrator shall assume a butterfat content of 0.065 percent.

At the present time it is optional with the handler whether he claims butterfat in skim milk. If he claims a butterfat content but has no records to support it, the market administrator uses the factor of 0.065 percent to determine the value of butterfat in the skim milk. If the handler does not report butterfat in the skim milk, a zero butterfat content is assumed.

For several months handlers have been having their receipts of fluid skim milk tested for butterfat content by the University of Minnesota. Results of the tests show that the butterfat content of fluid skim ranges between 0.045 and 0.080 percent and averages close to the 0.065 percent specified in the order. It is appropriate to continue to use 0.065 percent in the absence of acceptable records.

8. Deletion of the base and excess plan. The base and excess plan of distributing returns for milk among producers should be deleted from the order effective July 1, 1966.

Twin Cities Milk Producers Association, representing more than 75 percent of the producers in the market, proposed deletion of the base and excess plan from

the order. Other producer associations serving the market supported the proposal. There was no opposition to removing the base and excess plan.

Under the present plan producers establish bases for each of the months of January through June according to average daily deliveries during the preceding July through October. During January through June separate uniform prices for base milk and excess milk are computed. The uniform price for excess milk is the Class II price. The total value of excess milk is subtracted from the total value of all producer milk and the remainder divided by the total hundredweight of base milk to determine the base price. In all other months producers receive the marketwide uniform price for all milk delivered to pool plants.

The base-excess plan was placed in the order to encourage producers to level the seasonality of milk production so as to insure an adequate supply of milk to consumers throughout the year. In past years production in the spring was considerably higher than in the fall. In 1950 for example, for every hundred pounds of milk delivered in May only 56 pounds were delivered in September by members of the Twin Cities Milk Producers Association. By 1964 the differences between spring peaks and fall lows in production had narrowed significantly. Proponents testified that the plan has served the purpose for which it was intended and the need for these provisions no longer exists.

The seasonal changes presently provided in the Class I price formula, together with the changes in the seasonality of the supply-demand adjuster recommended under issue 5 in the partial recommended decision issued November 26, 1965, should provide sufficient incentive for producers to continue the more even production pattern which has been achieved. The seasonal changes in the Class I price provide higher returns to those producers whose marketings are greatest in the fall months. Thus, without the base and excess plan there will continue to be an incentive for producers to maintain a more even seasonal production pattern.

Deleting the base and excess plan for distributing returns from milk among producers will not change the cost of milk for handlers.

The changes provided in this decision will not become effective until after the current base-forming period. Many producers in the market have arranged their production pattern to obtain the optimum benefits under the plan. These producers who have so arranged their program would be penalized to the extent that they would receive the uniform price for all their milk, rather than the higher base price for their base milk during January through June. Therefore, the base and excess plan should not be deleted from the order until after the base-paying months in 1966.

9. Administrative changes. Payments to the producer-settlement fund should be due on or before the 18th day after the end of the month, and payments should be made out of the fund on or

before the 19th day after the end of each month. The order presently provides that these payments be made by the 16th and 17th day of the month, respectively.

These changes were proposed by the major cooperative association in the market. Under present circumstances handlers may not be notified of their obligation to the producer-settlement fund until as late as the 15th day of the month under the present order. From a purely mechanical standpoint, it is difficult for handlers to comply with the present payment date. It is concluded that adoption of these changes should ease this compliance problem.

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

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

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

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

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

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Minneapolis-St. Paul, Minn., marketing area is recommended as the detailed and appropriate means by

which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

§ 1068.9 [Amended]

1. In the proviso of § 1068.9(a) the figures "40" and "60" are changed to "30" and "50", respectively.

2. Section 1068.17 is revised to read as follows:

§ 1068.17 Base milk.

"Base milk" means producer milk received by a handler from a producer(s) during each of the months of January through June 1966, which is not in excess of such producer's daily base computed pursuant to § 1068.75, multiplied by the number of days in such month.

3. Section 1068.18 is revised to read as follows:

§ 1068.18 Excess milk.

"Excess milk" means producer milk received by a handler from a producer(s) during each of the months of January through June 1966, which is in excess of base milk received from such producer during such month.

4. In § 1068.30 subparagraph (a) (4) is revised to read as follows:

§ 1068.30 Monthly reports of receipts and utilization.

(a) * * *

(4) The aggregate quantities of base milk and excess milk received (for January through June 1966); and

* * *

5. In § 1068.44 paragraphs (d) and (e) are revised to read as follows:

§ 1068.44 Transfers.

(d) As Class I milk, if transferred to a nonpool plant that is neither an other order plant nor a producer-handler plant and is located beyond a 150-mile radius from the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minn., except that cream so transferred in bulk form shall be Class II if no fluid milk products are distributed on routes from the receiving plant;

(e) As Class I milk, if transferred in bulk to a nonpool plant that is neither an other order plant nor a producer-handler plant and is within a radius of 150 miles from the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minn., unless the requirements of subparagraphs (1) and (2) of this paragraph are met, in which case the skim milk and butterfat so transferred shall be classified in accordance with the assignment resulting from subparagraph (3) of this paragraph:

6. Section 1068.55 is revised to read as follows:

§ 1068.55 Location differential to handlers.

The Class I price for producer milk and other source milk (for which a location adjustment is applicable) at a plant located beyond a radius of 15 miles from the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minn., shall be reduced by the amount indicated below. Such deduction shall be based on the mileage as computed by the market administrator:

Location of plant (miles):	Amount of deduction (cents)
15 to 20.....	8
20 to 30.....	10
30 to 40.....	12
40 to 50.....	14
50 to 60.....	15
60 to 70.....	16
70 or over.....	17

¹ Plus an additional 1 cent for each 10 miles or fraction thereof in excess of 80 miles.

7. In § 1068.56 paragraphs (a) and (b) are revised as follows:

§ 1068.56 Butterfat differentials to handlers.

(a) *Class I milk.* To the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93 score) butter at New York, as reported by the Department of Agriculture for the preceding month, add 20 percent, and divide the sum obtained by 10.

(b) *Class II milk.* To the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93 score) butter at New York, as reported by the Department of Agriculture for the month, add 15 percent, and divide the sum obtained by 10.

8. Section 1068.63 is revised to read as follows:

§ 1068.63 Butterfat in fluid skim milk.

For classification purposes, pursuant to §§ 1068.40 through 1068.46, butterfat in skim milk either disposed of to others or used in the manufacture of milk products shall be accounted for at a butterfat content of 0.065 percent, unless the handler has adequate records of the actual butterfat content of such skim milk.

9. In § 1068.72 the introductory text is revised to read as follows:

§ 1068.72 Computation of uniform price for base milk.

For each of the months of January through June 1966, the market administrator shall compute a price per hundredweight for base milk of producers as follows:

10. In § 1068.80 subparagraphs (b) (1) and (2) are revised to read as follows:

§ 1068.80 Time and method of payment.

(b) * * *

(1) For the months of July through December 1966, and for all months thereafter, at not less than the uniform price computed pursuant to § 1068.71, subject to the butterfat and location differentials set forth in §§ 1068.81 and 1068.82, and less the amount of payment made pursuant to paragraph (c) of this section; and

(2) For the months of January through June 1966, at not less than the price for base milk computed pursuant to § 1068.72 for all base milk received from such producer, and at not less than the uniform price for excess milk for all milk received from such producer in excess of his base milk, subject in both cases to the butterfat and location differentials set forth in §§ 1068.81 and 1068.82, and less the amount of payment made pursuant to paragraph (c) of this section.

11. Section 1068.81 is revised to read as follows:

§ 1068.81 Butterfat differential to producers.

The uniform prices pursuant to §§ 1068.71 and 1068.72 shall be increased or decreased for each one-tenth of 1 percent that the butterfat content of such milk is above or below 3.5 percent, respectively, at the rate determined by multiplying the pounds of butterfat in producer milk allocated to Class I and Class II milk pursuant to § 1068.46 by the respective butterfat differential for each class, dividing the sum of such values by the total pounds of such butterfat, and rounding the resultant figure to the nearest one-tenth cent.

12. In § 1068.82 paragraph (a) is revised to read as follows:

§ 1068.82 Location differentials to producers and on nonpool milk.

(a) In making payments pursuant to § 1068.80 (b) and (c) for milk received at a pool plant located beyond the radius of 15 miles from the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minn., each handler shall deduct from the applicable price payable to such producers the amount indicated below. Such deduction shall be based on the mileage as computed by the market administrator:

Location of plant (miles):	Amount of deduction (cents)
15 to 20.....	8
20 to 30.....	10
30 to 40.....	12
40 to 50.....	14
50 to 60.....	15
60 to 70.....	16
70 or over.....	17

¹ Plus an additional 1 cent for each 10 miles or fraction thereof in excess of 80 miles.

§ 1068.84 [Amended]

13. In the introductory text of § 1068.84 the date "16th" is changed to "18th".

§ 1068.85 [Amended]

14. In § 1068.85 the date "17th" is changed to "19th".

15. In § 1068.87 paragraph (b) is revised to read as follows:

§ 1068.87 Statement to producers.

(b) The total pounds and the average butterfat content of the milk received from the producer, and for the months of January through June 1966, the pounds of base milk and pounds of excess milk;

Signed at Washington, D.C., on December 10, 1965.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[P.R. Doc. 65-13433; Filed, Dec. 15, 1965; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 7065]

AIRWORTHINESS DIRECTIVES

Lycoming Model IO-360-A1A Series Engines

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an air-

worthiness directive applicable to Lycoming Model IO-360-A1A series engines. There have been failures of the connecting rods on the subject engines. Since this condition is likely to exist or develop in other engines of the same design, the proposed AD would require replacement of existing connecting rods with new redesigned connecting rods on Lycoming Model IO-360-A1A series engines.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before January 17, 1966, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

LYCOMING. Applies to Model IO-360-A1A engines with serial numbers 101-51 through 1231-51A, and all engines remanufactured by Lycoming prior to December 1, 1964.

Compliance required as indicated.

To prevent further failures of connecting rod assemblies, P/N 74503, accomplish the following:

(a) Replace connecting rod assemblies P/N 74503 with 200 or more hours' time in service on the effective date of this AD with connecting rod assembly P/N 75059 within the next 50 hours' time in service in accordance with Lycoming Service Bulletin No. 302 or later FAA-approved revision.

(b) Replace connecting rod assemblies P/N 74503 with less than 200 hours' time in service on the effective date of this AD with connecting rod assembly P/N 75059 before the accumulation of 250 hours' time in service in accordance with Lycoming Service Bulletin No. 302 or later FAA-approved revision.

Issued in Washington, D.C., on December 10, 1965.

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

[P.R. Doc. 65-13412; Filed, Dec. 15, 1965; 8:45 a.m.]

Notices

INTERSTATE COMMERCE COMMISSION

[Notice 856]

MOTOR CARRIER, BROKER, WATER CARRIER, AND FREIGHT FOR- WARDER APPLICATIONS

DECEMBER 10, 1965.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR 1.247), published in the FEDERAL REGISTER, issue of December 3, 1963, 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 2980 (Sub-No. 3), filed November 26, 1965. Applicant: LANDGREBE MOTOR TRANSPORT, INC., State Road 130, Valparaiso, Ind. Applicant's representative: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind., 46204. 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, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), moving in a circuitous manner, from La Crosse, Ind., over U.S. Highway 421 to junction Indiana Highway 10, thence over Indiana Highway 10 to Culver, Ind., thence north over Indiana Highway 17 to junction Indiana Highway 8, thence west over Indiana Highway 8 to La Crosse, Ind., serving all intermediate points, and serving points bounded by the above-named highways as off-route points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Indianapolis, Ind.

No. MC 11899 (Sub-No. 15), filed November 22, 1965. Applicant: STEVENS TRUCK LINES, INC., 893 Ridge Road, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned and preserved foodstuffs, including canned carbonated beverages*, from Le Roy, Mount Morris (Leicester) and Oakfield, N.Y., to Baltimore, Bethesda and Landover, Md., and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 19227 (Sub-No. 96), filed November 26, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water cooling towers and parts thereof* when moving with such towers, from Glasgow, Mo., to points in Arizona, California, Colorado, Nevada, and Utah. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Miami, Fla., or Washington, D.C.

No. MC 19227 (Sub-No. 97), filed November 26, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water cooling towers and parts thereof*, when moving with such towers, from Glasgow, Mo., to points in Arkansas, Kansas, Louisiana, Mississippi, Nebraska, New Mexico, Oklahoma, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 19227 (Sub-No. 98), filed November 26, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water cooling towers and parts thereof* when moving with such towers, from Glasgow, Mo., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky,

Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC 19227 (Sub-No. 100), filed December 1, 1965. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla., 33142. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers, semitrailers, trailer chassis and semitrailer chassis* (except those designed to be drawn by passenger automobiles), in truckaway and driveaway service, between Birmingham, and Haleyville, Ala., and Collins, Miss., on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii, and (2) *tractors* in secondary driveaway service only when drawing trailers moving in initial driveaway service, between Birmingham and Haleyville, Ala., and Collins, Miss., on the one hand, and, on the other, points in the United States including Alaska, but excluding Hawaii. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 21170 (Sub-No. 133), filed December 6, 1965. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Mankato and Worthington, Minn., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, restricted to traffic originating at the plant site and storage facilities utilized by Armour and Company at or near Mankato and Worthington, Minn. **NOTE:** If a hearing is deemed necessary, applicant does not specify place of hearing.

No. MC 29805 (Sub-No. 9), filed November 22, 1965. Applicant: GULF STATES TRUCK LINES, INC., 8801 Linwood Avenue, Shreveport, La. Applicant's representative: Robert L. Garrett, Slatery Building, Shreveport, La., 71101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Structural steel forms, metal tanks, and tank car parts*, from Texarkana, Ark.-Tex., to Shreve-

¹ Copies of Special Rule 1.247 can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423.

port, La., and (2) metal tanks of all types and kinds, from Shreveport, La., to Texarkana, Ark.-Tex. NOTE: Applicant states duplication of authority is not sought. If a hearing is deemed necessary, applicant requests it be held at Shreveport, La.

No. MC 29886 (Sub-No. 220), filed November 26, 1965. Applicant: DALAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's representative: Charles M. Pieroni (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) (1) Front-end shovel loaders, assembled, and industrial lift trucks, assembled, which because of size or weight require special equipment, and (2) front-end shovel loaders, assembled, and industrial lift trucks, assembled, which do not require the use of special equipment when moving in the same shipment or in the same vehicle with front end shovel loaders or industrial lift trucks which because of size or weight require the use of special equipment, from San Leandro, Calif., to points in the United States (except those in Arizona, Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas, and Utah). NOTE: Applicant states it holds authority in (1) above in its Sub 99 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (B) (1) Front-end shovel loaders, assembled, and industrial lift trucks, assembled, which, because of size or weight require special equipment, and (2) front-end shovel loaders, assembled, and industrial lift trucks, assembled, which do not require the use of special equipment when moving in the same shipment or in the same vehicle with front-end shovel loaders or industrial lift trucks which because of size or weight require the use of special equipment, from points in the United States (except those in Alaska, Arizona, Arkansas, Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas, and Utah), to San Leandro, Calif. NOTE: Applicant states it holds authority in (1) above in its Sub 137 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (C) (1) Lift trucks, which, because of size or weight, require the use of low-bed equipment, and (2) lift trucks, which do not require the use of special equipment when moving in the same shipment or in the same vehicle with lift trucks which because of size or weight require the use of special equipment, from Philadelphia, Pa., to points in Arizona, Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia, Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, California, Colorado, Idaho, Iowa, Minnesota, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wis-

consin, Wyoming, and the District of Columbia. NOTE: Applicant states it holds authority in (1) above in its Sub 168 and is not requesting any extension of territory.

Applicant is seeking only an extension of authority in (2) above. (D) (1) Such commodities, which because of size or weight require special handling or the use of special equipment (except automobiles, trucks, buses, trailers, cabs, chassis, and cement in bulk), and (2) such commodities, which do not require the use of special equipment when moving in the same shipment or in the same vehicle with such commodities which because of size or weight require the use of special equipment (except automobiles, trucks, buses, trailers, cabs, chassis, and cement in bulk), between points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 30N, near Delphos, Ohio, thence along U.S. Highway 30N to junction U.S. Highway 30, near Mansfield, Ohio, and thence along U.S. Highway 30 to the Ohio-West Virginia State line, points in Indiana and Illinois, and points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line. NOTE: Applicant states it holds authority in (1) above in its Sub 184 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (E) (1) Contractor's machinery and equipment, and such commodities which because of size or weight require the use of special equipment or special handling, and (2) contractors' machinery and equipment, and such commodities which do not require the use of special equipment or special handling, when moving in the same shipment or in the same vehicle with contractors' machinery and equipment and such commodities which because of size or weight require the use of special equipment or special handling, between points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along business route Interstate Highway 96 (formerly U.S. Highway 16) to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12 (formerly portion U.S. Highway 127), near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Illinois, Indiana, Ohio, and Wisconsin. NOTE: Applicant states it holds authority in (1) above in its Sub 189 and is not requesting any extension

of territory. Applicant is seeking only an extension of authority in (2) above.

(F) (1) Commodities, the transportation of which because of size or weight require the use of special equipment, and related machinery parts, and related contractors' materials and supplies when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require the use of special equipment, and (2) commodities, the transportation of which does not require the use of special equipment, and related machinery parts, and related contractors' materials and supplies when their transportation is incidental to the transportation by carrier of commodities which do not require the use of special equipment, (1) between points in Michigan, restricted against the transportation in interstate or foreign commerce, of any traffic the origin and destination of which are both within 35 miles of Detroit, Mich., including Detroit, and (2) between points in that part of Michigan on, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction business route Interstate Highway 96 (formerly U.S. Highway 16), thence along business route Interstate Highway 96 to Lansing, Mich., and thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Connecticut, Iowa, Missouri, New Jersey, New York, and Pennsylvania. NOTE: Applicant states it holds authority in (1) above in its Sub 189 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. (G) (1) Commodities, the transportation of which because of size or weight require the use of special equipment, and related materials, supplies, and parts of such commodities, when their transportation is incidental to the transportation of commodities which because of size or weight require the use of special equipment, and (2) commodities, the transportation of which does not require the use of special equipment, and related materials, supplies, and parts of such commodities, when their transportation is incidental to the transportation of commodities which do not require the use of special equipment, between the plant site of Bethlehem Steel Corp., Burns Harbor, Porter County, Ind., on the one hand, and, on the other, points in Iowa, Missouri, and Wisconsin. Restriction: The authority herein is restricted to the transportation of shipments originating at, or destined to, the plant site of Bethlehem Steel Corp., Burns Harbor, Porter County, Ind. NOTE: Applicant states it holds authority in (1) above in its Sub 198 and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (2) above. If a hearing is deemed necessary, applicant does not specify a location.

No. MC 30844 (Sub-No. 203), filed November 26, 1965. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, Waterloo, Iowa. Applicant's representative: Truman A. Stock-

ton, Jr., The 1650 Grant Street Building, Denver 3, Colo. 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 the plant site of the Snyder Packing Co., located in Adams County, Nebr., to points in Colorado, Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Washington, D.C.

No. MC 50069 (Sub-No. 338), filed November 26, 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: *Liquid corn syrup*, in bulk, in tank vehicles, from Terre Haute, Ind., to Chicago, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 53965 (Sub-No. 46), filed November 26, 1965. Applicant: GRAVES TRUCK LINE, INC., Salina, 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: *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, from Schuyler, Nebr., to points in Arkansas, Louisiana, Missouri, Kansas, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas, points in Laramie County, Wyo., 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 Animas, Baca, Prowers, Bent, and Otero Counties, Colo. NOTE: Applicant states the proposed service to be restricted to traffic originating at the plant site of Spencer Packing Co. at Schuyler, Nebr. If a hearing is deemed necessary, applicant does not specify any particular area.

No. MC 57798 (Sub-No. 2), filed November 22, 1965. Applicant: BAKER MOTOR EXPRESS, INC., 18 Livingston Street, Warsaw, N.Y., 14569. Applicant's representative: Raymond A. Richards, 35 Curtice Park, Post Office Box 25, Webster, N.Y., 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (a) between points in Erie County, N.Y., (b) between points in

Wyoming County, N.Y., (c) between points in Erie County, N.Y., on the one hand, and, on the other, points in Cattaraugus, Genesee, Livingston, and Wyoming Counties, N.Y., and (d) between points in Wyoming County, N.Y., on the one hand, and, on the other, points in Cattaraugus, Genesee, and Livingston Counties, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 59150 (Sub-No. 22), filed November 22, 1965. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Jacksonville, Fla. Applicant's representative: Martin Sack, Jr., 710 Atlantic Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) (1) *Articles* requiring specialized handling or rigging, (a) between points in Florida, on the one hand, and, on the other, points in Georgia; and (b) between Jacksonville, Fla., on the one hand, and, on the other, points in Florida; and (2) *articles* which do not require specialized handling or rigging when moving in the same shipment or in the same vehicle with articles requiring specialized handling or rigging, (a) between points in Florida, on the one hand, and, on the other, points in Georgia; and (b) between Jacksonville, Fla., on the one hand, and, on the other, points in Florida; (B) (1) *articles* requiring specialized handling or rigging because of size or weight, between points in Florida, on the one hand, and, on the other, points in Alabama, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia, 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 points in Florida, on the one hand, and, on the other, points in Alabama, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. NOTE: Applicant presently holds the authority in (A) (1) and (B) (1) above and is not requesting any extension of territory. Applicant is seeking only an extension of authority in (A) (2) and (B) (2) above. If a hearing is deemed necessary, applicant does not specify location.

No. MC 59150 (Sub-No. 23), filed November 22, 1965. Applicant: PLOOF TRANSFER COMPANY, INC., 1901 Hill Street, Box 47 (Station G), Jacksonville, Fla. Applicant's representative: Martin Sack, Jr., Atlantic National Bank Building, Jacksonville, Fla., 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic conduit and plastic pipe, cement conduit and cement pipe containing asbestos fiber, and couplings, rings, and accessories* for installation thereof, from Green Cove Springs, Fla., to points in Virginia, West Virginia, Delaware, Maryland, and the District of Columbia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 61396 (Sub-No. 147), filed November 26, 1965. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Post Office Box 189 (downtown station), Omaha, Nebr. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, from the site of Consumers Co-op warehouse near Council Bluffs, Iowa, to points in Iowa, Colorado, Kansas, Minnesota, Nebraska, and South Dakota. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 64112 (Sub-No. 26), filed November 26, 1965. Applicant: NORTHEASTERN TRUCKING COMPANY, a corporation, 2508 Starita Road, Charlotte, N.C. Applicant's representative: W. Delbert Turner, Sr., Post Office Box 3661, Charlotte, N.C., 28203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden doors and plywood*, from Fayetteville, and Vander, N.C., to points in New York on and east of New York Highway 12 and points in Connecticut, Massachusetts, and Rhode Island. NOTE: If a hearing is deemed necessary, applicant requests it be held at Charlotte, N.C.

No. MC 65697 (Sub-No. 2) (Petition for Interpretation), filed August 27, 1965. Petitioner: THEATRES SERVICE COMPANY, a corporation, Atlanta, Ga. Petitioner's representative: David A. Sutherland, 1120 Connecticut Avenue NW., Washington, D.C., 20036. As here involved, petitioner holds authority in No. MC 65697 (Sub-No. 2), to transport: " * * * magazines, books, and periodicals consigned to or from magazine dealers and distributors * * *", over specified regular routes in Alabama, Georgia, and Tennessee. By the instant petition, petitioner requests the Commission (1) institute a proceeding to interpret its right to transport "books" under the authority issued in MC 65697 (Sub-No. 2), and (2) set the matter down for oral hearing so that it may produce witnesses to demonstrate that its transportation of "books" is, and has been, lawful. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file an appropriate pleading, consisting of an original and six copies each. NOTE: An application for permanent authority was filed concurrently, and has been assigned No. MC 65697 (Sub-No. 34). This petition and the permanent authority application will be handled together.

No. MC 65697 (Sub-No. 34), filed August 27, 1965. Applicant: THEATRES SERVICE COMPANY, a corporation, Post Office Box 1695, Atlanta, Ga. Applicant's representative: David A. Sutherland, 1120 Connecticut Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Magazines, books, and periodicals*, (A) between Atlanta,

Ga., and points in Alabama, Tennessee, and Georgia, as follows: (1) From Atlanta over U.S. Highway 78 via Anniston, Ala., to Birmingham, Ala.; (2) from Atlanta to Anniston, Ala., as specified above, thence over U.S. Highway 431 via Gadsden, Ala., to Attalla, Ala., thence over U.S. Highway 11 to Birmingham; (3) from Atlanta to Gadsden, Ala., as specified above, thence over U.S. Highway 11 to Birmingham; (4) from Atlanta over U.S. Highway 29 to Tuskegee, Ala., thence over unnumbered highway to East Tallassee, Ala., thence over Alabama Highway 14 to Wetumpka, Ala., and thence over U.S. Highway 231 to Montgomery, Ala.; (5) from Atlanta to Tuskegee as specified above, thence over U.S. Highway 80 to Montgomery; (6) from Atlanta to Tuskegee as specified above, thence over Alabama Highway 81 to Notasulga, Ala., thence over Alabama Highway 14 to East Tallassee, Ala., and thence to Montgomery as specified above; (7) from Atlanta over U.S. Highway 41 via Murfreesboro, Tenn., to Nashville, Tenn.; (8) from Atlanta to Murfreesboro, Tenn., as specified above, thence over U.S. Highway 231 to Lebanon, Tenn., and thence over U.S. Highway 70N to Nashville; (9) from Atlanta to Lebanon as specified above, thence over U.S. Highway 70N to junction Tennessee Highway 45, thence over Tennessee 45 to junction U.S. Highway 31E, and thence over U.S. Highway 31E to Nashville; (10) from Atlanta over U.S. Highway 29 to Moreland, Ga., thence over Georgia Highway 41 to Harris, Ga., thence over Georgia Highway 18 to Pine Mountain, Ga., and thence over U.S. Highway 27 to Columbus, Ga.; (11) from Atlanta over U.S. Highway 278 to junction Georgia Highway 11, thence over Georgia Highway 11 to Monroe, Ga., thence return over Georgia Highway 11 to Social Circle, Ga., thence over Georgia Highway 229 to junction U.S. Highway 278, and thence over U.S. Highway 278 to Union Point, Ga.; (12) from Atlanta over U.S. Highway 278 to Union Point; (13) from Atlanta over U.S. Highway 19 to Thomaston, Ga., thence over Georgia Highway 36 to Barnesville, Ga., and thence over U.S. Highway 41 to Macon, Ga.; (14) from Atlanta over U.S. Highway 41 via Griffin, Ga., to Barnesville, Ga., and thence continuing over U.S. Highway 41 to Macon as specified above; (15) from Atlanta over U.S. Highway 29 to junction Georgia Highway 72, thence over Georgia Highway 72 via Comer, Ga., to Elberton, Ga.

(16) From Atlanta over U.S. Highway 29 to Hartwell, Ga., thence over Georgia Highway 7 to Elberton; (17) from Atlanta over U.S. Highway 23 to Gainesville, Ga., thence over U.S. Highway 129 to Jefferson, Ga., and thence over Georgia Highway 15 to Commerce, Ga.; (18) from Atlanta over U.S. Highway 29 to Winder, Ga., thence over Georgia Highway 11 to Jefferson, Ga., and thence to Commerce as specified above; (19) from Atlanta over U.S. Highway 78 to Villa Rica, Ga., thence over Georgia Highway 61 to junction Georgia Highway 166, thence over Georgia Highway 166 to Carrollton, Ga., and thence over U.S.

Highway 27 to Cedartown, Ga.; (20) from Atlanta over U.S. Highway 78 to Austell, Ga., thence over U.S. Highway 278 to Cedartown; (21) from Atlanta over U.S. Highway 41 to Cass Station, Ga., thence over Georgia Highway 20 to Rome, Ga., thence over Georgia Highway 53 to Calhoun, Ga., thence over U.S. Highway 41 to Dalton, Ga., and thence over U.S. Highway 76 to Chatsworth, Ga.; (22) from Atlanta over U.S. Highway 41 to Calhoun, Ga., and thence to Chatsworth as specified above; (23) from Atlanta over U.S. Highway 78 to Monroe, Ga.; (24) from Atlanta over U.S. Highway 29 to Winder, Ga., thence over Georgia Highway 11 to Monroe, and return over these routes to Atlanta. Service is proposed to and from the off-route points of Fort McClellan, River-view, Prattville, Maxwell Field, and Phenix City, Ala., Sewanee, Tenn., and Fort Benning, Millstead, Porterdale, Mansfield, and Newborn, Ga.; (25) from Atlanta over U.S. Highway 19 via Albany, Ga., to Thomasville, Ga., thence over U.S. Highway 84 to Donalsonville, Ga.; and return to Albany as specified above, thence over U.S. Highway 82 to Dawson, Ga., thence over Georgia Highway 55 to Richland, Ga., thence over U.S. Highway 280 to Columbus, Ga., thence over U.S. Highway 80 to Talbotton, Ga., thence over Georgia Highway 41 to Harris, Ga., and thence to Atlanta as specified above. (B) Between Chattanooga, Tenn., and Nashville and Knoxville, Tenn., and Rome, Ga., as follows:

(1) From Chattanooga over U.S. Highway 41 to Monteagle, Tenn., thence over U.S. Highway 64 to Winchester, Tenn., thence over U.S. Highway 41A to Shelbyville, Tenn., thence over U.S. Highway 231 to Murfreesboro, Tenn., and thence over U.S. Highway 41 to Nashville; (2) from Chattanooga over U.S. Highway 11 to Knoxville; (3) from Chattanooga over U.S. Highway 11 to Athens, Tenn., thence over Tennessee Highway 30 to Etowah, Tenn., and thence over U.S. Highway 411 to Knoxville; (4) from Chattanooga over U.S. Highway 27 to Rome, and return over these routes to Chattanooga. Service is proposed to and from the off-route points of Chickamauga and Lindale, Ga. (C) Between Knoxville, Tenn., and Elizabethton and LaFollette, Tenn., as follows: (1) From Knoxville over U.S. Highway 11E to Greeneville, Tenn., thence over Tennessee Highway 93 to junction Tennessee Highway 81, thence over Tennessee Highway 81 to junction U.S. Highway 23, thence over U.S. Highway 23 through Kingsport, Tenn., to Johnson City, Tenn., and thence over U.S. Highway 321 to Elizabethton; (2) from Knoxville to Kingsport as specified above, thence over U.S. Highway 11W to Bristol, Tenn., thence over U.S. Highway 11E to Johnson City, Tenn., and thence to Elizabethton as specified above; (3) from Knoxville over U.S. Highway 11W via Kingsport, Tenn., to Bristol, Tenn., thence over U.S. Highway 11E to junction U.S. Highway 19E, and thence over U.S. Highway 19E to Elizabethton; (4) from Knoxville over U.S. Highway 11E to Johnson City, Tenn.,

thence to Elizabethton as specified above; (5) from Knoxville over U.S. Highway 441 to junction U.S. Highway 411, thence over U.S. Highway 411 via Newport, Tenn., to Greeneville, Tenn., thence over U.S. Highway 11E to Tusculum, Tenn., thence over Tennessee Highway 107 to junction Tennessee Highway 81, thence over Tennessee Highway 81 to Erwin, Tenn., thence over U.S. Highway 23 to Johnson City, Tenn., and thence to Elizabethton as specified above; (6) from Knoxville over U.S. Highway 70 to Newport, Tenn., thence to Greeneville, Tenn., as specified above, thence over U.S. Highway 11E to Jonesboro, Tenn., thence over Tennessee Highway 81 to Erwin, Tenn., and thence to Elizabethton as specified above; (7) from Knoxville over U.S. Highway 25W to LaFollette, Tenn.; (8) from Knoxville over Tennessee Highway 33 to junction Government Road, thence over Government Road to Coal Creek, Tenn., and thence over U.S. Highway 25W to LaFollette; (9) from Knoxville over U.S. Highway 11E to Whitesburg, Tenn., thence over Tennessee Highway 66A to junction Tennessee Highway 66, thence over Tennessee Highway 66 to junction Tennessee Highway 70, thence over Tennessee Highway 70 to Rogersville, Tenn., thence over U.S. Highway 11W to Kingsport, Tenn., thence over U.S. Highway 23 to junction Tennessee Highway 81, thence over Tennessee Highway 81 to Jonesboro, Tenn., thence over U.S. Highway 11E to Johnson City, Tenn., and thence to Elizabethton as specified above; and return over these routes to Knoxville.

(D) Between Birmingham, Ala., and Florence, Ala., as follows: (1) from Birmingham over U.S. Highway 31 to Decatur, Ala., thence over Alabama Highway 20 to Tusculumbia, Ala., and thence over U.S. Highway 43 to Florence; (2) from Birmingham over U.S. Highway 78 to Jasper, Ala., thence over Alabama Highway 5 to Phil Campbell, Ala., and thence over U.S. Highway 43 to Florence, and return over these routes to Birmingham. Service is proposed to and from the off-route point of Cordova, Ala. (E) Between Montgomery, Ala., and Prattville, Ala.: From Montgomery over U.S. Highway 31 to junction Alabama Highway 14, thence over Alabama Highway 14 to Prattville, and return over the same route. Service is proposed to and from all intermediate points on each of the above described routes. Note: Applicant states that the authority sought herein to transport "magazines, books, and periodicals" corresponds exactly to the authority presently held in MC 65697 (Sub-No. 2) to transport "magazines, books, and periodicals, consigned to or from magazine dealers or distributors" except for minor modifications to reflect changes in highway numbers. The purpose of the instant application is simply to modify the existing authority so as to permit the transportation of "magazines, books, and periodicals" not consigned to or from magazine dealers or distributors. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 90373 (Sub-No. 23), filed November 23, 1965. Applicant: C. & R. TRUCKING CO., a corporation, Inman Avenue, Avenel, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paint, varnishes, shellacs, plasticizers, adhesives, and materials and supplies used in the manufacture thereof*, between the plant site of the Socony Paint Products Co., Inc., at the township of Edison, N.J., on the one hand, and, on the other, New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, and Rockland Counties, N.Y., points in Fairfield County, Conn., and points in Pennsylvania east of U.S. Highways 11 and 111. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 97911 (Sub-No. 3), filed November 18, 1965. Applicant: DEARMAN TRANSPORTATION CO., INC., 906 Fifth Avenue, Post Office Box 203, Mansfield, 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 regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), (1) between Toledo, Ohio, and Portsmouth, Ohio, over U.S. Highway 23, serving all intermediate points and the off-route points of Lancaster, Wyandot, and Nevada, Ohio; (2) between Conneaut, Ohio, and Toledo, Ohio, (a) over U.S. Highway 20, and (b) from Conneaut over Ohio Highway 7 to junction Interstate Highway 90, thence over Interstate Highway 90 to Toledo, and return over the same route, serving all intermediate points in (a) and (b) above, and the off-route points of Grafton, Oberlin, Lagrange, Avon, and Berlin Heights, Ohio; (3) between Ashtabula, Ohio, and Loudonville, Ohio, from Ashtabula over Ohio Highway 46 to junction Ohio Highway 5, thence over Ohio Highway 5 to junction Ohio Highway 3, thence over Ohio Highway 3 to Loudonville, and return over the same route, serving all intermediate points and the off-route points of Girard, Niles, Lordstown, Wadsworth, Rittman, Orrville, Marshallville, Shreve, Lakeville, and Big Prairie, Ohio; (4) between East Liverpool, Ohio, and Upper Sandusky, Ohio, from East Liverpool over U.S. Highway 30 to junction U.S. Highway 30N, thence over U.S. Highway 30N to Upper Sandusky, and return over the same route, serving all intermediate points and the off-route points of Salem, Alliance, Louisville, Orrville, Kidron, North Robinson, and Nevada, Ohio; (5) between Mansfield, Ohio, and Marion, Ohio, from Mansfield over U.S. Highway 30 to junction U.S. Highway 30S, thence over U.S. Highway 30S to Marion, and return over the same route, serving all intermediate points; (6) between Cleveland, Ohio, and Colum-

bus, Ohio, (a) from Cleveland over U.S. Highway 42 to junction U.S. Highway 23, thence over U.S. Highway 23 to Columbus, and return over the same route, serving all intermediate points and the off-route points of Spencer, Polk, Red Haw, Ashland, Lattasburg, Pavonia, Edison, Denmark, and Marengo, Ohio, and (b) over Interstate Highway 71, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular route operations; (7) between Cleveland, Ohio, and Fremont, Ohio, over U.S. Highway 6, serving all intermediate points and the off-route points of Avon, Amherst, and Berlin Heights, Ohio; (8) between Sandusky, Ohio, and Marion, Ohio, over Ohio Highway 4, serving all intermediate points.

(9) Between Sandusky, Ohio, and junction of Ohio Highway 13 and U.S. Highway 40, over Ohio Highway 13, serving all intermediate points and the off-route points of Huron, New London, Coshocton, Butler, and Lancaster, Ohio; (10) between New Haven, Ohio, and junction Ohio Highway 39 and U.S. Highway 21, from New Haven over Ohio Highway 61 to junction Ohio Highway 39, thence over Ohio Highway 39 to junction U.S. Highway 21, and return over the same route, serving all intermediate points and the off-route points of New Washington, Tiro, Lakeville, Big Prairie, Shreve, Mount Hope, Fredericksburg, and Coshocton, Ohio; (11) between Akron, Ohio, and Fostoria, Ohio, from Akron over U.S. Highway 224 to junction Ohio Highway 18, thence over Ohio Highway 18 to Fostoria, and return over the same route, serving all intermediate points and the off-route points of Wadsworth, Seville, LeRoy, Spencer, Rittman, and Tiffin, Ohio; (12) between Cleveland, Ohio, and Dayton, Ohio, from Cleveland over U.S. Highway 21 to junction U.S. Highway 40, thence over U.S. Highway 40 (also over Interstate Highway 70) to junction U.S. Highway 42, thence over U.S. Highway 42 to junction U.S. Highway 35, thence over U.S. Highway 35 to Dayton, and return over the same route, serving all intermediate points and the off-route points of Peninsula, Coshocton, and Lancaster, Ohio; (13) between Columbus, Ohio, and junction Interstate Highway 71 and U.S. Highway 35, over Interstate Highway 71, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular route operations; (14) between Wooster, Ohio, and Mount Vernon, Ohio, from Wooster over Ohio Highway 76 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction U.S. Highway 36, thence over U.S. Highway 36 to Mount Vernon, and return over the same route, serving all intermediate points and the off-route points of Killbuck and Fredericksburg, Ohio; (15) between Ashtabula, Ohio, and Akron, Ohio, from Ashtabula over Ohio Highway 46 to junction Interstate Highway 90, thence over Interstate Highway 90 to junction Ohio Highway 44, thence over Ohio Highway 44 to junction Ohio Highway 5, thence over Ohio Highway 5 to Akron,

and return over the same route, serving all intermediate points and the off-route points of Aurora and Garrettsville, Ohio.

(16) Between Cleveland, Ohio, and Warren, Ohio, over U.S. Highway 422, serving all intermediate points and the off-route points of Aurora, Garrettsville, Newton Falls, Lordstown, Niles, and Girard, Ohio; (17) between Cleveland, Ohio, and East Sparta, Ohio, over Ohio Highway 8, serving all intermediate points and the off-route points of Hudson, Peninsula, Aurora, Hartsville, Alliance, Salem, and Louisville, Ohio; (18) between Wooster, Ohio, and junction U.S. Highway 250 and U.S. Highway 21, over U.S. Highway 250, serving all intermediate points and the off-route points of Kidron, Brewster and Mount Hope, Ohio; (19) between Ashland, Ohio, and Lorain, Ohio, from Ashland over Ohio Highway 60 to junction Ohio Highway 162, thence over Ohio Highway 162 to junction Ohio Highway 58, thence over Ohio Highway 58 to junction U.S. Highway 20, thence over U.S. Highway 20 to junction Ohio Highway 57, thence over Ohio Highway 57 to Lorain, and return over the same route, serving all intermediate points and the off-route points of Spencer, Lagrange, Grafton, Oberlin and Amherst, Ohio. **NOTE:** Applicant states that the proposed operations shall be limited to traffic originating at, destined to, or transferred at the following points: Akron; Ashland; Auburn Township, Crawford County; Bellville; Bucyrus; Butler; Cleveland; Cranberry Township, Crawford County; Fredericktown; Gallon; Jackson Township, Crawford County; Loudonville; Lucas; Mansfield; Marion; Perrysville, Ashland County; and Sandusky Township, Richland County, Ohio. If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 101075 (Sub-No. 99), filed 26, 1965. Applicant: TRANSPORT, INC., 1215 Center Avenue, Post Office Box 396, Moorhead, Minn. Applicant's representative: Ronald B. Pitsenbarger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, from Wahpeton, N. Dak., to points in Minnesota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 102806 (Sub-No. 17), filed November 23, 1965. Applicant: PETROLEUM TRANSPORTATION, INC., Post Office Box 399, Gastonia, N.C. Applicant's representative: 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: *Asphalt and asphalt products*, in bulk, from Thrift, N.C., and points within five (5) miles thereof to points in South Carolina. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 103051 (Sub-No. 204) (Amendment) filed November 12, 1965, published FEDERAL REGISTER issue November 25, 1965, amended December 1, 1965, and republished as amended, this issue. Ap-

applicant: FLEET TRANSPORT COMPANY, INC., 340 Armour Drive NE., Atlanta, Ga., 30324. Applicant's representative: R. J. Reynolds, Suite 403-11 Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from Birmingham, Ala., to points in Louisiana and Mississippi. **NOTE:** The purpose of this republication is to change origin point to read as shown above, rather than that shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103051 (Sub-No. 205), filed November 22, 1965. Applicant: FLEET TRANSPORT COMPANY, INC., 340 Armour Drive NE., Atlanta, Ga., 30324. Applicant's representative: R. J. Reynolds, Jr., Suite 403-11, Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid fertilizer*, in bulk, in tank vehicles, from the storage facilities of Allied Chemical Corp. in Bainbridge, Ga., to points in Florida and Georgia; and (2) *liquid fertilizer* (except nitrogen solutions) from the storage facilities of Allied Chemical Corp. in Bainbridge, Ga., to points in Alabama. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 103051 (Sub-No. 206), filed December 1, 1965. Applicant: FLEET TRANSPORT COMPANY, INC., 340 Armour Drive NE., Post Office Box 13694 (Station K), Atlanta, Ga., 30324. Applicant's representative: R. J. Reynolds, Jr., Suite 403-11, Healey Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay slurry*, in bulk, from Dry Branch, Gordon, McIntyre, Huber, and Sandersville, Ga., to Luke, Md., Tyrone, Pa., Covington, Va., and Mechanicville, N.Y. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 105461 (Sub-No. 69), filed November 26, 1965. Applicant: HERR'S MOTOR EXPRESS, INC., Quarryville, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boat pumps, sheet metal building materials, and accessories, fittings, supplies and tools used in the installation thereof*, from the site of Berger Brothers Co. at Lower Southampton Township, Bucks County, Pa., to points in New Jersey (except Atlantic, Burlington, Cape May, Monmouth, and Ocean Counties), New York and Connecticut. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 106398 (Sub-No. 319), filed November 24, 1965. Applicant: NATIONAL TRAILER CONVOY, INC., 1925 National Plaza, Tulsa, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Trailers designed to be drawn by passenger automobiles*, in initial movements, in truckaway service, from Abingdon, Va., to points in the United States (except Alaska and Hawaii). **NOTE:** Dual operations are involved, as applicant controls three contract carriers of various food and retail grocery merchandise; Food Transport, Inc., holding permit No. MC 29281 Sub-No. 1, Market Haulage, Inc., holding permits No. MC 116714 and subs thereunder, and Relay Transport, Inc., holding permits No. MC 111309 and Sub 2. If a hearing is deemed necessary, applicant requests that it be held at Portsmouth, Va.

No. MC 107460 (Sub-No. 19) (Amendment), filed November 1, 1965, published in FEDERAL REGISTER issue of November 18, 1965, amended December 1, 1965, and republished as amended this issue. Applicant: WILLIAM Z. GETZ, INC., 2454 Harrisburg Pike, Lancaster, Pa. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Metal roofing and siding, and fabricated metal products, and aluminum scrap*, from the site of the Quaker State Metals Co. Division and the Howe Sound Aluminum Division of Howe Sound Co. plant in Manheim Township, Lancaster County, Pa., to points in Alabama, Mississippi, Kansas, and Nebraska, and (2) *aluminum scrap and skids*, used in transporting the commodities specified above, from the above specified destination points to the site of the Quaker State Metals Co. Division and the Howe Sound Aluminum Division of Howe Sound Co. plant in Manheim Township, Lancaster County, Pa., restricted to a transportation service to be performed under a continuing contract or contracts with Quaker State Metals Co. Division and Howe Sound Aluminum Division of Howe Sound Co. of New York, N.Y. **NOTE:** The purpose of this republication is to include aluminum scrap in (2) above. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107496 (Sub-No. 435), filed November 19, 1965. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Des Moines, Iowa. 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: *Corn syrup and liquid sugar and blends of corn syrup and liquid sugar*, in bulk, from Sioux City, Iowa, and Decatur, Ill., to points in Iowa, Nebraska, South Dakota, and Minnesota. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 107839 (Sub-No. 97), filed November 26, 1965. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 5135 York Street, Denver, Colo. Applicant's representative: Marlon 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: *Meats, meat products,*

meat byproducts, and dairy products, and articles distributed by meat packing-houses, as described in sections A, B and C of appendix I the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (1) from Denver, Colo., and McCook, Nebr., to Atlanta, Ga., and (2) from Atlanta, Ga., to Denver, Colo. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 109326 (Sub-No. 80), filed November 22, 1965. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala., 36601. Applicant's representative: John W. Cooper, 805 Title Building, Birmingham, Ala., 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts and articles distributed by meat packing-houses*, as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles); (2) *frozen foods*; (3) *canned and preserved foods*; (4) *chemicals, chemical blends, and ingredients to be used in further manufacturing processes, transportation of which does not require special equipment or bulk or tank vehicles*; (5) *inedible meats, meat products, and meat byproducts, lard, tallows, and oils*; (6) *agricultural products and those commodities embraced in section 203(b)(6) of Part II of the Interstate Commerce Act when moving in the same vehicle with economic regulated commodities*; (7) *frozen animal and poultry foods*; (8) *industrial products, in packages, requiring refrigeration*; and (9) *Coffee, condensed; coffee extracts; coffee, green; tea and tea dust and sugar*, from Gulfport, Miss., to points in Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the District of Columbia, and *returned merchandise, on return*. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New Orleans, La.

No. MC 109326 (Sub-No. 82), 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: *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 Salina, Kans., to points

in Alabama, Florida, Georgia and Tennessee (except Memphis, Tenn., and points in the commercial zone thereof). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Topeka, Kans.

No. MC 109326 (Sub-No. 83), filed November 24, 1965. Applicant: C & D TRANSPORTATION CO., INC., Post Office Box 1503, Mobile, Ala. 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: *Meat, 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 Schuyler, Nebr., to points in Alabama, Louisiana, Mississippi, Tennessee, and Texas, restricted to traffic originating at Schuyler, Nebr., and destined to points in the States named.* **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Omaha, Nebr.

No. MC 109478 (Sub-No. 83), filed November 26, 1965. Applicant: WORSTER MOTOR LINES, INC., East Main Road, Rural Delivery No. 1, North East, Pa. Applicant's representative: William W. Knox, 23 West Tenth Street, Erie, Pa., 16501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid sugar, invert sugar, molasses in tank vehicles and dry sugar, from Boston, Mass., to points in New York (except points in Columbia, Delaware, Dutchess, Greene, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester Counties, and New York, N.Y.).* **NOTE:** If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 109847 (Sub-No. 8), filed November 23, 1965. Applicant: BOSS-LINCO LINES, INC., 226 Ohio Street, Buffalo, N.Y. Applicant's representative: Harold G. Hernly, 711 14th Street NW., Washington, D.C., 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities (except those of unusual value, classes A and B explosives, household good as defined by the Commission, commodities in bulk and those requiring special equipment), between Buffalo, Utica, Rochester, Syracuse, Amsterdam, Jamestown, Olean, Elmira, and Binghamton, N.Y., Philadelphia and Ridgeway, Pa., on the one hand, and, on the other, points in Virginia, North Carolina, South Carolina, Alabama, and Georgia, restricted against (1) the movement of traffic between points in Virginia, North Carolina, South Carolina, Georgia, and Alabama, on the one hand, and, on the other, Philadelphia, Pa., and its commercial zone, and (2) between the identical points specified in (1) above, on the one hand, and, on the other, New York, N.Y., and its commercial zone.* **NOTE:** Applicant states that it intends to tack the above proposed authority with its author-

ity in Certificate No. MC 109847 and subs thereunder, wherein applicant is authorized to serve points in the States of New York, Pennsylvania, and New Jersey. If a hearing is deemed necessary, applicant requests it be held at Buffalo, Syracuse, or Binghamton, N.Y.

No. MC 110193 (Sub-No. 112) (Amendment), filed September 13, 1965, published FEDERAL REGISTER issue October 7, 1965, amended December 2, 1965, and republished as amended, this issue. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. 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), from points in Morgan and Logan Counties, Colo., to points in Connecticut, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, District of Columbia, Delaware, Indiana, Maine, Michigan, New Hampshire, Ohio, Vermont, Virginia, and West Virginia.* **NOTE:** The purpose of this republication is to broaden the scope of the origin territory. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Kansas City, Mo.

No. MC 110193 (Sub-No. 125), filed November 26, 1965. Applicant: SAFEWAY TRUCK LINES, INC., 20450 Ireland Road, Post Office Box 2628, South Bend, Ind. Applicant's representative: Walter J. Kobos, Post Office Box 2628, South Bend, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Drugs, medicines and toothbrushes and advertising and printed matter in mixed shipments with drugs, medicines and toothbrushes, not to exceed ten percent (10%) of the weight of the shipment, from Brooklyn, N.Y. and New Brunswick, N.J., to Bloomington, Minn., restricted to shipments originating at Brooklyn, N.Y., and/or New Brunswick, N.J., and terminating at Bloomington, Minn., and further restricted to shipments moving in mechanically heated or refrigerated equipment.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110505 (Sub-No. 64), filed November 26, 1965. Applicant: RINGLE 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: *Preserved and canned foodstuff, (1) from Appleton, Bear Creek, Belgium, Brillion, Cambria, Cedar Grove, Clyman, Columbus, Eagle River, Fall River, Galesville, Germantown, Green Bay, Hillsboro, Horicon, Janesville, Madison, Manitowoc, Markesan, New Richmond, Random Lake, and Sheboygan, Wis., to points in Illinois, Indiana, Michigan, Missouri, and Ohio, and (2) from Lomax, Princeville, and Rochelle,*

Ill., to points in Indiana, Michigan, Missouri, and Ohio, and *damaged and rejected shipments, on return.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110525 (Sub-No. 738) (Amendment), filed August 4, 1965, published in FEDERAL REGISTER issue of August 26, 1965, amended November 23, 1965, and republished as amended, this issue. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Soda ash, in bulk, in tank vehicles, from Solvay, N.Y., to Carteret, N.J.* **NOTE:** The purpose of this republication is to remove the plantsite restrictions. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 110525 (Sub-No. 758), filed November 24, 1965. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representatives: Leonard A. Jaskiewicz, 1155 15th Street NW., Madison Building, Washington, D.C., 20005, and Edwin H. van Deusen (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Vegetable oils and vegetable oil products, in bulk, in tank vehicles, from Columbus, Ohio, to points in Connecticut, Massachusetts, and Rhode Island.* **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111231 (Sub-No. 100), filed November 24, 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: *Foodstuffs, from Macon, Marshall, Moberly, Carrollton, and Milan, Mo., to points in Arkansas, Oklahoma, and Kansas.* **NOTE:** If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 111231 (Sub-No. 101), filed November 29, 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: *Fertilizer, fertilizer materials, compounds, and ingredients, feed and feed ingredients, from East St. Louis, Ill., to points in Arkansas, Kentucky, Missouri, Tennessee, Indiana, and Illinois.* **NOTE:** If a hearing is deemed necessary, applicant does not specify a particular location.

No. MC 111284 (Sub-No. 1), filed November 22, 1965. Applicant: Q & R MOTOR SERVICE CO., a corporation, 2701 West Clay, St. Charles, Mo. Applicant's representative: Joseph R. Nacy, 117 West High Street, Post Office Box 352, Jefferson City, Mo., 65102. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes,

transporting: *Meats, packinghouse products and commodities used by packinghouses, as described in Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 272, 273, and 766; Regular routes: (1) Between East St. Louis, Ill., and Jefferson City, Mo.; from East St. Louis over U.S. Highway 40 to junction U.S. Highway 63, thence over U.S. Highway 63 to Jefferson City and return over the same route, serving all intermediate points and those off-route points in the East St. Louis, Ill.-St. Louis, Mo., commercial zone as defined by the Commission; (2) between junction U.S. Highways 40 and 54 and Jefferson City, Mo., over U.S. Highway 54, serving all intermediate points; (3) between junction U.S. Highway 40 and Missouri Highway 19 and Wellsville, Mo., over Missouri Highway 19, serving all intermediate points; and (4) between junction U.S. Highways 40 and 54 and Mexico, Mo., over U.S. Highway 54, serving all intermediate points; Irregular routes: Between points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission, on the one hand, and, on the other, points in that part of Missouri on and within an area bounded by a line beginning at Canton, Mo., and extending along Missouri Highway 16 to junction Missouri Highway 6, thence over Missouri Highway 6 to junction U.S. Highway 65, thence over U.S. Highway 36 to Hamilton, Mo., thence return over U.S. Highway 36 to junction U.S. Highway 65, thence over U.S. Highway 36 to junction Missouri Highway 10, thence over Missouri Highway 10 to Richmond, Mo., thence return over Missouri Highway 10 to junction U.S. Highway 65, thence over U.S. Highway 50 to Warrensburg, Mo., thence return over U.S. Highway 50 to junction U.S. Highway 65, thence over U.S. Highway 65 to junction Missouri Highway 7, thence over Missouri Highway 7 to junction U.S. Highway 54, thence over U.S. Highway 54 to junction Missouri Highway 17, thence over Missouri Highway 17 to junction Missouri Highway 52, thence over Missouri Highway 52 to junction U.S. Highway 54, thence over U.S. Highway 54 to the Missouri River, thence along the Missouri River to its confluence with the Mississippi River, thence along the Mississippi River to Canton, Mo., the point of beginning. NOTE: Applicant states that it intends to transport damaged, defective, rejected, or returned shipments of the above described commodities, on return trips. No duplicating authority is sought. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 111729 (Sub-No. 122), filed November 22, 1965. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a common carrier, by

motor vehicle, over irregular routes, transporting: (1) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies, and advertising literature moving therewith* (excluding motion picture film used primarily for commercial theatre and television exhibition), (a) between points in Berkeley County, W. Va., on the one hand, and, on the other, Alexandria, Va., (b) between Detroit, Mich., on the one hand, and, on the other, points in Mahoning and Trumbull Counties, Ohio, (c) between Philadelphia, Pa., on the one hand, and, on the other, points in Lackawanna County, Pa., (d) between Pittsburgh, Pa., on the one hand, and, on the other, points in Fayette and Westmoreland Counties, Pa., and (e) between Washington, D.C., on the one hand, and, on the other, Annapolis, Md., and points in Culpeper and Orange Counties, Va., (2) *payroll checks, business papers, records and audit and accounting media* (except cash letters), (a) between Canton, Ohio, and Detroit, Mich., (b) between Cincinnati, Ohio, on the one hand, and, on the other, Indianapolis and Richmond, Ind., and (c) between Erie, Pa., on the one hand, and, on the other, Medina, N.Y., and Conneaut, Painesville and Willoughby, Ohio. NOTE: Applicant holds contract carrier authority in MC 112750 and subs thereunder, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 111812 (Sub-No. 324), filed November 22, 1965. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak., 57101. Applicant's representatives: William J. Walsh (same address as applicant) and Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *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 Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, restricted to traffic originating at the plant sites and facilities utilized by Snyder Packing Co. in Adams County, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 112520 (Sub-No. 135), filed November 19, 1965. Applicant: MCKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's representative: Sol H. Proctor, 1730 American Heritage Life Building, Jacksonville, Fla., 32202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fiberboard or pulpboard and accessories and supplies used in the installation thereof*, from points in Calhoun County, Fla., to points in Alabama, Florida, and

Georgia. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jacksonville, Fla., Atlanta, Ga., or Tallahassee, Fla., respectively.

No. MC 112750 (Sub-No. 217), filed November 22, 1965. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers' checks, and canceled bonds, and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records* (except coin, currency, bullion and negotiable securities), and *audit and accounting media*, under continuing contracts with banks and banking institutions only, namely, national banks, State banks, Federal Reserve banks, savings and loan associations, and savings banks, between Wilkes-Barre, Pa., on the one hand, and, on the other, points in Orange and Broome Counties, N.Y. NOTE: Applicant has pending applications for common carrier authority in MC 111729 and Subs. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 113362 (Sub-No. 98), filed November 24, 1965. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr., 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products and commodities used by packinghouses, as described in 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 Iowa, to points in Illinois, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin, and Indiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa.

No. MC 113651 (Sub-No. 96), filed November 26, 1965. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 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 points in Adams County, Nebr., to points in New York, New Jersey, Maryland, Pennsylvania, Maine, Ohio, Michigan, New Hampshire, Vermont, Delaware, Vir-

ginia, West Virginia, Indiana, Massachusetts, Connecticut, Rhode Island, and Washington, D.C., restricted to traffic originating in Adams County, Nebr., and further restricted against tacking at destination. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 113678 (Sub-No. 199), filed November 26, 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: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from Salina, Kans., to points in Alabama, Indiana, Louisiana, Mississippi, New Mexico, Oregon, and Texas. **NOTE:** If a hearing is deemed necessary, applicant did not specify any particular area.

No. MC 113678 (Sub-No. 200), filed November 26, 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 the plant site of American Home Foods, Inc., located at or near LaPorte, Ind., to points in Iowa, Nebraska, Kansas, and Colorado. **NOTE:** If a hearing is deemed necessary, applicant did not specify any particular area.

No. MC 114045 (Sub-No. 212), filed November 23, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as described in section A of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with mechanical refrigeration, from Evansville, Ind., to points in Oregon and Washington. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 114045 (Sub-No. 213), filed November 23, 1965. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery and confectionery products*, from the plant site of Topp's Chewing Gum Co., at or near Duryea, Pa., to points in Texas, Oklahoma, Arizona, New Mexico, California, Missouri, and Kansas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 116077 (Sub-No. 186) (Clarification), filed October 15, 1965, published FEDERAL REGISTER issue of November 4, 1965, amended November 26, 1965, and republished as amended this issue. Applicant: ROBERTSON TANK LINES, INC., Post Office Box 9527, 5700 Polk

Avenue, Houston, Tex., 77011. Applicant's representatives: Thomas E. James, 721 Brown Building, Austin, Tex., 78701, and Mert Starnes (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar emulsion* (other than chemical or petroleum), in bulk, from Toledo, Ohio, to points in Texas. **NOTE:** The purpose of this republication is to reflect that the proposed operation will be in bulk, rather than as shown in previous publication. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 117119 (Sub-No. 287), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plantsite of American Home Foods, Division of American Home Products Corp., at Milton, Pa., to points in Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas, Nebraska, South Dakota, and North Dakota. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 289), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Martinsburg, W. Va., and Winchester and Timberville, Va., to points in Arkansas, Louisiana, Mississippi, Missouri, and Texas. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 290), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Disposable foil trays*, from Paris, Tex., to Modesto, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 291), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. 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 Washington, Oregon, Idaho, Montana, Wyoming, Nevada, and Utah. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Omaha, Nebr.

No. MC 117119 (Sub-No. 292), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Fort Smith and Springdale, Ark., to points in Nevada, Washington, and Oregon. **NOTE:** If a hearing is deemed necessary, applicant requests that it be held at Boise, Idaho.

No. MC 117119 (Sub-No. 293), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Fort Smith and Springdale, Ark., to Washington, D.C., and points in Pennsylvania, Maryland, and New Jersey. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 117119 (Sub-No. 294), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Fort Smith and Springdale, Ark., to points in California. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Little Rock, Ark.

No. MC 117119 (Sub-No. 295), filed November 29, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from the plant site of American Home Foods, Inc., located at or near LaPorte, Ind., to points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, and Wisconsin. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117119 (Sub-No. 298), filed December 3, 1965. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark., 72728. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark., 72702. 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 points in Adams County, Nebr., to points in Arizona, Arkansas, California, Colorado, Idaho, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, Oklahoma, Oregon, Tennes-

see, Utah, Washington, Wisconsin, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 117416 (Sub-No. 17), filed November 23, 1965. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Laundry bleach* (except in bulk in tank vehicles), from Atlanta, Ga., to points in Kentucky, points in North Carolina on, west and south of a line beginning at the Georgia-North Carolina State line near Dillard, Ga., and extending north along U.S. Highway 23 to Lake Junaluska, N.C., thence along North Carolina Highway 209 to junction U.S. Highway 70, thence along U.S. Highway 70 to the North Carolina-Tennessee State line, and points in that part of Tennessee (except Nashville and Memphis) on, north and west of a line beginning at the Virginia-Tennessee State line and extending south along U.S. Highway 25-E to junction U.S. Highway 70, thence west along U.S. Highway 70 to junction U.S. Highway 70-S, thence along U.S. Highway 70 to the Tennessee-Arkansas State line. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Atlanta, Ga.

No. MC 117416 (Sub-No. 18), filed November 23, 1965. Applicant: NEWMAN AND PEMBERTON CORPORATION, 2007 University Avenue NW., Knoxville, Tenn. Applicant's representative: William P. Sullivan, 1825 Jefferson Place NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Metal containers*, from Chestnut Hill, Tenn., to Griffin, Ga. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Knoxville, Tenn.

No. MC 117639 (Sub-No. 3), filed November 22, 1965. Applicant: JACK S. OCHSNER, doing business as PICK'S PACK HAULER, 1714 West Fifth Street, Hastings, Nebr. Applicant's representative: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Brick and clay products*, from Endicott, Lincoln, and Nebraska City, Nebr., to points in Colorado, Iowa, Kansas, Missouri, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 117686 (Sub-No. 70), 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. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and ar-*

ticles 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 Dodge City, Kans., to points in Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Wichita, Kans.

No. MC 117686 (Sub-No. 71), filed November 29, 1965. Applicant: HIRSCHBACH MOTOR LINES, INC., 3324 U.S. Highway 75 North, Sioux City, Iowa. 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, Mississippi, Louisiana, Arkansas, Missouri, Kansas, Oklahoma, Nebraska, Iowa, Alabama, and Tennessee. NOTE: If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo.

No. MC 117765 (Sub-No. 37), filed November 22, 1965. Applicant: HAHN TRUCK LINE, INC., 5800 North Eastern, Oklahoma City, Okla., 73111. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, fertilizer compounds, fertilizer ingredients, and urea*, from the plant site of Nipak, Inc., located at Lawrence, Kans., to points in Iowa, Missouri, and Nebraska. NOTE: If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 117803 (Sub-No. 8) (Clarification), filed October 25, 1965, published in FEDERAL REGISTER issue of November 18, 1965, and republished as clarified this issue. Applicant: LABERTEW TRUCKING, INC., 5110 Race Street, Denver, Colo. Applicant's representative: Edward T. Lyons, Jr., Suite 420 Denver Club Building, Denver, Colo., 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Agricultural commodities*, the transportation of which is partially exempt under 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 bananas, from points in Alabama, Louisiana, Mississippi, and Texas, to points in Colorado. NOTE: The additional authority sought herein is to be operated in connection with that held by applicant in MC 117803 which authorizes the transportation of "bananas, from New Orleans, La., and Mobile, Ala., to Denver, Colorado Springs, and Pueblo, Colo.," and that applied for in its pending application MC 117803 (Sub-No. 7), which seeks authority for the transportation of "bananas, from Freeport, Tex., to points in Colorado." The purpose of this republication is to clarify the proposed operation of Labertew Trucking, Inc. If a hearing is deemed necessary,

applicant requests it be held at Denver, Colo.

No. MC 118196 (Sub-No. 52), filed November 26, 1965. Applicant: RAYE & COMPANY TRANSPORTS, INC., Highway 71 North, Post Office Box 613, Carthage, Mo., 64836. 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 commodities in bulk and in tank vehicles and hides), from Schuyler, Nebr., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Mississippi, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, restricted to traffic originating at the plant site at or near Schuyler, Nebr. NOTE: If a hearing is deemed necessary, applicant does not specify a location.

No. MC 119489 (Sub-No. 7), filed November 22, 1965. Applicant: PAUL ABLER, doing business as CENTRAL TRANSPORT COMPANY, Post Office Box 596, Norfolk, Nebr. Applicant's representative: J. Max Harding, 605 South 14th Street, Box 2028, Lincoln, Nebr., 68501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Commodities in bulk* between points in Nebraska, restricted against (1) the movement of petroleum products in bulk; (2) the movement of fertilizer or fertilizer mixtures from LaPlatte, Nebr.; and (3) the movement of inedible animal fats and blends thereof from points in Nebraska to Omaha and Nebraska City, Nebr. NOTE: If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC 119767 (Sub-No. 145), filed November 24, 1965. Applicant: BEAVER TRANSPORT CO., a corporation, Post Office Box 339, 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: *Canned or preserved foodstuff* from Delphos and Van Wert, Ohio, to Hoopston, Ill. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 123048 (Sub-No. 77), filed November 26, 1965. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and farm machinery and parts*, from Minneapolis, Minn., to points in Illinois, Wisconsin, and the Upper Peninsula of Michigan, (2) *agricultural implements, farm machinery and parts*, from Mendota, Ill., to points in Wisconsin and the Upper Peninsula of Michigan, and (3) *agri-*

cultural implements, farm machinery, and tractor and combine cabs (glass and steel), from Meade, Kans., to points in Illinois, Wisconsin, and the Upper Peninsula of Michigan, and *rejected shipments of the commodities specified in (1), (2), and (3) above, on return.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Milwaukee or Madison, Wis.

No. MC 123201 (Sub-No. 7) filed November 23, 1965. Applicant: HORVATH BROS. TRUCKING, INC., 322 Schuyler Avenue, Kearny, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and Steel and iron and steel articles*, from Newark, N.J., to points in Monroe County, Pa., and *returned shipments*, on return. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 123304 (Sub-No. 9), filed November 26, 1965. Applicant: SOUTHERN COURIERS, INC., 1316 North Carroll Street, Dallas, Tex. Applicant's representative: Ewell H. Muse, Jr., Suite 415 Perry Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments, including originals and copies of checks, drafts, notes, money orders, travelers' checks, and canceled bonds, and accounting papers relating thereto, including originals and copies of cash letters, letters of transmittal, summary sheets, adding machine tapes, deposit records, withdrawal slips, and debit and credit records (except coin, currency, bullion, and negotiable securities)* between points in Alabama, on the one hand, and, on the other, points in Georgia. NOTE: Applicant holds common carrier authority in MC 126745 and Subs thereto, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 123314 (Sub-No. 7), filed November 23, 1965. Applicant: JOHN F. WALTER, Post Office Box 175, Newville, Pa. Applicant's representative: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh, Pa., 15222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, caps, covers, stoppers or tops for glass containers, paper cartons, and pallets, and damaged and rejected shipments of the commodities specified, between Winchester, Ind., on the one hand, and, on the other, points in West Virginia and Pennsylvania on and west of U.S. Highway 219.* NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123393 (Sub-No. 105), filed November 24, 1965. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 2105 East Dale Street, Springfield, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Foodstuff*, from Buffalo, N.Y., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 123888 (Sub-No. 11), filed November 24, 1965. Applicant: CANA TRANSPORT CO., INC., 706 Franklin Street, Endicott, N.Y. Applicant's representative: Donald C. Carmien, 300 Press Building, Binghamton, N.Y., 13902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hides*, from points in Kansas, Missouri, Iowa, Illinois, Kentucky, and Tennessee, to Endicott, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Washington, D.C.

No. MC 123888 (Sub-No. 12), filed November 24, 1965. Applicant: CANA TRANSPORT CO., INC., 706 Franklin Street, Endicott, N.Y. Applicant's representative: Donald C. Carmien, 300 Press Building, Binghamton, N.Y., 13902. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hides*, for the account of Granite State Leathers, Inc., from Kansas City and St. Louis, Mo., and Des Moines, Iowa, to Nashua, N.H., and (2) *nonflammable, nonexplosive water soluble tanning chemicals*, from Nashua, N.H., to Kansas City, Mo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 124181 (Sub-No. 5), filed November 23, 1965. Applicant: JOSEPH GENOVA, Clayton Road, Williamstown, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods* from Glassboro, N.J., to New York, Buffalo, Albany, Schenectady, Rochester, and Canadagua, N.Y., Philadelphia, Wilkes-Barre and Scranton, Pa., Baltimore, Md., Washington, D.C., Hartford, New Haven, and Stamford, Conn., Boston, Mass., Providence, R.I., Norfolk and Richmond, Va., and Charlotte, N.C.; and (2) *empty containers, ends, caps and covers* from Baltimore, Md., to Glassboro, N.J. Restriction: The operations proposed herein are to be limited to a transportation service to be performed, under a continuing contract, or contracts, with National Fruit Co., Glassboro, N.J. NOTE: If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

No. MC 124211 (Sub-No. 79), filed November 26, 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: *Paint materials and plumbing supplies*, from points in Douglas County, Nebr., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin. NOTE: If a hearing is deemed nec-

essary, applicant requests it be held at Omaha, Nebr.

No. MC 124669 (Sub-No. 14), filed November 23, 1965. Applicant: TRANSPORT, INC., OF SOUTH DAKOTA, 1012 West 41st Street, Sioux Falls, S. Dak. Applicant's representative: Ronald B. Pitsenbarger, Post Office Box 396, Moorhead, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and fertilizer solutions*, in bulk, from Creston, Iowa, and points within 10 miles thereof, to points in Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 124886 (Sub-No. 9), filed November 23, 1965. Applicant: PHILIP PICARIELLO, doing business as P & P CARRIERS, 21 Main Street, East Paterson, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07360. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Resins* in bulk, in tank vehicles, from Newark and Wood Ridge, N.J., to Alexandria, Va., Chamblee, Ga., Cleveland, Ohio, Lancaster, Pa., Louisville and Syracuse, N.Y., and New Bedford, Mass., under a continuing contract with Cellofilm Corporation of Wood Ridge, N.J., and Cellomor Corporation of Newark, N.J. NOTE: Applicant states the purpose of this application is to add an additional commodity. Carrier already has authority to transport nitrocellulose solutions in bulk, in tank vehicles for these same two contracting shippers. Applicant is also authorized to conduct operations as common carrier in certificate No. MC 26570, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 124886 (Sub-No. 10), filed November 26, 1965. Applicant: PHILIP PICARIELLO, doing business as P & P CARRIERS, 21 Main Street, East Paterson, N.J. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J., 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nitrocellulose solutions*, from Chicago, Ill., to Delaware, Ohio, Chamblee, Ga., and Detroit, Mich., under continuing contract with Cellofilm Corp. of Wood Ridge, N.J. NOTE: Applicant is also authorized to conduct operations as a common carrier in certificate No. MC 26570, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 125466 (Sub-No. 1), filed November 24, 1965. Applicant: V & P CARRIERS, INC., 377 Montauk Avenue, Brooklyn 8, N.Y. Applicant's representative: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, supplies, and equipment* used in the manufacture of bicycles and children's velocipedes, un-

crated and crated, from points in Alabama, Georgia, Illinois, Indiana, Michigan, New York, Ohio, and Tennessee to Brooklyn, N.Y. **NOTE:** Applicant presently holds contract carrier authority to serve one shipper from Brooklyn, N.Y., to 13 States in the transportation of bicycles and children's velocipedes. Applicant proposes to transport materials, supplies, and equipment on the return movement to the same shipper's plant site in Brooklyn, N.Y. The proposed authority is to be restricted to the same shipper which applicant is presently serving. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 126358 (Sub-No. 11), filed November 26, 1965. Applicant: LAWRENCE L. BENNETT, doing business as BENNETT TRUCKING CO., 113 Mitchell Street, Hawkinsville, Ga. Applicant's representative: Ariel V. Conlin, Suite 626, Fulton National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock*, (1) from points in Georgia and Alabama, to points in Texas, Oklahoma, Kansas, New Mexico, Arizona, California, Florida, and Alabama, and (2) from points in Georgia to points in Alabama. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 127215 (Sub-No. 16), filed November 26, 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, petroleum treating compounds, and chemicals*, in bulk, in tank vehicles, from Kilgore and Odessa, Tex., and points within 10 miles of each, to points in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio, and Wisconsin. **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 Dallas, Tex.

No. MC 127468 (Sub-No. 1) (Amendment), filed November 15, 1965, published FEDERAL REGISTER issue November 25, 1965, amended December 8, 1965, and republished as amended this issue. Applicant: LTD., INC., 1615 Lumber Street, Chicago, Ill. Applicant's representative: Seymour S. Guthman, 1030 Executive Building, 1030 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electric appliances and equipment, material and supplies*, used or useful in the manufacture, sales and distribution of electrical appliances, for the account of the Sunbeam Corp., Chicago, Ill., between Chicago, Ill., Elkin and Ahsokle, N.C., Manning and Denmark, S.C., Forest and Waynesboro, Miss., Coushatta, La., Dumus, Ark., Fort Lauderdale, Fla., McRae, Ga., and the ports of entry on the international

boundary line between the United States and Canada, at or near Detroit, Mich., and Niagara Falls, N.Y. **NOTE:** The purpose of this republication is to broaden the territorial description. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 127743 (Sub-No. 1), filed November 26, 1965. Applicant: JAMES H. FOLEY, 20 Longmeadow Road, Arlington, Mass. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass., 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic signs*, from Leominster, Mass., to points in States east of the Mississippi River, namely, Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and *damaged, rejected or returned shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boston, Mass.

No. MC 127749, filed November 22, 1965. Applicant: METRO MOTOR FREIGHT, INC., 3821 Northwest 58th Terrace, Oklahoma City, Okla. Applicant's representative: Rufus H. Lawson, 106 Bixler Building, 2400 Northwest 23d Street, Oklahoma City 7, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Oklahoma City, Okla., and Tulsa, Okla., (a) over U.S. Highway 66, serving no intermediate points, and (b) over Interstate Highway 44 (Turner Turnpike), serving no intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 127752, filed November 19, 1965. Applicant: WILLIAM P. RALSTON, Bern, 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: *Dry animal and poultry feed*, from Omaha, Nebr., to points in Brown, Nemaha, and Marshall Counties, Kans. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Topeka, Kans.

No. MC 127754, filed November 19, 1965. Applicant: ROLINTHONY TRUCKING, INC., 1125 Bronx River Avenue, Bronx, N.Y. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cutlery, flatware, kitchen utensils, and component parts thereof* (other than gold or silverplated), between piers, wharves, freight forwarders and consolidators in the New York, N.Y., commercial zone on the one hand, and, on the other, the plant site of Regent-Sheffield, Ltd., East Farmingdale, N.Y., restricted to traffic in interstate or foreign commerce. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Sub-No. 90), filed November 16, 1965. Applicant: GREYHOUND LINES, INC., 140 South Dearborn Street, Chicago, Ill., 60603. Applicant's representative: Earl A. Bagby, 371 Market Street, San Francisco, Calif., 94105. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*. Establish a *special-operations route between Las Vegas, Nev., and points within ten (10) air-line miles thereof, on the one hand, and, on the other, Kingman, Ariz., over U.S. Highway 95 to junction U.S. Highway 93, thence over U.S. Highway 93 to Kingman, Ariz., to be operated as a segment of a route to be used for the transportation of interstate traffic in special operations between Las Vegas and points within ten (10) air-line miles thereof, on the one hand, and, on the other, Kingman, Ariz., and points beyond otherwise authorized to be served, including Grand Canyon National Park, Ariz.* (a) *Within the State of Nevada:* On Revised Sheet No. 62. (9) *Between Las Vegas and points within ten (10) air-line miles thereof, on the one hand, and, on the other, the Nevada-Arizona State line, from Las Vegas and points within ten (10) air-line miles thereof, over U.S. Highway 95 to junction U.S. Highway 93, thence over U.S. Highway 93 to the Nevada-Arizona State line, and return over the same route. Service is proposed to be conducted in special operations only, serving no intermediate points.* (b) *Within the State of Arizona:* On Revised Sheet No. 5. (20) *Between the Nevada-Arizona State line and Kingman, over U.S. Highway 93. Service is proposed to be conducted in special operations only, serving no intermediate points.* **NOTE:** The changes in operating authority hereinabove shown and explained are proposed to be incorporated in the designated revised sheets to certificate No. MC 1515 (Sub-No. 7). Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Las Vegas, Nev.

No. MC 127521 (Sub-No. 1EX), filed November 5, 1965. Carrier: SUBURBAN TRANSIT LINES, a corporation, 13th and C Streets, Post Office Box 2190, Sacramento, Calif. Filed by: Greyhound Lines, Inc., as party in interest, 140 South Dearborn, Chicago, Ill. Greyhound's representative: Craig McAtee, 601 California Street, San Francisco, Calif., 94103. Application filed by Greyhound Lines, Inc., as a party in interest for issuance of certificate of exemption under section 204(a)(4a) part II to Suburban Transit Lines, to transport by motor vehicle, over regular routes: *Passengers and their baggage, express and newspapers*, in the same vehicle with passengers, between Sacramento, Calif., and McClellan Air Force Base, Calif.; (a) *from Sacramento over city streets to U.S. Highway 40, thence over U.S. Highway 40 to junction Del Paso Boulevard, thence over Del Paso Boulevard to Marysville Road, thence over Marysville Road to junction Grand Avenue, thence over Grand Avenue to junction Roseville*

Road, thence over Roseville Road to junction Watt Avenue, thence over Watt Avenue to McClellan Air Force Base and return over the same route, serving no intermediate points, and (b) from Sacramento over city streets to U.S. Highway 40, thence over U.S. Highway 40 to junction Interstate Highway 80, thence over Interstate Highway 80 to Watt Avenue, thence over Watt Avenue to McClellan Air Force Base, and return over the same route, serving no intermediate points. NOTE: If a hearing is deemed necessary, applicant requests it be held with Suburban Transit Lines, MC 127521, which was published September 1, 1965.

WATER CARRIER APPLICATION

WATER CARRIER OF PROPERTY

No. W-1224 STANDARD METALS CO., INC., Common Carrier Application, filed November 26, 1965. Applicant: STANDARD METALS CO., INC., Cemetery Street, Junction City, Ky. Applicant's representative: Leonard A. Jaskiewicz, 1155 15th Street NW., Washington, D.C., 20005. Application filed November 26, 1965, for certificate authorizing operation as a common carrier by water, covering a new operation in interstate or foreign commerce under Part III of the Interstate Commerce Act, in year round operation, in the transportation of scrap metals, between Camp Nelson, Ky., and the confluence of the Kentucky and Ohio Rivers, serving all intermediate points for pickup and delivery, thence via the Ohio River to Pittsburgh, Pa. Service between the confluence of the Kentucky and Ohio Rivers and Pittsburgh, Pa., and intermediate points is limited to delivery only.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 31389 (Sub-No. 67), filed March 1, 1965. Applicant: McLEAN TRUCKING COMPANY, a corporation, Post Office Box 213, 617 Woughtown Street, Winston-Salem, N.C. Applicant's representative: David G. Macdonald, 1000 16th Street NW., Washington, D.C., 20036. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), Part I, New England Area: Route 501 between New York, N.Y., and Boston, Mass., (a) from New York over U.S. Highway 1 by New Haven and New London, Conn., and Providence, R.I., to Boston and return over the same route, (b) from New York as specified above to junction Alternate U.S. Highway 1 near Allenton, R.I., thence over Alternate U.S. Highway 1 to junction Rhode Island Highway 2, thence over Rhode Island Highway 2 to Providence, thence over U.S. Highway 1 to junction Alternate U.S. Highway 1, near Plainville, Mass., thence over Alternate U.S. Highway 1 to junction U.S. Highway 1 near

Dedham, Mass., thence to Boston, as specified above, (c) from New York over Interstate Highway 95 and the Connecticut Turnpike by Bridgeport, New Haven, East Lyme and New London, Conn., and Providence, R.I., to Boston, and return over the same route, (d) from New York to New Haven, Conn., as specified above, thence over U.S. Highway 5 by East Hartford, Conn., to Springfield, Mass. (also from New Haven over Interstate Highway 91 to Springfield, Mass.), thence over U.S. Highway 20 to Worcester, thence over Massachusetts Highway 9 (also over U.S. Highway 20) to Boston, and return over the same routes, (e) from New York to Springfield, Mass., as specified above, thence by Chicopee, Mass., to junction Interstate Highway 90, thence over Interstate Highway 90 to Boston, and return over the same route, (f) from New York to Norwalk, Conn., as specified above, thence over U.S. Highway 7 to Danbury, Conn., thence over Interstate Highway 84 to junction Interstate Highway 90, thence to Boston as specified above, and return over the same routes.

(g) From New York to East Hartford, as specified above, thence over U.S. Highway 6 by South Killingly, Conn., to Providence, R.I., thence to Boston, as specified above, and return over the same route, (h) from New York to Groton, Conn., as specified above, thence over Connecticut Highway 12 to the Connecticut-Massachusetts State line, thence over Massachusetts Highway 12 to Worcester, Mass., thence to Boston as specified above, and return over the same route, (i) from New York to East Lyme, Conn., as specified above, thence over the Connecticut Turnpike to junction U.S. Highway 6 at South Killingly, Conn., thence to Boston as specified above, and return over the same route, (j) from New York to Bridgeport, Conn., as specified above, thence over Connecticut Highway 8 to Waterbury, thence over Alternate U.S. Highway 6 to Milldale, thence over Connecticut Highway 10 to junction U.S. Highway 6, thence over U.S. Highway 6 to East Hartford (also from Waterbury over Interstate Highway 84 to Hartford), thence to Boston as specified above, and return over the same routes; Route 502 between Norwalk, and Saugatuck, Conn., from Norwalk over Connecticut Highway 123 to junction Connecticut Highway 106 (near New Canaan), thence over Connecticut Highway 106 to Wilton, thence over U.S. Highway 7 to junction Connecticut Highway 57 at or near Georgetown, thence over Connecticut Highway 57 to Saugatuck, and return over the same routes; Route 503 between Bridgeport, and Danbury, Conn., (a) from Bridgeport over Connecticut Highway 58 to junction U.S. Highway 202, thence over U.S. Highway 202 to Danbury, and return over the same route, (b) from Bridgeport over Connecticut Highway 25 to junction U.S. Highway 6, thence over U.S. Highway 6 to Danbury, and return over the same route; Route 504 between New Haven and Granby, Conn., from New Haven over Connecticut Highway 10 to Granby (also over Alternate U.S. Highway 5 to North Haven, thence over

Connecticut Highway 22 to junction Connecticut Highway 10, thence as specified above, and return over the same route; Route 505 between Beacon Falls and Meriden, Conn., from Beacon Falls over Connecticut Highway 42 to junction Connecticut Highway 10, thence over Connecticut Highway 10 to Cheshire, thence over Connecticut Highway 70 to Meriden, and return over the same route; Route 506 between Wallingford and Southington, Conn., from Wallingford over Connecticut Highway 71 to Meriden, thence over Connecticut Highway 120 (also over Alternate U.S. Highway 6 to Milldale, thence over Connecticut Highway 10) to Southington, and return over the same route.

Route 507 between Naugatuck and Wallingford, Conn., from Naugatuck over Connecticut Highway 68 to junction Connecticut Highway 70, thence over Connecticut Highway 70 to Cheshire, thence over Connecticut Highway 10 to junction unnumbered highway, thence over unnumbered highway to Wallingford, and return over the same route; Route 508 between Naugatuck and Torrington, Conn., from Naugatuck over Connecticut Highway 63 to Litchfield, thence over Connecticut Highway 25 to Torrington, and return over the same route; Route 509 between Waterbury and Torrington over Connecticut Highway 8; Route 510 between Litchfield and East Litchfield over Connecticut Highway 116; Route 511 between Waterbury and Watertown, Conn., from Waterbury over Connecticut Highway 73 to junction Connecticut Highway 63, thence over Connecticut Highway 63 to Watertown, and return over the same route; Route 512 between Stratford and Long Hill, Conn., from Stratford over Connecticut Highway 108 to Huntington, thence over unnumbered highway to Long Hill, and return over the same route; Route 513 between Meriden and Middletown, Conn. over Alternate U.S. Highway 6; Route 514 between New Haven and Centerbrook, Conn., (a) over Connecticut Highway 80 and (b) from New Haven over U.S. Highway 1 to East Haven, thence over Connecticut Highway 100 to Foxon, thence over Connecticut Highway 80 to Centerbrook, and return over the same route; Route 515 between Old Saybrook and Hartford, Conn., over Connecticut Highway 9; Route 516 between North Branford and Stony Creek, Conn., from North Branford over Connecticut Highway 139 to junction unnumbered highway, thence over unnumbered highway to Stony Creek, and return over the same route; Route 517 between Madison and North Madison, Conn., over Connecticut Highway 79; Route 518 between Deep River, Conn., and junction unnumbered highway and Connecticut Highway 80 west of Deep River, over unnumbered highway; Route 519 between Old Lyme and Norwich, Conn., from Old Lyme over Connecticut Highway 156 to New London, thence over Connecticut Highway 32 to Norwich, and return over the same route.

Route 520 between Norwich and Middletown, Conn., from Norwich over Con-

necticut Highway 2 to Colchester, thence over Connecticut Highway 16 to junction Alternate U.S. Highway 6, thence over Alternate U.S. Highway 6 to Middletown, and return over the same route; Route 521 between Tylerville and Willimantic, Conn., from Tylerville over Connecticut Highway 82 to East Haddam, thence over Connecticut Highway 149 to junction Connecticut Highway 16, thence over Connecticut Highway 16 to Colchester, thence over Connecticut Highway 85 to Hebron, thence over Alternate U.S. Highway 6 to junction U.S. Highway 6, thence over U.S. Highway 6 to Willimantic, and return over the same route; Route 522 between Norwich and Willimantic, Conn., from Norwich over Connecticut Highway 2 to Yantic, thence over Connecticut Highway 32 to Willimantic, and return over the same route; Route 523 between Norwich and North Franklin, Conn., from Norwich over Connecticut Highway 12 to junction Connecticut Highway 97, thence over Connecticut Highway 97 to Baltic, thence over Connecticut Highway 207 to North Franklin, and return over the same route; Route 524 between Jewett City, Conn., and junction Connecticut Highway 164 and Connecticut Highway 2 over Connecticut Highway 164; Route 525 between Colchester and Hartford, Conn., over Connecticut Highway 2; Route 526 between Willimantic and Thompsonville, Conn., from Willimantic over Connecticut Highway 32 to junction Connecticut Highway 190, thence over Connecticut Highway 190 to Thompsonville, and return over the same route; Route 527 between Hartford, Conn., and Springfield, Mass., over Alternate U.S. Highway 5; Route 528 between North Granby, and Stafford Springs, Conn., from North Granby over Connecticut Highway 189 to Granby, thence over Connecticut Highway 20 to junction Connecticut Highway 140, thence over Connecticut Highway 140 by Ellington (also from Ellington over unnumbered highway to junction Connecticut Highway 83, thence over Connecticut Highway 83 to junction Connecticut Highway 74, thence over Connecticut Highway 74 to junction Connecticut Highway 30, thence over Connecticut Highway 30 to junction Connecticut Highway 140, thence over Connecticut Highway 140) to Stafford Springs, and return over the same route; Route 529 between Manchester and Tolland, Conn., (a) from Manchester over Connecticut Highway 83 to junction Connecticut Highway 30, thence over Connecticut Highway 30 to junction Connecticut Highway 74, thence over Connecticut Highway 74 to Tolland, and return over the same route, and (b) from Manchester over Connecticut Highway 83 to junction Connecticut Highway 74, thence over Connecticut Highway 74 to Tolland, and return over the same route.

Route 530 between Hartford and Thomaston, Conn., over U.S. Highway 6; Route 531 between Thomaston and Litchfield, Conn., over Connecticut Highway 254; Route 532 between Middletown and Bristol, Conn., over Connecticut Highway 72; Route 533 between Hartford and Torrington, Conn., (a) over

Connecticut Highway 4 and (b) from Hartford over Connecticut Highway 4 to junction Connecticut Highway 179, thence over Connecticut Highway 179 to junction Connecticut Highway 25, thence over Connecticut Highway 25 to Torrington, and return over the same route; Route 534 between Hartford and Winsted, Conn., over U.S. Highway 44; Route 535 between Unionville and Avon, Conn., from Unionville over Connecticut Highway 167 to West Avon, thence over unnumbered highway to Avon, and return over the same route; Route 536 between Granby and Winsted, Conn., from Granby over Connecticut Highway 20 to junction Connecticut Highway 219, thence over Connecticut Highway 219 to junction Connecticut Highway 318, thence over Connecticut Highway 318 to junction U.S. Highway 44, thence over U.S. Highway 44 to Winsted, and return over the same route; Route 537 between East Windsor Hill and Weatogue, Conn., from East Windsor Hill over unnumbered highway by South Windsor, to junction Interstate Highway 291, thence over Interstate Highway 291 to Wilson, thence over Alternate U.S. Highway 5 to junction Connecticut Highway 178, thence over Connecticut Highway 178 to junction Connecticut Highway 185, thence over Connecticut Highway 185 to Weatogue, and return over the same route; Route 538 between Thompsonville and Windsor, Conn., from Thompsonville over Connecticut Highway 190 to junction Connecticut Highway 75, thence over Connecticut Highway 75 to Windsor, and return over the same route; Route 539 between Rocky Hill and Glastonbury, Conn., from Rocky Hill over Connecticut Highway 160 to South Glastonbury, thence over Connecticut Highway 17 to Glastonbury, and return over the same route; Route 540 between junction Interstate Highways 91 and 291 and junction Interstate Highway 291 and U.S. Highway 5 over Interstate Highway 291; Route 541 between junction Interstate Highways 91 and 491 and junction Interstate Highways 491 and 84 over Interstate Highway 491; Route 542 between Stafford Springs, Conn., and Palmer, Mass., from Stafford Springs over Connecticut Highway 32 to the Massachusetts-Connecticut State line, thence over Massachusetts Highway 32 to Palmer and return over the same route; Route 543 between Springfield and Griswoldville, Mass., from Springfield over U.S. Highway 5 (also over Interstate Highway 91) to Greenfield, thence over Massachusetts Highway 2 to junction Massachusetts Highway 112, thence over Massachusetts Highway 112 to Griswoldville, and return over the same route.

Route 544 between Springfield and Williamstown, Mass., (a) from Springfield over U.S. Highway 20 to Pittsfield, thence over Massachusetts Highway 8 to North Adams, thence over Massachusetts Highway 2 to Williamstown, and return over the same route, (b) from Springfield over Massachusetts Highway 33 (also over U.S. Highway 5) to junction Interstate Highway 90, thence over Interstate Highway 90 to Lee, thence

over U.S. Highway 20 to Pittsfield, thence to Williamstown as specified above, and return over the same route; and (c) from Springfield over U.S. Highway 5 (also over Interstate Highway 91) to Greenfield, thence over Massachusetts Highway 2 to Williamstown, and return over the same route; Route 545 between junction U.S. Highway 20 and Massachusetts Highway 102 near East Lee, Mass., and Sheffield, Mass., from junction U.S. Highway 20 and Massachusetts Highway 102 over Massachusetts Highway 102 to Stockbridge, thence over U.S. Highway 7 to Sheffield, and return over the same route; Route 546 between Winsted, Conn., and Sheffield, Mass., from Winsted over U.S. Highway 44 to junction U.S. Highway 7, thence over U.S. Highway 7 to Sheffield, and return over the same route; Route 547 between Westfield and Agawam, Mass., from Westfield over U.S. Highway 202 to junction Massachusetts Highway 57, thence over Massachusetts Highway 57 to Agawam, and return over the same route; Route 548 between Westfield, Mass., and Granby, Conn., over U.S. Highway 202; Route 549 between Springfield, Mass., and Warehouse Point, Conn., from Springfield over Massachusetts Highway 83 to East Longmeadow, thence over Massachusetts Highway 220 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 220 to junction Connecticut Highway 140, thence over Connecticut Highway 140 to Warehouse Point, and return over the same route; Route 550 between Springfield and Greenfield, Mass., from Springfield over Massachusetts Highway 33 to junction Massachusetts Highway 47, thence over Massachusetts Highway 47 by Hadley, to junction Massachusetts Highway 63, thence over Massachusetts Highway 63 to Millers Falls, thence over Massachusetts Highway 2A to Greenfield, and return over the same route; Route 551 between junction U.S. Highway 5 and Massachusetts Highway 116 and Sunderland, Mass., over Massachusetts Highway 116; Route 552 between Northampton and Hadley, Mass., over Massachusetts Highway 9; Route 553 between Holyoke and Northampton, Mass., from Holyoke over Massachusetts Highway 141 to Easthampton, thence over Massachusetts Highway 10 to Northampton, and return over the same route.

Route 554 between Westfield and Easthampton, Mass., over Massachusetts Highway 10; Route 555 between Holyoke and Palmer, Mass., from Holyoke over U.S. Highway 202 to Belchertown, thence over Massachusetts Highway 181 to Palmer, and return over the same route; Route 556 between Worcester and Palmer, Mass., (a) from Worcester over Massachusetts Highway 9 to Ware, thence over Massachusetts Highway 32 to Palmer, and return over the same route; (b) from Worcester over Massachusetts Highway 9 to junction Massachusetts Highway 67, thence over Massachusetts Highway 67 to junction U.S. Highway 20, thence over U.S. Highway 20 to Palmer, and return over the same route;

Route 557 between Worcester and Greenfield, Mass., (a) from Worcester over Massachusetts Highway 122 to junction Massachusetts Highway 2, thence over Massachusetts Highway 2 to Greenfield, and return over the same route; (b) from Worcester over Massachusetts Highway 122 to junction Massachusetts Highway 32, thence over Massachusetts Highway 32 to Athol, thence over Massachusetts Highway 2A to junction Massachusetts Highway 2, thence over Massachusetts Highway 2 to Greenfield, and return over the same route, and (c) from Worcester over Massachusetts Highway 122A to Rutland, thence over Massachusetts Highway 56 to Hubbardston, thence over Massachusetts Highway 68 to Gardner, thence over Massachusetts Highway 2 to Greenfield, and return over the same route; Route 558 between Gardner and Winchendon, Mass., from Gardner over Massachusetts Highway 68 to Baldwinville, thence over U.S. Highway 202 to Winchendon, and return over the same route; Route 559 between Winchendon and Worcester, Mass., (a) over Massachusetts Highway 12, and (b) from Winchendon over Massachusetts Highway 12 to junction Massachusetts Highway 140, thence over Massachusetts Highway 140 to junction Massachusetts Highway 12 near West Boylston, thence over Massachusetts Highway 12 to Worcester, and return over the same route; Route 560 between Barre and Sterling, Mass., over Massachusetts Highway 62; Route 561 between Fitchburg and Holden, Mass., over Massachusetts Highway 31; Route 562 between North Oxford and Leicester, Mass., over Massachusetts Highway 56; Route 563 between Worcester, Mass., and Providence, R.I., from Worcester over Massachusetts Highway 122 to Massachusetts-Rhode Island State line, thence over Rhode Island Highway 122 to Providence, and return over the same route, and (b) from Worcester over Massachusetts Highway 146 to Massachusetts-Rhode Island State line, thence over Rhode Island Highway 146 to Providence, and return over the same route.

Route 564 between Webster and Medford, Mass., over Massachusetts Highway 16; Route 565 between West Boylston and Milford, Mass., over Massachusetts Highway 140; Route 566 between Marlboro and Milford, Mass., over Massachusetts Highway 85; Route 567, between Northboro and Wellesley, Mass., over Massachusetts Highway 135; Route 568 between Holliston and Wayland, Mass., over Massachusetts Highway 126; Route 569 between Northboro and Pepperell, Mass., from Northboro over unnumbered highway to Berlin, thence over Massachusetts Highway 62 to Clinton, thence over Massachusetts Highway 110 to junction Massachusetts Highway 111, thence over Massachusetts Highway 111 to Pepperell, and return over the same route; Route 570 between Clinton and Ayer, Mass., over unnumbered highways by Shirley; Route 571 between Marlboro and Leominster, Mass., from Marlboro over Massachusetts Highway

85 to junction Massachusetts Highway 117, thence over Massachusetts Highway 117 to Leominster, and return over the same route; Route 572 between Fitchburg and Boston, Mass., (a) over Massachusetts Highway 2A, and (b) from Fitchburg over Massachusetts Highway 12 to junction Massachusetts Highway 2, thence over Massachusetts Highway 2 to Boston, and return over the same route; Route 573 between Hudson and Concord, Mass., over Massachusetts Highway 62; Route 574 between Harvard and Maynard, Mass., from Harvard over Massachusetts Highway 111 to junction Massachusetts Highway 27, thence over Massachusetts Highway 27 to Maynard, and return over the same route; Route 575 between Westminster and West Leominster, Mass., over Massachusetts Highway 2; Route 576 between Boston and Lowell, Mass., (a) from Boston over Massachusetts Highway 3 to junction Massachusetts Highway 3A, thence over Massachusetts Highway 3 (also over Massachusetts Highway 3A) to Lowell, and return over the same route, and (b) over Massachusetts Highway 38; Route 577 between Lowell, Mass., and junction Massachusetts Highways 2A and 225 near Lunenburg; from Lowell over Massachusetts Highway 3A to North Chelmsford, thence over Massachusetts Highway 40 to Groton, thence over Massachusetts Highway 225 to junction Massachusetts Highway 2A, and return over the same route.

Route 578 between Wilmington and Billerica, Mass., from Wilmington over Massachusetts Highway 129 to junction unnumbered highway, thence over unnumbered highway to Billerica, and return over the same route; Route 579 between Wilmington, Mass., and junction Massachusetts Highways 62 and 3A near Pinehurst, over Massachusetts Highway 62; Route 580 between North Chelmsford and Tyngsboro, Mass., over Massachusetts Highway 4; Route 581 between Braintree and Gloucester, Mass., over Massachusetts Highway 128; Route 582 between Boston and Lawrence, Mass., (a) over Massachusetts Highway 28, and (b) from Boston over Massachusetts Highway 28 to junction Interstate Highway 93, thence over Interstate Highway 93 to junction Interstate Highway 495, thence over Interstate Highway 495 to Lawrence, and return over the same route; Route 583 between Lowell and Salisbury, Mass., over Massachusetts Highway 110; Route 584 between Boston and Salisbury, Mass., (a) over U.S. Highway 1, and (b) from Boston over U.S. Highway 1 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction Massachusetts Highway 110, thence over Massachusetts Highway 110 to Salisbury, and return over the same route; Route 585 between junction Massachusetts Highways 28 and 125 and Haverhill, Mass., over Massachusetts Highway 125; Route 586 between Waltham and Revere, Mass., over Massachusetts Highway 60; Route 587 between Revere and Newburyport, Mass., over Massachusetts Highway 1A; Route 588 between Boston, Mass., and Providence, R.I., (a) from Boston over Massachu-

setts Highway 28 by Randolph to Brockton, thence over Massachusetts Highway 123 to Massachusetts-Rhode Island State line, thence over Rhode Island Highway 123 to junction Rhode Island Highway 114, thence over Rhode Island Highway 114 to Providence, and return over the same route, and (b) from Boston over U.S. Highway 1 to Dedham, thence over U.S. Highway 1A to junction U.S. Highway 1 near Plainville, thence over U.S. Highway 1 to Providence, and return over the same route; Route 589 between Randolph and South Easton, Mass., from Randolph over Massachusetts Highway 139 to Stoughton, thence over Massachusetts Highway 138 to South Easton, and return over the same route.

Route 590 between Boston and Plymouth, Mass., (a) over Massachusetts Highway 3, and (b) over Massachusetts Highway 3A; Route 591 between Boston and Plainville, Mass., from Boston over Massachusetts Highway 3A to Quincy, thence over Massachusetts Highway 53 to Weymouth, thence over Massachusetts Highway 18 to Elmwood, thence over Massachusetts Highway 106 to Plainville, and return over the same route; Route 592 between Brockton and Plymouth, Mass., from Brockton over Massachusetts Highway 27 to junction Massachusetts Highway 3A, thence over Massachusetts Highway 3A to Plymouth, and return over the same route; Route 593 between Brockton and Weymouth, Mass., from Brockton over Massachusetts Highway 123 to Assinippi, thence over Massachusetts Highway 53 to Weymouth, and return over the same route; Route 594 between Norton and Wrentham, Mass., (a) over Massachusetts Highway 140 by Mansfield and Foxboro, and (b) also from Mansfield over unnumbered highway to E. Foxboro, thence over unnumbered highway to Foxboro, thence over Massachusetts Highway 140 to Wrentham, and return over the same route; Route 595 between Brockton and Dedham, Mass., from Brockton over Massachusetts Highway 27 to Medfield, thence over Massachusetts Highway 109 to Dedham, and return over the same route; Route 596 between Providence, R.I., and Plymouth, Mass., from Providence over U.S. Highway 44 by Taunton and Nemasquet, Mass. (also from Taunton over unnumbered highway by E. Taunton to Precinct, thence over Massachusetts Highway 105 to Nemasquet, thence over U.S. Highway 44) to Plymouth, and return over the same route; Route 597 between South Easton and Fall River, Mass., over Massachusetts Highway 138; Route 598 between East Providence, R.I., and Attleboro, Mass., from East Providence over Rhode Island Highway 152 to Rhode Island-Massachusetts State line, thence over Massachusetts Highway 152 to Attleboro, and return over the same route; Route 599 between Plymouth, Mass., and junction Massachusetts Highway 3 and U.S. Highway 6 at Cape Cod Canal, over Massachusetts Highway 3.

Route 600 between Providence, R.I., and Provincetown, Mass., from Providence over U.S. Highway 6 by New Bedford, Mass. (also over Interstate Highway 195 to New Bedford), to Prov-

incetown, and return over the same route; Route 601 between Providence and Newport, R.I., over Rhode Island Highway 114; Route 602 between Buzzards Bay and Falmouth, Mass., over Massachusetts Highway 28; Route 603 between junction U.S. Highway 6 and Rhode Island Highway 101 and junction U.S. Highway 44 and Connecticut Highway 32 near West Willington, Conn., from junction U.S. Highway 6 and Rhode Island Highway 101 over Rhode Island Highway 101 to Rhode Island-Connecticut State line, thence over Connecticut Highway 101 to junction U.S. Highway 44, thence over U.S. Highway 44 to junction Connecticut Highway 32, and return over the same route. Route 604 between Torrington, Conn., and junction U.S. Highway 20 and Massachusetts Highway 8 near East Lee, Mass., from Torrington over Connecticut Highway 8 to the Connecticut-Massachusetts State line, thence over Massachusetts Highway 8 to junction U.S. Highway 20, and return over the same route; Route 605 between junction U.S. Highway 44 and 44A near Warrenville, Conn., and junction U.S. Highways 44A and U.S. Highway 6 near Bolton Notch, Conn., over U.S. Highway 44A; Route 606 between Danbury and Canaan, Conn., over U.S. Highway 7; Route 607 between junction Massachusetts Highway 9 and Interstate Highway 495 and Salisbury, Mass., from junction Massachusetts Highway 9 and Interstate Highway 495 over Interstate Highway 495 to junction Massachusetts Highway 110, thence over Massachusetts Highway 110 to Salisbury, and return over the same route; Route 608 between Milford and Taunton, Mass., over Massachusetts Highway 140; Route 609 between junction Massachusetts Highways 128 and 24 and Fall River, Mass., over Massachusetts Highway 24; Route 610 between junction Interstate Highways 95 and 295 south of Providence, R.I., and junction Interstate Highways 95 and 295 north of Providence, over Interstate Highway 295; Route 611 between Lawrence and Salem, Mass., over Massachusetts Highway 114.

NOTE: Applicant states service over the foregoing routes is proposed to and from intermediate and off-route points as follows: (1) Service is proposed to and from all intermediate points in Massachusetts and to and from all other Massachusetts points as off-route points; (2) general commodities, without limitation, may be transported between points in Massachusetts; (3) in Rhode Island service is proposed to and from the intermediate and off-route points of Providence and points within 5 miles thereof restricted to shipments transported to, from, or through a point in New York; to and from points within 25 miles of but more than 5 miles from Providence, restricted to shipments transported to, from, or through a point on carrier's regular routes in Virginia on or south of U.S. Highway 58 or a point in West Virginia; and all other points in Rhode Island restricted to delivery of textiles and textile products transported from or through a point on carrier's routes in Virginia on

or south of U.S. Highway 58; and (4) to and from all intermediate and off-route points in Connecticut as follows: (a) To and from points within 20 miles of Springfield, Mass., in Connecticut, without limitation; and (b) to and from all other points in Connecticut restricted to shipments transported to, from, or through a point in New York State. Part II, Hudson Valley Area: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods* in 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading). Route 612 between Albany, N.Y., and Newark, N.J., from Albany over U.S. Highway 9W to Newburgh, thence over New York Highway 32 to junction New York Highway 17, thence over New York Highway 17 to New York-New Jersey State line, thence over New Jersey Highway 17 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction U.S. Highway 1, thence over U.S. Highway 1 to Newark, and return over the same route; Route 613 between Albany and New York, N.Y., over U.S. Highway 9; Route 614 between Newburgh and Kingston, N.Y., from Newburgh over New York Highway 300 to Walkill, thence over New York Highway 208 to New Paltz, thence over New York Highway 32 by junction New York Highway 213 (also from said junction over New York Highway 213) to Kingston, and return over the same route.

Route 615 between Newburgh and Kerhonkson, N.Y., from Newburgh over New York Highway 52 to Ellenville, thence over U.S. Highway 209 to Kerhonkson, and return over the same route; Route 616 between Kerhonkson and Poughkeepsie, N.Y., (a) over U.S. Highway 44 and (b) from Kerhonkson over U.S. Highway 44 to junction New York Highway 299, thence over New York Highway 299 to Highland, thence over U.S. Highway 44 to Poughkeepsie, and return over the same route; Route 617 between Kerhonkson and Kingston, N.Y., over U.S. Highway 209; Route 618 between Newburgh and Port Jervis, N.Y., from Newburgh over New York Highway 17K to Montgomery, thence over New York Highway 84 to Middletown, thence over U.S. Highway 6 to Port Jervis, and return over the same route; Route 619 between Middletown and Harriman, N.Y., from Middletown over New York Highway 84 to junction U.S. Highway 6, thence over U.S. Highway 6 to Harriman, and return over the same route; Route 620 between Middletown and Pine Bush, N.Y., over New York Highway 302; Route 621 between Newburgh, N.Y., and junction New York Highways 17 and 17A, from Newburgh over New York Highway 94 to Warwick, thence over New York Highway 17A to junction New York Highway 17, and return over the same route; Route 622 between Newburgh and Amenia, N.Y., (a) from Newburgh over New York Highway 52 to Stormville, thence over New York Highway 216 to junction New York Highway 55, thence

over New York Highway 55 to junction New York Highway 22, thence over New York Highway 22 to Amenia, and return over the same route; and (b) from Newburgh over New York Highway 52 to Beacon, thence over New York Highway 90 to junction U.S. Highway 9, thence over U.S. Highway 9 to Poughkeepsie, thence over U.S. Highway 44 to Amenia, and return over the same route; Route 623 between Amenia and Red Hook, N.Y., from Amenia over New York Highway 22 to junction New York Highway 199, thence over New York Highway 199 to Red Hook, and return over the same route; Route 624 between Newburgh and Peekskill, N.Y., (a) from Newburgh over U.S. Highway 9W to junction U.S. Highway 6, thence over U.S. Highway 6 to Peekskill, and return over the same route, and (b) from Newburgh over New York Highway 218 to junction U.S. Highway 9W, thence as specified above to Peekskill, and return over the same route; Route 625 between Peekskill, N.Y., and Danbury, Conn., over U.S. Highway 6.

Route 626 between Carmel and Ossining, N.Y., from Carmel over unnumbered highway to Croton Falls, thence over New York Highway 22 to Mount Kisco, thence over New York Highway 133 to Ossining, and return over the same route; Route 627 between Pawling and Croton Falls, N.Y., from Pawling over New York Highway 55 to junction New York Highway 22 thence over New York Highway 22 to Croton Falls, and return over the same route; Route 628 between Mount Kisco and Port Chester, N.Y., from Mount Kisco over New York Highway 117 to junction New York Highway 128, thence over New York Highway 128 to New York-Connecticut State line, thence over the Riversville Road to Glenville, thence over unnumbered highway to Connecticut-New York State line, thence over unnumbered highway to junction New York Highway 120A, thence over New York Highway 120A to Port Chester, and return over the same route, a.d. (b) from Mount Kisco over New York Highway 117 to junction New York Highway 120, thence over New York Highway 120 to junction New York Highway 120A, thence over New York Highway 120A to New York-Connecticut State line, thence over Connecticut Highway 120A to junction New York Highway 120A, thence over New York Highway 120A to Port Chester (also from junction New York Highways 120 and 120A over New York Highway 120 to junction New York Highway 119A, thence over New York Highway 119 to Rye, thence over U.S. Highway 1 to Port Chester, and return over the same route; Route 629 between Armonk and New York, N.Y., over New York Highway 22, Route 630 between Tarrytown and Port Chester, N.Y., over New York Highway 119 (also over Interstate Highway 287); Route 631 between White Plains and Mamaroneck, N.Y., (a) over New York Highway 127 and (b) over Mamaroneck Avenue; Route 632 between White Plains and Larchmont, N.Y., over New York Highway 125; Route 633 between New York and White Plains, N.Y., over New York

Highway 100; Route 634 between North Tarrytown, N.Y., and junction New York Highways 117 and 120 near Chappaqua, N.Y., over New York Highway 117; Route 635 between Ossining and New York, N.Y., from Ossining over New York Highway 9A to Yonkers, thence over New York Highway 9 to New York, and return over the same route; Route 636 between junction New York Highways 9A and 100 near Hawthorne, N.Y., and Hartsdale, N.Y., from junction New York Highways 9A and 100 over New York Highway 100 to junction New York Highway 100A, thence over New York Highway 100A to Hartsdale, and return over the same route.

Route 637 between North Tarrytown, N.Y., and junction New York Highways 9A and 100B; from North Tarrytown over unnumbered highways by Eastview to junction New York Highway 100C, thence over New York Highway 100C to junction New York Highway 100, thence over New York Highway 100 to junction New York Highway 100B, thence over New York Highway 100B to junction New York Highway 9A, and return over the same route. Note: Applicant states service over the above routes is proposed as follows: (1) In New Jersey, serving all intermediate points and the off-route points of East Orange, Passaic, Englewood, Hackensack, Montclair, and Paterson, N.J., (2) in New York, serving as intermediate and off-route points, points in Dutchess, Orange, Ulster, Putnam, and Westchester Counties; and (3) in Connecticut serving all intermediate points. Part III, Pennsylvania, New Jersey, and Metropolitan New York City Area: *General commodities* (except those of unusual value, classes A and B 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), Route 638 between New York, N.Y., and Philadelphia, Pa., (a) over U.S. Highway 1 (also over Interstate Highway 95), and (b) from New York, as specified above, to junction U.S. Highway 1 and U.S. Highway 130, thence over U.S. Highway 130 to Camden, N.J., thence across the Delaware River to Philadelphia, and return over the same route, (c) from New York by the Lincoln Tunnel, thence over New Jersey Highway 3 to New Jersey Turnpike (also by Holland Tunnel, thence over Business U.S. Highway 1 and by the New Jersey Turnpike Extension to the New Jersey Turnpike), thence over the New Jersey Turnpike to Interchange 4, thence over New Jersey Highway 73 and the Tacony Bridge to Philadelphia (also from Interchange 4 over New Jersey Highway 73 to junction New Jersey Highway 38, thence over New Jersey Highway 38 to Camden, thence across the Ben Franklin or Walt Whitman Bridges to Philadelphia) and return over the same route; (d) from New York over the George Washington Bridge, thence over Interstate Highway 95 (also over U.S. Highway 1) to the New Jersey Turnpike, thence to Philadelphia as specified above and return over the same route, and (e)

from New York over U.S. Highway 22 to Somerville, N.J., thence over U.S. Highway 202 to Doylestown, Pa., thence over U.S. Highway 611 to Philadelphia, and return over the same route.

Route 639 between New York, N.Y., and Phillipsburg, Pa., (a) from New York over U.S. Highway 46 to Hackettstown, N.J., thence over New Jersey Highway 57 to junction New Jersey Highway 24, thence over New Jersey Highway 24 to Phillipsburg, and return over the same route and (b) from New York to Newark, as specified above, thence over U.S. Highway 22 by Still Valley, N.J. (also from Still Valley over Alternate U.S. Highway 22) (also over Interstate Highway 78), to Phillipsburg, and return over the same route; Route 640 between New York, N.Y., and Totowa, N.J., from New York over the George Washington Bridge, thence over New Jersey Highway 4 (also over Interstate Highway 80) to Totowa, and return over the same route; Route 641 between Newark, N.J., and junction New Jersey Highway 3 and U.S. Highway 46 at Clifton, N.J., over New Jersey Highway 17; Route 642 between Newark and Sussex, N.J., over New Jersey Highway 23; Route 643 between Newark and Danville, N.J., from Newark over New Jersey Highway 24 to Morristown, thence over New Jersey Highway 53 to Danville, and return over the same route; Route 644 between Newark, N.J., and junction U.S. Highway 46 and New Jersey Highway 10 near Ledgewood, N.J., over New Jersey Highway 10; Route 645 between Newark and New Brunswick, N.J., over New Jersey Highway 27; Route 646 between Jersey City and Waldwick, N.J., from Jersey City over New Jersey Highway 7 to Belleville, thence over New Jersey Highway 21 to junction New Jersey Highway 20, thence over New Jersey Highway 20 to Paterson, thence over Maple Avenue to Hohokus, thence over Sheridan Avenue to Waldwick, and return over the same route; Route 647 between New Brunswick and Trenton, N.J., (a) from New Brunswick over New Jersey Highway 27 to Princeton, thence over U.S. Highway 206 to Trenton, and return over the same route, and (b) from New Brunswick over New Jersey Highway 18 to Middlesex, thence over New Jersey Highway 28 to Somerville, thence over U.S. Highway 206 to Trenton, and return over the same route; Route 648 between Somerville, N.J., and junction U.S. Highway 202 and New Jersey Highway 17, over U.S. Highway 202 (also over Interstate Highway 287); Route 649 between Bedminster and Hamburg, N.J., from Bedminster over U.S. Highway 206 to junction New Jersey Highway 94, thence over New Jersey Highway 94 to Hamburg, and return over the same route.

Route 650 between Bound Brook and Bernardsville, N.J., (a) over New Jersey Secondary Highway 525 and (b) from Bound Brook over New Jersey Secondary Highway 527 by Warrenville and Basking Ridge to junction U.S. Highway 202, thence over U.S. Highway 202 to Bernardsville, and return over the same route; Route 651 between Summit and Livingston, N.J., over New Jersey Sec-

ondary Highway 527; Route 652 between Livingston, N.J., and junction New Jersey Highway 23 and New Jersey Secondary Highway 527 near Singac, N.J., over New Jersey Secondary Highway 527; Route 653 between Verona, N.J., and junction U.S. Highway 46 and New Jersey Secondary Highway 506, over New Jersey Secondary Highway 506; Route 654 between Newark and Glen Ridge, N.J., from Newark over New Jersey Highway 21 to junction New Jersey Secondary Highway 506, thence over New Jersey Secondary Highway 506 to Glen Ridge, and return over the same route; Route 655 between Ridgefield and Rockleigh, N.J., over New Jersey Secondary Highway 501; Route 656 between Ridgefield Park and Park Ridge, N.J., from Ridgefield Park over New Jersey Secondary Highway 505 to junction unnumbered highway, thence over unnumbered highway to Park Ridge, and return over the same route; Route 657 between Rahway and Toms River, N.J., (a) from Rahway over New Jersey Highway 35 to Seaside Heights, thence over New Jersey Highway 37 to junction New Jersey Secondary Highway 549, thence over New Jersey Secondary Highway 549 to Toms River, and return over the same route, (b) from Rahway, as specified above, to Eatontown, thence over New Jersey Highway 71 by Belmar to junction New Jersey Highway 34, thence over New Jersey Highway 34 to junction New Jersey Highway 88, thence over New Jersey Highway 88 to junction New Jersey Highway 70 (also from Belmar over New Jersey Highway 35 to junction New Jersey Highway 70), thence over New Jersey Highway 70 to Lakehurst, thence over New Jersey Highway 37 to Toms River, and return over the same route, and (c) from Rahway over U.S. Highway 9 (also over the Garden State Parkway) to Toms River (also over U.S. Highway 9 to junction New Jersey Secondary Highway 522, thence over New Jersey Secondary Highway 522 to Freehold, thence over New Jersey Highway 79 to junction U.S. Highway 9 to Toms River), and return over the same route.

Route 658 between New Brunswick, N.J., and junction New Jersey Highway 18 and U.S. Highway 9, over New Jersey Highway 18; Route 659 between New Brunswick and South Amboy, N.J., from New Brunswick over New Jersey Highway 18 to junction New Jersey Secondary Highway 535, thence over New Jersey Secondary Highway 535 to South Amboy, and return over the same route; Route 660 between Old Bridge, N.J., and junction New Jersey Highway 35 and New Jersey Secondary Highway 516, over New Jersey Secondary Highway 516; Route 661 between Camden and Lakehurst, N.J., over New Jersey Highway 70; Route 662 between junction U.S. Highway 9 and New Jersey Highway 34 and junction New Jersey Highway 34 and New Jersey Highway 35, over New Jersey Highway 34; Route 663 between Penns Neck and Asbury Park, N.J., from Penns Neck over New Jersey Secondary Highway 571 to Highstown, thence over New Jersey Highway 33 to Asbury Park, and return over the same route; Route 664

between Interchange 7 of the New Jersey Turnpike and Trenton, N.J., over U.S. Highway 206; Route 665 between Trenton and Somerville, N.J., from Trenton over New Jersey Highway 29 to Lambertville, thence over U.S. Highway 202 to Somerville, and return over the same route; Route 666 between Phillipsburg, N.J., and Philadelphia, Pa., (a) from Phillipsburg over U.S. Highway 22 to Easton, Pa., thence over U.S. Highway 611 to Philadelphia, and return over the same route, and (b) from Phillipsburg over U.S. Highway 22 to junction Pennsylvania Highway 191, thence over Pennsylvania Highway 191 to junction U.S. Highway 309, thence over U.S. Highway 309 to Philadelphia, and return over the same route; Route 667 between Philadelphia and New Hope, Pa., (a) from Philadelphia over U.S. Highway 13 to Morrisville, thence over Pennsylvania Highway 32 to New Hope, and return over the same route and (b) from Philadelphia over Pennsylvania Highway 532 to Newton, thence over Pennsylvania Highway 413 to junction Pennsylvania Highway 232, thence over Pennsylvania Highway 232 to New Hope, and return over the same route; Route 668 between Hackettstown and Washington, N.J., from Hackettstown over U.S. Highway 46 to junction New Jersey Highway 69, thence over New Jersey Highway 69 to Washington, and return over the same route.

Route 669 between Newton, N.J., and junction New Jersey Highways 23 and 517; from Newton over unnumbered highway to junction Alternate New Jersey Highway 517, thence over Alternate New Jersey Highway 517 to junction New Jersey Highway 517, thence over New Jersey Highway 517 to junction New Jersey Highway 23, and return over the same route; Route 670 between Newton and Great Meadows, N.J., from Newton over New Jersey Highway 94 to Blairstown, thence over New Jersey Highway 521 to Hope, thence over unnumbered highway to Great Meadows, and return over the same route; Route 671 between Dover and Montague, N.J., from Dover over New Jersey Highway 15 to Ross Corner, thence over U.S. Highway 206 to Montague, and return over the same route; Route 672 between Dover and Chester, N.J., over New Jersey Highway 513; Route 673 between Chester and Morristown, N.J., over New Jersey Highway 24; Route 674 between Madison, N.J., and junction Ridgedale Avenue and New Jersey Highway 10, from Madison over Ridgedale Avenue to Florham Park, thence over Ridgedale Avenue (also over Hanover Road), to junction New Jersey Highway 10, and return over the same route; Route 675 between Morristown and Newark, N.J., over New Jersey Highway 510; Route 676 between Morristown, N.J., and junction Moores Turnpike and New Jersey Highway 10, from Morristown over Sussex Avenue to Mount Freedom, thence over Carroll Road to junction Moores Turnpike, thence over Moores Turnpike to junction New Jersey Highway 10, and return over the same route; Route 677 between Newfoundland, N.J., and junction U.S. High-

way 23 and Alternate New Jersey Highway 511, from Newfoundland over New Jersey Highway 513 to junction New Jersey Highway 511, thence over New Jersey Highway 511 to junction Alternate New Jersey Highway 511 near Pompton Lakes, thence over Alternate New Jersey Highway 511 to junction New Jersey Highway 23, and return over the same route; Route 678 between Paterson, N.J., and junction New Jersey Highways 23 and 511 near Butler, N.J., from Paterson over New Jersey Highway 504 to junction U.S. Highway 202, thence over U.S. Highway 202 to Pompton, thence over unnumbered highway to junction New Jersey Highway 511, thence over New Jersey Highway 511 to junction New Jersey Highway 23, and return over the same route.

Route 679 between junction New Jersey Highways 3 and 20 and Paterson, N.J., from junction New Jersey Highways 3 and 20 over New Jersey Highway 3 to Passaic, thence over Main Avenue to Paterson, and return over the same route; Route 680 between Rockleigh and Englewood, N.J., from Rockleigh over Paris Avenue to junction New Jersey Highway 503, thence over New Jersey Highway 503 to Englewood, and return over the same route; Route 681 between Dumont and Alpine, N.J., from Dumont over New Jersey Highway 502 to junction U.S. Highway 9W, thence over U.S. Highway 9W to Alpine, and return over the same route; Route 682 between Park Ridge and Alpine, N.J., from Park Ridge over Park Avenue to Prospect Avenue, thence over Prospect Avenue to Riverdale Road, thence over Riverdale Road to Poplar Road, thence over Poplar Road, to Washington Avenue, thence over Washington Avenue to Tappan Road, thence over Tappan Road, to Central Avenue, thence over Central Avenue to Branch Avenue, thence over Branch Avenue to Closter Dock Road, thence over Closter Dock Road to Alpine, and return over the same route; Route 683 between Ridgewood and West Mahwah, N.J., over New Jersey Highway 507; Route 684 between Park Ridge and Ramsey, N.J., from Park Ridge over New Jersey Highway 505 to Grand Avenue, thence over Grand Avenue to Chestnut Ridge Road, thence over Chestnut Ridge Road to Lake Street, thence over Lake Street to junction New Jersey Highway 507, thence over New Jersey Highway 507 to junction Ramsey Road, thence over Ramsey Road to Ramsey, and return over the same route; Route 685 between junction New Jersey Highways 3 and 20 and Hackensack, N.J., from junction New Jersey Highways 3 and 20 over New Jersey Highway 20 to junction Washington Avenue, thence over Washington Avenue to junction Moonachie Road, thence over Moonachie Road to Little Ferry, thence over Liberty Street to Hudson Street, thence over Hudson Street to Hackensack, and return over the same route; Route 686 between Park Ridge and Hackensack, N.J., from Park Ridge over Broadway to Westwood, N.J., thence over Washington Avenue to junction Kinderamack Road, thence over Kinderamack Road to Hackensack, and return over

the same route; Route 687 between Washington and Flemington, N.J., over New Jersey Highway 69.

Route 688 between Clinton and Phillipsburg, N.J., from Clinton over New Jersey Highway 513 to Frenchtown, thence over New Jersey Highway 519 to Phillipsburg, and return over the same route; Route 689 between New Brunswick, N.J., and junction U.S. Highway 202 and New Jersey Highway 567, from New Brunswick over New Jersey Highway 514 to junction New Jersey Highway 567, thence over New Jersey Highway 567 to junction U.S. Highway 202, and return over the same route; Route 690 between junction U.S. Highway 22 and New Jersey Highway 533 and junction U.S. Highway 202 and New Jersey Highway 533, over New Jersey Highway 533; Route 691 between Ringoes, N.J., and junction New Jersey Highways 518 and 27; from Ringoes over New Jersey Highway 69 to junction New Jersey Highway 518, thence over New Jersey Highway 518 to junction New Jersey Highway 27, and return over the same route; Route 692 between Trenton, N.J., and junction New Jersey Highways 69 and 518 near Woodsville, N.J., over New Jersey Highway 69; Route 693 between junction New Jersey Highways 69 and 546 and U.S. Highway 206, over New Jersey Highway 546; Route 694 between Phillipsburg and Buttzville, N.J., from Phillipsburg over New Jersey Highway 24 to junction New Jersey Highway 519, thence over New Jersey Highway 519 to junction U.S. Highway 46, thence over U.S. Highway 46 to Buttzville, and return over the same route; Route 695 between Frenchtown and Flemington, N.J., over New Jersey Highway 12; Route 696 between Milburn and Liberty Corner, N.J., over New Jersey Highway 512; Route 697 between Neshanic and Ringoes, N.J., over New Jersey Highway 514; Route 698 between junction New Jersey Highways 35 and 36 near Keyport, N.J., and Asbury Park, N.J., over New Jersey Highway 36; Route 699 between Hightstown and Lakehurst, N.J., from Hightstown over New Jersey Highway 571 to junction New Jersey Highway 547, thence over New Jersey Highway 547 to Lakehurst, and return over the same route; Route 700 between Old Bridge and Toms River, N.J., over New Jersey Highway 527.

Route 701 between Princeton and Sea Bright, N.J., from Princeton over New Jersey Highway 571 to Penns Neck, thence over unnumbered highway by Plainsboro, to junction New Jersey Highway 535, thence over New Jersey Highway 535 to junction New Jersey Highway 520, thence over New Jersey Highway 520 to Sea Bright, and return over the same route; Route 702 between Freehold and Long Branch, N.J., over New Jersey Highway 537; Route 703 between Bound Brook and Elizabeth, N.J., over New Jersey Highway 28; Route 704 between South Plainfield and Westfield, N.J., over New Jersey Highway 509; Route 705 between Perth Amboy and Watchung, N.J., from Perth Amboy over New Jersey Highway 501 by Metuchen, to junction New Jersey Highway 529, thence over New Jersey Highway 529 (also from Metuchen

over New Jersey Highway 531) to Watchung, and return over the same route; Route 706 between New Brunswick and Keyport, N.J., from New Brunswick over New Jersey Highway 18 to junction New Jersey Highway 516, thence over New Jersey Highway 516 to Keyport, and return over the same route. Note: Service over the foregoing routes is proposed at all intermediate and the off-route points in Hudson, Essex, Union, Bergen, Passaic, Middlesex, Hunterdon, Ocean, Morris, Sussex, Warren, Somerset, Mercer, and Monmouth Counties and Camden, N.J.; and all off-route points in Bucks and Northampton Counties, Pa.; Route 707 between Newark and Perth Amboy, N.J., over New Jersey Highway 440 by Staten Island; Route 708 between South Amboy, N.J., and junction New Jersey Highways 522 and 518 near Rocky Hill, N.J., from South Amboy over unnumbered highway by Old Bridge, Spotswood, and Helmetta to Jamesburg, thence over New Jersey Highway 522 to Junction New Jersey Highway 518, and return over the same route. Item A: Serving York, Pa., as an off-route point in connection with carrier's regular-route operations in MC-31389 and subnumbered dockets, and as proposed herein, restricted to origination of shipments of general commodities, as defined above, and delivery of shipments of textiles and textile products.

Part IV, East South Routes: General commodities (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, in 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), Route 709 between junction U.S. Highways 40 and 13 and Interstate Highway 95, near Wilmington, Del., Elizabeth, Rocky Mount and Winston-Salem, N.C., and Danville, Va., from said junction near Wilmington over U.S. Highway 13 to junction U.S. Highway 17, thence over U.S. Highway 17 to Elizabeth, serving intermediate points in North Carolina only and restricted to delivery only; Route 710 from said junction near Wilmington to Elizabeth City, as above, thence over U.S. Highway 17 to junction U.S. Highway 64, thence over U.S. Highway 64 to Rocky Mount, serving intermediate points in North Carolina only and restricted to delivery only; Route 711 from said junction near Wilmington over U.S. Highway 13 to junction U.S. Highway 58, thence over U.S. Highway 58 to junction Virginia Highway 189, thence over Virginia Highway 189 to junction U.S. Highway 258, thence over U.S. Highway 258 to Lawrence, N.C., thence over North Carolina Highway 97 to Rocky Mount, serving intermediate points in North Carolina only and restricted to delivery only; Route 712 from said junction near Wilmington over U.S. Highway 40 to Baltimore, Md., thence over U.S. Highway 1 to Washington, D.C. (also from junction U.S. Highway 1 and Interstate Highway 495 north of Washington over Interstate Highway 495 to junction Virginia Highway 350 south of Washington),

thence over Virginia Highway 350 to junction U.S. Highway 1, thence over U.S. Highway 1 to Richmond, Va., thence over U.S. Highway 301 (also from said junction near Wilmington over Interstate Highway 95, by Richmond, Va., to junction U.S. Highway 64, thence over U.S. Highway 64) to Rocky Mount, and return, serving all intermediate points restricted to shipments transported to, from or through a place in North Carolina.

Route 713 from said junction near Wilmington, to Richmond as in 712 above, thence over U.S. Highway 360 to junction Virginia Highway 304, thence over Virginia Highway 304 to junction U.S. Highway 58, thence over U.S. Highway 58 to Danville, Va., thence over U.S. Highway 29 to Reidsville, N.C., thence over U.S. Highway 158 to Winston-Salem, and return, serving all intermediate points other than those between Richmond, Va., and Danville, Va., not inclusive, restricted to shipments transported to, from or through a place in North Carolina or to, from or through Danville, Va. Item A: Service over the foregoing routes is proposed at off-route points in North Carolina more than 100 miles from, and east of a north-south line drawn through, High Point, N.C., and on or north of U.S. Highway 76 restricted to delivery only. Part V, Authority Within North Carolina: General commodities (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Route 800 between Winton and Rich Square, N.C., from Winton over U.S. Highway 13 to Ahoskie, thence over North Carolina Highway 561 to Rich Square, and return over the same route; Route 801 between Rocky Mount and Elizabeth City, N.C., from Rocky Mount over North Carolina Highway 97 to Lawrence, thence over U.S. Highway 258 to Murfreesboro (also from Rocky Mount over U.S. Highway 301 to Weldon), thence over U.S. Highway 158 to Elizabeth City, and return over the same route; Route 802 between Windsor and Ahoskie, N.C., over U.S. Highway 13; Route 803 between Williamston and Elizabeth City, N.C., over U.S. Highway 17; Route 804 between Bethel and Belhaven, N.C., from Bethel over North Carolina Highway 33 to Washington, thence over U.S. Highway 264 to Belhaven, and return over the same route; Route 805 between Greenville and Washington, N.C., over U.S. Highway 264; Route 806 between Williamston and Columbia, N.C., over U.S. Highway 64.

Route 807 between Williamston and New Bern, N.C., over U.S. Highway 17; Route 808 between Rocky Mount and Norlina, N.C., over North Carolina Highway 43; Route 809 between Norlina and Weldon, N.C., over U.S. Highway 158; Route 810 between Rocky Mount and Roanoke Rapids, N.C., over North Carolina Highway 48; Route 811 between Jackson and Windsor, N.C., from Jackson over North Carolina Highway 305 to junction North Carolina Highway 308, thence over North Carolina Highway 308 to Windsor, and return over the same route; Route 812 between Rocky Mount

and Greenville, N.C., over North Carolina Highway 43; Route 813 between Lawrence and Goldsboro, N.C., from Lawrence over U.S. Highway 258 to Snow Hill, thence over U.S. Highway 13 to Goldsboro, and return over the same route; Route 814 between Zebulon and Wilson, N.C., over U.S. Highway 264; Route 815 between junction U.S. Highway 64 and North Carolina Highway 231 near Spring Hope and Middlesex, N.C., over North Carolina Highway 231; Route 816 between Fremont and Bailey, N.C., from Fremont over North Carolina Highway 222 to junction North Carolina Highway 581, thence over North Carolina Highway 581 to Bailey, and return over the same route; Route 817 between Wilson and Goldsboro, N.C., over U.S. Highway 117; Route 818 between Grifton, N.C., and junction U.S. Highway 17 and North Carolina Highway 118 near Vanceboro, N.C., over North Carolina Highway 118; Route 819 between New Bern and Jacksonville, N.C., over U.S. Highway 17; Route 820 between Kinston and Mount Olive, N.C., from Kinston over North Carolina Highway 55 to junction unnumbered highway, thence over unnumbered highway to Mount Olive, and return over the same route; Route 821 between Kinston and Pollocksville, N.C., over North Carolina Highway 58; Route 822 between Kinston and Wallace, N.C., from Kinston over North Carolina Highway 11 to Pink Hill, thence over unnumbered highway to Beulaville, thence over North Carolina Highway 41 to Wallace, and return over the same route; Route 823 between Roseboro and Garland, N.C., over North Carolina Highway 411; Route 824 between Fayetteville and Goldsboro, N.C., over U.S. Highway 13.

Route 825 (this number omitted intentionally); Route 826 between Wilson and Kinston, N.C., from Wilson over North Carolina Highway 58 to Snow Hill, thence over U.S. Highway 258 (also over North Carolina Highway 91) to Kinston, and return over the same route; Route 827 between Jacksonville and Wilmington, N.C., over U.S. Highway 17; Route 828 between Kinston and Warsaw, N.C., from Kinston over North Carolina Highway 11 to Kenansville, thence over North Carolina Highway 24 to Warsaw, and return over the same route; Route 829 between Warsaw and Wilmington, N.C., over U.S. Highway 117; Route 830 between Faison and Elizabethtown, N.C., from Faison over North Carolina Highway 403 to Clinton, thence over North Carolina Highway 701 to Elizabethtown, and return over the same route; Route 831 between Lumberton and Chadburn, N.C., over U.S. Highway 74; Route 832 between New Bern and Beaufort, N.C., over U.S. Highway 70; Route 833 between Lumberton and Wallace, N.C., over North Carolina Highway 41; Route 834 between Warsaw and Morehead, N.C., over North Carolina Highway 24; Route 835 between Lumberton and Charlotte, N.C., over U.S. Highway 74. Item: (A) Service in connection with the foregoing regular routes in this part is proposed as follows: (a) To and from the termini named, all intermediate points, and the off-route

points more than 100 miles from, and east of a north-south line drawn through High Point, N.C., restricted to shipments transported to, from or through Asheville or Charlotte, Monroe or Wadesboro, N.C., or a South Carolina point and (b) to the termini named, all intermediate points, and the off-route points more than 100 miles from, and east of a north-south line drawn through, High Point, N.C., which are on or north of U.S. Highway 76, which are not transported to, from or through Asheville, Charlotte, Monroe, Wadesboro or a South Carolina point, restricted to delivery of shipments transported from or through York or Philadelphia, Pa., Baltimore, Md., or Charleston, W. Va., or Pittsburgh, Pa.

(B) Service is proposed at the off-route points in North Carolina more than 100 miles from High Point, N.C., which are east of a north-south line drawn through High Point, N.C., in connection with carrier's regular-routes in North Carolina within said defined area authorized in certificates issued in MC-31389 dated July 26, 1956, MC 31389 Sub 37 dated August 9, 1955, and MC 31389 Sub 40 dated August 11, 1955, restricted (a) to shipments transported to, from or through Asheville, Charlotte, Monroe, or Wadesboro, N.C., or a South Carolina point, or (b) to delivery of shipments transported from or through Philadelphia or York, Pa., Baltimore, Md., Charleston, W. Va., or Pittsburgh, Pa.

(C) Service is proposed at the off-route points in North Carolina within 100 miles of High Point, N.C., in connection with carrier's regular-routes in North Carolina within 100 miles of High Point authorized in certificates issued in MC 31389 dated July 26, 1956, MC 31389 Sub 40 dated August 11, 1956, and MC 31389 Sub 43 dated August 11, 1957, and as proposed herein. (D) Service is proposed to and from the intermediate and off-route points in that part of Virginia beginning at the Virginia-North Carolina State line, and those in that part of Virginia south and east of a line beginning at the Virginia-North Carolina State line and extending along U.S. Highway 220 to Roanoke, thence along U.S. Highway 460 to junction U.S. Highway 360, thence along U.S. Highway 360 to Richmond, and thence along U.S. Highway 60 to Norfolk, including points on the indicated portions of the highways specified, in connection with the following of the carrier's presently authorized regular routes:

(a) Between Greensboro, N.C., and Lynchburg, Va., over U.S. Highway 29; (b) between Lynchburg, Va., and Roanoke, Va., over U.S. Highway 460; (c) between Greensboro, N.C., and Roanoke, Va., over U.S. Highway 220; (d) between Henderson, N.C., and Richmond, Va., over U.S. Highway 1; (e) between Petersburg, Va., and Rocky Mount, N.C., over U.S. 301; (f) between Norfolk, Va., and Elizabeth City, N.C., over U.S. Highway 17; and (g) between Norfolk, Va., and Rocky Mount, N.C., over U.S. Highway 17, U.S. Highway 58, Virginia Highway 189, and U.S. Highway 258, restricted to shipments transported to,

from or through Charlotte, N.C., or a point within 50 miles of Hartsville, S.C. (E) Serving Roxboro, N.C., as an off-route point, in connection with carrier's regular-route operations to and from points in North Carolina, restricted to shipments of textiles and textile products to or through a point in Connecticut. (F) Serving Rutherfordton, N.C., as an authorized off-route point to U.S. Highway 64 in North Carolina, restricted to delivery of shipments of wool stock transported from or through Boston, Mass. Part VI, Authority Between North Carolina and South Carolina: General commodities (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Route 836 between Wilmington, N.C., and Myrtle Beach, S.C., over U.S. Highway 17; Route 837 between Whiteville, N.C., and Conway, S.C., over U.S. Highway 701; Route 838 between Chadbourne, N.C., and Conway, S.C., from Chadbourne over North Carolina Highway 410 to junction U.S. Highway 701, thence over U.S. Highway 701 to Conway, and return over the same route; Route 839 between Wilmington, N.C., and Hartsville, S.C., from Wilmington over U.S. Highway 76 to Florence, S.C., thence over U.S. Highway 52 to Darlington, thence over South Carolina Highway 34 to junction South Carolina Highway 151, thence over South Carolina Highway 151 to Hartsville, and return over the same route; Route 840 between Lumberton, N.C., and junction U.S. Highways 76 and 301 near Pee Dee, S.C., over U.S. Highway 301.

Route 841 between Fayetteville, N.C., and Hartsville, S.C., from Fayetteville over U.S. Highway 401 to Laurinburg, thence over U.S. Highway 15 to Hartsville, and return over the same route; Route 842 between Laurinburg, N.C., and Cheraw, S.C., from Laurinburg over North Carolina Highway 79 to the North Carolina-South Carolina State line, thence over South Carolina Highway 79 to junction South Carolina Highway 383, thence over South Carolina Highway 383 to junction South Carolina Highway 9, thence over South Carolina Highway 9 to Cheraw, and return over the same route; Route 843 (a) between Henderson, N.C., and Cheraw, S.C., from Henderson over U.S. Highway 158 to Oxford, thence over U.S. Highway 15 (also from Henderson over U.S. Highway 1) to Northview, thence over U.S. Highway 1 to junction North Carolina Highway 177 near Marston, thence over North Carolina Highway 177 to the North Carolina-South Carolina State line, thence over South Carolina Highway 177 to Cheraw, and return over the same route, and (b) between Greensboro, N.C., and Cheraw, S.C., from Greensboro over U.S. Highway 220 to Rockingham, thence over U.S. Highway 1 to Cheraw, and return over the same route; Route 844 between Winston-Salem, N.C., and Patrick, S.C., from Winston-Salem over U.S. Highway 52 to Lexington, thence over North Carolina Highway 8 (also over U.S. Highway 52) to junction North Carolina Highway 8 and U.S. Highway 52 near New London, thence over U.S. Highway 52 to Wades-

boro, thence over North Carolina Highway 742 to North Carolina-South Carolina State line, thence over South Carolina Highway 742 to Chesterfield, thence over South Carolina Highway 102 to Patrick, and return over the same route; Route 845 between Charlotte, N.C., and Cheraw, S.C., from Charlotte over U.S. Highway 74 to Wadesboro, thence over U.S. Highway 52 to Cheraw and return over the same route.

Route 846 between Hendersonville, N.C., and Sumter, S.C., from Hendersonville over U.S. Highway 176 by Spartanburg and Jonesville, S.C., to Columbia, S.C., thence over U.S. Highway 378 (also from Jonesville over South Carolina Highway 9 to Chester, thence over U.S. Highway 321 to Rockton, thence over South Carolina Highway 34 to Camden, thence over U.S. Highway 521) to Sumter, and return over the same route; Route 847 between Asheville, N.C., and Lancaster, S.C., from Asheville over U.S. Highway 74 to Charlotte, thence over U.S. Highway 21 to Pineville, N.C., thence over U.S. Highway 521 to Lancaster, S.C., and return over the same route; Route 848 between Hickory, N.C., and Lancaster, S.C., from Hickory over U.S. Highway 321 to Chester, S.C., thence over South Carolina Highway 9 to Lancaster, and return over the same route. NOTE:

Service is proposed in connection with the foregoing regular routes as follows: (A) In North Carolina, service is proposed to and from (1) the termini named, all intermediate points, and the off-route points more than 100 miles from, and east of a north-south line drawn through, High Point, N.C., and on or south of U.S. Highway 76, restricted to shipments transported to, from or through Richmond, Va., Asheville, Charlotte, Monroe, or Wadesboro, N.C., or a South Carolina point within 50 miles of Hartsville, S.C.; (2) the termini named, all intermediate points and the off-route points, all within 100 miles of High Point, N.C., without restriction; (3) the termini named, all intermediate points, and the off-route points more than 100 miles from and west of a north-south line drawn through High Point, N.C., restricted to shipments transported to, from or through Charlotte or Winston-Salem, N.C., Columbia, S.C., or a South Carolina point within 50 miles of Hartsville, S.C.

(B) In South Carolina service is proposed to and from (1) the termini named, all intermediate points and the off-route points, all within 50 miles of Hartsville, S.C., without restriction; (2) the termini named, intermediate points, and the off-route points, all in Newberry, Saluda, McCormick, Edgefield, Aiken, Lexington, Calhoun, Orangeburg, Dorchester, Charleston, Collector, Beaufort, Jasper, Hampton, Berkeley, Allendale, Barnwell, and Georgetown Counties, S.C., and those in Lancaster, Fairfield, Kershner, Richland, Sumter, Clarendon, Florence, Harry, Marion, and Williamsburg Counties, S.C., more than 50 miles from Hartsville, S.C., restricted to shipments transported to, from or through Columbia, S.C., a point within 50 miles of Hartsville, S.C., Asheville, Charlotte, Winston-

Salem, Greensboro, Durham, or Henderson, N.C., or Richmond, Va. Route 849 between Asheville, N.C., and North Augusta, S.C., over U.S. Highway 25. Service is proposed at the intermediate and off-route points in Edgefield and McCormick Counties, S.C., and serving Greenville, S.C., for joinder only, restricted to shipments transported to, from or through Asheville, Charlotte, Winston-Salem, Greensboro, Durham, or Henderson, N.C., or Richmond, Va.; Route 850 between Asheville, N.C., and Columbia, S.C., from Asheville over U.S. Highway 25 to junction U.S. Highway 176, thence over U.S. Highway 176 (also from Asheville over Interstate Highway 26) to Columbia, and return over the same route. Service is proposed at the intermediate and off-route points in Newberry, Lexington and Richland Counties, S.C., and serving Spartanburg, S.C., for joinder only, restricted to shipments transported to, from or through Asheville, Charlotte, Winston-Salem, Greensboro, Durham, or Henderson, N.C., or Richmond, Va.; Route 851 between Asheville, N.C., and Charleston, S.C., over Interstate Highway 26, serving no intermediate points.

Part VII, South Carolina and Georgia: General commodities (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), Route 852 between Cheraw, S.C., and Augusta, Ga., over U.S. Highway 1; Route 853 between Patrick, S.C., and Savannah, Ga., from Patrick over South Carolina Highway 102 to Hartsville, thence over U.S. Highway 15 by Rosinville to Walterboro, thence over U.S. Highway 17A to junction U.S. Highway 17, thence over U.S. Highway 17 to junction U.S. Highway 17A, thence over U.S. Highway 17 (also over U.S. Highway 17A) to Savannah, and return over the same route; Route 854 between Chester, S.C., and Augusta, Ga., from Chester over South Carolina Highway 72 to Whitmire, thence over South Carolina Highway 19 to junction U.S. Highway 25 near Trenton, S.C., thence over U.S. Highway 25 to Augusta, and return over the same route; Route 855 between Columbia, S.C., and Washington, Ga., over U.S. Highway 378; Route 856 between Augusta, Ga., and McCormick, S.C., from Augusta over Georgia Highway 28 to the Georgia-South Carolina State line, thence over South Carolina Highway 28 to Clarks Hill, thence over U.S. Highway 221 to McCormick, and return over the same route; Route 857 between Columbia, S.C., and Savannah, Ga., from Columbia over U.S. Highway 321 by Denmark (also from Denmark over U.S. Highway 78 to Bamberg), thence over U.S. Highway 601 to junction U.S. Highway 321, thence over U.S. Highway 321 to junction U.S. Highway 17, thence over U.S. Highway 17 to Savannah, and return over the same route; Route 858 between Cheraw and Charleston, S.C., from Cheraw over U.S. Highway 52 by Florence, to junction U.S. Highways 52 and 176 near Goose Creek, thence over U.S. Highway 176 (also from

Florence over South Carolina Highway 51 to Kingsburg, thence over South Carolina Highway 41 to junction U.S. Highway 17, thence over U.S. Highway 17) to Charleston, and return over the same route.

Route 859 between Lancaster and Nichols, S.C., over South Carolina Highway 9; Route 860 between Marion and Myrtle Beach, S.C., over U.S. Highway 501; Route 861 between Sumter and Conway, S.C., over U.S. Highway 378; Route 862 between Sumter and Georgetown, S.C., over U.S. Highway 521; Route 863 between Florence and Columbia, S.C., over U.S. Highway 76; Route 864 between Sumter and Lancaster, S.C., over U.S. Highway 521; Route 865 between Lugoff and Norway, S.C., from Lugoff over U.S. Highway 601 to Orangeburg, thence over South Carolina Highway 400 to Norway, and return over the same route; Route 866 between Camden and Timmonsville, S.C., from Camden over South Carolina Highway 34 to Bishopville, thence over South Carolina Highway 341 to junction U.S. Highway 401, thence over U.S. Highway 401 to junction South Carolina Highway 403, thence over South Carolina Highway 403 to Timmonsville, and return over the same route; Route 867 between Kershaw and Chesterfield, S.C., from Kershaw over U.S. Highway 601 to junction South Carolina Highway 265, thence over South Carolina Highway 265 to junction South Carolina Highway 9, thence over South Carolina Highway 9 to Chesterfield, and return over the same route; Route 868 between Kershaw and Pageland, S.C., over U.S. Highway 601; Route 869 between Georgetown and Myrtle Beach, S.C., from Georgetown over U.S. Highway 17 (also from Georgetown over U.S. Highway 701 to Conway, thence over U.S. Highway 501) to Myrtle Beach, and return over the same route; Route 870 between Georgetown and Walterboro, S.C., from Georgetown over U.S. Highway 17A (also from Georgetown over U.S. Highway 17 to Jacksonboro, thence over South Carolina Highway 64) to Walterboro, and return over the same route; Route 871 between Kingstree, S.C., and junction South Carolina Highway 527 and U.S. Highway 378, over South Carolina Highway 527; Route 872 between Jacksonboro, S.C., and junction U.S. Highways 17 and 17A near Yemassee, S.C., over U.S. Highway 17.

Route 873 between Gardens Corner, and Parris Island Marine Base, S.C., from Gardens Corner over U.S. Highway 21 to Beaufort, thence over South Carolina Highway 281 to junction unnumbered highways, thence over unnumbered highways to Parris Island Marine Base, and return over the same route; Route 874 between North Augusta and Yemassee, S.C., over South Carolina Highway 28; Route 875 between Allendale and Walterboro, S.C., from Allendale over South Carolina Highway 641 to junction South Carolina Highway 64, thence over South Carolina Highway 64 to Walterboro, and return over the same route; Route 876 between Olar and Barnwell, S.C., over South Carolina Highway 64;

Route 877 between Orangeburg, S.C., and junction U.S. Highways 21 and 17A near Yemassee, S.C., over U.S. Highway 21; Route 878 between Aiken and Denmark, S.C., over U.S. Highway 78; Route 879 between Beach Island and the Savannah River Plant of the Atomic Energy Commission, over unnumbered highway by Jackson; Route 880 between Barnwell, S.C., and the Savannah River Plant of the Atomic Energy Commission, over South Carolina Highway 64; Route 881 between junction U.S. Highways 21 and 176 south of Columbia, S.C., and junction U.S. Highways 176 and 178 near Goose Creek, S.C., over U.S. Highway 176, serving all intermediate points; Route 882 between Augusta and Madison, Ga., over U.S. Highway 278 by Thomson; Route 883 between Thomson and Athens, Ga., over U.S. Highway 78 by Washington; Route 884 between Union Point and Washington, Ga., over Georgia Highway 44; Route 885 between Augusta and Statesboro, Ga., over U.S. Highway 25 by Waynesboro; Route 886 between Waynesboro and Swainsboro, Ga., over Georgia Highway 56.

Route 887 between Statesboro and Savannah, Ga., over U.S. Highway 80; Route 888 between Warrenton and Milledgeville, Ga., from Warrenton over Georgia Highway 16 to Sparta, thence over Georgia Highway 22 to Milledgeville, and return over the same route; Route 889 between Washington and Hartwell, Ga., from Washington over Georgia Highway 17 to Elberton, thence over Georgia Highway 77 to Hartwell, and return over the same route. Note: Service is proposed in connection with the foregoing regular routes as follows: (A) In South Carolina, service is proposed to and from (1) the termini named, all intermediate points and the off-route points, all within 50 miles of Hartsville, S.C., without restriction; (2) the termini named, intermediate points, and the off-route points, all in Newberry, Saluda, McCormick, Edgefield, Aiken, Lexington, Calhoun, Orangeburg, Dorchester, Charleston, Collector, Beaufort, Jasper, Hampton, Berkeley, Allendale, Barnwell, and Georgetown Counties, S.C., and those in Lancaster, Fairfield, Kershaw, Richland, Sumter, Clarendon, Florence, Harry, Marion, and Williamsburg Counties, S.C., more than 50 miles from Hartsville, S.C., restricted to shipments transported to, from or through Columbia, S.C., a point within 50 miles of Hartsville, S.C., Asheville, Charlotte, Winston-Salem, Greensboro, Durham, or Henderson, N.C., or Richmond, Va. (B) In Georgia, service is proposed to and from the termini named, all intermediate points and off-route points in that part of Georgia north and east of a line beginning at Savannah, and extending along U.S. Highway 80 to Swainsboro, thence along U.S. Highway 1 to Louisville, thence along Georgia Highway 24 to Eatonton, thence along U.S. Highway 129 to junction U.S. Highway 29, thence along U.S. Highway 29 to the Georgia-South Carolina State line, restricted to shipments transported to, from or through Columbia, S.C., a point within

50 miles of Hartsville, S.C., Asheville, Charlotte, Winston-Salem, Greensboro, Durham, or Henderson, N.C., or Richmond, Va.

Part VIII, Central—South Area: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, in 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), Route 890 from Indianapolis, Ind., to Lenoir, N.C.; from Indianapolis over regular routes presently authorized in MC 31389 Sub 61 to Corbin, Ky., thence over U.S. Highway 25E (also over U.S. Highway 25W) to Newport, Tenn., thence over U.S. Highway 70 to Morganton, N.C., thence over North Carolina Highway 18 to Lenoir, serving the intermediate point of Marion, N.C. **NOTE:** Duplication of authority will be eliminated; Route 891 from Henderson, N.C., to Richmond, Ind., from Henderson over U.S. Highway 158 to Yanceyville, thence over North Carolina Highway 86 to the Virginia-North Carolina State line, thence over Virginia Highway 86 to Danville, thence over U.S. Highway 58 to Martinsville, thence over U.S. Highway 220 to Roanoke, thence over Virginia Highway 311 to junction U.S. Highway 60, thence over U.S. Highway 60 to St. Albans, W. Va., thence over U.S. Highway 35 to Richmond, Ind., serving no intermediate points; Route 892 from Henderson, N.C., to Jeffersonville, Ind., from Henderson to St. Albans, as in Route 891 above, thence over U.S. Highway 60 to Louisville, Ky., thence over U.S. Highway 31 to Jeffersonville, serving no intermediate points; Route 893 from Richmond, Va., to Bluefield, W. Va., from Richmond over U.S. Highway 360 to junction Virginia Highway 307, thence over Virginia Highway 307 to junction U.S. Highway 460, thence over U.S. Highway 460 by Lynchburg (also from Richmond over U.S. Highway 60 to Amherst, Va., thence over U.S. Highway 29 to Lynchburg, thence over U.S. Highway 460) to Bluefield, W. Va., serving intermediate points in West Virginia.

Route 894 from Richmond, Va., to Charleston, W. Va., from Richmond over U.S. Highway 60 to Charleston, serving no intermediate points. **NOTE:** Serving Columbia City, Ind., and Portland, Ind., as intermediate and off-route points in connection with carrier's regular-route operations in Indiana, restricted to shipments transported from or by Fayetteville or Dunn, N.C.; Part IX, Central Area: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (A) between Pittsburgh, Pa., and East Liverpool, Cleveland, Sandusky, Fremont, and Toledo, Ohio, and Fort Wayne, Ind., (1) from Pittsburgh over U.S. Highway 30 by Chester, W. Va. (also from Pittsburgh over Pennsylvania Highway 65 to Rochester, Pa., thence over Pennsylvania Highway 68 to the Pennsylvania-Ohio State line, thence

over Ohio Highway 39), to East Liverpool, and return over the same route; (2) from Pittsburgh over U.S. Highway 30 to Lisbon, Ohio, thence over Ohio Highway 45 to Salem, Ohio (also from Pittsburgh over Pennsylvania Highway 65 to Rochester, Pa., thence over Pennsylvania Highway 51 to the Pennsylvania-Ohio State line, thence over Ohio Highway 14 to Salem), thence over Ohio Highway 14A to Deerfield, thence over Ohio Highway 14 by Edinburg to Cleveland, and return over the same route; (3) from Pittsburgh to Edinburg, Ohio, as above, thence over Ohio Highway 18 to Norwalk, Ohio (also from Lisbon over U.S. Highway 30 to Wooster, Ohio), thence over U.S. Highway 250 to Sandusky, and return over the same route; (4) from Pittsburgh to Norwalk, Ohio, as above (also from Deerfield over U.S. Highway 224 to junction U.S. Highway 250, thence over U.S. Highway 250 to Norwalk) thence over U.S. Highways 6 and 20 to Fremont, and return over the same route.

(5) From Pittsburgh over U.S. Highway 19 to junction Interstate Highway 80S (also from Pittsburgh over Pennsylvania Highway 51 to Rochester, thence over Pennsylvania Highway 65 to New Brighton, thence over Pennsylvania Highway 18 to junction Interstate Highway 80S), thence over Interstate Highway 80S to junction Interstate Highway 80, thence over Interstate Highway 80 to interchange No. 6, thence over Ohio Highway 53 to Fremont, and return over the same route; (6) from Pittsburgh to Fremont, Ohio, as above, thence over U.S. Highway 20 to junction Interstate Highway 280 (also from Pittsburgh to interchange No. 6 of Interstate Highway 80, thence over Interstate Highway 80 to junction Interstate Highway 280), thence over Interstate Highway 280 to Toledo, and return over the same route; (7) from Pittsburgh to Salem, Ohio, as above, thence over U.S. Highway 62 to Canton (also from Pittsburgh over U.S. Highway 30 to Canton, as above), thence over U.S. Highway 30 to junction U.S. Highways 30N and 30S near Mansfield, thence over U.S. Highway 30N to junction U.S. Highway 30S near Delphos, thence over U.S. Highway 30 to Fort Wayne, Ind., and return over the same route. **NOTE:** Service is proposed to and from all intermediate points in Pennsylvania and West Virginia. (B) between Pittsburgh, Pa., and Cincinnati, Portsmouth, Ironton, and Coal Grove, Ohio; (8) from Pittsburgh over U.S. Highway 19 to Washington, Pa., thence over U.S. Highway 40 by Wheeling, W. Va., to junction U.S. Highway 22, thence over U.S. Highway 22 by Circleville, Ohio, to Cincinnati, and return over the same route; (9) from Pittsburgh over Pennsylvania Highway 50 to junction Interstate Highway 79, thence over Interstate Highway 79 to junction Interstate Highway 70, thence over Interstate Highway 70 by Wheeling, W. Va., to Cincinnati, and return over the same route; (10) from Pittsburgh to Circleville, as above, thence over U.S. Highway 23 to Portsmouth, and return over the same route;

(11) from Pittsburgh by Wheeling, W. Va., to Bridgeport, Ohio, as above, thence over Ohio Highway 7 to Ironton, and return over the same route.

(12) From Pittsburgh to Wheeling, W. Va., as above, thence over West Virginia Highway 2 to Parkersburg, thence over U.S. Highway 50 to junction Ohio Highway 7, thence over Ohio Highway 7 to Ironton, and return over the same route. **NOTE:** Service is proposed to and from all intermediate points in Pennsylvania, Wheeling, W. Va., and Bridgeport, Bellaire, and Coal Grove, Ohio. Item A: Serving Benwood, Glendale, McMechen, and Moundsville, W. Va., points on Ohio Highway 7 between Bridgeport and East Liverpool, Ohio, inclusive and those on West Virginia Highway 2 between Chester and Wheeling, W. Va., not on carrier's regular routes, as off-route points in connection with carrier's proposed (routes 1 through 12 above) and authorized regular route operations. Item B: Serving points in that part of West Virginia bounded by a line beginning at the West Virginia-Pennsylvania State line and extending along U.S. Highway 30 to junction West Virginia Highway 2, thence along West Virginia Highway 2 to junction West Virginia Secondary Highway 3, thence along West Virginia Secondary Highway 3 to junction West Virginia Highway 66, thence along West Virginia Highway 66 to junction U.S. Highway 30, thence along U.S. Highway 30 to the West Virginia-Ohio State line, thence along the West Virginia-Ohio State line to the West Virginia-Pennsylvania State line, and thence along the West Virginia-Pennsylvania State line to the point of beginning, including points on the highways named, as intermediate and off-route points in connection with carrier's proposed Route 1 above.

Item C: Serving points in that part of Pennsylvania bounded by a line beginning at the Ohio-Pennsylvania State line, near New Bedford, Pa., and extending along U.S. Highway 422 to junction unnumbered highway (formerly portion U.S. Highway 422) thence along unnumbered highway by Walkchick, Pa., to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to junction U.S. Highway 119, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line, thence along the Pennsylvania-West Virginia State line to the Pennsylvania-Ohio State line, thence along the Pennsylvania-Ohio State line to point of beginning, as intermediate and off-route points in connection with carrier's authorized regular-route operations to and from Pittsburgh, Pa. Item F: *Classes a and b explosives, and general commodities* (except commodities of unusual value, household goods as defined by the Commission, commodities in bulk, those requiring special equipment and livestock), (a) serving points within 25 miles of Cincinnati, Ohio, in Ohio and Kentucky, as intermediate and off-route points in connection with carrier's authorized regular-route operations between Lexington, Ky., and Cincinnati, Ohio, over U.S. Highway 25 and Kentucky Highway 17;

(b) serving off-route points in Fayette, Jessamine, Woodford, Scott, Bourbon, Nicholas, Montgomery, Clark, Estill Lee, Owsley, Rockcastle, Boyle, Gannard, Mercer, Franklin, and Anderson Counties, Ky., in connection with carrier's authorized regular-route operations between Cincinnati, Ohio, and Lexington, Ky., and those in Fayette County, Ky., in connection with carrier's authorized regular-route operations to and from Louisville, Ky.; (c) serving Addyston, Cheriot, Deer Park, Elmwood Place, Lockland, Mariemont, Norwood, Reading, Red Bank, St. Bernard, Silverton, and Wyoming, Ohio, as intermediate and off-route points in connection with carrier's authorized regular-route operations to and from Cincinnati.

Item D General commodities, including classes A and B explosives (but excluding commodities of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Loogootee, Ind., and Naval Ammunition Depot near Burns City, Ind., (a) from Loogootee over Indiana Highway 45 to junction Indiana Highway 645, thence over Indiana Highway 645 to Naval Ammunition Depot, and return over the same route, serving no intermediate points, and (b) from Loogootee over Indiana Highway 45 to junction Indiana Highway 558, thence over Indiana Highway 558 to Naval Ammunition Depot and return over the same route, serving no intermediate points; (C) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), between points in Pennsylvania as follows: (13) From Pittsburgh over Pennsylvania Highway 28 to Kittanning, and return over the same route; (14) from Pittsburgh over Pennsylvania Highway 8 to Butler, and return over the same route; (15) from Pittsburgh over Pennsylvania Highway 65 to New Castle, and return over the same route; (16) from Pittsburgh over U.S. Highway 19 to junction U.S. Highway 422, and return over the same route; (17) from New Washington, and return over the same route; (18) from Kittanning over U.S. Highway 422 to the Pennsylvania-Ohio State line, and return over the same route; (19) from Pittsburgh over U.S. Highway 30 to Greensburg, and return over the same route; (20) from junction Pennsylvania Highway 65 and Interstate Highway 80S over Interstate Highway 80S to New Stanton Interchange, and return over the same route; (21) from Greensburg over U.S. Highway 119 to junction Interstate Highway 70, thence over Interstate Highway 70S to Washington, and return over the same route.

(22) From Greensburg over Pennsylvania Highway 136 (formerly Pennsylvania Highway 71) to West Newton, thence over Pennsylvania Highway 31 to the Pennsylvania-West Virginia State line, and return over the same route; (23) from Butler over Pennsylvania Highway 68 to Rochester, and return over the same route; (24) from Kittan-

ning over Pennsylvania Highway 66 to junction Alternate Pennsylvania Highway 66, thence over Alternate Pennsylvania Highway 66 (also over Pennsylvania Highway 66) to North Vandergrift, thence over Pennsylvania Highway 66 to Greensburg, and return over the same route; (25) from Butler over Pennsylvania Highway 356 to junction Pennsylvania Highway 66 near North Washington, and return over the same route; (26) from junction Pennsylvania Highways 28 and 56 near Springdale over Pennsylvania Highway 56 to junction Pennsylvania Highway 66 near Vandergrift, and return over the same route; (27) from Greensburg over U.S. Highway 119 to the Pennsylvania-West Virginia State line, and return over the same route; (28) from Pittsburgh over U.S. Highway 22 to junction Pennsylvania Highway 66, and return over the same route; (29) from Pittsburgh over Pennsylvania Highway 130 to Greensburg, and return over the same route; (30) from Uniontown over U.S. Highway 40 to Washington, and return over the same route; (31) from Pittsburgh over Pennsylvania Highway 88 to Point Marion, and return over the same route; (32) from West Newton over Pennsylvania Highway 31 to Ruffs Dale, and return over the same route; (33) from Washington over U.S. Highway 19 to the Pennsylvania-West Virginia State line, and return over the same route.

(34) From Waynesburg over Pennsylvania Highway 21 to Uniontown, and return over the same route; (35) from Pittsburgh over Pennsylvania Highway 50 to Independence, and return over the same route; (36) from New Castle, Pa., over Pennsylvania Highway 168 to junction Pennsylvania Highway 18 near Frankford Springs, and return over the same route; (37) from New Castle over Pennsylvania Highway 108 to junction Pennsylvania Turnpike at the Ohio-Pennsylvania State line, and return over the same route; (38) from Pittsburgh over Pennsylvania Highway 60 to Corapolis, and return over the same route; (39) from junction U.S. Highway 30 and Pennsylvania Highway 151 north of Kendall over Pennsylvania Highway 151 to junction Pennsylvania Highway 51 near South Heights, and return over the same route; (40) from Pittsburgh over Pennsylvania Highway 519 to junction U.S. Highway 19, thence over U.S. Highway 19 to Washington, and return over the same route. **NOTE:** This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 73464 (Sub-No. 95) (Amendment), filed March 1, 1965, published *FEDERAL REGISTER* issue of June 30, 1965, amended December 6, 1965, and republished, as amended, this issue. Applicant: JACK COLE COMPANY, a corporation, 1900 Vanderbilt Road, Birmingham, Ala. Applicant's representative: James E. Wilson, 1735 K Street NW.,

Washington, D.C., 20006. In the above-numbered application for conversion of irregular routes to regular routes, filed March 1, 1965, applicant requests that the following described routes be included in said conversion application: Between Birmingham, Ala., and Atlanta, Ga.; (1) from Birmingham over U.S. Highway 78 to Atlanta, (2) from Birmingham as specified in (1) above, to Tallapoosa, Ga., thence over Georgia Highway 120 to junction U.S. Highway 278, and thence over U.S. Highway 278 to Atlanta, (3) from Birmingham over Interstate Highway 20 to Atlanta, (4) from Birmingham over U.S. Highway 78 and Interstate Highway 20 to Atlanta, (5) from Birmingham as specified in (4) above to Heflin, Ala., thence over Alabama Highway 46 to the Alabama-Georgia State line, and thence over Georgia Highway 166 to Atlanta, and (6) from Birmingham over U.S. Highway 11 to Gadsden, Ala., thence over U.S. Highway 411 to Cass, Ga., and thence over U.S. Highway 41 to Atlanta, and return over the same routes, serving all intermediate and off-route points within 15 miles of Birmingham, and all intermediate and off-route points in Georgia on traffic moving to or from points in Alabama. **NOTE:** The purpose of this republication is to add the above-described routes. This application is filed pursuant to MC-C-4366, effective May 1, 1964, which provides the special rules for conversion of irregular route to regular motor carrier operations. **SPECIAL NOTE:** Protests to this application may be filed within 45 days instead of 30 days.

No. MC 109515 (Sub-No. 8), filed November 24, 1965. Applicant: OZELLA KIMBROUGH HARRINGTON, doing business as KIMBROUGH TRUCKING COMPANY, Post Office Box 604, Benson, Ariz. Applicant's representative: Earl H. Carroll, 363 North First Avenue, Phoenix, Ariz., 85003. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate solution*, from Curtiss, Ariz., to Kennecott Copper Corp., Chino Mines Division near Santa Rita, N. Mex. **NOTE:** Applicant states the above proposed operation will be conducted for Apache Powder Co., Curtiss, Ariz.

No. MC 113024 (Sub-No. 51), filed November 23, 1965. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. Applicant's representative: Samuel W. Earnshaw, 333 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, attachments, and accessories therefore*, for account of Universal-Rundle Corp., of New Castle, Pa., from plant sites of Universal-Rundle Corp., New Castle, Pa., and Camden, N.J., to Atlanta, Augusta, and Macon, Ga.; Birmingham, Montgomery, Decatur, and Gadsden, Ala.; Chattanooga, Memphis, Johnson City, and Knoxville, Tenn.; Charleston, Columbia, and Spartanburg, S.C.; Kinston, Raleigh, Wilson, North Wilkesboro, Winston-Salem, and Charlotte, N.C.

No. MC 127717, filed November 15, 1965. Applicant: Y. HIGA ENTERPRISES, LIMITED, 2150 North Nimitz Highway, Honolulu, Hawaii. Applicant's representative: Katsugo Miho, Fourth Floor, Finance Factors Building, 195 South King Street, Honolulu, Hawaii, 96813. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities, including household goods*, (1) between points on the Island of Oahu, Hawaii, and (2) between the port of Honolulu, Hawaii, on the one hand, and, on the other, points in the United States. **NOTE:** Applicant states it proposes to serve seaports and airports located on the mainland of the United States.

No. MC 127753, filed November 19, 1965. Applicant: AALCO EXPRESS COMPANY, INC., 3514 Goodfellow Avenue, St. Louis, Mo. Applicant's representative: Ernest A. Brooks II, 1301-02 Ambassador Building, St. Louis, Mo., 63101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Furnaces, sheet metal ducts, metal guttering and roofing materials, and related parts, materials and supplies* when moving in conjunction therewith (except commodities, which because of size or weight, require special equipment), from the plantsite of Souther Steel & Aluminum Co. at St. Louis, Mo., to points in Madison and St. Clair Counties, Ill. **NOTE:** Applicant states that the above proposed operation will be conducted under continuing contract with Souther Steel & Aluminum Co. of St. Louis, Mo. Applicant is also authorized to conduct operations as a common carrier in Certificate No. 30824 and subs thereunder, therefore dual operations may be involved.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-13385; Filed, Dec. 15, 1965;
8:45 a.m.]

[Notice 857]

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

DECEMBER 12, 1965.

The following application is governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b), of the Interstate Commerce Act, and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIER OF PROPERTY

No. MC-F-9276 (Correction) (TRANSCON LINES—PURCHASE—KRAMER-CONSOLIDATED FREIGHT LINES, INC.), published in the December 8, 1965, issue of the FEDERAL REGISTER on page 15193. The purpose of this notice is to include in the operating rights sought to be transferred, the State of Indiana, which was inadvertently omitted in the prior notice.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.
[P.R. Doc. 65-13444; Filed, Dec. 15, 1965;
8:48 a.m.]

[Notice 1272]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 13, 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.

No. MC-FC-68189. By order of December 9, 1965, Transfer Board approved the transfer to McIntire Brothers, Inc., Knox, Indiana, of the operating rights of Rentschler Grain Co., Inc., Rochester, Ind., in certificates Nos. MC-125215 (Sub-No. 1) and MC-125215 (Sub-No. 3), issued September 25, 1963, and September 1, 1965, respectively, authorizing the transportation, over irregular routes, of tomatoes, pulpboard boxes, and empty tin cans, machinery, canned goods, livestock, agricultural commodities, feed, and fertilizer, household goods and emigrant movables, from, to, and between specified points in Indiana, Michigan, Ohio, Pennsylvania, Illinois, and of nitrogen fertilizer solution and ammoniating solution, from the storage terminal of Southern Nitrogen Company, Inc., at or near Fulton, Ind., to points in Illinois, Ohio, and the Lower Peninsula of Michigan. Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind., 46204, attorney for applicants.

No. MC-FC-68316. By order of December 9, 1965, Transfer Board approved the transfer to Kelley & Hawes Express, Inc., Winchester, Mass., of the operating rights in certificates Nos. MC-31262 and MC-31262 (Sub-No. 2) issued June 10, 1941, and September 16, 1965, to James M. Bruno, doing business as Kelley & Hawes Express, Winchester, Mass., authorizing the transportation, over irregular routes, of: *General commodities, with the usual exceptions, between specified counties in Massachusetts*. Eugene F. Murphy, 11 Beacon Street, Boston, Mass., 02108, attorney for applicants.

No. MC-FC-68340. By order entered December 9, 1965, Transfer Board approved the transfer to Rush Delivery Service, Inc., 1 Monsignor O'Brien Highway, Box 6, East Cambridge, Mass., of the certificate of registration No. MC-85625 (Sub-No. 1), issued December 23,

1963, to Dann C. Wyman, doing business as Rush Delivery Service, 1 Monsignor O'Brien Highway, Box 6, East Cambridge, Mass., evidencing a right to engage in interstate or foreign commerce in the transportation of: *General commodities, within Massachusetts*.

No. MC-FC-68343. By order of December 9, 1965, Transfer Board approved the transfer to Leander M. Harris, Chad McGee, James A. Bell, Gerald J. McGee, E. A. McVey, Dudley Fox, and Donald R. McGee, a partnership, doing business as Sierrita Mining & Ranching Co., Box 25-A, Sasabe Star Route, Tucson, Ariz., 85700, of the operating rights of Leander M. Harris, Chad McGee, James A. Bell, Gerald J. McGee, L. L. McGee, E. A. McVey, Dudley Fox, C. E. Harris, and Donald R. McGee, a partnership, doing business as Sierrita Mining & Ranching Co., Box 25-A, Sasabe Star Route, Tucson, Ariz., 85700, in certificate of registration No. MC-99175 (Sub-No. 1), issued September 2, 1965, authorizing the transportation, of all types of ore and mining timbers, within a 35-mile radius of Sahuarita, Ariz., stipulated to stay south of line drawn east and west 5 miles south of Tucson.

No. MC-FC-68346. By order of December 9, 1965, Transfer Board approved the transfer to Prange Transfer Co., Inc., Pleasantville, Iowa, of certificate No. MC-78214, issued May 15, 1950, to C. G. Prange, doing business as Prange Transfer Co., Pleasantville, Iowa, authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over regular routes, between Pleasantville, Iowa, and Des Moines, with service authorized to and from all intermediate points; between Des Moines, Iowa, and Williamson, Iowa, with service authorized to and from the intermediate and off-route points of Melcher, Dallas, and Columbia, Iowa; between junction Iowa Highways 60 and 181 and Gosport, Iowa, with service authorized to and from the intermediate point of Knoxville, Iowa; and between the junction of Iowa Highways 14 and 253 over Iowa Highway 14 to Chariton, and return over the same route with no service authorized to or from intermediate points. Claire G. Prange, 504 Jefferson Street, Pleasantville, Iowa, 50225, representative for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[P.R. Doc. 65-13445; Filed, Dec. 15, 1965;
8:48 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 13, 1965.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA 40177—*Vegetable oils from points in southern territory*. Filed by O. W.

South, Jr., agent (No. A4806), for interested carriers. Rates on vegetable oils and related articles, in carloads, from points in southern territory, to official-southern territory border points described in the application.

Grounds for relief—Market competition.

Tariff—Supplement 21 to Southern Freight Association, agent, tariff I.C.C. S-537.

FSA 40178—*Superphosphate to Meredosia, Ill.*—Filed by O. W. South, Jr., agent (No. A4807), for interested carriers. Rates on superphosphate, not defluorinated superphosphate, nor feed grade superphosphate, in bulk, in carloads, subject to minimum shipment of not less than 500,000 pounds, from producing points in Florida to Meredosia, Ill.

Grounds for relief—rail-barge-truck competition.

Tariff—Supplement 9 to Southern Freight Association, agent, tariff I.C.C. S-553.

FSA 40179—*Iron or steel plate or sheet to Blakely, Ala.* Filed by O. W. South, Jr., agent (No. A4808), for interested carriers. Rates on iron or steel plate or sheet, noibn, in carloads, from Ashland, Ky., to Blakely, Ala.

Grounds for relief—Barge competition.

Tariff—Supplement 34 to Southern Freight Association, agent, tariff I.C.C. S-502.

FSA 40180—*Class and commodity rates from and to Ferguson, Miss.* Filed by O. W. South, Jr., agent (No. A4811), for and on behalf of carriers parties to Uniform Classification Committee, agent, tariff I.C.C. 1. Rates on property moving on class and commodity rates, in carloads and less-than-carloads, from or to Ferguson, Miss., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief—New station and grouping.

FSA 40181—*Liquid caustic soda to points in Georgia.* Filed by Traffic Executive Association—Eastern Railroads, agent (E.R. No. 2812), for interested carriers. Rates on liquid caustic soda, in tank carloads, from specified points in Michigan, New Jersey, New York, Ohio, and West Virginia, to specified points in Georgia.

Grounds for relief—Market competition.

Tariffs—Supplements 182 and 121 to Traffic Executive Association—Eastern Railroads, agent, tariffs I.C.C. C-102 and C-334, respectively.

FSA 40182—*Bituminous coal to Worcester, Mass.* Filed by Traffic Executive Association—Eastern Railroads, agent (No. E.R. 2813), for interested carriers. Rates on bituminous coal, blacksmith or cannel and coal briquettes, in carloads, from mine origins in Maryland, Pennsylvania, and West Virginia to Worcester, Mass., for B&M Corp., and NYNH&H R.R. delivery.

Grounds for relief—Competition with electric generating plants located at adjacent destinations.

Tariffs—Supplement to Baltimore and Ohio Railroad Company tariff I.C.C. 3278 and other schedules referred to in the application.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Dec. 65-13446; Filed, Dec. 15, 1965;
8:48 a.m.]

[Second Rev. S.O. 562 Pfahler's I.C.C. Order
No. 170; Amdt. 4]

GEORGIA & FLORIDA RAILWAY

Rerouting or Diversion of Traffic

Upon further consideration of Pfahler's I.C.C. Order No. 170 (Georgia & Florida Railway) and good cause appearing therefor:

It is ordered, That:

Pfahler's I.C.C. Order No. 170 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p.m., March 31, 1966, unless otherwise modified, changed, or suspended.

It is further ordered, That this amendment shall become effective at 11:59 p.m., December 31, 1965, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., December 10, 1965.

INTERSTATE COMMERCE
COMMISSION,

[SEAL] R. D. PFAHLER,
Agent.

[F.R. Dec. 65-13447; Filed, Dec. 15, 1965;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management CHIEF, BRANCH OF LANDS, ET AL. Redelegation of Authority by Land Office Manager; Correction

In F.R. Doc. 65-12370, appearing at page 14444 of the issue of Thursday, November 18, 1965, the following correction is made. The reference in paragraph (b) section "2.2c" should read section "2.2d".

R. E. MCCARTHY,
Acting Manager.

Approved: December 7, 1965.

NOLAN F. KEIL,
Acting State Director, California.

[F.R. Dec. 65-13422; Filed, Dec. 15, 1965;
8:46 a.m.]

[Montana 071936]

MONTANA

Order Providing for Opening of Public Lands

DECEMBER 10, 1965.

1. The State of Montana has stated that the hereinafter described lands patented to the State under the provisions of the Act of June 14, 1926 (44 Stat. 741; 43 U.S.C. 869), as amended, commonly known as the Recreation and Public Purposes Act, will not be used in conjunction with the Haymaker Elk Range. The State of Montana, therefore, has reconveyed the lands to the United States:

PRINCIPAL MERIDIAN, MONT.

T. 10 N., R. 12 E.,
Sec. 28, Lots 1 and 5.

The area described contains 61.50 acres.

2. The lands are located in Wheatland County, approximately 27 miles northwest of Harlowton, Mont. The topography is gently to moderately rolling. The soil is a sandy loam. Vegetation consists of native short and mid-grasses with a thin stand of timber on the ridge. The lands are not suitable for farming.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby opened to application, petition, location and selection. All valid applications received at or prior to 10 a.m., on January 17, 1966, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont., 59101.

EUGENE H. NEWELL,
Acting Manager, Land Office.

[F.R. Dec. 65-13436; Filed Dec. 15, 1965;
8:47 a.m.]

[New Mexico 0555485]

NEW MEXICO

Notice of Proposed Classification

DECEMBER 10, 1965.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), notice is hereby given of a proposal to classify the lands described below for disposal through exchange under section 8 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1272), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315-g). These lands are exclusively in Indian use areas and will facilitate the land adjustment program of the Bureau of Indian Affairs. In exchange the United States will acquire privately owned lands in a predominantly public land area which acquisition will facilitate the land adjustment program of the Bureau of Land Management. Information concerning the lands, including the record of public discussions, is available for inspection and study in the Socorro

District Office, Bureau of Land Management, Post Office Box 1456, Socorro, N. Mex., 87801. For a period of 60 days from the date of this publication, interested parties may submit comments to the district manager of the Socorro district office.

The lands affected by this proposal are located in Socorro, Valencia, and McKinley Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN
NEW MEXICO

- T. 3 N., R. 6 W.,
Secs. 14, 18, 22, 24, and 26;
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 3 N., R. 7 W.,
Sec. 12;
Sec. 14, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 24, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 6 N., R. 14 W.,
Sec. 4, lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 6, lots 1 to 7, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 8;
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, E $\frac{1}{2}$;
Sec. 14, S $\frac{1}{2}$;
Secs. 18, 22, 24, 26, and 34.
- T. 7 N., R. 14 W.,
Sec. 12, NE $\frac{1}{4}$;
Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$;
Secs. 24, 28, and 30.
- T. 7 N., R. 15 W.,
Secs. 4, 12, 14, and 18;
Sec. 20, W $\frac{1}{2}$;
Sec. 24, N $\frac{1}{2}$, SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 26;
Sec. 30, lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 34.
- T. 7 N., R. 16 W.,
Sec. 4;
Sec. 12, SW $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 8 N., R. 15 W.,
Sec. 5, lot 4;
Sec. 12, NE $\frac{1}{4}$, and SW $\frac{1}{4}$.
- T. 10 N., R. 15 W.,
Sec. 6, lots 1, 2, 3, 4, 7, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 10, NW $\frac{1}{4}$.
- T. 9 N., R. 16 W.,
Sec. 4, lots 1, 2, and S $\frac{1}{2}$ NE $\frac{1}{4}$.
- T. 10 N., R. 16 W.,
Sec. 14, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$;
Sec. 34, SE $\frac{1}{4}$.

The areas described aggregate 19,807.18 acres.

W. J. ANDERSON,
State Director.

[P.R. Doc. 65-13439; Filed, Dec. 15, 1965;
8:48 a.m.]

[Fairbanks 034892]

ALASKA

Notice of Proposed Withdrawal and
Reservation of Lands

DECEMBER 8, 1965.

The Federal Aviation Agency has filed an application, Serial Number Fairbanks 034892, for withdrawal of the lands described below, from all forms of appropriation under the public lands laws, including the mining laws, mineral leasing laws, grazing laws, and disposal of material under the Materials Act of 1947, as amended. The applicant desires the land to protect airport approach zones

and to make the airport eligible for Federal Aid to Airport funds under section 303(c) and 307(a) of the Federal Aviation Act of 1958, Public Law 85-726 (72 Stat. 748) and (63 Stat. 377; 40 U.S.C. 471).

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 District and Land Office Manager, Bureau of Land Management, Department of the Interior, Post Office Box 1150, Fairbanks, Alaska, 99701.

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 Federal Aviation Agency.

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:

MCGRATH AIRPORT AREA

PARCEL NO. 1

Commencing at the centerline of Runway No. 15-33 at Runway Station No. 25+00, said station being the true point of beginning of this description; thence proceed due West 600.00 feet to Corner No. 1; thence due North 2,170 feet to a point on the South Shore of the Kuskokwim River, said point being Corner No. 2; thence meandering along the South Shore of the Kuskokwim River in an East-Southeast direction 1,250 feet more or less to Corner No. 3; thence due South 1,865.00 feet to Corner No. 4; thence due West 600.00 feet to the point of beginning, containing 55.60 acres more or less.

MCGRATH AIRPORT AREA

PARCEL NO. 2

Commencing at the centerline of Runway No. 15-33 at Runway Station No. 91+33, said station being the true point of beginning of this description; thence proceed East 600.00 feet to Corner No. 1; thence due South 1,550 feet more or less to a point on the North Shore of the Kuskokwim River, said point being Corner No. 2; thence meandering Westerly along the North Shore of the Kuskokwim River 1,200.00 feet more or less to Corner No. 3; thence due North 1,720.00 feet to Corner No. 4; thence due East 600.00 feet to the point of beginning, containing 45.00 acres more or less.

The area described aggregates approximately 100.60 acres.

BURTON W. SILCOCK,
State Director.

[P.R. Doc. 65-13448; Filed, Dec. 15, 1965;
8:48 a.m.]

Geological Survey

[Wyoming 11]

WYOMING

Phosphate Land Classification Order

Pursuant to authority under the Act of March 3, 1879 (20 Stat. 394; U.S.C. 31), and as delegated to me by Departmental Order 2563 of May 2, 1950, under authority of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), the following described lands, insofar as title thereto remains in the United States, are hereby classified as shown:

SIXTH PRINCIPAL MERIDIAN, WYO.

PHOSPHATE LANDS

- T. 43 N., R. 118 W.,
Sec. 4, S $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
Sec. 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 8, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, unsurveyed;
Sec. 9, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 10, NW $\frac{1}{4}$, unsurveyed;
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, unsurveyed;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, unsurveyed;
Sec. 18, E $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 19, lots 1 and 2; E $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 20, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
Sec. 28, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 29, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, unsurveyed;
Sec. 30, E $\frac{1}{2}$ E $\frac{1}{2}$, unsurveyed;
Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, unsurveyed;
Sec. 32, N $\frac{1}{2}$, unsurveyed;
Sec. 33, N $\frac{1}{2}$, unsurveyed;
Sec. 34, NW $\frac{1}{4}$ NW $\frac{1}{4}$, unsurveyed.

RECLASSIFIED PHOSPHATE LANDS FROM
NONPHOSPHATE LANDS

Prior classification of the following lands as nonphosphate is hereby revoked and the lands are reclassified as phosphate lands:

SIXTH PRINCIPAL MERIDIAN, WYO.

- T. 43 N., R. 118 W.,
Sec. 3, W $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, unsurveyed;
Sec. 28, SW $\frac{1}{4}$ NE $\frac{1}{4}$, unsurveyed;
Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, unsurveyed.

NONPHOSPHATE LANDS

- T. 43 N., R. 118 W.,
Sec. 2, N $\frac{1}{2}$ NW $\frac{1}{4}$, unsurveyed;
Sec. 3, N $\frac{1}{2}$ N $\frac{1}{2}$, unsurveyed;
Sec. 4, N $\frac{1}{2}$ N $\frac{1}{2}$, unsurveyed;
Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, unsurveyed;
W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 6, lots 1 through 4, inclusive;
Sec. 7, lots 1 through 4, inclusive;
Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, unsurveyed;
Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 10, NE $\frac{1}{4}$, S $\frac{1}{2}$, unsurveyed;
Sec. 11, W $\frac{1}{2}$, unsurveyed;
Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, unsurveyed;
Sec. 16, NE $\frac{1}{4}$ NE $\frac{1}{4}$, unsurveyed;

Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$, unsurveyed;
 Sec. 18, lots 1 and 2;
 Sec. 20, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
 Sec. 21, N $\frac{1}{2}$, unsurveyed;
 Sec. 27, SW $\frac{1}{4}$, unsurveyed;
 Sec. 28, N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, unsurveyed;
 Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, unsurveyed;
 Sec. 34, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, unsurveyed.

The area described aggregates 9,397 acres, more or less, of which about 5,120 acres are classified as phosphate lands, about 560 acres are reclassified as phosphate lands that were formerly classified nonphosphate lands, and about 3,717 acres are classified as nonphosphate lands.

ARTHUR A. BAKER,
Acting Director.

DECEMBER 9, 1965.

[F.R. Doc. 65-13460; Filed, Dec. 15, 1965;
 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

GREAT PLAINS CONSERVATION PROGRAM

Applicability to Certain Texas County

Designation of County Within the Great Plains Area of the Ten Great Plains States Where the Great Plains Conservation Program Is Specifically Applicable.

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115, 16 U.S.C. 590p(b)), as amended, the following county in the following State is designated as susceptible to serious wind erosion by reason of its soil types, terrain, and climatic and other factors.

TEXAS

Montague.

Done at Washington, D.C., this 10th day of December 1965.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 65-13434; Filed, Dec. 15, 1965;
 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-33]

LABORATORY FOR ELECTRONICS, INC., TRACERLAB DIVISION

Notice of Amendment of Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 2 to License No. 20-1382-14 held by Laboratory for Electronics Inc., Tracerlab Division, which provides for renewal of the license for a period of two (2) years.

The license provides for the receipt and storage of packages containing waste byproduct, source, and special nuclear material and transfer of the waste mate-

rial to authorized land burial sites for disposal.

The license amendment provides only for the continuation of activities previously authorized. The Commission has determined that prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

The text of this amendment is set forth below.

Dated at Bethesda, Md., December 8, 1965.

For the Atomic Energy Commission.

RICHARD E. CUNNINGHAM,
Acting Director,
Division of Materials Licensing.

[License No. 20-1382-14; Amdt. 2]

The Atomic Energy Commission having found that:

A. The licensee's equipment and procedures are adequate to protect health and minimize danger to life or property.

B. The licensee is qualified by training and experience to use the material for the purpose requested in accordance with the regulations in Title 10, Code of Federal Regulations, and in such manner as to protect health and minimize danger to life or property.

C. The application dated November 5, 1965, complies with the requirements of the Atomic Energy Act of 1954, as amended, and is for a purpose authorized by that act.

D. Issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Byproduct, source, and special nuclear material License No. 20-1382-14 is amended as follows:

This license shall expire two (2) years from the last day of the month in which this amendment is issued.

Date of issuance: December 8, 1965.

For the Atomic Energy Commission.

RICHARD E. CUNNINGHAM,
Acting Director,
Division of Materials Licensing.

[F.R. Doc. 65-13407; Filed, Dec. 15, 1965;
 8:45 a.m.]

[Docket No. 50-14]

BATTELLE MEMORIAL INSTITUTE

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 2, set forth below, to Facility License No. CX-9, authorizing operation

until December 28, 1975, of the plastic-moderated critical assembly, designated as the Battelle Plastic Reactor Facility, located near West Jefferson, Ohio.

The expiration date specified in Facility License No. CX-9, as originally issued, was December 28, 1965. In an application dated October 22, 1965, Battelle Memorial Institute requested a renewal of the license for a period of 10 years. No change in operating conditions is involved.

Within 15 days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's rules of practice, 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see the application for renewal, a copy of which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 8th day of December 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.
Facility License Amendment

[License No. CX-9; Amdt. 2]

The Atomic Energy Commission having found that:

a. The application for license amendment dated October 22, 1965, complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

b. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public; and

c. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated.

Facility License No. CX-9, as amended, which authorizes Battelle Memorial Institute to operate the plastic-moderated critical assembly, designated as the Battelle Plastic Reactor Facility, located near West Jefferson, Ohio, is hereby further amended in accordance with the application.

1. Paragraph 5 is amended to read as follows:

"5. This amended license shall expire on December 28, 1975, unless sooner terminated."

2. This amendment is effective as of the date of issuance.

Date of issuance: December 8, 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-13408; Filed, Dec. 15, 1965;
 8:45 a.m.]

[Docket No. 50-246]

GENERAL DYNAMICS CORP.**Notice of Application for Utilization Facility License**

Please take notice that General Dynamics Corporation, under section 104c of the Atomic Energy Act of 1954, has submitted an application for a license to construct and operate an Annular Core Reactor Experiment critical assembly for nuclear research on the corporation's John Jay Hopkins Laboratory site at Torrey Pines Mesa, Calif. A copy of the application is available for public inspection in the AEC Public Document Room, located at 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 7th day of December 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-13409; Filed, Dec. 15, 1965;
8:45 a.m.]

[Docket No. 50-247]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.**Notice of Application for Construction Permit and Facility License**

Please take notice that Consolidated Edison Co. of New York, Inc., 4 Irving Place, New York, N.Y., 10003, pursuant to section 104b of the Atomic Energy Act of 1954, as amended, has filed an application, dated December 3, 1965, for a construction permit and facility license to authorize construction and operation of a pressurized water nuclear reactor having a net electrical capacity of approximately 873 megawatts derived from a thermal capacity of approximately 2,758 megawatts.

The proposed reactor, designated by the applicant as Indian Point Station Unit No. 2, is to be located adjacent to and north of the existing Indian Point Station Unit No. 1 on the applicant's site consisting of approximately 250 acres on the east bank of the Hudson River in the Village of Buchanan, Westchester County, N.Y.

A copy of the application is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 8th day of December 1965.

For the Atomic Energy Commission.

R. L. DOAN,
Director,
Division of Reactor Licensing.

[F.R. Doc. 65-13410; Filed, Dec. 15, 1965;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14737]

FRONTIER RENEWAL CASE**Notice of Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on January 11, 1966, at 10 a.m., in Room 726, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., December 9, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-13449; Filed, Dec. 15, 1965;
8:48 a.m.]

[Docket No. 14868]

LAKE CENTRAL AIRLINES ROUTE INVESTIGATION**Notice of Oral Argument**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled case is assigned to be held on January 12, 1966, at 10 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., December 10, 1965.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 65-13450; Filed, Dec. 15, 1965;
8:48 a.m.]

[Docket No. 16222, etc.; Order E-22987]

SAN FRANCISCO & OAKLAND HELICOPTER AIRLINES, INC., ET AL.**Order Fixing Final Mail Rates**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of December 1965.

Petition of San Francisco & Oakland Helicopter Airlines, Inc., for a service mail rate; and service mail rates for Chicago Helicopter Airways, Inc., Los Angeles Airways, Inc., and New York Airways, Inc.; Docket 16222, et al.

All of the four certificated helicopter carriers have had open service mail rates since June 19, 1965.¹ The rates were opened by a show cause order (E-22281 June 9, 1965) proposing a new final service mail rate to be based on the domestic multielement formula applying to fixed wing carriers. An objection to that order was filed by the Post Office Department.

¹ San Francisco & Oakland Helicopter Airlines, Inc. (SFO), filed a petition in docket 15012 opening its rate as of Feb. 4, 1964. However, the rates of the other three carriers remained closed until June 19, 1965.

San Francisco & Oakland Helicopter Airlines, Inc. (SFO), also objected insofar as the order failed in its case to propose retroactive application of the new rate to the February 4, 1964, date of its petition in Docket 15012. Thereafter, Chicago Helicopter Airways, Inc. (Chicago), and Los Angeles Airways, Inc. (Los Angeles), filed motions seeking dismissal of the proceeding as to them and reestablishment of the old \$2.58 per ton-mile rate. Another show cause order (E-22692 September 24, 1965) was then issued proposing the closing of the Chicago and Los Angeles rates by reestablishing the \$2.58 rate per ton mile in their case. Timely objection and answer to this order were filed by SFO.

SFO does not object to the reestablishment of the old \$2.58 rate for Chicago and Los Angeles. It merely objects to the Board making a finding that \$2.58 per ton mile is a fair and reasonable rate of compensation for the carriage of mail by helicopter. It is SFO's position that \$2.58 per ton mile does not cover the helicopter carriers' cost of providing the service and therefore no finding that such a rate is fair and reasonable is possible. It also takes the position that such a finding would prejudice it in making its case for a higher rate.

The position taken by SFO in its objection and answer to Order E-22692 is essentially the same as that expressed by it in an answer to the motion of Chicago seeking reestablishment of the old rate. It was explicitly stated in the show cause order that the action proposed there would not establish a precedent affecting the service mail rates of SFO and New York Airways, Inc. (New York), involved in the pending proceeding. The \$2.58 rate per ton mile was proposed only for Chicago and Los Angeles. The finding that this rate is fair and reasonable was and is based on an evaluation of only the experience of the two carriers for which the rate is being established and not the helicopter industry as a whole. Neither does it represent a finding that the full cost of providing mail service by helicopter can be recouped at a rate of \$2.58 per ton mile. The \$2.58 per ton-mile rate established here is not meant to be a "class rate" such as it was when originally established or such as the multielement rate proposed by E-22281 would have been had it been finalized. Thus, the action taken herein cannot in any way prejudice the processing of SFO's service mail rate petition. Moreover, inasmuch as SFO does not compete with Chicago or Los Angeles in the carriage of mail, the latter two carriers' rate of \$2.58 per ton mile can have no economic impact on the operation of SFO. The Board has, therefore, concluded that SFO lacks standing to object to the action proposed in Order E-22692, and that the proposed rate of \$2.58 per ton mile should be established as the final rate for Chicago Helicopter and Los Angeles Helicopter to apply on and after June 19, 1965. The Board, upon con-

sideration of the record, hereby reaffirms and makes final the findings and conclusions set forth in the order to show cause.

Accordingly, pursuant to the Federal Aviation Act of 1958 and particularly sections 204(a) and 406 thereof: *It is ordered*, That:

1. The fair and reasonable final rate of compensation to be paid Chicago Helicopter Airways, Inc., and Los Angeles Airways, Inc., for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith between the points which each of the carriers has been, is presently, or hereafter may be authorized to transport mail by its certificates of public convenience and necessity or Board exemption order on and after June 19, 1965, is \$2.58 per mail ton mile.

2. The foregoing rate per mail ton mile shall be applied to the mail ton miles flown in each postal accounting period, or lesser period, based upon the direct airport-to-airport mileage between points served for the carriage of mail.

3. Such service mail rates shall be paid in their entirety by the Postmaster General pursuant to section 406(c) of the Federal Aviation Act of 1958, and no part of such amount shall be paid by the Board.

4. Further proceedings in Docket 16222, et al., as they pertain to Chicago Helicopter Airways, Inc., and Los Angeles Airways, Inc., are dismissed.

5. The action proposed herein shall be without prejudice to the rights of any other party in Docket 16222, et al.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 65-13451; Filed, Dec. 15, 1965;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16301, 16312; FCC 65M-1596]

SAWNEE BROADCASTING CO. (WSNE), AND HALL COUNTY BROADCASTING CO. (WLBA)

Order Continuing Prehearing Conference

In re applications of John T. Pittard, tr/as Sawnee Broadcasting Co. (WSNE), Cumming, Ga., Docket No. 16301, File No. BP-16375; Ernest H. Reynolds, Jr., tr/as Hall County Broadcasting Co. (WLBA), Gainesville, Ga., Docket No. 16312, File No. BP-16606; for construction permits.

On the Hearing Examiner's own motion and with the consent of counsel for the above-entitled applicants, the prehearing conference in the above-entitled proceeding now scheduled for December 28, 1965, is continued to January 3, 1966, commencing at 9 a.m. in the

offices of the Commission, Washington, D.C.

It is so ordered, This the 10th day of December 1965.

Released: December 13, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 65-13462; Filed, Dec. 15, 1965;
8:49 a.m.]

[Docket Nos. 16342-16344; FCC 65-1093]

SEVEN (7) LEAGUE PRODUCTIONS, INC. (WIII), ET AL.

Memorandum Opinion and Order Designating Applications for Con- solidated Hearing on Stated Issues

In re applications of Seven (7) League Productions, Inc. (WIII), Homestead, Fla., Docket No. 16342, File No. BR-3580, Has: 1430 kc, 500 w, Day, Class III, for renewal of license; and South Dade Broadcasting Co., Inc., Homestead, Fla., Docket No. 16343, File No. BP-16371, Requests: 1430 kc, 500 w, Day, Class III; Redlands Broadcasting Co., Inc., Homestead, Fla., Docket No. 16344, File No. BP-16476, Requests: 1430 kc, 500 w, Day, Class III; for construction permits.

1. The Commission has before it for consideration the above-captioned mutually exclusive applications.

2. On January 29, 1964, the Commission deferred action on the application of Seven (7) League Productions, Inc., for renewal of its WIII broadcast license. From the data submitted in that application, the Commission is unable to conclude that Seven (7) League Productions, Inc., is financially qualified for a renewal of its license. Seven League's balance sheet at December 31, 1963, filed as part of the renewal application, shows (a) a bank overdraft of \$395; (b) current liabilities of \$50,069, exceeding current assets by \$41,148; (c) an operating deficit of \$39,305; and (d) long-term liabilities totaling \$150,820, including a \$141,550 note payable to the First National City Bank of New York, regarding which payment of the installment due December 31, 1963, was in arrears.

3. From the data submitted to it by South Dade Broadcasting Co., Inc., the Commission is unable to conclude that that applicant is financially qualified, in that a substantial and material question exists as to whether South Dade has or will have sufficient funds for the construction and operation of its proposed station for at least 1 year. It appears, upon examination of the South Dade application, that some \$75,000 will be needed to meet those expenses. The application as originally submitted showed that capital stock amounting to \$35,000 had been subscribed for by seven persons, each to take one-seventh of the total. In an amendment filed March 18, 1965, the applicant reported that one of the seven subscribers, Frank Basso, had resigned as an officer and director and relinquished his stock interest in the cor-

poration and that the remaining six subscribers had each agreed to subscribe for one-sixth of Basso's portion. The amendment was not, however, documented by signed statements by the remaining six subscribers agreeing to such further subscription. Moreover, no financial information has been submitted regarding subscriber Earle R. Hackett, and the balance sheets of Thomas A. Collins, Arnold S. Friedman, and Richard Accursio are deficient in that liabilities are not segregated to show current liabilities and the amounts payable on long-term liabilities during the following 12 months. Thus it cannot be determined whether Hackett, Collins, Friedman, and Accursio will have sufficient funds available to meet their subscription commitments. South Dade's financial plan also includes the obtaining of a \$54,000 bank loan to be secured by the endorsements of the applicant's stockholders. However, the applicant has not shown that the subscribers have agreed to endorse the bank's note.

4. From the data submitted by Redlands Broadcasting Co., Inc., the Commission is unable to conclude that that applicant is financially qualified, in that a substantial and material question exists as to whether Redlands has or will have sufficient funds for the construction and operation of its proposed station for at least 1 year. The Redlands proposal is partially dependent upon the availability of a \$60,000 loan by the Bank of Florida at Homestead. On November 30, 1964, Redlands submitted to the Commission a letter from the bank committing itself to lend Redlands that sum—"contingent upon a grant of application for such radio station * * * and endorsement of all of the principals in the corporation". On February 8, 1965, Redlands submitted a statement signed by each of the five principals at that time, agreeing to endorse the bank note. On August 30, 1965, Redlands reported that one of the principals, Irving Peskoe, had assigned his 20-percent stock interest in the applicant to his wife, Beatrice Peskoe, and that she had been elected "second vice president" and had replaced her husband as a member of the board of directors. To date, no statement signed by Mrs. Peskoe, agreeing to endorse the bank note, has been submitted to the Commission. In view of these facts, a question exists as to the availability of the above-described loan.

5. Since the above applications for construction permits and the requested renewal of license are mutually exclusive, it will be necessary—assuming that all three are found basically qualified—to determine which of the three proposals, on a comparative basis, would best serve the public interest. The Commission, in its "Policy Statement on Comparative Broadcast Hearings", FCC 65-689, released July 28, 1965, 5 R.R. 2d 1901, indicated that it did not therein attempt to deal with "the somewhat different problems raised where an applicant is contesting with a licensee seeking renewal of license." On consideration, the Commission has concluded that

the Policy Statement should govern the introduction of evidence in this and similar proceedings where a renewal application is contested. For a recent discussion of matters which may be adduced under the new comparative issue see in re Keith L. Reising, adopted October 20, 1965, 1 FCC 2d 1082. However, we wish to make it clear that the parties will be free to urge any arguments they may deem applicable concerning the relative weight to be afforded the evidence bearing on the various comparative factors.

6. The Commission finds that, except as indicated by the issues specified below, the applicants are legally, technically, and otherwise qualified to construct and operate their respective stations as proposed; but that it cannot be determined whether Redlands Broadcasting Co., Inc., Seven (7) League Productions, Inc., and South Dade Broadcasting Co., Inc., are financially qualified. In view of the foregoing, the Commission is unable to find that a grant of any of the aforementioned applicant's applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

Accordingly, it is ordered, This 8th day of December 1965; that, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine whether Seven (7) League Productions, Inc., is financially qualified for a renewal of the broadcast license of Station WIII, Homestead, Fla.

2. To determine, with respect to the application of South Dade Broadcasting Co., Inc.—

a. Whether the present South Dade stock subscribers are committed to purchase that portion of the applicant corporation's authorized stock which was previously subscribed for by Frank Basso;

b. Whether stock subscribers Hackett, Collins, Friedman, and Accursio will each have sufficient funds available to purchase one-seventh of the applicant's originally authorized stock plus one-sixth of the portion of that stock previously subscribed for by Frank Basso;

c. Whether—in view of the applicant's failure thus far to show that the subscribers have agreed to endorse the bank's note—the bank loan of \$54,000 described in the application will be available; and

d. Whether, in view of the evidence adduced with respect to Items 2-a through 2-c, the applicant is financially qualified to construct and operate its proposed station in that it has or will have sufficient funds for the construction and operation of such station for at least 1 year.

3. To determine, with respect to the application of Redlands Broadcasting Co., Inc.—

a. Whether—in view of the applicant's failure thus far to show that one of its

principals, Beatrice Peskoe, has agreed to endorse the bank's note—the bank loan of \$60,000 described in the application will be available;

b. Whether, in view of the evidence adduced with respect to Item 3-a, the applicant is financially qualified to construct and operate its proposed station in that it has or will have sufficient funds for the construction and operation of such station for at least 1 year.

4. To determine which of the proposals would best serve the public interest.

5. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the applications should be granted.

It is further ordered, That, in the event of a grant of the application of South Dade Broadcasting Co., Inc. or of Redlands Broadcasting Co., Inc., the construction permit shall contain the following conditions:

Pending a final decision in Docket No. 14419 with respect to pre-sunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

Painting and lighting of the antenna system shall be in accordance with Paragraphs 1, 3, 11, 21, and 22 of FCC Form 715.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Released: December 13, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-13463; Filed, Dec. 15, 1965;
8:49 a.m.]

[Docket Nos. 16260-16265; FCC 65M-1600]

WESTERN UNION TELEGRAPH CO. AND CALIFORNIA INTERSTATE TELEPHONE CO.

Order Continuing Hearing

In re applications of The Western Union Telegraph Co., Docket No. 16260, File

¹ Chairman Henry absent; Commissioner Cox concurring.

No. T-C-1661-10, for removal of restrictions on the use of certain existing facilities in the Domestic Public Point-to-Point Microwave Radio Service between Pasadena and Goldstone, Calif.; and California Interstate Telephone Co., for a construction permit to add new facilities to Station KMW61 in the Domestic Public Point-to-Point Microwave Radio Service at Barstow, Calif., Docket No. 16261, File No. 6844-C1-P-65; and for construction permits to establish new facilities in the Domestic Public Point-to-Point Microwave Radio Service at: Goldstone Echo, Calif., Docket No. 16262, File No. 6845-C1-P-65; Lane Mountain, Calif., Docket No. 16263, File No. 6846-C1-P-65; Ford Mountain, Calif., Docket No. 16264, File No. 6847-C1-P-65; and Fort Irwin, Calif., Docket No. 16265, File No. 6848-C1-P-65.

In accordance with the disposition at today's prehearing conference: It is ordered, This 10th day of December 1965, that the hearing is rescheduled from December 14, 1965, to March 15, 1966.

Released: December 13, 1965.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 65-13464; Filed, Dec. 15, 1965;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-170]

NATURAL GAS PIPELINE CO. OF AMERICA

Notice of Application

DECEMBER 8, 1965.

Take notice that on December 1, 1965, Natural Gas Pipeline Co. of America (Applicant), 122 South Michigan Avenue, Chicago, Ill., 60603, filed in Docket No. CP66-170 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a supply pipeline and miscellaneous facilities appurtenant thereto extending from a point in the Erath Field, Vermilion Parish, La., to Applicant's existing natural gas transmission system in southwest Cameron Parish, La., to enable Applicant to take into its main pipeline system natural gas proposed to be purchased from Texaco, Inc. (Texaco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The application states that Applicant and Texaco have entered into a Gas Sales Contract dated August 10, 1965, providing for the sale to Applicant of a Contract Quantity of 150,000 Mcf of gas per day from Texaco during the first year of delivery of gas, increasing by 50,000 Mcf per day each year to a daily average volume of 300,000 Mcf in the fourth and subsequent years. The application further states that throughout the contract term Texaco will make available,

[Docket No. CP66-178]

TRANSWESTERN PIPELINE CO.

Notice of Application

DECEMBER 8, 1965.

and Applicant is entitled to purchase, up to 150 percent of the contract quantity on any day (equal to 225,000 Mcf of gas in the first year of delivery and rising to 450,000 Mcf in the fourth and subsequent years), but that Applicant need not purchase more than 50 percent of the contract quantity on any one day (equal to 75,000 Mcf of gas in the first year of delivery and 150,000 Mcf in the fourth and subsequent years).

Applicant states that Texaco warrants that it will initially commit to the proposed sale reservoirs containing recoverable reserves of at least 1.2 billion Mcf of gas, and by the fourth year of deliveries will have committed under such contract reservoirs containing 2.4 billion Mcf of recoverable reserves. Applicant further states that pursuant to the aforementioned contract Texaco may commit reserves situated onshore or offshore of Vermillion, Iberia and St. Mary Parishes, La., but not less than 75 percent of the estimated recoverable reserves must be situated in the Federal offshore area and that Texaco will deliver all gas sold pursuant to the contract to Applicant at a single onshore point at the outlet of Texaco's Henry Processing Plant located in the Erath Field in south Louisiana.

Specifically, Applicant proposes to install approximately 114 miles of 30-inch pipeline, a purchase meter station and miscellaneous other facilities appurtenant thereto, at an estimated total cost of \$19,463,000. Applicant states that it will finance this cost with funds to be obtained through interim and permanent financing.

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) and the regulations under the Natural Gas Act (157.10) on or before December 29, 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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-13415; Filed, Dec. 15, 1965; 8:45 a.m.]

[Docket No. CP66-176]

UNION GAS SYSTEM, INC., AND
CITIES SERVICE GAS CO.

Notice of Application

DECEMBER 8, 1965.

Take notice that on December 2, 1965, Union Gas System, Inc. (Applicant), Post Office Box 347, Independence, Kans., 67301, filed in Docket No. CP66-176 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Cities Service Gas Co. (Respondent) to make a physical connection of its transmission facilities with Applicant's proposed lateral pipeline and to sell and deliver up to 528 Mcf of natural gas per day to Applicant, all as more fully stated in the application which is on file with the Commission and open to public inspection.

Applicant requests that Respondent be directed to make a physical connection between the proposed lateral and Respondent's 16-inch transmission pipeline to serve the city of Easton (Easton) and the community of Lowemont in Leavenworth County, Kans. Applicant proposes to construct and operate the lateral pipeline extending 7½ miles from the proposed point of interconnection westward to Easton, a lateral pipeline extending 2.36 miles northward from the Easton lateral to the community of Lowemont, and the distribution systems in both service areas.

Applicant states that Easton has a population of approximately 500 and 140 residences and that Lowemont has a population of 35 and 10 residences. Forty-eight additional residences are located on the proposed lateral lines, according to the application.

The estimated peak day and annual natural gas requirements for the communities for the first 3 years of proposed operations are as follows:

	First year	Second year	Third year
Peak day (Mcf).....	375	454	528
Annual (Mcf).....	29,813	35,683	41,111

Applicant's estimated cost of construction of the laterals and distribution systems to be constructed by it is \$88,811, which amount is to be financed from treasury cash.

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 30, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-13417; Filed, Dec. 15, 1965; 8:46 a.m.]

[Docket No. CP66-177]

**UNION GAS SYSTEM, INC., AND
CITIES SERVICE GAS CO.****Notice of Application**

DECEMBER 8, 1965.

Take notice that on December 2, 1965, Union Gas System, Inc. (Applicant), Post Office Box 347, Independence, Kans., 67301, filed in Docket No. CP66-177 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Cities Service Gas Co. (respondent) to make a physical connection between its transmission facilities and Applicant's facilities and to sell and deliver up to 150 Mcf of natural gas per day to Applicant, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests that Respondent be directed to make a physical interconnection between its 16-inch transmission line and Applicant's proposed lateral pipeline to serve the community of Kickapoo in Leavenworth County, Kans. Applicant proposes to construct and operate a lateral pipeline extending 4 miles northward from the point of interconnection to the community of Kickapoo, and a distribution system.

Applicant states that the area to be served has a population of approximately 262, with 75 residences in Kickapoo and along the lateral lines. Estimated requirements are as follows:

	First year	Second year	Third year
Peak day (Mcf).....	99	123	150
Annual (Mcf).....	7,815	9,352	11,306

The estimated cost of construction of the proposed lateral and distribution system are estimated to be \$32,464, which will be financed from treasury cash.

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 30, 1965.

JOSEPH H. GUTRIDE,
Secretary.

[P.R. Doc. 65-13418; Filed, Dec. 15, 1965;
8:46 a.m.]**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 7-2496]

McDONNELL AIRCRAFT CORP.**Notice of Application for Unlisted
Trading Privileges and of Oppor-
tunity for Hearing**

DECEMBER 10, 1965.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security. The above named national securities

exchange has filed an application with the Securities and Exchange Commission pursuant to Section 12(f) (1) (B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: McDonnell Aircraft Corp.; File 7-2496.

Upon receipt of a request, on or before December 27, 1965, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 65-13425; Filed, Dec. 15, 1965;
8:46 a.m.]

[File No. 1-3421]

**CONTINENTAL VENDING MACHINE
CORP.****Order Suspending Trading**

DECEMBER 10, 1965.

The common stock, 10 cents par value, of Continental Vending Machine Corp., being listed and registered on the American Stock Exchange and having unlisted trading privileges on the Philadelphia-Baltimore-Washington Stock Exchange, and the 6 percent convertible subordinated debentures due September 1, 1976, being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c) (5) and 19(a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period December 13, 1965, through December 22, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 65-13426; Filed, Dec. 15, 1965;
8:46 a.m.]

[812-1861]

**NASSAU PHYSICIANS GUILD
INVESTING CO., INC.****Notice of Filing of Application for
Order Temporarily Exempting Ap-
plicant From the Provisions of the
Act**

DECEMBER 10, 1965.

Notice is hereby given that Nassau Physicians Guild Investing Co., Inc. ("Applicant") 1200 Stewart Avenue, Garden City, Long Island, N.Y., a registered investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order temporarily exempting Applicant from the provisions of section 15(a) of the Act insofar as such provisions may prevent the surviving corporation of a proposed merger involving Applicant's present investment adviser, from serving as Applicant's investment adviser during the period of time between January 1, 1966 (the date of the proposed merger), and March 15, 1966 (the date of Applicant's annual shareholders' meeting). Upon consummation of the proposed merger, Applicant's existing investment advisory contract shall be deemed terminated and the surviving corporation of the merger will be serving without a written contract approved in accordance with section 15(a) of the Act. Section 15(a) of the Act provides among other things that no person may serve as investment adviser of a registered investment company except pursuant to a written contract that has been approved by the vote of a majority of the outstanding voting securities of such company. All interested persons are referred to the application which is on file with the Commission for a statement of the representations therein which are summarized below.

Applicant's investment adviser, Standard & Poor's Corp. ("Old S&P") intends to enter into an Agreement of Merger with McGraw-Hill, Inc. ("McGraw-Hill"), following which the surviving company, McGraw-Hill, will transfer the business and assets of Old S&P to a newly formed, wholly-owned subsidiary of McGraw-Hill, which subsidiary will also bear the name of Standard & Poor's Corp. ("New S&P") and which will continue with the present management, personnel, policies and business of Old S&P. Applicant states that the proposed merger is intended to become effective as of January 1, 1966.

The assignment of the existing investment advisory agreement between Applicant and Old S&P, which will be caused by the proposed merger, will terminate the agreement. It is proposed that Applicant and New S&P enter into a new investment advisory agreement substan-

tially similar to the existing agreement to take effect at the time the merger is consummated and to submit such new agreement to Applicant's shareholders for approval at their annual meeting to be held on March 15, 1966.

The rate of the fee payable by Applicant to New S&P during the period between January 1, 1966 and March 15, 1966 will be the same as the rate paid to Old S&P under the existing contract.

Applicant submits that it is not in the interest of its stockholders nor in the public interest to require the calling of a special meeting of shareholders prior to the annual meeting on March 15, 1966, solely for the purpose of approving an investment advisory agreement with the New S&P which is practically the same entity as that which is now furnishing Applicant with investment advisory services.

Notice is further given that any interested person may, not later than December 29, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon the request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13427; Filed, Dec. 15, 1965;
8:47 a.m.]

[File No. 70-4333]

NEW JERSEY POWER & LIGHT CO. Notice of Proposed Sale of Utility Assets

DECEMBER 10, 1965.

Notice is hereby given that New Jersey Power & Light Co. ("NJP&L") Madison Avenue at Punch Bowl Road, Morristown, N.J., 07960, a public-utility subsidiary company of General Public Utilities Corp., a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 12(d) of the

Act and Rule 44 thereunder as being applicable to the proposed transaction. All interested persons are referred to said declaration on file in the office of the Commission for a statement of the proposed transaction which is summarized as follows:

NJP&L proposes to sell to New Jersey Bell Telephone Co. ("Telco"), a non-associate company, 4,400 electric distribution wood poles and 2,059 appurtenant anchor plates and rods, in place, for a cash consideration equal to the depreciated original cost of said property as of December 31, 1965, estimated at \$309,316.39. The sale will be consummated early in January 1966, and the price will be adjusted to reflect any replacements or renewals of such facilities made up to the date of closing.

It is stated that poles of the nature here involved are used jointly by NJP&L and Telco in order to reduce overall investment and improve service; that the company which has the smaller number of joint use poles pays rental on the difference in number, but with the understanding that periodically each of the companies will be brought to the position of owning about 50 percent of the poles; that at the present time, NJP&L owns approximately 8,800 more joint use poles than does Telco; and that the proposed sale by NJP&L will eliminate that difference.

The filing states further that the Board of Public Utility Commissioners of the State of New Jersey has jurisdiction over the proposed sale; that the order of that Commission will be filed herein by amendment; that no other State commission has jurisdiction with respect to the proposed transaction; and that, assuming the proposed transaction (including the accounting therefor) is approved by this Commission under the Act, no other Federal commission has jurisdiction with respect thereto.

The fees and expenses in connection with the proposed transaction are estimated at \$2,500, including legal fees of \$1,650.

Notice is further given that any interested person may, not later than January 5, 1966, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided by Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20

(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13428; Filed, Dec. 15, 1965;
8:47 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

DECEMBER 10, 1965.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5% percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended, this order to be effective for the period December 11, 1965, through December 20, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 65-13429; Filed, Dec. 15, 1965;
8:47 a.m.]

[811-1280]

POWRELL & ALEXANDER, INC.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be an Investment Com- pany

DECEMBER 10, 1965.

Notice is hereby given that Powdrell & Alexander, Inc. ("Applicant"), Post Office Box "E", Boca Raton, Fla., a Delaware corporation and a management closed-end nondiversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein.

Applicant represents that its outstanding securities are beneficially owned by not more than one hundred persons and that it is not making and does not propose to make a public offering of its securities.

Section 3(c) (1) of the Act provides that any issuer whose outstanding securities are beneficially owned by not more than 100 persons and which is not making and does not presently propose to make a public offering of its securities is not an investment company within the meaning of the Act.

Notice is further given that any interested person may, not later than December 28, 1965 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 65-13430; Filed, Dec. 15, 1965;
8:47 a.m.]

[812-1795]

WALDORF SYSTEM INC.

Notice of Filing of Application for Order Exempting Proposed Transaction and for Confidential Treatment of Certain Matters

DECEMBER 10, 1965.

Notice is hereby given that Waldorf System Inc. ("Waldorf"), 512 West 58th Street, New York, N.Y., a Massachusetts corporation, and Restaurant Associates, Inc. ("Restaurant"), 515 West 57th Street, New York, N.Y., a New York corporation (hereinafter sometimes collectively called "applicants"), have filed a joint application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") and Rule 17d-1 promulgated under section 17(d) of the Act. Applicants request an order of the Commission (1) exempting from the provisions of section 17(a) of the Act transactions incident to the proposed acquisition by a wholly-owned subsidiary of Waldorf of substantially all the assets of Restaurant, subject to substantially all of Restaurant's liabilities, for 1,060,686 shares of Waldorf's common stock, and (2) authorizing, pursuant to Rule 17d-1, the participation of certain persons in such transactions. Following the sale of its assets, Restaurant will distribute to its stockholders the Waldorf stock so received, and will be dissolved. The effect of the proposal will be to exchange

1,375 shares of Waldorf stock for each share of Restaurant stock outstanding. The application also seeks an order pursuant to section 45(a) of the Act granting confidential treatment to certain parts of reports prepared for Waldorf and Restaurant by the investment banking firms of Bear, Stearns & Co. and Hayden, Stone Inc., respectively, in connection with the proposed exchange. All interested persons are referred to the application, as amended, for a statement of applicants' representations, which are summarized below.

Waldorf has outstanding 460,900 shares of common stock, owned by approximately 3,400 shareholders, which shares are listed on the New York Stock Exchange. A.M. Capital Corporation ("A.M. Capital"), a closed-end nondiversified investment company registered under the Act, owns 65,056 shares or 14 percent of Waldorf common stock. A.M. Capital is the largest single stockholder of Waldorf and only two other persons, neither of whom is affiliated with A.M. Capital, own, directly or indirectly, 5 percent or more of Waldorf's outstanding stock. Of Waldorf's board of directors consisting of 10 persons, 3, namely, Martin Brody, Lawrence Fleisher and James H. Slater, are also directors of A.M. Capital. Mr. Fleisher is president of A.M. Capital and Mr. Slater owns 8.7 percent of the voting stock of A.M. Capital. Mr. Brody owns 13.3 percent of the voting stock of A.M. Capital and he is also chairman of the boards of Waldorf and Restaurant. In addition, Messrs. Brody, Fleisher, and Slater own, respectively, 200, 100, and 600 shares of Waldorf common stock and 100, 100, and 200 shares of Restaurant common stock.

Restaurant has outstanding 771,408 shares of common stock, listed on the American Stock Exchange, and owned by approximately 1,700 persons. Waldorf owns 164,787 shares of Restaurant common stock, representing 21.3 percent thereof, and has an irrevocable proxy for 1 year to vote 220,492 shares, or 28.6 percent, of Restaurant's common stock. Four of Restaurant's 11 directors are also directors of Waldorf.

Applicants do not admit that they, or either of them, are persons "controlled," within the meaning of section 2(a)(9) of the Act, by A.M. Capital, or that Restaurant is an "affiliated person" of A.M. Capital, within the meaning of section 2(a)(3) of the Act. However, those relationships have been assumed for purposes of the application and the application has been filed in order to eliminate any questions as to full compliance by applicants with the provisions of section 17 of the Act.

Waldorf is engaged in the operation of cafeterias and restaurants located principally in the New England area, with some establishments located in Florida, New Jersey, New York, and Ohio. Its operations are primarily in the low-to-medium price range. For 1964 and the first quarter of 1965, the high and low sales prices of Waldorf common stock on the New York Stock Exchange were 8¼ and 4¾, respectively; the closing price

on May 11, 1965, the day before public announcement of the proposed exchange, was 6½. Waldorf has been advised by the New York Stock Exchange that proceedings for delisting its common stock are being considered. However, arrangements have been made for the simultaneous listing, on consummation of the proposed transaction, of Waldorf's common stock on the American Stock Exchange and the voluntary delisting of such stock on the New York Stock Exchange. For the years ended December 31, 1962, and 1963, and January 2, 1965, Waldorf reported respective net losses from operations, before giving effect to special items relating primarily to sales or discontinuance of restaurants, of \$219,023, \$115,007, and \$200,357. For the 12-month period ended October 2, 1965, such net losses from operations of Waldorf, on the basis of its unaudited statement of income, were \$143,519. However, if effect is given to the elimination of net operating losses of unprofitable restaurants which Waldorf has sold or closed during such period, or which Waldorf has entered into agreements to sell, the net income of Waldorf as so adjusted would be \$128,368. Such adjusted net income of Waldorf from its operations, plus Waldorf's interest of 21.3 percent in the net income of Restaurant for the twelve months ended October 30, 1965, would be \$292,378, or approximately \$0.63 per share of Waldorf common stock. Such amount would be \$237,261 or \$0.51 per share after provision for income taxes which would normally be payable by Waldorf. However, Waldorf has available estimated tax loss carry-forwards aggregating \$770,000 expiring from 1965 to 1970. The book value of the Waldorf common stock was \$10.67 per share as of August 28, 1965.

Restaurant is engaged primarily in the restaurant business, principally in the New York City area. Its units sell food within a wide range of prices. For 1964 and the first quarter of 1965, high and low sales prices of Restaurant common stock on the American Stock Exchange were 11½ and 6¼, respectively; the closing price of such stock on May 11, 1965 was 7¾. Before giving effect to special items relating to dispositions of a subsidiary and assets of terminated businesses, Restaurant reported net income on its common stock for its fiscal years ended October 31, 1962, 1963, and 1964, of \$147,440 (\$0.19 per share), \$36,023 (\$0.05 per share), and \$592,056 (\$0.77 per share), respectively. For its fiscal year ended October 31, 1965, Restaurant's net income, on the basis of its unaudited statement of income, was approximately \$770,000 or \$1.00 per share. The book value of the Restaurant common stock was \$6.12 per share as of June 30, 1965.

Applicants have claimed the following to be advantages of the proposed exchange: savings in costs and increase in efficiency resulting from combined functions, including purchasing, real estate and leasing activities, accounting, advertising, and public relations; increased diversity of food service operations; and combined management and resources to

facilitate expansion of activities for both companies. The application states that the basis for the proposed exchange was arrived at through independent studies of Bear, Stearns & Co., and Hayden, Stone Inc., which take into account, among other factors, the relative earnings, financial and market positions of Waldorf and Restaurant, current and historic market prices of their respective stock, and the book values of their assets. Waldorf has been advised by Bear, Stearns & Co. and Restaurant has been advised by Hayden, Stone Inc. that, in their opinion, the number of shares of Waldorf stock to be exchanged pursuant to the plan of acquisition and dissolution is fair and equitable to each of applicants and its stockholders.

In effect, section 17(a) of the Act, as here pertinent, makes it unlawful (1) for Restaurant to sell its assets to a wholly-owned subsidiary of Waldorf, since Restaurant is controlled by Waldorf and is an affiliated person of Waldorf and its subsidiary, and Waldorf and its subsidiary are controlled by (and also affiliated persons of) A.M. Capital, a registered investment company and (2) for Waldorf to sell its securities to Restaurant, unless the Commission upon application under section 17(b) of the Act grants an exemption from such prohibitions. Section 17(b) of the Act directs the granting of such application, if evidence establishes that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; if the proposed transaction is consistent with the policy of A.M. Capital, the only registered investment company concerned, as recited in its registration statement and reports filed under the Act; and if the proposed transaction is consistent with the general purposes of the Act.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, as here pertinent, that it shall be unlawful for an affiliated person of a registered investment company, acting as principal, to participate in, or to effect any transaction in connection with, any joint transaction or arrangement in

which any such registered company is a participant unless an application regarding such arrangement has been granted by the Commission and that, in passing upon such application, the Commission will consider whether the participation of such registered company in such arrangement is consistent with the provisions, policy, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

As stated above, Messrs. Brody, Fleisher, and Slater are each directors of A.M. Capital and are thus affiliated persons of A.M. Capital under section 2(a)(3) of the Act. Messrs. Brody, Fleisher, and Slater are also affiliated persons of A.M. Capital by virtue of Mr. Fleisher's presidency of A.M. Capital and Messrs. Brody's and Slater's respective 13.3 percent and 8.7 percent voting stock interests in A.M. Capital. Such persons' participation in the proposed transaction as directors and stockholders of Waldorf and as stockholders of Restaurant appears to involve a joint transaction or arrangement within the meaning of section 17(d) of the Act and Rule 17d-1 thereunder. Applicants do not concede that section 17(d) of the Act and Rule 17d-1 thereunder are applicable to the proposed transactions, but seek relief thereunder in order to eliminate any questions as to full compliance with section 17 of the Act.

Applicants have requested that certain information appearing in the reports prepared by Bear, Stearns & Co., and Hayden, Stone Inc., filed as exhibits to the application, be accorded confidential treatment because public disclosure of such information is unnecessary in view of the large amount of financial and operating information available to investors in the remaining portions of the reports and that will be available to investors in the proxy material to be mailed to stockholders of Waldorf and of Restaurant in connection with the proposed transaction. Applicants also believe that public disclosure of such plans and operating information would be of great advantage to competitors of

applicants and would be of material disadvantage to the continued conduct and expansion of the business of applicants. The information requested to be accorded confidential treatment relates primarily to the number of employees, lease expiration dates, amounts of average checks, and profit margin and profit contribution of each of the restaurants operated by applicants. Such information, supporting the statements contained in the application, has been furnished to the Commission by separate amendment to the application and confidential treatment of such information has been requested pursuant to section 45(a) of the Act.

Notice is further given that any interested person may, not later than December 23, 1965, at 12:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the addresses stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,
Secretary.

[P.R. Doc. 65-13431; Filed, Dec. 15, 1965;
8:47 a.m.]

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FEDERAL REGISTER

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PART II

Department of Agriculture
Office of the Secretary

Sales of Agricultural
Commodities for
Foreign Currencies



Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 11—SALES OF AGRICULTURAL COMMODITIES FOR FOREIGN CURRENCIES

Subpart A—Regulations Governing the Financing of Commercial Sales of Surplus Agricultural Commodities for Foreign Currencies

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11.18	Effective date.

AUTHORITY: The provisions of this Subpart A issued under sec. 102, 68 Stat. 455, as amended, 69 Stat. 44; 78 Stat. 1035; 7 U.S.C. 1702, E.O. 10900, 26 F.R. 143, 3 CFR, 1961 Supp. Interpret or apply secs. 2, 101, 102, 106, 109, 304, 68 Stat. 454, 455, 457, 459, all as amended; 7 U.S.C. 1691, 1693, 1701, 1702, 1706, 1709.

§ 11.1 General statement.

(a) *What this subpart covers.* This subpart (hereinafter called the regulations) contains the regulations governing the sale and exportation of surplus agricultural commodities or the products thereof for foreign currencies under Title I of Public Law 480, Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1701-1709). Under this statute, Agricultural Commodities Agreements are entered into by the governments of the importing countries and the United States of America covering financing of the sale and exportation of surplus agricultural commodities and products thereof including certain ocean transportation costs. The agreements provide for repayment to the United States in the currency of the importing country. The Administrator, Foreign Agricultural Service, administers this program. These regulations prescribe procedures to be followed by importing countries in making application to the Administrator, Foreign Agricultural Service, for authorizations to purchase such commodities and products thereof, the issuance of such purchase authorization by the Administrator, and the financing by Commodity Credit Corporation of the sale and exportation of such commodities or products thereof through

private trade channels to the maximum extent practicable, including the financing of certain ocean transportation costs.

(b) *Purchase authorizations and approval of vessels.* After approval of the importing country's application therefor, purchase authorization(s) will be issued by the Administrator, Foreign Agricultural Service. The importing country through its authorized importers or agents will procure the commodities from U.S. sources and will arrange for shipment in U.S.-flag vessels when such vessels are required to be used. Following issuance of purchase authorizations and upon application, the Controller, Commodity Credit Corporation, will issue letters of commitment to U.S. Banking institutions designated by the importing country and acceptable to Commodity Credit Corporation (see § 11.11), unless the importing country elects to procure the commodities under the reimbursement method of financing (see § 11.10). Prior approval for the use of all vessels must be obtained from the applicable office of the U.S. Department of Agriculture (see § 11.12(b)). The advice of vessel approval will state whether or not the cost of ocean transportation will be financed by Commodity Credit Corporation and the amount, if any, of the freight differential approved for each vessel.

(c) *Letters of commitment and reimbursement method of financing.* If the purchase authorization is issued under the letter of commitment method of financing the U.S. suppliers of agricultural commodities will receive payment under letters of credit opened or requested by the approved applicant (see definition in § 11.2(c)(2)) in the importing country, issued, confirmed or advised by the U.S. bank, for the cost of the commodities and, when authorized and included as a part of the commodity cost, the cost of ocean transportation and insurance. If the purchase authorization is issued under the reimbursement method of financing, the U.S. suppliers will obtain payment from the importing country or its assignee (see § 11.10(c)). When the cost of ocean transportation is approved for financing and is to be financed separately from the commodity cost, the supplier of ocean transportation will obtain payment from the importing country or its assignee. Commodity Credit Corporation will reimburse U.S. banks for payments made under letters of commitment and will reimburse the importing country or its assignee for the cost of ocean transportation which is financed separately from the commodity cost and for commodities procured under the reimbursement method of financing.

(d) *Advice of amount financed and deposit of foreign currency.* The U.S. bank will forward documents and advice of the amount financed by Commodity Credit Corporation to the foreign correspondent bank, and advice of payment will also be furnished to the approved applicant or its designee if it is other than the foreign correspondent bank, in the case of payments under the letter of commitment method of financing. CCC

will forward advice of the amount financed to the importing country or its assignee in the case of payments under the reimbursement method of financing. The importing country will arrange for prompt deposit of the equivalent foreign currency.

(e) *Where information is obtainable.* General information about this program and information about purchase authorizations and related operations under the program may be obtained from the Director, Program Operations Division, FAS, U.S. Department of Agriculture, Washington, D.C., 20250. Information about financing operations under the program, including forms prescribed for use thereunder, may be obtained from the Controller, CCC, U.S. Department of Agriculture, Washington, D.C., 20250. The Foreign Agricultural Service will make public the issuance of each purchase authorization through a USDA press announcement.

§ 11.2 Definition of terms.

Terms used in this subpart, subject to amplification in subsequent sections, are defined as follows:

(a) *Terms relating to the United States, its agencies and officials.* (1) "C&MS" shall mean Consumer and Marketing Service, U.S. Department of Agriculture.

(2) "CCC" shall mean the Commodity Credit Corporation, U.S. Department of Agriculture.

(3) "The Controller, CCC", shall mean the Controller, Commodity Credit Corporation, or his designee.

(4) "ASCS" shall mean the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(5) "ASCS Offices" shall mean the ASCS Offices listed in § 11.16, and any other offices or agencies which may succeed to the functions of such offices.

(6) "FAS" shall mean the Foreign Agricultural Service, U.S. Department of Agriculture.

(7) "USDA" shall mean the U.S. Department of Agriculture and shall include all or any of the offices mentioned in subparagraphs (1) through (6) of this paragraph.

(8) "The Administrator" shall mean the Administrator of the Foreign Agricultural Service or his designee.

(9) "United States" shall mean the 50 States, the District of Columbia, and Puerto Rico.

(b) *Terms relating to ocean transportation.* (1) "Dry bulk carriers" are irregularly scheduled vessels commonly referred to as "tramps". They go where full cargoes are offered. Rates are negotiated by charter arrangements covering the movement of a specific commodity, a specific quantity, at a specific time from a specific port or ports to specific destination port or ports. Cargoes generally include grain, coal, fertilizers, lumber, pitch, salt, sugar, etc.

(2) "Dry cargo liners" are regularly scheduled vessels on specific trade routes. Any cargo can be shipped in this service including part-cargoes (parcels) of bulk items as grain, coal, etc., generally not

exceeding 60 percent of the capacity of the vessel. Petroleum, vegetable oils, and similar bulk liquids carried in deep tanks of dry cargo liner vessels are classified as liner cargoes.

(3) "Tankers" are vessels which are designed to carry full cargoes of liquids. Because of compartmentation, tankers can carry a combination of such cargoes, including bulk grain. Rates are negotiated by charter arrangements in the same manner as with dry bulk carriers.

(4) "Form CCC 106" shall mean "Advice of Vessel Approval", Form CCC 106-1 (Supplier of Commodity), Form CCC 106-2 (Ocean Carrier), or Form CCC 106-3 (Cotton), or any or all of them, as applicable. Colors of the original form are: Form CCC 106-1 yellow; Form CCC 106-2 blue; and Form CCC 106-3 white.

(5) "Ocean bill of lading" shall mean a non-negotiable copy (or photostat) of an "On-Board" bill of lading or a bill of lading with an "On-Board" endorsement dated and signed or initialed on behalf of the carrier.

(6) "Ocean Transportation" shall mean, and is interchangeable with, the term "ocean freight".

(7) "Notice of Arrival" shall mean a written notice or copy of a cablegram acceptable to CCC reciting that the vessel has arrived at the first port of discharge.

(c) *Other terms.* (1) "Affiliate": A firm (corporation, partnership, individual, or other legal entity) is an "affiliate" of another firm, if either owns more than a 50 percent interest in or controls the other or if a third firm owns more than a 50 percent interest in, or controls, both.

(2) "Approved applicant" shall mean the bank in the importing country or any other agency designated by the importing country acceptable to USDA, named in any letter of commitment issued to a banking institution under this subpart. This term shall include any agent authorized to act on behalf of such an applicant.

(3) "Banking institution" shall mean a banking institution organized under the laws of the United States, any State, or the District of Columbia.

(4) "Form CCC 329" shall mean the signed original of Form CCC 329, Supplier's Certificate, with Invoice and Contract Abstract on the reverse.

(5) "Commodity" shall mean the surplus agricultural commodity or product thereof specified in the applicable purchase authorization.

(6) "Copy" shall mean a copy or photostat of an original document showing all data shown on the original. If a signature on the original is required, the copy should show the signature or the name of the person who signed the original, or be accompanied by a statement from the banking institution that the original was signed.

(7) "Delivery" shall mean the transfer to or for the account of an importer of custody and right of possession of the commodity in export channels as specified in the purchase authorization.

(8) "Importer" shall mean any person or organization, governmental or otherwise, in the importing country who con-

tracts with the supplier for the importation of the commodity.

(9) "Importing country" shall mean any nation with which an agreement has been negotiated pursuant to Title I, Public Law 480.

(10) "Letters of credit" shall mean irrevocable commercial letters of credit issued, confirmed, or advised by a banking institution on behalf of an approved applicant.

(11) "Purchase Authorization" shall mean FAS Form 480-A, "Authorization to Purchase Surplus Agricultural Commodities with Foreign Currency", or FAS Form 480-A (Ocean Transportation), "Authorization to Procure Ocean Transportation", issued to an importing country pursuant to this subpart.

(12) "Supplier" shall mean any firm (corporation, partnership, individual, or other legal entity) which sells any agricultural commodity or products thereof to an importer under the terms of a purchase authorization for delivery to such importer in export channels, or which sells ocean transportation to an importer or supplier of the commodity under the terms of a purchase authorization.

(13) "Selling Agent" shall mean any firm (corporation, partnership, individual, or other legal entity) which operates as a formally appointed sales agent for the supplier of the commodity and who is not affiliated with the importer or the importing country.

(14) "Foreign Currency" shall mean, and is interchangeable with the term "Local Currency", and refers to the currency of the country which signs an Agricultural Commodities Agreement with the United States and to which a purchase authorization is issued.

(15) "Title I" shall mean Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended.

§ 11.3 Purchase authorizations.

(a) *Application.* The importing country shall submit an Application for authorization to purchase agricultural commodities with foreign currency or authorization to procure ocean transportation, or both, for each commodity to the Administrator. The application shall be submitted in triplicate on FAS Form 480-1 and shall include a statement as to the usual marketings of the commodity in accordance with the applicable Agricultural Commodities Agreement and any other information required by the Administrator.

(b) *Issuance of purchase authorizations.* Upon approval of the application by the Administrator, appropriate purchase authorizations as described below will be issued to the importing country, and financing should be in accordance with such purchase authorization.

(1) Authorization to Purchase Surplus Agricultural Commodities with Foreign Currency, FAS Form 480-A.

(2) Authorization to Procure Ocean Transportation, FAS Form 480-A (Ocean Transportation).

(c) *Provisions of purchase authorizations.* Each purchase authorization will specify:

(1) *Authorizations to purchase surplus agricultural commodities with foreign currency.* (i) The commodity to be purchased, and the approximate quantity and maximum dollar value thereof;

(ii) Contracting requirements in addition to or in lieu of those enumerated in Appendix A of this subpart, if any;

(iii) The periods during which contracts between suppliers and importers may be entered into and during which deliveries may be made;

(iv) The terms of delivery to the importer in export channels of trade;

(v) Documentation required in support of drafts presented to banking institutions by suppliers, other than the documentation specified in this subpart;

(vi) Provisions relating to local currency deposits;

(vii) The ASCS Office which will administer the financing operation on behalf of CCC;

(viii) The method of financing;

(ix) Any other provision deemed necessary by the Administrator.

(2) *Authorization to procure Ocean Transportation, FAS Form 480-A.* (i) The commodity to be shipped;

(ii) The delivery period;

(iii) The maximum dollar amount;

(iv) Provisions relating to local currency deposits;

(v) Any other provisions deemed necessary by the Administrator.

(3) *Applicability of this subpart.* In addition to the provisions of the particular purchase authorization, each purchase authorization shall be subject to the provisions of the regulations in this subpart to the same extent as if they were fully set forth in the purchase authorization.

(d) *Modification or revocation.* The Administrator reserves the right at any time for any reason or cause whatsoever to supplement, modify, or revoke any purchase authorization, including the termination of deliveries thereunder. CCC shall reimburse suppliers of commodities and ocean transportation who would otherwise be entitled to be financed, for costs incurred as a result of such action by the Administrator in connection with firm sales or shipping contracts, and not otherwise recovered after a reasonable effort to minimize such costs: *Provided, however,* That such reimbursement shall not be made to a supplier if the Administrator determines that his action was taken because the supplier failed to comply with the requirements of these regulations or the applicable purchase authorizations.

(e) *Refund to CCC.* The importing country shall pay in U.S. dollars promptly to CCC upon demand by the Administrator the entire amount financed by CCC (or such lesser amount as the Administrator may demand) whenever the Administrator determines that the importing country has failed to comply with any agreement or commitment made by it in connection with the transaction financed.

(f) *Extension of delivery periods in purchase authorizations.* Requests for extensions of delivery periods will be considered by the Administrator only if

submitted by the importing country. Such requests should be submitted as far as possible in advance of the expiration of the delivery period and in any event as soon as the importing country has knowledge that there is a possibility that delivery will not be completed within the period specified in the purchase authorization. Requests for extension must establish to the satisfaction of the Administrator that failure to complete delivery was due to a cause other than the fault or negligence of the importer or the supplier. The Administrator may also approve requests for extension if he determines that such extensions would be in the interest of the United States.

§ 11.4 Subauthorizations.

The importing country may issue subauthorizations to importers within the terms of each purchase authorization. The importing country, in subauthorizing, shall instruct importers to use the purchase authorization number in placing orders, and shall specify to importers all the provisions of the purchase authorization which are applicable to the subauthorization. Each importer to whom a subauthorization has been issued by his Government must inform his supplier that the transaction is to be financed under Title I and must give to his supplier the purchase authorization number that has been given to him. Copies of purchase authorizations may be obtained from the Administrator. The importer must also inform his supplier of any special provisions which affect the supplier in carrying out the transactions.

§ 11.5 Eligible commodities.

(a) *Surplus agricultural commodities.* To be eligible for financing, the commodities must be agricultural commodities grown in the United States and, if processed, grown and processed in the United States, which are at the time of exportation in excess of domestic requirements, adequate carryover, and anticipated exports for dollars, as determined by the Secretary of Agriculture.

(b) *Commodity description and specification.* Only the commodity described and specified in the purchase authorization shall be eligible for financing.

(c) *Payment-in-kind and cash payment-export programs.* Any commodity exported under this subpart to which a payment-in-kind or cash export subsidy is applicable under any export subsidy program will be eligible for such subsidy payment if the terms and conditions of such export subsidy program are met.

§ 11.6 Contracts between suppliers and importers.

(a) *Eligibility for financing.* In order to be eligible for financing under Title I, contracts shall comply with the following requirements unless otherwise specified in the purchase authorization:

(1) Contracts between importers and commodity suppliers must be entered into within the contracting period specified in the purchase authorization and shall provide for deliveries to the importer in accordance with the delivery

terms and during the delivery period specified in the purchase authorization, unless an extension of such contracting or delivery period is granted in writing by the Administrator;

(2) Any contracts for a commodity, under a purchase authorization which limits contracting to f.o.b. or f.a.s. terms, must be separate and apart from the contract for ocean transportation on such commodity;

(3) The contracted price must not be on a cost plus-a-percentage-of cost basis;

(4) The supplier must be engaged in the business of selling for export, or furnishing ocean transportation, from the United States, must maintain a bona fide business office in the United States, and must have a person, principal or agent, upon whom service of judicial process may be had in the United States. A firm of which more than 50 percent is owned or which is controlled by a foreign government is not eligible to act as supplier.

(5) The Administrator reserves the right at any time to require of any supplier relevant information as to the supplier and his selling agents. The details of all sales contracts between the suppliers and importers are required to be stated in the notification of sale pursuant to Appendix A or in the purchase authorization and will be subject to prior approval by USDA.

(b) *Invitation to bid.* (1) Importers may make purchases through negotiation with a supplier or suppliers of the importer's choice or on the basis of invitations to submit competitive offers. If competitive offers are invited, such invitations shall not limit the right to submit offers to any specified group or class of suppliers but shall permit submission of offers by any supplier who meets the requirements of paragraph (a) (4) of this section.

(2) An importer's request for offers pursuant to which an export sales contract is entered into must not preclude such offers being made for shipment from any U.S. port(s). This requirement does not preclude the importer from accepting offers on the basis of shipment from port(s) which result in the lowest total landed cost of the commodity. The purchase authorization, however, may provide otherwise as to ports of shipment.

(c) *Minimum offers.* Requests by importers for offers shall not establish minimum quantities that will be eligible for consideration. All offers regardless of size must be considered and evaluated.

(d) *Record of offers submitted by suppliers.* The importing country shall maintain a record of all offers received from U.S. suppliers either as a result of public tenders or negotiation. The Administrator reserves the right to examine these records or to request specific information in connection with the offers until the expiration of 3 years after final payment under contracts awarded pursuant to the purchase authorization.

(e) *Shipment prior to letter of credit.* If the supplier of the commodity permits shipment or the ocean carrier accepts the

commodity before receipt of an acceptable letter of credit from a U.S. bank they take such action at their own risk. This action in itself does not affect eligibility for CCC financing provided acceptable documentation is presented within the time limitations prescribed in this subpart.

(f) *Webb-Pomerene Law (Export Trade Act).* A supplier who is a member of a Webb-Pomerene Association and who enters into contracts with importers as a member of such an association shall so indicate in Block 11 of Form CCC 329.

(g) *Contract information.* The supplier shall state in Block 21 of Form CCC 329 the contract delivery periods or dates and quantities covered by the entire contract.

(h) *Affiliate clause.* The supplier shall state in Block 21 of Form CCC 329 either: "I am an affiliate of the importer", or "I am not an affiliate of the importer".

(i) *Contract disputes.* Contracts between suppliers and importers should stipulate the responsibility of each party for payment of any costs not eligible for financing by CCC and should provide a method for amicable settlement of any dispute arising therefrom. Questions as to financing of such ineligible costs are to be resolved between the parties to the contract.

(j) *Special contracting provisions.* In addition to the general provisions for contracting set forth in paragraphs (a) through (i) of this section, additional special contracting provisions applicable to individual commodities are prescribed in Appendix A attached to this subpart. Each purchase authorization, unless it is otherwise provided therein, shall be subject to the special provisions of Appendix A, for the specific commodity named in the purchase authorization, as if such special provisions were fully set forth in the purchase authorizations.

(k) All contracts entered into for financing hereunder shall be deemed to include all terms and conditions required to be included in order to be eligible for financing hereunder.

§ 11.7 Commodity price provisions.

(a) *Maximum price.* The supplier's sales price must not exceed the prevailing range of export market prices as applied to the terms of sale at the time of sale, as determined by USDA, and, in addition, where the purchase authorization provides for a maximum price, expressed either in dollars or cents or to be computed on a stated basis, the supplier's sales price shall not exceed such maximum price. The "time of sale," unless otherwise defined for specific commodities in Appendix A, shall mean the day as of which the sale price is established in or pursuant to the contract between the importer and the supplier or the day of any amendment thereto if such amendment in any manner affects the sales price, as determined by USDA. In the event USDA is unable to ascertain the prevailing range of export market prices for a specific commodity, USDA will determine a

maximum export market price, representing the top of the range of export market prices, for the commodity at the time of sale for the time and place of delivery provided for in the contract. In so determining a maximum export market price, USDA will utilize, as needed, available domestic or export market information for the same or other quality descriptions, packagings, locations, and dates; will apply appropriate market differentials where applicable and such other factors as would be reflected in the export market price at the time of sale for the time and place of delivery; and will take into account CCC export sales prices where appropriate.

(b) *Prior approval of contract price.* Prior approval by the Administrator, FAS, or his designee, of the contracted price of the commodity is required as a condition of eligibility for financing unless otherwise provided in the purchase authorization. The detailed instructions for requesting and obtaining such prior approval are set forth in Appendix A, or will be stated in the purchase authorization.

(c) *Maximum price for affiliates.* In addition to the maximum price provisions in paragraph (a) of this section, the sales price for the commodities sold to an affiliate of the supplier shall not be in excess of the aggregate amount of the following:

(1) The initial cost to the supplier in his acquisition from U.S. sources;

(2) The actual cost, if available, otherwise the average cost, incurred by the supplier for any handling, processing, and transportation to point of delivery; and

(3) Any markup regularly and customarily charged.

(d) *Reduction for unauthorized selling agent's commissions.* If it is established that (1) an agent employed or engaged by the supplier is not a selling agent as defined in § 11.2(c)(13) of this subpart or (2) a sales commission is in excess of the rate or percentage customarily and usually charged for the services performed and the commodity involved, the supplier's sales price, if otherwise eligible for financing, will be reduced for financing purposes in the case of subparagraph (1) of this paragraph by the amount of the commission to the ineligible agent and in the case of subparagraph (2) of this paragraph by the amount of excess commission. Such reductions in the supplier's sales price for the purpose of determining the amount which will be financed will be made even though the sales price meets the requirement of § 11.7.

(e) *Refund of excess price.* If the sale has been financed and it is determined that the sales price exceeds the maximum price permissible under paragraph (a) or (c) of this section, the supplier shall refund the amount of such excess to CCC promptly after determination and notification of the amount thereof by CCC. If not promptly refunded, such amount may be set-off by CCC against monies owed by it to the supplier. CCC will make appropriate refund of equivalent local currency to

the importing country. The making of any such refund to CCC, or any set-off by CCC, shall not, however, prejudice the right of the supplier to challenge the correctness of such determination in a court action brought against CCC for recovery of the amount refunded or set-off.

§ 11.8 Fees, discounts, commissions, ship's dollar disbursements, and brand names.

(a) *Consular fees.* Consular fees imposed for the issuance or legalization of consular invoices or certificates in connection with the importation of commodities into a foreign country will not be financed by CCC.

(b) *Discounts.* If a contract provides for one or more discounts (including but not limited to trade or quantity discounts and discounts for prompt payment) whether expressed as such or as "commission" to the importer, only the invoice amount after discount (supplier's contracted price less all discounts) will be eligible for financing.

(c) *Commissions.* (1) A commission to a selling agent employed or engaged by the supplier to obtain a contract, except as stated in subparagraph (3) of this paragraph, will be financed to the extent that such commission is not in excess of the rate or percentage customarily and usually charged for the services performed and the commodity involved, as determined by USDA.

(2) If the supplier of the commodity or ocean transportation has employed any person or firm, other than a selling agent, to obtain a contract under any agreement the amount paid to such person or firm will not be eligible for financing.

(3) No commission paid or to be paid to any agency, including a corporation, owned or controlled by the government of the importing country or to any affiliate of the supplier will be eligible for financing, whether included in the price of the commodity or separately stated.

(4) No commission paid or to be paid to any agent, broker, or other representatives of the importing country will be eligible for financing, whether included in the price of the commodity or separately stated. This is not applicable to ocean transportation brokerage commissions which do not exceed 2½ percent of the freight financed.

(5) In the case of ocean transportation, CCC will not finance: Address commissions; brokerage commissions in excess of 2½ percent of the freight financed; or ship's dollar disbursements.

(d) *Brand names.* Brand names are not required to be shown on packaged commodities. If, however, a brand name is used, it must be a bona fide U.S. brand. The container or label attached thereto must show the name and U.S. business address of the supplier or the manufacturer. Any reference on the container or label attached thereto to foreign addresses of suppliers or foreign brand names is prohibited and the sale will be ineligible for financing. If the markings on the shipping container in-

clude a brand name, such brand name shall be identical with the brand name on the unit container.

§ 11.9 Adjustment refunds and insurance.

(a) *Adjustment refunds—(1) Letter of commitment method of financing.* All claims by importers for adjustment refunds arising out of the terms of the contract or out of the normal customs of the trade, including arbitration and appeal awards, amicable allowances, and claims for overpayment of ocean transportation, if such refunds relate to amounts financed by CCC, shall be settled by payment in U.S. dollars and such payment shall be remitted by the supplier for the account of the importer to the banking institution to which the supplier presented the documents covering the original transaction. The remittance to the banking institution shall be identified with the date and amount of the original payment, the commercial letter of credit number, and the applicable purchase authorization number. Upon demand by CCC the importing country shall pay to CCC an amount in U.S. dollars equal to the dollar value of the adjustment refunds.

(2) *Reimbursement method of financing.* Special provisions relating to adjustment refunds will be contained in commodity purchase authorizations under the reimbursement method and in ocean transportation purchase authorizations.

(b) *Insurance for the account of the importer in c.i.f. sales.* Where the cost of insurance is included in the net c.i.f. invoice price of the commodity financed pursuant to specific authorization for c.i.f. sales in the applicable purchase authorization and the supplier furnishes insurance in favor of or for the account of the importer, the policies or certificates of insurance shall provide that all claims shall be paid in U.S. dollars and that the underwriter shall notify the Controller, CCC, at the time a claim thereunder is paid, indicating the purchase authorization number; the name and address of the supplier, importer, and payee of the claim; the amount paid; the nature of the claim; the quantity of the commodity involved in the claim; the date of shipment; the bill of lading number; and the name of the vessel. Upon demand by CCC, the importing country shall pay to CCC U.S. dollars in the amount paid by the insurance underwriters.

(c) *Ineligible transactions.* Suppliers shall refund dollars to CCC, upon demand by CCC, for transactions or portions thereof which are not eligible for financing, as determined by CCC.

(d) *Violation of Agricultural Commodities Agreement.* Whenever the Administrator determines that the importing country has failed to comply with any agreement or commitment made by it in connection with the Agricultural Commodities Agreement between the United States and the importing country pursuant to which the importation took place, the importing country shall pay in U.S. dollars to CCC promptly

upon demand by the Administrator the entire amount financed by CCC or such lesser amount as the Administrator shall demand.

(e) *Refund of foreign currency.* Immediately after receipt by CCC of U.S. dollar payments from or for the account of importing countries under paragraphs (a), (b), (c), or (d) of this section, CCC will provide for payment to the importing country of the foreign currency equivalent of dollars received, provided such foreign currency is deposited for the transaction represented, as follows:

(1) For payments under paragraph (a), (b), or (c) of this section, the foreign currency equivalent will be at the exchange rate agreed upon by the Government of the United States and the government of the importing country in effect on the last day of the calendar month during which dollar payment was remitted by the supplier or the insurer to or for the account of the importer, except that if there has been a change in the exchange system or structure of the importing country, such payment shall be made at the agreed exchange rate which was in effect on the date of dollar disbursement for the transaction financed, and except further that foreign currency shall not be paid under such paragraphs (a), (b), or (c) of this section where the dollars are to be re-authorized for replacement of the commodity.

(2) For payment under paragraph (d) of this section, the foreign currency equivalent will be at the agreed exchange rate in effect on the date of the dollar disbursement for the transaction financed; provided, that foreign currency will not be refunded to the extent that deposits of such currency have been made available to the importing country on a grant basis.

§ 11.10 Reimbursement method of financing.

(a) *Contracted price of commodity.* Whenever a purchase authorization for the commodity (including ocean transportation and insurance when included in the commodity price) provides for the reimbursement method of financing, CCC will reimburse the importing country or its assignee for dollar payments to suppliers upon submission of the documents required by § 11.13(c). Letters of commitment will not be issued under reimbursement type purchase authorizations.

(b) *Ocean transportation.* Purchase authorizations which authorize financing the cost of ocean freight separately from the commodity cost shall be financed by the reimbursement method. CCC will reimburse the importing country or its assignee for dollar payments to suppliers of ocean freight upon submission of the documents required by § 11.13 (e). Letters of commitment will not be issued for ocean transportation purchase authorizations.

(c) *Assignment.* (1) The right to receive reimbursement under a reimbursement type purchase authorization may be assigned by the importing country to any bank, trust company or other financing institution in the United States by

sending a completed Instrument of Assignment, Form CCC 335, in an original and one copy, to the assignee.

(2) If the assignee accepts the assignment, the original and two copies of the Notice of Assignment, Form CCC 334, should be prepared by the assignee and together with one copy of the signed Instrument of Assignment, Form CCC 335, filed with the Controller, CCC. The copy of the signed Instrument of Assignment submitted with the Notice of Assignment must contain all of the signatures, seals, acknowledgments, etc., which appear on the original. The Controller, CCC, will acknowledge receipt of the assignment.

(d) *Limitation on assignment.* The assignment may be made only to a bank, trust company, or other financing institution in the United States. The assignment shall cover all amounts payable under the purchase authorization and not already paid, shall not be made to more than one party, and shall not be subject to further assignment, except that any such assignment may be made to one party as agent or trustee for two or more parties participating in the financing. Unless otherwise provided by the purchase authorization, the right of any such assignee to obtain reimbursement shall not be contingent upon the deposit of currency by the importing country.

(e) *Protection of assignee.* A supplement, modification, or revocation of a reimbursement type purchase authorization shall become effective as to the assignee upon receipt by the assignee from the Controller, CCC, of written notice of such supplement, modification, or revocation except that such supplement, modification, or revocation shall in no event affect or impair the right to obtain reimbursement to the extent of any payments made in reliance upon the assignment by such assignee prior to receipt of such notice, or any irrevocable obligation incurred in reliance upon such assignment, such assignee prior to receipt of such notice, for which the assignee has not been repaid by the importing country (there shall be no obligation on the assignee's part to obtain such repayment). The term "purchase authorization," as used in any assignment of the right to receive reimbursement under a reimbursement type purchase authorization, shall be deemed to include each such supplement or modification from and after receipt by the assignee from the Controller, CCC, of written notice of the same, subject always, however, to the foregoing provisions preserving rights of reimbursement on behalf of the assignee.

(f) *Requests for reimbursement.* (1) All requests for reimbursement, supported by the required documentation, shall be submitted to the ASCS office named in the reimbursement type purchase authorization or to the bank holding an assignment acknowledged by CCC, not later than 210 days after expiration of the delivery period specified in such purchase authorization or any extension of such 210-day period granted by the Administrator. When the request for

reimbursement is submitted by a banking institution to CCC, a statement by the bank that the documents had been received within the 210-day period and that payment to the supplier was authorized within such 210-day period, shall satisfy the requirements of this paragraph even though submission to CCC is made subsequent to the 210-day period.

(g) *Set-off of overpayments.* Amounts improperly paid to any assignee by CCC may be set-off against amounts due the assignee under the same reimbursement type purchase authorization. Such overpayments may also be set-off against amounts due the same assignee under other reimbursement type purchase authorizations issued to the same importing country provided such assignee is notified of the amount to be set-off at the time receipt of the assignment is acknowledged by CCC.

(h) *Deposit of foreign currency.* The importing country shall provide, as hereinafter stated, for the deposit of foreign currency equivalent to dollars disbursed by CCC, except that foreign currency shall not be deposited for the amount of ocean freight differential. Deposits shall be at the rate of exchange for U.S. dollars provided in the applicable Agricultural Commodities Agreement. Documentation for each such deposit shall be furnished to the U.S. Disbursing Officer, located at the American Embassy in the importing country, and shall show the number of the purchase authorization, the date and amount of the related dollar disbursement, the exchange rate applicable to the deposit, and the amount of foreign currency deposited. Deposits shall be made immediately after receipt by the importing country or its designee of documentation showing the date and net amount of dollar reimbursement (after deduction of ocean freight differential, if any) by CCC to the importing country, or to its assignee if the right to receive reimbursement under the purchase authorization has been assigned.

(i) *Special provisions.* Requirement for handling adjustment refunds, special documentation, and other provisions not otherwise specified in these regulations for reimbursement type purchase authorizations will be set forth in the purchase authorizations as needed.

§ 11.11 Letter of commitment method of financing.

(a) *General.* (1) Letters of commitment issued by the Controller, CCC, to banking institutions designated by the importing country and acceptable to CCC will assure reimbursement to the banking institution, in accordance with the terms of such letters of commitment, for payments made or drafts accepted, not in excess of the amount specified in the letter of commitment, made under letters of credit for the account of the approved applicant.

(2) Each letter of commitment will name the Federal Reserve Bank(s) to which drafts shall be presented by the banking institution in order to obtain reimbursement of amounts paid under the letters of credit and will name the ASCS

Office which will administer the financing operations under the letter of commitment on behalf of CCC.

(b) *Application*—(1) *Original applications*. The importing country shall apply for a letter of commitment by submitting the signed original of the Application for Letter of Commitment or Amendment, Form CCC 327, to the Controller, CCC. This form will identify the U.S. bank designated to receive the letter of commitment and the approved applicant, and show the maximum amount to be financed under the letter of commitment.

(2) *Amendments*. The importing country shall submit the signed original of Form CCC 327 to the Controller, CCC, to request changes in letters of commitment, except for reductions in amounts which may be made by banking institutions in accordance with paragraph (f) of this section.

(c) *Issuance*. Upon approval of the importing country's original application for a letter of commitment, the Controller, CCC, will issue the original and one copy of Form CCC 328, Letter of Commitment, to the designated banking institution. Upon approval of the importing country's application for an amendment of a letter of commitment, the Controller, CCC, will issue the original and one copy of Form CCC 328-1, Amendment to Letter of Commitment, to the designated banking institution.

(d) *Acceptance by banking institution*. All letters of commitment and all amendments thereto issued in accordance with paragraph (c) of this section, except amendments which increase the amounts of letters of commitment, shall be accepted or rejected by the banking institution. The banking institution shall promptly return to CCC the copy of Form CCC 328 or Form CCC 328-1, indicating acceptance or rejection.

(e) *Advice to importing country*. The Controller, CCC, will send to the appropriate office of the importing country, a copy of each letter of commitment or amendment accepted by the banking institution, as well as amendments increasing the amounts of letters of commitment.

(f) *Reduction by banking institution*. The amount of a letter of commitment may be reduced by a banking institution, when so requested by the importing country, by issuing a Notice of Reduction of Letter of Commitment, Form CCC 328-2. The request of the importing country to the banking institution may be made by letter or telegram or other method acceptable to the banking institution. Instructions to the banking institution for the preparation and distribution of this form are contained in the form.

(g) *Successors*. The letter of commitment shall inure to the benefit of the banking institution's legal successors and assigns.

(h) *Issuance of letters of credit*. In issuing, confirming, or advising letters of credit pursuant to a letter of commitment, the banking institution shall observe the following:

(1) *General*. The application or request for, and any agreement relating to, any letter of credit issued, confirmed, or advised in connection with a letter of commitment to a banking institution, may contain such provisions as the approved applicant and the banking institution may agree upon, and the approved applicant and the banking institution may agree to any extension of the life of, or any other modification of, or variation from, the provisions of any such letter of credit: *Provided*, That such provisions and any such extension, modification, or variance shall be in no respect inconsistent with or contrary to the provisions of the letter of commitment; in the case of any such inconsistency or conflict, the provisions of the letter of commitment shall prevail with respect to CCC financing: *And provided further*, That where letters of credit provide for acceptance of time drafts such letters of credit (or applications therefor) shall specify that the discount and acceptance fees shall be for the account of the importer. Every application for a letter of credit shall provide for submission to the banking institution of the documentation required by this subpart and by the purchase authorization.

(2) *Identification*. Each letter of credit, modification, or extension shall bear the number of the applicable purchase authorization and, if possible, of the letter of commitment.

(3) *Commodity description*. The commodity description in letters of credit shall not be inconsistent with the description in the purchase authorization. In making payments or accepting time drafts under letters of credit, the banking institution shall, on the basis of the information contained in the required documents, act in accordance with good commercial practice. (As to Form CCC 329 (Reverse), see §§ 11.15(a)(3) and 11.15(c)(2).)

(4) *Time drafts*. Immediately after acceptance of time drafts, the banking institutions shall forward the documents required by § 11.13, to the ASCS Office named in the letter of commitment. Drafts drawn by the banking institution on CCC shall be presented to the Federal Reserve Bank and shall be supported by the documents required by § 11.13 or shall be supported by Form CCC 339, "Advice of Receipt of Documents," if such documents were submitted to CCC prior to presentation of the draft.

(5) *Delays in opening letters of credit*. Interest or carrying charges incurred as a result of delays in opening letter(s) of credit are not eligible for CCC financing.

(6) *Delay in presenting documents*. No transaction under a letter of credit which provides for deferred presentation of documentation required by CCC shall be eligible for financing.

(1) *Availability of information to CCC*. The banking institution shall make available to CCC, upon request, a copy of each letter of credit issued, confirmed, or advised by it, and of any extension or modification thereof; a copy of each application and agreement relating to such letter of credit; a copy of each document in its

possession received by it under the letter of credit; and detailed advice of the interest, commissions, expenses, or other items charged by it in connection with each such letter of credit.

(j) *Acceptability of documents*. Acceptance by the banking institution of any document in the ordinary course of business in good faith as being genuine and valid and sufficient in the premises, and the delivery thereof to the Federal Reserve Bank or the ASCS Office as required, shall constitute full compliance by the banking institution with any provisions of this subpart, the purchase authorization, or the letter of commitment requiring delivery of a document of the sort that the document actually delivered purports to be. The banking institution shall be entitled to receive and retain reimbursement of the amount of all payments made or acceptances by it against documents so accepted, notwithstanding that such payments or acceptances may be made in connection with a sale at a price in excess of the maximum specified in § 11.7 except to the extent provided in § 11.15(b)(7).

(k) *Truth or accuracy of supplier's statements*. The banking institution shall have no responsibility for the truth or accuracy of the statements contained in the supplier's certificate or invoice-and-contract abstract. The rights of the banking institution under the letter of commitment will not be affected by the fact that such abstracts may be incomplete, or may indicate noncompliance with any provision of this subpart, or of the purchase authorization or of the letter of commitment, or may be inconsistent with other required documents.

(l) *Notice of supplement, modification, or revocation*. A supplement, modification, or revocation of any purchase authorization or letter of commitment shall become effective as to a banking institution upon the receipt by it from the Controller, CCC, of a written notice of such supplement, modification, or revocation, except that such supplement, modification, or revocation shall in no event affect or impair the right of the banking institution to obtain reimbursement to the extent of any payments made or drafts accepted or irrevocable obligations incurred in reliance upon the letter of commitment prior to receipt of such notice, under a letter of credit issued or confirmed by the banking institution, and for which the banking institution has not been repaid by the approved applicant. The banking institution, however, is under no obligation to obtain such repayment. The term "purchase authorization" as used in a letter of commitment shall be deemed to include each such supplement or modification from and after receipt by the banking institution from the Controller, CCC, of written notice thereof, subject always, however, to the foregoing terms and provisions preserving the banking institution's right of reimbursement.

(m) *Compliance with changes in purchase authorizations*. In the event

the Administrator shall revoke a purchase authorization or supplement, or modify the requirements therein with regard to the disposition of any document(s), and the Controller, CCC, shall give the banking institution written notice thereof, the banking institution shall in all respects comply with the instruction of the Controller, CCC, to the extent it may do so without impairing or affecting any irrevocable obligation or liability theretofore incurred by it under any letter of credit issued or confirmed by it. The banking institution shall be reimbursed by CCC for the costs, expenses, and liabilities paid or incurred by it as a result of compliance with such instruction. Such reimbursement shall be made by CCC upon application therefor filed with the ASCS Office named in the letter of commitment and supported by an itemized statement of the costs, expenses, and liabilities certified to by an officer of the banking institution. The banking institution shall have no obligation whatsoever to the approved applicant for anything done or omitted to be done by it pursuant to such instruction of the Controller, CCC.

(n) *Payments in anticipation of letter of commitment.* Payments made or time drafts accepted by a banking institution in anticipation of a letter of commitment, and falling within the scope of payments authorized by such letter of commitment when issued, will be deemed to be payments to be reimbursed thereunder.

(o) *Deposit of foreign currency.* The importing country shall provide, as hereinafter stated, for the deposit of its local currency in an amount equivalent to the dollars disbursed by the banking institutions or by CCC except that local currency shall not be deposited for the amount of ocean freight differential stated on Form CCC 106 for the tonnage involved in the shipment. Deposits shall be at the rate of exchange for U.S. dollars provided in the applicable Agricultural Commodities Agreement. Documentation for each such deposit shall be furnished to the U.S. Disbursing Officer, and shall show the number of the purchase authorization, the date and amount of the related dollar disbursement, the exchange rate applicable to the deposit, and the amount of local currency deposited. The times and circumstances under which deposits shall be effected are as follows:

(1) Where time drafts are accepted under letters of credit, deposits shall be made on the date of maturity of each such draft or on an earlier date on which CCC disburses the amount of the draft to the banking institution.

(2) In the case of all other payments under letters of credit, deposits shall be made immediately after receipt by the approved applicant of documentation showing the amount of dollar disbursement to suppliers by banking institutions under such letters of credit.

(p) *Final date for submission of drafts.* Drafts drawn by banking institutions on CCC shall be supported by documents presented by the supplier to the banking institution to which the letter of com-

mitment has been issued. Such drafts shall be presented not later than 210 days after the expiration of the delivery period specified in the applicable purchase authorization or any extension of such 210-day period granted by the Administrator, except that they may be presented subsequent to that date if accompanied by a statement by the banking institution that the documents have been received within the 210-day period and that payment to the supplier was authorized within such 210-day period.

§ 11.12 Ocean transportation.

(a) *General.* The cost of ocean transportation will be financed by CCC only when specifically provided for in the purchase authorization. Unless the purchase authorization provides otherwise, this section will apply to the financing of ocean transportation. Unless otherwise specifically provided in the applicable purchase authorization or unless otherwise requested by FAS, the pertinent terms of all proposed charters (whether single voyage charters, consecutive voyage charters, or time charters) and all proposed liner bookings must be submitted to the appropriate USDA Office (see paragraph (b) of this section) for review and approval prior to fixture of the vessel. Tentative advance approvals may be obtained by telephone or telegram, provided Form CCC 105, Ocean Shipment Data—PL 480 ("Request for Vessel Approval"), is furnished promptly confirming the information supplied by telephone or telegram. Approvals of charters and liner bookings will be given on Form CCC 106, "Advice of Vessel Approval." If the purchase authorization requires that a part of the tonnage of the commodity be shipped on privately owned U.S.-flag commercial vessels, the offices specified in paragraph (b) of this section shall determine the quantity of the commodity which must be shipped on such U.S.-flag vessels.

(b) *Request for vessel approval.* In order to obtain approval of proposed vessel bookings the following forms shall be submitted in duplicate to the office indicated:

(1) *For cotton.* Form CCC 105 (Cotton), Ocean Shipment Data—PL 480—"Request for Vessel Approval," shall be submitted to the Director, ASCS Commodity Office, U.S. Department of Agriculture, Wirth Building, 120 Marais Street, New Orleans, La., 70112.

(2) *For commodities other than cotton.* Form CCC 105, Ocean Shipment Data—PL 480—"Request for Vessel Approval," shall be submitted to the Director, Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(c) *Special charter party provisions required when freight is financed by CCC.* Where CCC finances the ocean freight for commodities booked on charter terms, a copy of the charter party shall be forwarded immediately after its execution to the Director, Program Operations Division, FAS, for review and approval prior to issuance of Form CCC 106.

In the event of any conflict between the provisions of this subpart and the charter party or bills of lading issued pursuant thereto, the provisions of this subpart shall prevail. The charter party shall contain or, for the purpose of financing pursuant to this subpart, be deemed to contain the following provisions:

(1) That if there is any failure on the part of the supplier of ocean transportation to perform the charter party after the vessel has tendered at the loading port, the charterer shall be entitled to incur all expenses which in the judgment of the Administrator are required to enable the vessel to undertake and carry out her obligations under the charter party, including but not limited to, expenses for lifting any liens asserted against the vessel.

(2) That, notwithstanding any prior assignments of freight made by the owner or operator, the expenses authorized in subparagraph (1) of this paragraph may be deducted from the freight earned under the charter party.

(3) That the supplier of ocean transportation shall release copies of the ocean bills of lading to the supplier of the commodity promptly upon completion of loading of the vessel.

(4) That ocean freight is earned and that 90 percent thereof is payable by the charterer when the vessel and cargo arrive at the first port of discharge, subject to subparagraph (5) of this paragraph. This provision does not relieve the carrier of the obligation to carry to other points of discharge if this is required by the charter party or bill of lading. The final 10 percent shall be settled, subject to adjustments, if any, after submission of loading and discharging laytime statements and statement(s) of fact.

(5) That if a force majeure situation as described in § 11.13(e) (2) prevents the vessel's arrival at the first port of discharge, not to exceed 90 percent of the freight shall be payable by the charterer at the time the Administrator determines that such force majeure was the cause of nonarrival. Any dispatch earned at loading port will be deducted from this payment. The remaining 10 percent of freight shall not be due or payable.

(6) That laydays are reversible.

(7) That in case of a dispute as to any rights of CCC, including rights as successor or assignee, which cannot be settled by agreement, the decision respecting any such rights shall not be subject to arbitration, but shall be decided if necessary by the U.S. courts.

(d) *Special charter party information required when freight is financed by CCC.* Where CCC finances the ocean freight for commodities booked on charter terms, the charter party shall contain the following information:

(1) The name of each party participating in the ocean freight brokerage commission (if any) and the percentage thereof payable to each party;

(2) The name of the vessel and the name of the substitute vessel, if any.

(e) *Notice of arrival.* Each Form CCC 106-2 will indicate whether or not a notice of arrival is required. A notice of arrival, when required, must be furnished promptly by the importing country, or its designated agent or other source acceptable to CCC (excluding the carrier or his agent), and must include the name of the vessel, the purchase authorization number, the first port of discharge, and the date of arrival.

(f) *Advice of vessel approval.* Advice of vessel approval will be issued as follows:

(1) *For cotton.* Form CCC 106-3 (white) signed for the Director, New Orleans ASCS Commodity Office, will be issued only for the supplier of the cotton on sales made on a c.i.f. or c. & f. basis. When cotton is shipped on an f.a.s. basis, if CCC finances the ocean freight, two signed original copies of this form will be issued; one for the supplier of the cotton and the other for the ocean carrier.

(2) *For commodities other than cotton.* Form CCC 106 signed for the Director, Program Operations Division, PAS, will be issued as follows:

(i) On shipments to be made on an f.o.b. or f.a.s. basis, the original of Form CCC 106-1 (yellow) will be issued for the supplier of the commodity and where CCC finances the cost of ocean freight, the original of Form CCC 106-2 (blue) will be issued for the ocean carrier.

(ii) On shipments to be made on a c.i.f. or c. & f. basis, the original of Form CCC 106-1 (yellow) will be issued for the supplier of the commodity.

(g) *Foreign-flag vessels.* CCC will not finance the cost of ocean transportation on foreign-flag vessel(s), either as a part of the commodity contract price or separate therefrom.

(h) *United States-flag vessels.* Where a commodity is required to be shipped on a privately-owned United States-flag commercial vessel, Form CCC 106 will set forth the amount of the ocean freight differential, if any, which the Director, Program Operations Division, determines to exist between the prevailing foreign-flag vessel rate and the United States-flag vessel rate. CCC will authorize reimbursement of such ocean freight differential to the extent of the full tonnage for which the commodity cost is to be financed by CCC.

(i) *Ocean transportation financed by CCC.* Where ocean transportation will be financed either separately from or as part of the commodity contract price, the following shall apply:

(1) Loading, trimming and other related shipping expenses will not be financed as items separate from the ocean transportation rate;

(2) Discharge costs may be included in the ocean transportation rate only when in accordance with trade customs;

(3) The cost of "dead freight" will not be financed;

(4) The cost of lighterage or lightening will not be financed by CCC unless specifically approved by the Administrator;

(5) Cargo dues and taxes assessed by the importing country will not be financed;

(6) Surcharges assessed by steamship conferences or carriers will not be financed;

(7) General average contributions will not be financed;

(8) Charters and liner booking contracts must reflect the ocean transportation rate from one port loading to one port discharge. A charter or liner booking contract may provide for an increase in rate for additional port(s) of loading or discharge, alternate route(s) or any other option; CCC, however, will finance initially the lowest such rate. Increased amounts (if any) due because of the exercise of such option(s) will be financed only after receipt of evidence that an option was exercised. If an option is exercised conclusively prior to the issuance of ocean bill of lading, CCC will finance the rate applicable to the option so exercised.

(9) In the case of transshipment from a United States-flag vessel to a foreign-flag vessel, CCC will finance the cost of ocean freight only to the point of transshipment, at a rate to be determined by the Administrator, and the cost of ocean freight beyond the point of transshipment will not be financed by CCC unless specifically approved by the Administrator. If the commodity was transported from a U.S. port and was transhipped at another U.S. port, CCC will not finance the cost of the transportation which took place prior to the transshipment.

(10) Ocean freight will be financed only to the extent that the rate charged does not exceed the lowest of the following rates for the category of vessel concerned:

(i) For commodities covered by published tariff rates—the published Conference contract rate;

(ii) For other commodities (bulk commodities and other commodities for which no tariff rates are currently effective, whether carried on liners, dry bulk carriers, or tankers)—the market rate prevailing at the time of request for approval was determined by the Director, Program Operations Division, but in any event not in excess of rates charged other shippers (irrespective of booking dates) for like commodities on the voyage concerned.

(11) Reimbursement will be made for cost of shipment from loading points to discharge points at rates approved by the Director, Program Operations Division, on Form CCC 106 in conformity with subparagraph (10) of this paragraph.

(j) *Initial reimbursement.* (1) Where the Form CCC 106 states that Notice of Arrival is not required and the carrier's invoice includes a certification that the contract does not provide for dispatch earnings, reimbursement will be made for 100 percent of freight upon presentation of required documents.

(2) When the Form CCC 106 indicates that a Notice of Arrival is required, reimbursement for advances made to the supplier of the ocean transportation up to 90 percent of the cost of ocean freight may be obtained prior to arrival at the first port of discharge if the supplier furnishes CCC financial coverage in the

form of an acceptable letter of credit from a U.S. bank or Form CCC 124, Freight Refund Bond, executed by an acceptable surety. The amount of coverage may be computed as follows:

(i) 90 percent of the cost of ocean freight based upon the tonnage shown on the related "on-board" bill of lading (copy must be supplied to CCC) times the approved rate per ton shown on the related Form CCC 106, or

(ii) 100 percent of the cost of ocean freight based upon the tonnage stated in the charter party (without tolerance) times the rate per ton shown on the related Form CCC 106. Upon receipt of an acceptable letter of credit or Freight Refund Bond, the Controller, CCC, or his designee, will issue a waiver of the Notice of Arrival. The waiver may be submitted in lieu of a Notice of Arrival when such notice is required under § 11.13(e)(2) for reimbursement of 90 percent of the cost of ocean transportation.

(3) Where the charter party or liner booking contract provides for dispatch earnings, reimbursement of 90 percent of the cost of ocean transportation may be obtained prior to presentation of signed laytime statements and statements of fact upon presentation of the required documents. Where, in such instances the Form CCC 106 indicates that a Notice of Arrival is required, the waiver described in subparagraph (2) of this paragraph may be substituted for the Notice of Arrival as a document required to obtain the 90 percent reimbursement.

(k) *Demurrage.* Demurrage incurred in excess of dispatch earnings will not be financed. Dispatch shall be credited first against demurrage, if any, incurred in connection with the same voyage; any balance of dispatch shall be deducted from the amount of the final request for reimbursement. Stevedore overtime pay at loading port will be financed by CCC only if the Director, Program Operations Division, determines that by incurring such expense net dispatch is earned by the vessel.

(l) *Reimbursement for balance of ocean freight.* In cases where the charter party or liner booking contract provides for dispatch earnings or where Form CCC 106 indicates that a Notice of Arrival is required and subsequent to the initial reimbursement of 90 percent of the dollar cost of ocean transportation, it is established that a part or all of the final 10 percent is eligible for reimbursement, the supplier of transportation is entitled to prompt payment by the charterer of that portion of the final 10 percent which is not in dispute. Upon request of such supplier, the importing country must arrange for the Notice of Arrival and signed loading and discharging laytime statements and statements of fact, to permit the supplier to present documents required by § 11.13(e) covering payment of any portion of the final 10 percent not in dispute. Upon presentation of acceptable documentation, the importing country must promptly make or authorize payment therefor.

(m) *Eligibility of ocean transportation contracts for financing.* Contracts for ocean transportation shall not be

eligible for financing by CCC if the supplier of the ocean transportation is also the supplier of the commodity or is an affiliate of such supplier of the commodity, unless the supplier of ocean transportation (1) is the owner of the vessel named in the Form CCC 106 or (2) is the operator of such vessel by time charter or bareboat charter and the ocean freight rate for which reimbursement is claimed is not in excess of the rate he contracted for with the owner of the vessel.

(n) *Ocean transportation included in the commodity contract price.* (1) If the contract is basis c. & f. or c.i.f. and the price includes the cost of ocean transportation as well as the cost of the commodity, the cost of ocean transportation will be financed only to the extent specifically provided in the applicable purchase authorization.

(2) When the Form CCC 106 provides that the cost of ocean transportation will not be financed by CCC, it will require that the supplier's detailed invoice covering the commodity shipped show a deduction for ocean transportation.

§ 11.13 Documentation.

(a) *General.* Requests for payment submitted to banking institutions by suppliers and requests submitted to CCC for reimbursement of commodity or ocean transportation payments or both shall be supported, except as otherwise provided in the purchase authorization, by the documents required by this section, the purchase authorization, the letter of commitment, and Appendix B unless previously submitted to CCC. Such documents, however, need not be submitted when and to the extent that the Controller, CCC, determines that the intended purpose of a document is served by documents otherwise available to or under the control of CCC or by alternate documents specified in such determination. The documents required herein are in addition to any other documents the supplier may be required to submit to a bank under the applicable letter of credit. The supplier must present documentation required by CCC to the banking institution for immediate payment or acceptance of a time draft.

(b) *Identification.* (1) The following documents must be identified with the appropriate purchase authorization numbers or be readily identifiable therewith:

(i) Documents to be submitted by suppliers to banking institutions with request for payment of commodity price (including ocean transportation and insurance when covered by the commodity price) and such documents when submitted to CCC for reimbursement.

(ii) Documents to be submitted to CCC to obtain reimbursement under a purchase authorization for ocean transportation shall be identified with the number thereof including the "OT" suffix, except that a copy of the ocean bill of lading may bear the related commodity purchase authorization number.

(2) The supplier must put the appropriate purchase authorization number

on all documents specified in this Section which are prepared under his control. He should arrange for the appropriate purchase authorization number to be put on all other required documents at the time of their preparation.

(c) *Documents required for financing commodity price (including ocean transportation and insurance when covered by the commodity price).* (1) Signed originals of supplier's certificates, with invoice-and-contract abstract on the reverse side (Form CCC 329) as follows:

(i) When the cost of ocean transportation is financed by CCC, in whole or in part, two Forms 329 are required, that is, one covering the commodity supplier's invoice price expressed in dollars (to be executed by the supplier of the commodity), and one covering the cost of ocean transportation expressed in dollars (to be executed by the ocean carrier).

(ii) When no part of the ocean transportation cost is being financed by CCC, only one Form CCC 329 is required covering the supplier's net invoice price for the commodity expressed in dollars, executed by the supplier of the commodity.

(2) One copy of the ocean bill of lading (on-board or showing on-board endorsement dated and signed or initialed on behalf of the carrier).

(3) One copy of the supplier's detailed invoice showing quantity, description, contracted price, and net total invoice price expressed in dollars and basis of delivery (e.g., f.o.b. vessel, c. & f.) of the commodity. In the case of the reimbursement method of financing the invoice shall also be marked "Paid." In the event the importer procured the commodity through his affiliate, this copy of the invoice shall include an itemization of the amounts specified in § 11.7(c) or the supplier must furnish such information in a separate signed statement attached to the invoice to the ASCS Office named in the purchase authorization. Whenever the Form CCC 106 provides for an ocean freight rate differential on a c. & f. or c.i.f. sale and authorizes financing of ocean transportation costs by CCC, the supplier's detailed invoice shall show a computation of the dollar amount of ocean freight rate differential. In arriving at the net invoice price there shall be deducted:

(i) The cost of ocean transportation, or portion thereof, which is not being financed by CCC when the cost of ocean transportation is included in the contracted price;

(ii) All discounts from the supplier's contracted price through payments, credits, or other allowances made or to be made to the importers, his agent or consignee;

(iii) All purchasing agent's commissions applicable;

(iv) All other amounts not eligible for financing.

(4) Signed original of Form CCC 106-1 or 106-3.

(5) One nonnegotiable copy of the insurance certificate or policy where the cost of insurance is included in the price of the commodity to be financed by CCC.

(6) Signed original of Form CCC 329-3, "Statement of Transmittal of

Ocean Bills of Lading", showing that two nonnegotiable copies of ocean bills of lading have been sent to the Administrator, Foreign Agricultural Service, USDA, Washington, D.C., 20250.

(7) Requests for additional payments, submitted in connection with transactions for which all or part of the required documents have been previously submitted to the banking institution, shall be supported by the following documents as applicable:

(i) The supplier's certificate, with the invoice-and-contract abstract on the reverse and the supplier's detailed invoice, covering the additional amount requested. The supplier's invoice must show the date, serial number and the amount of the original invoice and the basis for the additional amount claimed;

(ii) If the payment is stated to be due because of the exercise of a higher-rated option provided in a liner booking contract or charter party, a statement signed by the ship's master or owner (or agent of either of them) showing exercise of the higher-rated option.

(8) Any additional or substitute documentation that may be required by the purchase authorization or the letter of commitment.

(9) Whenever a copy of a weight certificate is required by this subpart or the applicable purchase authorization, the supplier shall submit a weight certificate issued by or on authority of a State or other governmental Weighing Department, Chamber of Commerce, Board of Trade, Grain Exchange, or other independent organization or firm providing public weighing services. Such organization or firm must have (i) qualified, impartial, paid employees who are stationed at the port facility or, if authorized under the applicable purchase authorization, other facility where weights customarily are determined, one of whom performed the weighing covered by the certificate, or (ii) qualified, independent, impartial, supervised weighmasters stationed at the port facility or, if authorized under the applicable purchase authorization, other facility where weights are customarily determined one of whom supervised the employee of such a facility in the performance of the weighing covered by the certificate.

(10) Appendix B or the applicable purchase authorization will specify the particulars of any required inspection certificate. Federal appeal inspection certificates when included in the documents presented for payment shall supersede any other inspection certificate required by this subpart, the applicable purchase authorization, or the letter of commitment.

(d) *Special documentation requirements.* In addition to the general documentation requirements set forth in paragraphs (a) through (c) of this section, special documentation applicable to individual commodities is prescribed in Appendix B attached to this subpart. In addition to the provisions of the particular purchase authorization, each purchase authorization shall be subject to the special documentation provisions of Appendix B, for the specific commodity.

named in the purchase authorization, to the same extent as though fully set forth in the purchase authorization unless otherwise specifically provided in such authorization.

(c) *Documents required for reimbursement of ocean transportation financed separately from commodity price.* In order to obtain reimbursement of ocean transportation which is financed separately from the commodity price, the following documentation shall be submitted:

(1) Signed original of supplier's (ocean carrier or agent) certificate, with invoice-and-contract abstract on the reverse side (Form CCC 329) to be executed by the carrier or agent, covering the dollar cost of ocean transportation.

(2) One copy of the ocean bill of lading (on-board or showing on-board endorsement dated and signed or initialed on behalf of the carrier) and, if required by the related Form CCC 106-2, a Notice of Arrival at the first port of discharge of the vessel named in the Form CCC 106-2, except that the Administration will waive the requirement for the Notice of Arrival by written notice to the supplier of ocean transportation, upon the receipt of evidence satisfactory to the Administrator that the vessel is lost or unable to proceed to destination after completion of loading as a result of one or more of the following causes: Damage caused by perils of the sea or other waters; collisions; wrecks; stranding without the fault of the carrier; jettison; fire from any cause; Act of God; public enemies or pirates; arrest or restraint of princes, rulers, or peoples without the fault of the supplier of the ocean transportation; wars; public disorders; captures; or detention by public authority in the interest of public safety.

(3) One copy of carrier's detailed invoice marked, "Paid." Such invoice shall contain the following typed or stamped certification, executed by the supplier:

"The undersigned hereby certifies that the vessel named herein and for which the cost of ocean freight is claimed, qualifies as a privately owned U.S.-flag commercial vessel within the requirements of Public Law 87-266 and is an eligible U.S.-flag vessel for the purposes of Public Law 664, 83d Congress."

(4) Signed original of the 106-2 (or 106-3 in the case of cotton).

(5) One copy of the charter party in the case of shipment by dry bulk cargo vessel or tanker.

(6) Requests for reimbursement of any balance claimed on a shipment after initial reimbursement of 90 percent of the dollar cost of ocean transportation as provided in § 11.12(j), shall be supported by the following documents:

(i) A copy of the carrier's final invoice marked, "Paid". Where the freight contract does not provide for dispatch and the supplier certifies this fact on his final invoice the documents in subdivisions (iii) and (iv) of this subparagraph are not required.

(ii) A Notice of Arrival, if required by the Form CCC 106 and not previously presented to support the 90 percent payment.

(iii) A copy of loading and discharging laytime statement(s) and statement(s) of fact signed by the ship's master or owner and the charterer or consignee. Agent's signature is acceptable.

(iv) If a copy of the charter party was not presented pursuant to subparagraph (5) of this paragraph, a copy of the freight contract showing the terms of dispatch and demurrage.

(v) Supplier's Certificate, Form CCC 329 covering the balance claimed.

(7) Requests for payment of any amounts claimed because of the exercise of a higher-rated option following payment of a lower-rated option pursuant to § 11.12(f) (8) shall be supported by the following documents:

(i) Copy of the carrier's detailed invoice marked, "Paid";

(ii) Supplier's Certificate for the balance claimed;

(iii) A statement signed by the ship's master or owner and signed laytime statements or other written concurrence of charterer showing the exercise of the higher-rated option. Agent's signature is acceptable.

(f) Any additional or substitute documents that may be required by the purchase authorization.

§ 11.14 Documents in support of drafts drawn on CCC by banking institutions.

Drafts drawn on CCC by banking institutions under letters of commitment for reimbursement of amounts disbursed to suppliers shall be supported by the following documents:

(a) *Documents obtained from suppliers.* Documents specified in § 11.13 and such additional or substitute documents as may be required with respect to any particular transaction as specified in the purchase authorization and in Appendix B or in the letter of commitment. A banking institution holding a letter of commitment is not required by CCC to obtain from suppliers any documents other than those required in the preceding sentence.

(b) *Documents originated by banking institutions.* (1) Form CCC 331, "Advice of Payment or Acceptance of Draft," containing an authorized signature for the banking institution.

(2) A copy of the advice of payment for ocean freight differential when required by § 11.15(a) (7).

(c) *Documents originated by ASCS Offices.* (1) Form CCC 339, "Advice of Receipt of Documents," containing authorized signatures for CCC and the banking institution.

§ 11.15 Responsibilities of banking institutions.

(a) *Full responsibilities.* For transactions under letter of commitment, the banking institution shall have full responsibility for the following:

(1) *Delivery of documents.* The banking institution shall deliver to the Federal Reserve Bank named in the letter of commitment, documents required by this subpart, the letter of commitment, and the purchase authorization.

(2) *Advice to approved applicant.* The banking institution shall give advice of the amount of dollar disbursement or the dollar amount and maturity of time drafts accepted to the approved applicant or its designee, which advice shall accompany documents transmitted to the approved applicant. There shall be included in the transmittal a request that the local currency equivalent of dollar disbursements be deposited immediately in the account of the U.S. Disbursing Officer, or that the local currency equivalent of the dollar amount of time drafts being financed by CCC be deposited in the account of the U.S. Disbursing Officer at maturity.

(3) *Examination of documents.* The banking institution shall examine the required documents, except the "invoice-and-contract abstract" (Form CCC 329—reverse), in accordance with good commercial practice.

(4) *Delivery date.* The banking institution shall ascertain that the bills of lading bear a date within the delivery period specified in the purchase authorization, or any extension thereof granted by the Administrator.

(5) *Destination.* The banking institution shall ascertain that the required documents are consistent, under good commercial practice, with shipment to the importing country shown in the purchase authorization.

(6) *Description.* Section 11.11(h) (3) provides that the commodity description in letters of credit shall not be inconsistent with the description in the purchase authorization. In making payment or accepting time drafts under letters of credit, the banking institution shall, on the basis of the description contained in the required documents act in accordance with good commercial practice.

(7) *Verification of computation of ocean freight differential and notification to approved applicant.* Whenever Form CCC 106 provides for an ocean freight rate differential on a c. & f. or c.i.f. sale, and authorizes financing of ocean transportation costs by CCC, and the total transaction is financed by the bank under a letter of credit, the banking institution shall determine that the supplier's detailed invoice shows a computation of the dollar amount of ocean freight differential; shall verify the computation of such amount of differential, using the rate stated in Form CCC 106 and the gross weight shown on the supplier's detailed invoice or the bill of lading, whichever is less; and shall include with the advice of dollar disbursement or time draft accepted under the letter of credit, advice of the net dollar amount for which the equivalent in local currency is to be deposited immediately or at maturity of a time draft as provided in § 11.11(o). This advice shall specify that deposit of local currency is not required for the value of the ocean freight differential. Such advice shall be in substantially the following language:

The amount of \$..... paid to the beneficiary includes an ocean freight differential of \$..... according to the provisions of the attached copy of Form CCC 106, "Advice

of Vessel Approval." You are requested to deposit only the local currency equivalent to the net amount of \$-----

A copy of such advice, whenever the amount paid includes such differential, shall be sent with the other required documents to the ASCS Office named in the letter of commitment. The commodity supplier will obtain payment of the ocean transportation differential from the ASCS Office when such differential is not financed by the bank under a letter of credit.

(8) *Reimbursement of CCC for losses.* In the event of any loss to CCC as a direct result of failure on the part of the banking institution to carry out its responsibilities as required by this subpart and upon refusal of the banking institution to pay promptly upon demand by CCC, CCC may draw on such bank for the recovery of the dollar amount of the loss plus interest at the rate of 6 percent per annum computed from and including the date of the original payment by or reimbursement by CCC to but not including the date of payment of the draft. Any such draft shall state that it is "Drawn under § 11.15(a)(8) of the Title I, Public Law 480 Regulations."

(9) *Adjustment refunds.* The banking institution shall at the end of each calendar month, report to the Controller, CCC, the total amount of any adjustment refunds received during the month. A copy of each advice sent to approved applicants or agents shall accompany each monthly report. The banking institution has no other responsibility under § 11.9.

(10) *Purchase authorization number.* The banking institution shall examine required documents to determine that they bear the appropriate purchase authorization number or are readily identifiable therewith.

(11) *Additional requirements.* Any additional particulars for which the banking institution is to be responsible will be specified in the purchase authorization or letter of commitment as (i) additional required documents, (ii) additional statements to be contained in the required documents, or (iii) additional actions to be performed.

(b) *Limited responsibilities.* The banking institution shall have limited responsibility for transactions under letters of commitment as follows:

(1) *Contracting.* Section 11.6(a) provides that contracts must meet certain specific requirements in order to be eligible for financing. The banking institution is responsible only to the extent of ascertaining that the required documents show delivery terms as required by the purchase authorization (f.o.b., f.a.s., c. & f., or c.i.f.). The banking institution has no responsibility under other provisions of § 11.6.

(2) *Vessel approval.* The banking institution shall not make payment under the letter of credit unless the name of the vessel shown on Form CCC 106 agrees with the name of the vessel shown on the bill of lading. The banking institution is not required to verify the signature appearing on Form CCC 106 or to make an independent inquiry as

to the correctness of the information shown thereon. The banking institution shall not accept as a required document any Form CCC 106 which bears evidence of alteration.

(3) *Discounts, purchasing agent's commissions and consular fees.* The banking institution is not required to make independent inquiry as to whether the net invoice price includes either discounts (whether expressed as such or as "commissions" to the importer, or made or to be made through payments, credits or other allowances to the buyer or consignee) commissions payable to purchasing agents, or consular fees but shall not honor any such items when disclosed by the required documents. (As to Form CCC 329 (Reverse), see paragraphs (a)(3) and (c)(2) of this section.) The provisions of §§ 11.7(d) and 11.8(c) regarding commissions are intended primarily for the instruction of suppliers, and banking institutions are not responsible for compliance therewith except to the extent set forth above.

(4) *Weight certificate.* The banking institution is responsible for ascertaining that a weight certificate is included in the documentation when required by the purchase authorization or appendix B, and that the quantity invoiced does not exceed the weight shown on the certificate. The banking institution is not responsible for ascertaining that the weight certificate meets the requirements of § 11.13(c)(9).

(5) *Insurance.* The banking institution is responsible only for ascertaining that a copy of the policy or certificate of insurance accompanies the required documents whenever the cost of insurance is included in the commodity price under a purchase authorization which specifically authorizes contracting on a c.i.f. basis.

(6) *Deduction for ocean transportation on c. & f. or c.i.f. invoices.* If Form CCC 106 provides that the cost of ocean transportation is not to be financed by CCC, the banking institution shall not make payment or accept time drafts under the letter of credit unless a deduction for the cost of ocean transportation is shown on the CCC copy of the supplier's detailed invoice. The banking institution is not required to verify the correctness of the amount(s) of such deduction(s).

(7) *Price.* The banking institution is responsible for verifying that the unit price stated in the supplier's invoice does not exceed the unit price stated in the document showing price approval by USDA whenever such document is required, but is not responsible for the price provisions set forth in § 11.7.

(8) *Ocean transportation.* The banking institution is responsible for provisions relating to ocean transportation as set forth in § 11.12 only to the extent specified in paragraphs (a) (5) and (7) of this section, and subparagraphs (2) and (6) of this paragraph.

(9) *Information from other sources.* The right of reimbursement for payments made or drafts accepted by a banking institution in accordance with good commercial practice will not be af-

fect, except for those particulars set forth in paragraph (a) of this section and this paragraph, by the fact that the documents received by the banking institution or information or notice received from any other source indicates noncompliance with any provisions of this subpart, or of the purchase authorization or the letter of commitment.

(c) *No responsibility.* For transactions under a letter of commitment, the banking institution has no responsibility for the following:

(1) *Supplier's certification.* The banking institution is not responsible for the truth or accuracy of information contained in the supplier's certificate or in any special certification required by this subpart, the terms of the purchase authorization or the letter of commitment. The banking institution is entitled to rely on such certifications.

(2) *Invoice-and-contract abstract.* The banking institution is not responsible for the truth or accuracy of information contained in the Invoice-and-Contract Abstract, Form CCC 329 (Reverse), for the sufficiency or completeness of such information or for any indication by such information of non-compliance with any provision of this subpart or the purchase authorization.

(3) *Contracting period.* The purchase authorization specifies the period during which contracts may be entered into by suppliers and importers. A banking institution has no responsibility with regard to compliance with this requirement.

(4) *Statements in required documents.* The banking institution is not responsible for the truth or accuracy of the statements, if any, contained in the required documents. A banking institution is not obligated to look beyond these documents or to make independent investigations as to the accuracy of statements made therein. Acceptability of documents is described in § 11.11(j).

(5) *Affiliate.* The banking institution is not responsible for determining whether or not the supplier and the importer are affiliates. Also, the banking institution is not responsible for the furnishing or verification of any information required to be furnished pursuant to § 11.7(c).

(6) *Deposit of local currency.* The banking institution is not responsible for the deposit of local currency.

(d) *Responsibilities under reimbursement method of financing.* No letters of commitment are issued for purchase authorizations which provide for the reimbursement method for financing.

§ 11.16 ASCS Offices.

The addresses of the ASCS Offices are as follows:

ASCS Commodity Office, U.S. Department of Agriculture, 2201 Howard Street, Evanston, Ill., 60202.

ASCS Commodity Office, U.S. Department of Agriculture, 8930 Ward Parkway, Post Office Box 205, Kansas City, Mo., 64161.

ASCS Commodity Office, U.S. Department of Agriculture, 6400 France Avenue South, Minneapolis, Minn., 55424.

ASCS Commodity Office, U.S. Department of Agriculture, Wirth Building, 120 Marais Street, New Orleans, La., 70112.
 New York Field Office, Fiscal Division, ASCS, 80 Lafayette Street, New York, N.Y., 10013.
 Fiscal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

§ 11.17 Supplier's records.

The supplier shall permit authorized representatives of USDA to have access to his premises during regular hours to inspect, examine, audit and make copies of such books, records and accounts. The supplier shall keep accurate books, records and accounts, with respect to all contracts entered into hereunder. Such records shall be retained until the expiration of three years after final payment under such contracts.

§ 11.18 Effective date.

This revision of this subpart shall become effective upon publication in the FEDERAL REGISTER as to purchase authorizations originally issued on and after the date of such publication. Purchase authorizations originally issued prior to such date of publication shall continue to be subject to the provisions of this subpart which were applicable thereto prior to this revision unless made subject to this revision by amendment or modification of such purchase authorizations.

Done at Washington, D.C., this 10th day of December 1965. Witness my hand and the seal of the Department of Agriculture.

ORVILLE L. FREEMAN,
 Secretary of Agriculture.

APPENDIX A—REGULATIONS GOVERNING THE FINANCING OF COMMERCIAL SALES OF SURPLUS AGRICULTURAL COMMODITIES FOR FOREIGN CURRENCIES

In addition to the other provisions of the Regulations and unless otherwise provided in the applicable purchase authorization, the following special provisions apply in the case of specific commodities.

- (a) *Wheat in bulk or bags.*
- (1) *Payment-in-kind:* Contracts will not be eligible for financing unless the supplier has complied with the requirements of the "Wheat Export Program, Payment-in-Kind (GR-345) Terms and Conditions" as amended or revised, as they pertain to sales pursuant to Title I, Public Law 480.
- (2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission, if any.
- (3) *Time of sale:* In order to amplify the definition of "time of sale" in section 11.7 of the Regulations, the "time of sale" shall mean the earliest time on the day of sale that the supplier has knowledge that a firm contract exists with the foreign buyer.
- (4) *Quality description:* Contracts shall provide for quality description in terms of the Official Grain Standards of the United States.
- (5) *Transshipment:* To the extent that exportation of wheat from Canadian transshipment point(s) is required in U.S.-flag

vessels, the Form CCC 106 will require that an equivalent quantity of U.S. wheat was moved from U.S. Great Lakes ports to the Canadian transshipment point(s) via the St. Lawrence Seaway in U.S.-flag vessels.

(6) *Weight and grade (bulk):* In the case of bulk wheat, the weight shall be determined at point of loading to vessel and the grade shall be determined by an inspector holding a license under the U.S. Grain Standards Act or the Agricultural Marketing Act at point of loading to vessel.

(7) *Weight and grade (bags):* In the case of wheat in bags, the grade shall be determined by an inspector holding a license under the U.S. Grain Standards Act or the Agricultural Marketing Act made not more than 15 days prior to loading to vessel while the wheat was at port under the supervision of the Port Authority, and the weight shall be determined by check-loading by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at the time of loading the wheat for shipment to port for export or at time of loading the wheat to vessel.

(8) *Dockage:* In determining weights, there shall be deducted the amount of any dockage indicated on the inspection certificates.

(b) *Wheat flour.*
 (1) Minimum flour specifications eligible for financing will be provided in the applicable purchase authorization.

(2) Contracts shall state the type and weight of bags required by the importer.

(3) Contracts will not be eligible for financing hereunder unless the supplier has complied with the requirements of the "Flour Export Program, Cash Payment (GR-346) Terms and Conditions" (as amended or revised) as they pertain to sales pursuant to Title I, Public Law 480. (The approved price for flour which meets the minimum and maximum quality specifications described above, but which does not meet the quality specifications shown on Form CCC 362 shall be subject to the discounts provided in section (b) (4) of this Appendix A.)

(4) Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and commission if any.

(5) In order to amplify the definition of "time of sale" in section 11.7 of the regulations, the "time of sale" shall mean the earliest time on the date of sale that the supplier has knowledge that a firm contract exists with the foreign buyer.

(6) Ten (10) days prior to sampling the supplier must furnish contract specifications regarding quality, in duplicate, to the Program Operations Division, FAS, USDA, Washington, D.C., 20250, together with a citation to the name and address of the persons, firms, or agency that will perform the sampling and analysis service and the location of the flour and dates available for sampling.

(7) *Sampling, analysis, weighing, bags and markings:*

(1) *Sampling:* The drawing of samples shall be performed by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, or by an independent surveyor mutually acceptable to the importer(s) and supplier(s). Supplier(s) shall request inspection of the flour upon arrival at port of loading to vessel. If the inspection certificate is dated more than fifteen (15) days prior to the on-board date shown on the ocean bill of lading the supplier shall obtain additional inspection

within fifteen (15) days of the on-board date shown on the ocean bill of lading showing that the flour was free of infestation.

(ii) *Minimum rates for sampling:* The following minimum rate applies to any delivery or portions of delivery for which a separate inspection has been requested. The minimum rate of sampling shall be one composite sample of flour for each 500,000 pounds or part thereof. A composite sample shall consist of all the products from 50 probes. Each of the 50 probes shall be obtained from a different bag of flour selected at random. When it is desired to increase the sampling rate because of nonuniformity of the flour or for other reasons, it shall be done by increasing the number (not size) of composite samples for each 500,000 pound portion. Each composite sample shall be tested separately in a laboratory to determine quality. The results of the analyses of composite samples will be averaged (weighted average) and certified on one certificate when no individual composite sample deviates from the contract specification for any factor by more than the tolerance in the following schedule:

MAXIMUM DEVIATION OF A SAMPLE RESULT FROM THE CONTRACT SPECIFICATION

- Minus 0.5 percent protein.
- Plus 0.2 percent moisture.
- Plus 0.02 percent ash.

If one or more composite samples exceed the tolerances in the above schedule for any factor, each of these shall be certified separately. The remaining composite samples shall be averaged and certified on one certificate.

(iii) *Re-coopering:* Re-coopering of bags shall be the responsibility of the supplier and performed at his expense.

(8) *Analysis:* The quality of the flour exported shall be determined by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, or by a commercial laboratory mutually acceptable to buyer and seller.

(9) *Check sampling and analysis:* If the services are performed by independent samplers and commercial laboratories, FAS may at any time request the Inspection Branch, Grain Division, C&MS, USDA, to draw check samples and perform check analysis. The cost of such check sampling and analyses will be for the account of CCC.

(10) *Weighting:* The flour to be exported shall be check-weighed at the mill at the time of loading to sealed cars or trucks for shipment to port of export, or at the port of export while the flour was at port under the control of the Port Authority, by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, or by an independent weighmaster or an independent surveyor mutually acceptable to the importer(s) and seller(s) to determine (1) gross weight, (2) net weight, and (3) tare weight.

(11) *Bag specifications:* Compliance with contract specifications and suitability of bags for export shall be determined by an independent surveyor. Each bag shall be marked with the name of the importing country and the purchase authorization number.

(12) *Schedule of Discounts on deficient protein and excess moisture or ash and either excess or deficient maltose:* (protein, ash and maltose will be on the basis of 14 percent moisture). If the flour exported meets the minimum and maximum specifications set forth in section (b) (7) (ii) of the Appendix A but does not meet the quality specifications as shown on the Form CCC 362 (7-11-61), the approved price shall be reduced by the following schedule of discounts:

Excess ash	Excess moisture	Deficient protein
<i>Per each 100 pounds</i>	<i>Per each 100 pounds</i>	<i>Per each 100 pounds</i>
0.01-2 cents.....	0.1-2 cents.....	0.1-2 cents.....
0.02-4 cents.....	0.2-4 cents.....	0.2-4 cents.....
0.03-6 cents.....	0.3-6 cents.....	0.3-6 cents.....
0.04-8 cents.....	0.4-8 cents.....	0.4-8 cents.....
0.05-12 cents.....	0.5-12 cents.....	0.5-12 cents.....
Over 0.05-12 cents plus 12 cents for each 0.01 percent.	Over 0.5-12 cents plus 12 cents for each 0.1 percent.	Over 0.5-12 cents plus 12 cents for each 0.1 percent.

(c) Feed grains in bulk or bags.

(1) *Notification of sale by supplier:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

Supplier's name and address.
Purchase authorization number.
Name of importer.
Sales contract or order number, if any.
Date and time of sale.
Complete commodity description—(contract specification).

If other than bulk shipment, show complete pack and package material specification. Quantity expressed in contract units and in bushels.

Price per contract unit and per bushel. Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

Contract delivery schedule.
Name and address of sales agent, if any.
Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and by telephone if requested, from the Office of the General Sales Manager, promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission, if any.

(3) *Weight and grade (bulk):* In the case of feed grains in bulk, the weight shall be determined at point of loading to vessel and the grade shall be determined by an inspector holding a license under the U.S. Grain Standards Act or the Agricultural Marketing Act at point of loading to vessel.

(4) *Weight and grade (bags):* In the case of feed grains in bags, the grade shall be determined by an inspector holding a license under the U.S. Grain Standards Act or the Agricultural Marketing Act not more than 15 days prior to loading to vessel while the feed grain was at port under the super-

vision of the Port Authority, and the weight shall be determined by checkloading by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at the time of loading the feed grain for shipment to port for export or at time of loading the feed grain to vessel.

(5) *Transshipment:* To the extent that exportation of feed grain from a Canadian transshipment point(s) is required in U.S.-flag vessels, the Form CCC 106 will require that an equivalent quantity of U.S. feed grain was moved from U.S. Great Lakes ports to the Canadian transshipment point(s) via the St. Lawrence Seaway in U.S.-flag vessels.

(6) *Quality description:* Contracts shall provide for quality description in terms of the Official Grain Standards of the United States.

(7) *Dockage:* Dockage shown on inspection certificates must be deducted from official weights, except for barley. Dockage must also be deducted for barley unless the supplier's sale is approved and such sale specifically provides for a specified dockage allowance. Such sales for barley will not be approved if dockage allowed exceeds 2 percent.

(d) *Corn meal (edible).*

(1) *Notification of sale:* The supplier, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

Supplier's name and address.
Purchase authorization number.
Name of importer.
Sales contract or order number, if any.
Date and time of sale.
Complete commodity description—(contract specification).

Complete pack and package material specification.

Quantity expressed in contract units and in 100 pounds net weight.

Price per contract unit and 100 pounds net weight.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign buyer).

Contract delivery schedule.
Name and address of sales agent, if any.
Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the

supplier's agent if any, the contract price(s), and the commission, if any.

(3) *Specifications:* Corn meal shall be degermed yellow corn meal, Type II, Class B, Granulation 2, Color b. The corn meal shall conform with the requirements of Federal Specifications N-C-521-c (and shall meet all the requirements of sections 1 through 4 of such Federal Specifications).

(4) *Sampling, analysis and weighing:*

(i) *Sampling:* The drawing of samples shall be performed by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at point of loading to vessel not more than fifteen (15) days prior to loading to vessel.

(ii) *Re-coopering* of bags shall be the responsibility of the supplier and performed at his expense.

(iii) *Analysis:* The quality of the corn meal exported shall be determined by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture.

(iv) *Advice of contract specifications:* Ten (10) days prior to sampling the supplier must furnish contract specifications regarding quality to the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250. The U.S. supplier(s) shall submit, with the contract specifications, the names of the port(s) of exportation.

(v) *Weighting:* The corn meal to be exported shall be checkloaded at the mill at the time of loading to sealed cars or trucks for shipment to port of export, or at the port of export while the corn meal is at port under the control of the Port Authority by the Inspection Branch, Grain Division, Consumer and Marketing Service, United States Department of Agriculture, to determine (a) gross weight, (b) net weight, and (c) tare weight.

(vi) *Bag specifications:* Compliance with contract specifications and suitability of bags for export shall be determined by an independent surveyor. Each bag shall be marked with the name of the importing country and the purchase authorization number.

(5) *Quality discount for corn meal—no meeting specifications:* If the quality of the corn meal does not meet the quality specifications required by paragraph (d) (3) of this Appendix A, but falls within the limits listed below, the maximum price financed by CCC will be the contract price, less the applicable discount shown below for each 100 pounds of corn meal. Corn meal will not be financed which deviates from specifications more than the limits indicated below:

DISCOUNTS		
Percent ash degermed	Percent fat degermed	Percent moisture
0.00-0 cents.....	1.50-0 cents....	13.5-0 cents.
0.70-1 cent.....	1.00-2 cents....	13.5-2 cents.
0.80-2 cents.....	1.70-4 cents....	13.7-4 cents.
0.90-4 cents.....	1.80-6 cents....	13.8-6 cents.
1.00-6 cents.....	1.90-10 cents....	13.9-8 cents.
1.10-8 cents.....	2.00-12 cents....	14.0-12 cents.

GRANULATION	
Not more than 20 percent thru 60 sieve.	
Not more than 30 percent thru 45 sieve.	
Not less than 90 percent thru 25 sieve.	
Not less than 99 percent thru 20 sieve.	
1 percent off.....	1 cent.
2 percent and 3 percent off.....	2 cents.
4 percent and 5 percent off.....	3 cents.
6 percent and 7 percent off.....	5 cents.
8 percent to 10 percent off.....	7 cents.

(e) *Cracked corn or corn meal.*
(1) *Notification of sale by supplier:* The supplier shall immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural

Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number, if any.
- Date and time of sale.
- Complete commodity description—(contract specification).
- Complete pack and package material specification. Quantity expressed in contract units and in bushels. Price per contract unit and per bushel.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and by telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendments to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Inspection and weight:* A determination by an inspector holding a license under the U.S. Grain Standards Act shall show that the yellow corn from which the commodity was processed graded No. 4 or better, and the weight of the processed commodity shall be determined by checkloading by or under the supervision of the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at the time of loading for shipment to port for export or at time of loading to vessel.

(4) *Kind and size of bags:* The contract shall specify the kind and size of bags and whether such bags are new or used.

(f) *Soybean oil or cottonseed oil.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number, if any.
- Date of sale.
- Complete commodity description—(contract specification).

If other than bulk shipment, show complete pack and package material specification.

Quantity expressed in contract units and in pounds.

Price per contract unit and per pound.
Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and by telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality and containers:* Contracts for cottonseed and/or soybean oil will not be eligible for financing unless the oil meets quality specifications as provided in the applicable purchase authorization. If the commodity is to be purchased in drums, they must be new or reconditioned drums, if in barrels, they must be new barrels, and if in bags, state the type, size and weight of the bags.

(4) *Advice of contract specifications:* Ten (10) days prior to sampling the supplier must furnish contract specifications regarding quality, in duplicate, to the Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250, together with a citation to the name and address of the persons, firms or agency that will perform the sampling and analysis service and the location of the oil and dates when available for sampling.

(5) *Sampling and analysis:* The drawings of samples and laboratory analysis may be performed by the Inspection Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, or by independent surveyor(s) and commercial laboratories mutually agreeable to the importer and the supplier. If the services are performed by independent surveyor(s) and commercial laboratories, FAS may at any time request the Inspection Branch, Grain Division, C&MS, USDA, to draw check samples and perform check analysis. The cost of such check sampling and analysis will be for the account of CCC.

(1) *Bulk oil:* In the case of bulk oil, the samples shall be obtained in accordance with American Oil Chemists' Society Method C 1-47.

(ii) *Drums or barrels:* In the case of oil in drums, or barrels, samples shall be drawn not more than 30 days prior to on-board date

shown on the ocean bill of lading, while the containers are being filled.

(iii) *Flakes in bags:* In the case of flakes in bags, samples shall be drawn from 10 percent of bags selected at random at the time and point of loading to vessel.

(6) *Weighting:* Determination of weight shall be by an independent weighmaster or independent surveyor.

(1) *Bulk oil:* The weight shall be determined at the time of loading aboard the vessel.

(ii) *Oil in drums, barrels, or bags:* The weight of the oil exported shall be determined at time of filling containers.

(7) *Surveying of containers:*

(1) *Bulk oil:* Each tank into which the oil is to be loaded shall be examined by an independent surveyor prior to loading to determine that the tank(s) are clean and otherwise suitable for receipt of the oil.

(ii) *Oil in drums:* Drums shall be examined, prior to filling, by an independent surveyor. The drums shall be new or reconditioned and shall be rejected if mechanically unsound; contaminated with previous contents; or printed with labels or markings for other commodities. The weight of each drum shall be determined at the time of inspection for the purpose of establishing the tare weight.

(iii) *Oil in barrels:* Barrels must be new and shall be examined prior to filling by an independent surveyor. They shall be rejected if mechanically unsound, or printed with labels or markings for other commodities. The weight of each barrel shall be determined at the time of inspection for the purposes of establishing the tare weight.

(iv) *Flakes in bags:* Suitability of the bags for export and compliance with contract specifications shall be determined by an independent surveyor.

(8) *Markings:* Markings requested by the importer shall be stenciled on the drums, barrels or bags and shall include the name or symbol of the supplier, the purchase authorization number and the name of the importing country.

(g) *Unmanufactured and/or tobacco products.*

(1) *Unmanufactured tobacco:*

(1) *Prices, loading on vessel, and weights:* A determination that the supplier's prices are not in excess of the prices which may be approved pursuant to the regulations shall be made by the Producer Associations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, following examination at port of loading to vessel. In the case of tobacco examined at the loading pier, a certification by an official of the port authority that the tobacco was loaded on board vessel is required; and in the case of tobacco examined at a public warehouse in the port area, a certification by a warehouse official that the tobacco was consigned to the port authority and a certification by an official of the port authority that such tobacco was received and was loaded aboard vessel are required.

(ii) *Notification of sale by supplier:* As soon as possible after the contract is signed and at least ten days prior to exportation the supplier must notify the Director, Producer Associations Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250, of the date and port at which the tobacco or tobacco products will be available for examination together with contract data as follows:

- (a) Supplier's name and address.
- (b) Purchase authorization number.
- (c) Country of destination.
- (d) Commodity description including hogshead or shipping numbers, grade, number of cases, type, and selling price per hundred weight.

(e) Name and address of the sales agent, if any.

(f) Percentage of sales commission, if any, included in price.

(g) Such additional information as may be required by the Director, Producer Associations Division.

(iii) *Marking containers:* In addition to other markings required by the importer, there shall be stenciled on each hogshead or case the hogshead or case number (or designated shipping number), gross weight, purchase authorization number and name of importing country.

(iv) *Costs of inspection and other services:* Any costs involved in the examination of the tobacco, and for services of port officials, warehouse officials and weighmasters as required by the purchase authorization will be for the account of the supplier.

(v) *Contents:* The unmanufactured tobacco shall include cigar cuttings, scraps, siftings, stems (except the stem of leaf sold), trimmings, and homogenized leaf.

(2) *Tobacco products, cigarettes, and/or packaged and cut tobacco:*

(1) *CCC financing:* The portion of the contracted price which will be financed by CCC, unless otherwise specified in the purchase authorization, is as follows:

Cigarettes:

Nonfilter standard brands (including all-tobacco tip standard brands): \$2.25 per thousand.

Filter and "Economy" Brands: \$1.75 per thousand.

Pipe and cut tobacco: 75 percent of the unit price.

(ii) *Contracts:* All contracts between suppliers and importers shall state:

(a) The tobacco product, the quantity, the contract unit price, and the total contract price of such product.

(b) The portion of the contract unit price of the tobacco product to be financed by CCC which represents the unmanufactured U.S. leaf tobacco used in its manufacture. (The portion of total contract price to be financed by CCC computed in accordance with section (g)(2)(1) of this Appendix A will be the basis for the completion of Blocks 18, 19, 20 of Form CCC 329 (Reverse).)

(c) The portion of the unit price of the tobacco product to be financed by the importer.

(d) Commissions to sales agents are not to be reported in Blocks 13, 14, and 15 of Form CCC 329 (Reverse), since CCC financing represents only the value of the unmanufactured leaf content used in the manufacture of the product.

(3) *Tobacco products—cased strips and shredded tobacco:*

(1) *Prices, loading on vessel, and weights:* A determination that the supplier's prices are not in excess of the prices which may be approved pursuant to the Regulations shall be made by the Producer Associations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, following examination at port of loading to vessel. In the case of tobacco examined at the loading pier, a certification by an official of the port authority that the tobacco was loaded on board vessel is required; and in the case of tobacco examined at a public warehouse in the port area, a certification by a warehouse official that the tobacco was consigned to the port authority and a certification by an official of the port authority that such tobacco was received and was loaded aboard vessel are required.

(ii) *Notification of sale by supplier:* As soon as possible after the contract is signed and at least 10 days prior to exportation the supplier must notify the Director, Producer Associations Division, ASCS, U.S. Department of Agriculture, Washington, D.C., 20250, of

the date and port at which the tobacco or tobacco products will be available for examination together with contract data as follows:

(a) Supplier's name and address.

(b) Purchase authorization number.

(c) Country of destination.

(d) The basis of the contract in terms of the f.a.s. vessel value of the untreated tobacco strip or shredded tobacco to be included in the tobacco product as follows:

Grade	No. Hhds. or cases	Net weight	Type	F.A.S. vessel value per cwt.

(e) The supplier must also notify the Director, Producer Associations Division, the time and place at which the tobacco strip or shredded tobacco may be examined immediately prior to processing and the tobacco product sampled immediately after processing.

(f) Name and address of the sales agent, if any.

(g) Percentage of sales commission, if any, included in price.

(h) Such additional information as may be required by the Director, Producer Associations Division.

(iii) *Marking containers:* In addition to other markings required by the importer, there shall be stenciled on each hogshead or case the hogshead or case number (or designated shipping number), gross weight, purchase authorization number and name of importing country.

(iv) *Costs of inspection and other services:* Any cost involved in the examination of the tobacco, and for services of port officials, warehouse officials and weighmasters as required by this authorization will be for the account of the supplier.

(v) *Contents:* The unmanufactured leaf from which the tobacco product is made shall not include cigar cuttings, scrap, siftings, stems (except the stem of leaf sold), trimmings, and homogenized leaf.

(vi) *CCC financing exclusive of any freight and insurance* will be the lesser of (1) the amount determined by CCC to represent the f.a.s. value of the untreated tobacco strip or shredded tobacco contained in the tobacco product, or (2) the contract price less the cost of the flavoring, casing material, and other tobacco added including its application.

(vii) *Contracts:* All contracts between suppliers and importers shall state:

(a) The tobacco product, the quantity, the contract unit price, and the total contract price of such product.

(b) The portion of the contract unit price of the tobacco product to be financed by CCC which represents the unmanufactured U.S. leaf tobacco used in its manufacture.

(c) The portion of the unit price of the tobacco product to be financed by the importer.

(viii) *Supplier's certificate, Form CCC 329:* The Invoice and Contract Abstract part of this form will be prepared on the basis of the tobacco product(s).

(h) *Rice (milled and/or brown) bags and/or bulk.*

(1) *Payment-in-kind:* Contracts will not be eligible for financing unless the supplier has complied with the requirements of the "Rice Export Program, Payment-in-Kind (GR-369) Terms and Conditions" as amended or revised, as they pertain to sales pursuant to Title I, Public Law 480.

(2) *Contract approval:* Contracts between suppliers and importers shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department

of Agriculture, Washington, D.C., 20250, of the supplier, the supplier's agent, if any, the contract price(s), and the commission, if any.

(3) *Weights and grades:*

(1) In the case of rice in bags, weights shall be determined by checkloading by or under the supervision of the Grain Division, C&MS, USDA, at time of loading of the rice for shipment to port for export, or at time of loading rice to ocean vessel but not in excess of the net weight evidenced by the on-board bill of lading.

Grades shall be determined by lot inspection by or under the supervision of the Grain Division, C&MS, USDA, made not more than 15 days prior to loading to ocean vessel while the rice was at port under the supervision of the Port Authority.

(ii) In the case of rice in bulk, weights shall be obtained at point of loading to ocean vessel; or if the supplier has obtained approval from the Director, Program Operations Division, FAS, USDA, to furnish weights to be taken at a point other than at point of loading to ocean vessel, 99.5 percent of the weight shown on a weight certificate (weights to be taken at time of loading to barge less a deduction for the weight of any rice loaded onto the barge which was not unloaded into the ocean vessel, or to be the difference between heavy and light weights of rail car or truck loading direct to ocean vessel). The supplier shall obtain a copy of a Commodity Examination Report (Form GR-116) issued by or under the supervision of the Grain Division, C&MS, USDA, which shows that the rice was transferred from the carrier to ocean vessel in the manner specified in the letter of approval from the Director, Program Operations Division, FAS, USDA, and containing a notification regarding any rice not so transferred.

Grades shall be determined by lot inspection by or under the supervision of the Grain Division, C&MS, USDA, at point of loading to ocean vessel.

(1) *Dry edible beans.*

(1) *Notification of sale by supplier:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

Supplier's name and address.

Purchase authorization number.

Name of importer.

Sales contract or order number, if any.

Date and time of sale.

Complete commodity description—(contract specification).

Complete pack and package material specification.

Quantity expressed in contract units and in 100 pounds net weight.

Price per contract unit and 100 pounds net weight.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

Contract delivery schedule.

Name and address of sales agent, if any.

Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendments to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to this purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality:* Quality description shall be in terms of the United States Standards for beans.

(4) *Weights and grades:* Weights shall be determined by checkloading by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at time of loading the beans for shipment to port for export, or at time of loading of the beans to vessel; and grade shall be determined by or under the supervision of the Grain Division, Consumer and Marketing Service, not more than 15 days prior to loading to vessel while the beans were at port under the supervision of the Port Authority.

(j) *Dry edible peas.*

(1) *Notification of sale by supplier:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number, if any.
- Date and time of sale.
- Complete commodity description—(contract specification).
- Complete pack and package material specification.
- Quantity expressed in contract units and in 100 pounds net weight.
- Price per contract unit and 100 pounds net weight.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as

to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission, if any.

(3) *Quality:* Quality description shall be in terms of the United States Standards for dry peas.

(4) *Weights and grades:* Weights shall be determined by checkloading by or under the supervision of the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, at time of loading the peas for shipment to port for export or at time of loading of the peas to vessel; and grade shall be determined by or under the supervision of the Grain Division, Consumer and Marketing Service, not more than 15 days prior to loading to vessel while the peas were at port under the supervision of the Port Authority.

(k) *Tallow (inedible).*

(1) *Notification of sale by supplier:* The supplier shall, immediately after the date of export sale, furnish a written telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number, if any.
- Date of sale.
- Complete commodity description—(contract specification).
- If other than bulk shipment, show complete pack and package material specification.
- Quantity expressed in contract units and in pounds.
- Price per contract unit and per pound.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter or telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission, if any.

(3) *Quality:* Description shall be as defined in the "Rules of the New York Produce Exchange for Animal Oils and Fats" (Export Contract for Bulk Tallow and Greases) that are in effect the date the contract is entered into. The minimum quality eligible for financing shall be "Special Grade." In the case of "Special Grade" inedible tallow, no tolerances will be applicable. If the contract provides for "Prime Grade" or better, tolerances and discounts as provided in the NYPE rules will apply.

(4) *Advice of contract specifications:* Ten (10) days prior to sampling the supplier must furnish contract specifications regarding quality, in duplicate to the Program Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250, together with a citation to the name and address of the persons, firms or agency that will perform the sampling and analysis service and the location of the tallow and dates when available for sampling.

(5) *Sampling and analysis:*

(i) The drawing of samples and laboratory analysis may be performed by the Meat Grading Branch, Livestock Division, C&MS, USDA, or by independent surveyors and commercial laboratories mutually agreeable to the importer and the supplier. If the services are performed by independent surveyor(s) and commercial laboratories, PAS may at any time request the Meat Grading Branch, Livestock Division, C&MS, USDA, to draw check samples and perform check analysis. The cost of such check sampling and analysis will be for the account of CCC.

(ii) In the case of bulk tallow, the samples shall be obtained in accordance with the American Oil Chemists' Society Method C 1-47.

(iii) In the case of tallow in drums, samples must be obtained at the time of filling drums. Samples shall be drawn from at least 5 percent of the drums but in all cases the higher of 10 drums or 5 percent of the total drums in the lot shall be sampled. The samples from each 1,000 drum lot or portion thereof shall be composited and a single sample drawn from the composited sample for analysis.

(6) *Weighting:* Determination of weight shall be by an independent weighmaster or independent surveyor or by the Meat Grading Branch, Livestock Division, C&MS, USDA.

(i) *Bulk tallow:* The weight shall be determined at the time of loading aboard vessel.

(ii) *Tallow in drums:* The weight shall be determined at the time of filling drums.

(7) *Kind of drums:* The drums must be new or reconditioned.

(8) *Surveying of containers:*

(i) Suitability of the tanks, holds, or drums for export shall be determined by an independent surveyor or by the Meat Grading Branch, Livestock Division, C&MS, USDA.

(ii) *Bulk tallow:* Each tank or hold into which the tallow is to be loaded shall be examined by an independent surveyor or by the Meat Grading Branch, Livestock Division, C&MS, USDA, prior to loading to determine that the tanks are clean and in such condition as not to contaminate the product and that the tank is otherwise acceptable for receipt of tallow.

(iii) *Tallow in drums:* Drums shall be examined, prior to filling, by an independent surveyor or the Meat Grading Branch, Livestock Division, C&MS, USDA. The drums shall be new or reconditioned and shall be rejected if mechanically unsound, contaminated with previous contents, or printed with labels or markings for other commodities. The weight of each drum shall be determined at the time of inspection for the purpose of establishing the tare weight.

(9) *Markings:* Markings requested by the importer shall be stenciled on the drums, and shall include the name or symbol of the

supplier, purchase authorization number, the name of the importing country, and the word "inedible."

(1) *Lard.*

(1) *Notification of sale by supplier:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number, if any.
- Date of sale.
- Complete commodity description—(contract specification).
- If other than bulk shipment, show complete pack and package material specification.
- Quantity expressed in contract units and in pounds.
- Price per contract unit and per pound.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s) and the commission if any.

(3) *Quality:* Quality description shall be as defined in Federal Specifications No. EE-S-321-b (Shortening Compound and Lard).

(4) *Advice of contract specifications:* The supplier must furnish contract specifications, regarding quality and packaging to the Meat Inspection Division, C&MS, U.S. Department of Agriculture Office, having supervision of his establishment.

(5) *Wholesomeness, specifications, and weight:* The Meat Inspection Division, C&MS, USDA, shall make determination as to the wholesomeness of the lard. The Meat Grading Branch, Livestock Division, C&MS, USDA, shall make determinations at the point of origin as to compliance with specifications and as to weight and shall also make determination at dockside as to quantity and condition of containers and that the product is the same as that examined at the point of origin.

(6) *Markings:* Labeling and marking of cans and shipping containers shall be ac-

ording to the Meat Inspection Division Regulations.

(m) *Poultry (frozen chickens and turkeys).*

(1) *Notification of sale by suppliers:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number.
- Date of sale.
- Complete commodity description—(give full contract specification including quality factors).
- Details of package, label, and shipping container material specifications.
- Quantity expressed in contract units.
- Price per contract unit.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Advice of contract specifications:* The supplier shall notify the Grading Branch, Poultry Division, C&MS, USDA, Washington, D.C., 20250, sufficiently in advance to permit USDA inspectors to plan inspection.

(4) *Slaughtering:* Slaughtering shall be performed according to contracts between suppliers and importers.

(5) *Packaging and markings:* Whole birds shall be individually packaged in a bag of shrinkable or wrapped in shrinkable film. If bags are used they shall be vacuumed and sealed with a clip or any other suitable closure which will maintain the seal. If the whole birds are wrapped in sheets of shrinkable film, they shall be heat sealed and shrunk. Parts shall be tray-packed in a shrinkable film or polyethylene wrap which can be heated-sealed. All bags and wraps shall bear the phrase "Product of U.S.A." Brand names may also be included.

(6) *In the case of chickens:* Shipping containers shall comply with the requirements for Level A as set forth in section 5

of Federal Specifications PP-C-248c, as amended August 15, 1961.

(7) *In the case of turkeys:* Shipping containers shall comply with the requirements for Level A as set forth in section 5 of Federal Specifications PPT-791f.

(8) Each shipping container shall be marked with an official inspection and a grade mark issued by the Poultry Division, Consumer and Marketing Service, USDA.

(9) *Grading and weight certificates:* Determination shall be made at shipside in the United States by Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture, that the lot(s) meets the requirement(s) of the Special Provisions of the applicable purchase authorization, if any with respect to wholesomeness, class, condition, packaging, weight and quality, and wholesomeness, class, condition, packaging, weight and quality shall be determined by the Poultry Division, Consumer and Marketing Service, USDA, at the inland inspection point.

(n) *Canned milk (sweetened condensed and/or evaporated).*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number.
- Date of sale.
- Complete commodity description—(give full contract specifications including quality factors).
- Details of package, label, and shipping container material specifications.
- Quantity expressed in contract units.
- Price per contract unit.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality and packaging* shall be as specified in the contract(s) between the supplier(s) and importer(s).

(4) *In the case of sweetened condensed milk:* Quality and composition for sweetened condensed milk shall comply with the following requirements:

(i) The product shall contain not less than 28 percent total milk solids, not less than 8.5 percent milk fat, and not less than 61.5 percent sugar (sucrose) in water ratio.

(ii) The product shall possess a sweet, pleasing, desirable flavor of a milk and sugar mixture with not more than a definite cooked flavor.

(iii) The color of the products shall be white to light cream and free from visible brown specks. The product shall be of uniform consistency and appearance free from fat separation, lumps, and may possess not more than very slight lactose precipitation. The product, at 75° F., shall be sufficiently viscous that upon being poured it piles up above the surface of the previously poured milk but does not retain a definite form.

(iv) Determination shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the sweetened condensed milk; that the sweetened condensed milk was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (a) (7) of Appendix A were complied with.

(5) *In the case of evaporated milk:*

(i) Quality and composition for the evaporated milk shall comply with Federal Specifications C-M-37b(1), February 13, 1951, sections 3.3 and 3.4.

(ii) Determination shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the evaporated milk; that the evaporated milk was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements of section 11.8(d) of this subpart were complied with.

(6) *Advice of contract specifications:* The supplier must furnish contract specifications, regarding quality, packaging and the location of the milk and dates available for sampling to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(7) *Labels:* Canned milk exported with a brand label attached to the unit container shall conform to the following:

(i) The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(ii) If the markings on the shipping container include a brand name, such brand name shall be identical with the brand name on the unit container.

(o) *Nonfat dry milk.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

Supplier's name and address.

Purchase authorization number.

Name of importer.

Sales contract or order number.

Date of sale.

Complete commodity description—(give full contract specifications including quality factors).

Details of package, label, and shipping container material specifications.

Quantity expressed in contract units.

Price per contract unit.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

Contract delivery schedule.

Name and address of sales agent, if any.

Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality:* Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s). Quality shall be in accordance with U.S. Standards for Grades of nonfat dry milk effective July 1, 1958, and amendments thereto, issued by the Consumer and Marketing Service, U.S. Department of Agriculture.

(4) *Advice of contract specifications:* The supplier must furnish contract specifications, regarding quality and packaging, the location of the milk and dates available for sampling to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Services, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md., 20781.

(5) *Grade and weight:* Determination shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the grade and weight of the nonfat dry milk; that the milk was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements of section 11.8(d) of this subpart were complied with.

(6) *Labels:* Nonfat dry milk exported with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(p) *Dry whole milk.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier

fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of sale:

Supplier's name and address.

Purchase authorization number.

Name of importer.

Sales contract or order number.

Date of sale.

Complete commodity description—(give full contract specifications including quality factors).

Details of package, label, and shipping container material specifications.

Quantity expressed in contract units.

Price per contract unit.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

Contract delivery schedule.

Name and address of sales agent, if any.

Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations. The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality:* Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s). Quality shall be in accordance with U.S. Standards for Grades of Dry Whole Milk effective September 4, 1954, and amendments thereto, issued by the Consumer and Marketing Service, USDA.

(4) *Advice of contract specifications:* The supplier must furnish contract specifications regarding quality and packaging and the location of the milk and dates available for sampling to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(5) *Grade and weight:* Determination shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the grade and weight of the dry whole milk; that the dry whole milk was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (p) (6) of Appendix A were complied with.

(6) *Labels:* Dry whole milk exported with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(q) *Butter.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale,

furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendment shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

Supplier's name and address.
Purchase authorization number.
Name of importer.
Sales contract or order number.
Date of sale.
Complete commodity description—(give full contract specifications including quality factors).

Details of package, label, and shipping container material specifications.
Quantity expressed in contract units.
Price per contract unit.
Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
Contract delivery schedule.
Name and address of sales agent, if any.
Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of the sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) **Contract approval:** Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) **Quality:** Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s). Quality shall be in accordance with U.S. Standards for Grade of Butter, effective April 1960 and amendments thereto issued by the Consumer and Marketing Service, USDA. If the butter is unsalted the pH shall be less than 5.0 but not less than 4.6.

(4) **Advice of contract specifications:** The supplier must furnish contract specifications, regarding quality and packaging and the location of the butter and dates available for sampling to the Inspection and Grading Branch, Dairy Division, C&MS, U.S. Department of Agriculture, Washington, D.C., 20250.

(5) **Grade and weight:** Determination shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the butter; that the butter was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (q)(6) of Appendix A were complied with.

(6) **Labels:** Butter exported with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain

a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(r) **Anhydrous milk fat or anhydrous butter fat or butteroil.**

(1) **Notification of sale:** The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

Supplier's name and address.
Purchase authorization number.
Name of importer.
Sales contract or order number.
Date of sale.
Complete commodity description—(give full contract specifications including quality factors).

Details of package, label, and shipping container material specifications.
Quantity expressed in contract units.
Price per contract unit.

Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).

Contract delivery schedule.
Name and address of sales agent, if any.
Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 480 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) **Contract approval:** Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) **Anhydrous milk fat or anhydrous butterfat:**

(1) The anhydrous milk fat must have been manufactured from fresh sweet cream produced in the continental United States from which Grade A or better butter could be manufactured. The anhydrous butterfat must have been manufactured from U.S. Grade A or better unsalted butter not over 30 days old.

(2) The finished product shall be free from lumps and large crystals such as produced by slow cooling. The color shall be uniform and of a normal yellow butter color. The flavor and odor of the product shall be sweet and clean and free from rancid, tallowy, fishy, cheesy, soapy, scorched, storage or other objectionable flavors and odors.

The product shall meet the following analytical requirement:

Milk fat: Not less than 99.8 percent.
Moisture: Not more than 0.1 percent.

Copper: Not more than 0.10 p.p.m.¹
Peroxide value: Not more than 0.5 milliequivalent per kilogram of fat.
Free fatty acid: Not more than 0.3 percent.

¹ If all equipment and utensils coming into direct contact with the product during processing do not show exposed copper and are made of non-copper-bearing metals or alloys and testing of product indicated compliance with requirements, subsequent testing for copper shall be on a reduced basis. Testing one lot from each contract or spot testing on a 3-month basis, may be considered adequate provided no exposed surfaces of copper are observed and testing shows compliance, otherwise each production lot shall be tested.

(4) **Butteroil:** The color shall be uniform, normal yellow butter. The flavor and odor shall be bland, and free from rancid, tallowy, fishy, cheesy, soapy, scorched, storage or other objectionable flavors and odors. Butteroil shall meet the following analytical requirements:

Milkfat: Not less than 99.6 percent.
Moisture: Not less than 0.3 percent.
Other butter constituents not more than 0.1 percent of which salt shall be not more than 0.5 percent.

Copper: Not more than 0.1 p.p.m.¹
Peroxide value: Not more than 0.5 milliequivalent per kilogram of fat.
Free fatty acid: Not more than 0.5 percent.

¹ If all equipment and utensils coming in direct contact with the product during processing do not show exposed copper and are made of non-copper-bearing metals or alloys and testing of product indicated compliance with requirements, subsequent testing for copper shall be on a reduced basis. Testing one lot from each contract may be considered adequate provided no exposed surfaces of copper are observed and testing shows compliance, otherwise each production lot will be tested.

(5) **Processing supervision:** The processing of the anhydrous milk fat, anhydrous butter fat and butteroil shall be under the supervision of the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, USDA.

(6) **Advice of contract specifications:** The supplier must furnish contract specifications regarding quality and packaging and the location of the commodities and dates available for sampling to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(7) **Grade and weight:** Determinations shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the product, that the product was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (r)(8) of Appendix A were complied with.

(8) **Labels:** Products exported with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(s) **Cheese (cheddar and/or process).**
(1) **Notification of sale:** The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the

General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number.
- Date of sale.
- Complete commodity description—(give full contract specifications including quality factors).
- Details of package, label, and shipping container material specifications.
- Quantity expressed in contract units.
- Price per contract unit.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 490 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contract(s) between supplier (s) and importer(s) made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price (s), and the commission if any.

(3) *Quality:* Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s).

(1) Quality for cheddar cheese shall be in accordance with U.S. Standards for Grades of Cheddar Cheese effective May 1, 1956, and amendments thereto, issued by the Consumer and Marketing Service, USDA.

(1) The quality for pasteurized process cheese shall meet the requirements of section 3, Federal Specifications C-C 291a, Cheese, Process Pasteurized dated March 6, 1956, and amendments thereto or subsequent revision thereof, for Type I (Process American) or Type III (Process Cheddar). In addition, for process cheese packaged in cans the pH shall be in the range of 5.5 to 5.7.

(4) *Grade and weight:* Determinations shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the cheese; that the cheese was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (s) (6) of Appendix A were complied with.

(5) *Advice of contract specifications:* The supplier must furnish contract specifications, regarding quality and packaging, the location of the products, and dates available for sampling, to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(6) *Labels:* Cheese exported with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(t) *Ghee.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number.
- Date of sale.
- Complete commodity description—(give full contract specification including quality factors).
- Details of package, label, and shipping container material specifications.
- Quantity expressed in contract units.
- Price per contract unit.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price information required by section 11.7(c) of the Title I, Public Law 490 Regulations.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager, promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contract(s) between supplier(s) and importer(s) made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, of the supplier, the supplier's agent if any, the contract price(s), and the commission if any.

(3) *Quality:* Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s).

(4) *Specifications:* The ghee shall have a pleasant flavor and odor. It may have a slightly cooked or caramelized flavor. The product shall have a uniform, grainy texture characteristic of ghee. When melted it shall be transparent, clear and practically free from curd.

The product shall meet the following analytical requirements:

- Milk Fat: Not less than 99.6 percent.
- Copper: Not more than 0.1 p.p.m.¹

¹ If all equipment and utensils coming in direct contact with the product during processing do not show exposed copper and

are made of non-copper-bearing metals or alloys and testing of product indicated compliance with requirements, subsequent testing for copper shall be on a reduced basis. Testing one lot from each contract may be considered adequate provided no exposed surfaces of copper are observed and testing shows compliance, otherwise each production lot will be tested.

- Peroxide value: Not more than 0.5 mill equivalent per kilogram of fat.
- Free fatty acid: Not more than 0.5 percent.

The processing of ghee shall be under the supervision of the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, USDA.

(5) *Advice of contract specifications:* The supplier must furnish contract specifications, regarding quality and packaging and the location of the ghee and dates available for sampling to the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(6) *Grade and weight:* Determinations shall be made by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality, condition, and weight of the ghee; that the ghee was packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s); and that the requirements under section (t) (7) of Appendix A were complied with.

(7) *Labels:* Ghee exported hereunder with a brand label attached to the unit container shall conform to the following: The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(u) *Stabilized dried whole eggs.*

(1) *Notification of sale:* The supplier shall, immediately after the date of export sale, furnish a written or telegraphic notification of sale to the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250. Written notification of any contract amendments shall also be furnished to the General Sales Manager immediately after the date of the amendment. If the supplier fails to furnish the notification within 5 days after the date of export sale, or the date of an amendment to the contract, if applicable, CCC shall have the right to refuse to finance the sale under the program. The following information shall be included in the written notification of the sale:

- Supplier's name and address.
- Purchase authorization number.
- Name of importer.
- Sales contract or order number.
- Date of sale.
- Complete commodity description—(give full contract specifications including quality factors).
- Details of package, label, and shipping container material specifications.
- Quantity expressed in contract units.
- Price per contract unit.
- Delivery terms (f.o.b., f.a.s., etc.) and coastal range of export (specify Pacific, Gulf, Atlantic, Great Lakes, or St. Lawrence River ports and any option to be exercised by the exporter and/or the foreign importer).
- Contract delivery schedule.
- Name and address of sales agent, if any.
- Percentage of sales commission, if any, included in price.

A statement as to whether the supplier is, or is not, an affiliate of the importer.

If the supplier is an affiliate of the importer, the supplier shall furnish the price

Information required by section 117(c) of the Title I, Public Law 480 Regulation.

The supplier will be notified by letter, and telephone if requested, from the Office of the General Sales Manager promptly after receipt of the notification of sale or notification of any amendment to the contract as to whether or not price and commission, if any, are approved for financing.

(2) *Contract approval:* Contracts between suppliers and importers made subject to the applicable purchase authorization shall be deemed to be conditioned on the approval by the Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C., 20250, of the supplier's agent if any, the contract price(s), and the commission if any.

(3) *USDA approved processors:* The stabilized dried whole eggs purchased under the applicable purchase authorization must be produced only by processors who are USDA approved establishments under the supervision of the Grading Branch, Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture, and shall be inspected in accordance with the Regulations contained in Part 55 of Title 7, as amended, of the Code of Federal Regulations, "Grading and Inspection of Egg Products," which govern the inspection of egg products.

(4) *Quality:* Quality and packaging shall be as specified in the contract(s) between the supplier(s) and importer(s). Quality shall be in accordance with Schedule 88 Revised (March 1962) USDA, Dried Whole Egg Solids (Stabilized) Specifications and Amendments thereto, issued by the Consumer and Marketing Service, USDA, Washington, D.C., 20250.

(5) *Advice of contract specifications:* The supplier must furnish contract specifications regarding quality and packaging and the locations of the eggs and dates available for sampling to the Grading Branch, Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C., 20250.

(6) *Grade and Weights:* Determinations shall be made by the Grading Branch, Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture at the processing plant showing the quality, condition, and weight of the dried eggs; that the eggs were packaged in accordance with the requirements of the contract(s) between supplier(s) and importer(s), and that the requirements of section (u) (8) of Appendix A were complied with. Determinations shall also be made at shipside in the United States by the Grading Branch, Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture, that the lot(s) meet the requirement(s) of the contract and that the product is the same as that previously examined at the processing plant.

(7) *Markings:* Each shipping container shall be marked with the Official Inspection Mark (shield) as approved by the Poultry Division, Consumer and Marketing Service, USDA.

(8) *Labels:* Stabilized dried whole eggs exported with a brand label attached to the unit container shall comply with section 55.36 of Part 55 "Grading and Inspection of Egg Products". The label shall be printed or lithographed and shall contain a statement clearly establishing the commodity as being produced, processed, and packaged in the United States. Stamped or stenciled label information will not be acceptable.

(v) *Upland cotton.*

(1) *Financing:* The letter(s) of credit opened by the importing country must provide for payment to the supplier of 100 percent of the contracted price where CCC financing is utilized in whole or in part as set forth below. No transaction under a letter or letters of credit which provides for payment of less than 100 percent of the con-

tracted price, where CCC financing is utilized in whole or in part, shall be eligible for CCC financing.

(a) *Contracts basis USDA Form A Certificate:* If USDA Form A Certificates are required under the terms of the contract CCC will finance:

(i) 100 percent of the c.i.f. or c. & f. invoice value if registered as a c.i.f. or c. & f. sale and CCC freight financing is authorized on Form CCC-106-3, Advice of Vessel Approval—Cotton.

(ii) 100 percent of the c.i.f. or c. & f. invoice value less freight if registered as a c.i.f. or c. & f. sale and CCC freight financing is not authorized on Form CCC-106-3.

(iii) 100 percent of the invoice value (basis f.a.s.) if registered as a f.a.s. sale (CCC does not finance freight on f.a.s. sales except under a separate Purchase Authorization for the Procurement of Ocean Transportation).

(b) *Contracts basis foreign arbitration:* For all contracts other than those which require USDA Form A Certificates CCC will finance:

(i) 98 percent of the invoice value of cotton and insurance plus 100 percent of freight for c.i.f. sales if registered as c.i.f. and CCC freight financing is authorized on Form CCC-106-3.

(ii) 98 percent of the invoice value of cotton plus 100 percent of freight for c. & f. sales if registered as c. & f. and CCC freight financing is authorized on Form CCC-106-3.

(iii) 98 percent of invoice value less freight for c.i.f. and c. & f. sales if registered as such and CCC freight financing is not authorized on Form CCC-106-3.

(iv) 98 percent of invoice value (basis f.a.s.) for all sales registered as f.a.s.

(c) *Refunds:* The provisions of section 11.9 (a) (1) of the Title I Public Law 480 Regulations that all adjustment refunds shall be remitted by the supplier for the account of the importer through the U.S. bank which financed the original transaction remain in effect. (For transactions where the supplier is billed by CCC for refunds of amounts over-financed, the supplier shall remit directly to the billing office.) The provision that the importing country shall pay an equal amount of dollars to CCC upon demand shall not apply under a purchase authorization which is subject to this Appendix A. The importing country may retain all dollar exchange received in connection with the adjustment refunds under a purchase authorization which is subject to this Appendix A. In the case of ineligible cotton, the supplier shall remit directly to CCC. CCC will make appropriate local currency refunds to importers for dollar recoveries by CCC direct from suppliers.

(d) *Insurance:* The provision of section 11.9(b) of the Regulations with regard to insurance claims remains in effect except that CCC will not make demand upon the importing country for exchange of dollars for local currency.

(2) *Notification of sale:* The supplier shall, within 5 days from the date of export sale, furnish the Director, ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112, with a copy of his sales confirmation, and if the supplier fails to do so, CCC shall have the right to refuse to finance the sale under the program.

(3) *Price confirmation:* The ASCS Commodity Office will undertake, on behalf of CCC, to check the sales confirmation as to price and to inform the supplier, within 3 business days from receipt of the sales confirmation, whether such price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations.

(i) If the ASCS Commodity Office determines that the sales price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations, the supplier

will immediately be informed by telegram of the registration number assigned to the sale by CCC.

(ii) Failure by the ASCS Commodity Office to so notify the supplier by telegram within 5 business days after receipt of the copy of the sales confirmation will indicate that the sale price is not acceptable, and the sale will not be financed under the program unless the supplier satisfies CCC that the sale price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations.

(4) *U.S. net weight:* Net weight shall be determined in the United States and certified by a U.S. warehouseman, or it shall be determined at the U.S. port of export and certified by other authorized weigher (sales basis landed weight, ex-dock and ex-warehouse are not eligible for financing).

(5) *Quality:* Although seller's offers may be on the basis of private types, in all invitations for bids the quality shall be described in terms of the Official U.S. Cotton Standards. Quality shall be specified in contracts between importers and suppliers. A contract shall cover only one quality. Quality descriptions in contracts shall be in terms of the Official U.S. Cotton Standards, except where sales are made on the basis of private types. In the case of private-type sales, the supplier must make such private types available for classification by C&MS no later than the date the sale confirmation is furnished the New Orleans ASCS Commodity Office.

(6) *Arbitration:* Cotton shall be subject to arbitration for quality unless the contract provides for USDA Form A Certificates and for other terms under rules of an established cotton exchange or association agreed upon by the importer and supplier, such established cotton exchange or association to be identified in the contract. An importer of cotton shall if requested by CCC, obtain foreign quality arbitration under the specified market rules. If the contract provides for USDA Form A Certificate, CCC will not request such arbitration. The arbitration award may be appealed by the supplier or the importer and shall be appealed by the importer upon request by CCC, under the applicable rules specified in the contract. If the costs paid by the importer for an arbitration or appeal requested by CCC are in excess of the award, CCC will reimburse the importer, or other party designated by the importer, in an amount equal to such excess, upon submission to the Director, ASCS Commodity Office, New Orleans, La., of documentation showing the amount of costs incurred by the importer and the amount of the award. These provisions shall not alter the rights of the importer and the supplier to effect adjustments by arbitration or otherwise in accordance with the provisions of the contract or customs of the trade for other than quality deficiencies, or for quality deficiencies if CCC does not request arbitration.

(7) *Certification as to quality and classification:* Block 21 of the signed original Form CCC 329 or a signed attachment thereto shall contain the following certification: "The undersigned hereby represents that he believes the quality and classification of the cotton shipped under this contract are substantially as stated in the contract. The supplier does not guarantee the quality or classification, and agrees to adjust the price for any difference in quality or classification determined by arbitration as provided in the Regulations or purchase authorization."

(8) *Delayed letter of credit:* Interest or carrying charges incurred as a result of delays in establishing letters of credit are not eligible for financing.

(9) *Sampling, Classification, and adjustment of contract price:* (This provision is applicable to all sales hereunder unless the contract provides for Form A Certificates.)

(1) *Tag lists and sampling:* The supplier shall furnish to any permanent Consumer and Marketing Service classing office of the supplier's choice a tag list of the cotton included in a single export shipment showing the supplier's name and address; the CCC registration number; the purchase authorization number; the supplier's sale number, if any; the name, address, and CCC code number of the warehouse in which cotton is stored; and the warehouse bale numbers of the cotton to be exported listed in numerical sequence. A separate tag list must be submitted for the cotton to be shipped from each warehouse. Samples will be required from a minimum of 10 percent of the bales of cotton (larger percentages will be used on small lots). The bales to be sampled will be selected by the chosen C&MS classing office and entered on a Record Sheet. If the supplier desires a larger percentage of samples to be drawn than the minimum required, he should indicate such percentage on the tag list. At the time the copy of the tag list is furnished the warehouseman by the supplier, he shall instruct him to sample the bales of cotton listed on the Record Sheet and to handle such samples in accordance with instructions issued by the New Orleans ASCS Commodity Office. The supplier shall also instruct the warehouseman that the cotton must not be shipped until after it has been sampled in accordance with instructions issued by the New Orleans ASCS Commodity Office. All costs relating to the samples and sampling will be for the supplier.

(2) *Submitting private-type for classification:* If the sale is made on the basis of private-type and if the particular type has not been classed under the revised standards effective June 15, 1963, the supplier shall submit the private-type for classing directly to the Appeal Board of Review Examiners, Cotton Division, C&MS, U.S. Department of Agriculture, 4841 Summer Avenue, Memphis, Tenn., 38117, along with a complete Request for Classification (Form CN-357). The type shall be identified by the supplier's name and address and private-type name of designation. If the sale is made on the basis of a private-type classed under the revised standards effective June 15, 1963, the supplier shall so advise the New Orleans, ASCS Commodity Office and identify such private-type by furnishing the supplier's name and address, the number of the C&MS classification memorandum, the date of such classification memorandum, and the supplier's private-type or designation.

The private-type submitted for classification hereunder shall be identical in quality with the private-type on which the sale is based and the private-type supplied to the arbitration board in connection with the contract covering the sale.

(3) *Adjustment of contract price:* In addition to the other requirements for quality arbitration, the following will also apply:

(a) If the allowances awarded whether by an arbitration board or an appeal board for quality differences on a shipment covered by one lot mark average 150 points or more per pound and CCC has determined the maximum export price to be less than 28.00 cents per pound for such shipment based on a C&MS classing memorandum issued for samples drawn and handled pursuant to (1) above, or if no such classing memorandum was received by CCC, such award shall be increased by the larger of the following two amounts: The amount of such allowances awarded, or the sum of any additional penalties for abnormal quality differences imposed under the contract or applicable association rules for such differences.

(b) If the allowances awarded whether by an arbitration board or an appeal board for quality differences on a shipment covered by

one lot mark average 300 points or more per pound and CCC has determined the maximum export price to be 28.00 or more cents per pound for such shipment based on a C&MS classing memorandum issued for samples drawn and handled pursuant to (1) above, or if no such classing memorandum was received by CCC, such award shall be increased by the larger of the following two amounts: One-half the amount of such allowances awarded, or the sum of any additional penalties for abnormal quality differences imposed under the contract or applicable association rules for such differences.

(c) If the classification of the cotton is determined by an appeal board in connection with an appeal from an arbitration award, the contract price shall be reduced by the larger of the following two amounts: The award assigned under (a) or (b) above or the amount by which the contract price exceeds the prevailing range of export prices at the time of sale as determined by CCC on the basis of the classification assigned by the appeal board in connection with such appeal. In any case where the classification of the cotton is not determined by an appeal board in connection with an appeal from an arbitration award, the contract price shall be reduced by the award.

(10) *Extra copy of invoice:* Supplier shall forward, immediately after shipment of the cotton, a legible copy of his invoice to the Director, ASCS Commodity Office, New Orleans, Wirth Building, 120 Marais Street, New Orleans, La., 70112, Attention: CO-8-JPD. Such copy is in addition to the copy for CCC to be submitted with other required documents to the banking institution.

(w) *Extra long staple cotton.*

(1) *Financing:* The letter(s) of credit opened by the importing country must provide for payment to the supplier of 100 percent of the contracted price where CCC financing is utilized in whole or in part as set forth below. No transaction under a letter or letters of credit which provide for payment of less than 100 percent of the contracted price, where CCC financing is utilized in whole or in part, shall be eligible for CCC financing.

(a) *Contract basis USDA Form A Certificate:* If USDA Form A Certificates are required under the terms of the contract CCC will finance:

(i) 100 percent of the c.i.f. or c. & f. invoice value if registered as a c.i.f. or c. & f. sale and CCC freight financing is authorized on Form CCC-106-3, Advice of Vessel Approval—Cotton.

(ii) 100 percent of the c.i.f. or c. & f. invoice value less freight if registered as a c.i.f. or c. & f. sale and CCC freight financing is not authorized on Form CCC-106-3.

(iii) 100 percent of the invoice value (basis f.a.s.) if registered as a f.a.s. sale (CCC does not finance freight on f.a.s. sales except under a separate Purchase Authorization for the Procurement of Ocean Transportation).

(b) *Contracts basis foreign arbitration:* For all contracts other than those which require USDA Form A Certificates CCC will finance:

(i) 98 percent of the invoice value of cotton and insurance plus 100 percent of freight for c.i.f. sales if registered as c.i.f. and CCC freight financing is authorized on Form CCC-106-3.

(ii) 98 percent of the invoice value of cotton plus 100 percent of freight for c. & f. sales if registered as c. & f. and CCC freight financing is authorized on Form CCC-106-3.

(iii) 98 percent of invoice value less freight for c.i.f. and c. & f. sales if registered as such and CCC freight financing is not authorized on Form CCC-106-3.

(iv) 98 percent of invoice value (basis f.a.s.) for all sales registered as f.a.s.

(c) *Refunds:* The provisions of section 11.9 (a) (1) of the Title I Public Law 480 Regulations that all adjustment refunds shall be remitted by the supplier for the account of the importer through the U.S. bank which financed the original transaction remain in effect. (For transactions where the supplier is billed by CCC for refund of amounts over-financed, the supplier shall remit directly to the billing office.) The provision that the importing country shall pay an equal amount of dollars to CCC upon demand shall not apply under a purchase authorization which is subject to this Appendix A. The importing country may retain all dollar exchange received in connection with the adjustment refunds under a purchase authorization which is subject to this Appendix A. In the case of ineligible cotton, the supplier shall remit directly to CCC. CCC will make appropriate local currency refunds to importers for dollar recoveries by CCC direct from suppliers.

(d) *Insurance:* The provision of section 11.9(b) of the Regulations with regard to insurance claims remains in effect except that CCC will not make demand upon the importing country for exchange of dollars for local currency.

(2) *Notification of sale:* The supplier shall, within 5 days from the date of export sale, furnish the Director, ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112, with a copy of his sales confirmation, and if the supplier fails to do so, CCC shall have the right to refuse to finance the sale under the program.

(3) *Price confirmation:* The ASCS Commodity Office will undertake, on behalf of CCC, to check the sales confirmation as to price and to inform the supplier, within 3 business days from receipt of the sales confirmation, whether such price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations.

(i) If the ASCS Commodity Office determines that the sale price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations, the supplier will immediately be informed by telegram of the registration number assigned to the sale by CCC.

(ii) Failure by the ASCS Commodity Office to so notify the supplier by telegram within 5 business days after receipt of the copy of the sales confirmation will indicate that the sale price is not acceptable, and the sale will not be financed under the program unless the supplier satisfies CCC that the sale price is in conformance with section 11.7(a) of the Title I, Public Law 480 Regulations.

(4) *U.S. net weight:* Net weight shall be determined in the United States and certified by a U.S. warehouseman, or it shall be determined at the U.S. port of export and certified by other authorized weigher (sales basis landed weight, ex-dock and ex-warehouse are not eligible for financing).

(5) *Quality:* Although sellers' offers may be on the basis of private types, in all invitations for bids the quality shall be described in terms of the Official U.S. Cotton Standards. Quality shall be specified in contracts between importers and suppliers. A contract shall cover only one quality. Quality descriptions in contracts shall be in terms of the Official U.S. Cotton Standards, except where sales are made on the basis of private types. In the case of private-type sales, the supplier must make such private types available for classification by C&MS no later than the date the sales confirmation is furnished the New Orleans ASCS Commodity Office.

(6) *Arbitration:* Cotton shall be subject to arbitration for quality unless the contract provides for USDA Form A Certificates and for other terms under rules of an established cotton exchange or association agreed upon by the importer and supplier, such association or established cotton exchange to be

Identified in the contract. An importer of cotton shall, if requested by CCC, obtain foreign quality arbitration under the specified market rules. If the contract provides for USDA Form A Certificate, CCC will not request such arbitration. The arbitration award may be appealed by the supplier or the importer and shall be appealed by the importer upon request by CCC, under the applicable rules specified in the contract. If the costs paid by the importer for an arbitration or appeal requested by CCC are in excess of the award, CCC will reimburse the importer, or other party designated by the importer, in an amount equal to such excess, upon submission to the Director, ASCS Commodity Office, New Orleans, La., of documentation showing the amount of costs incurred by the importer and the amount of the award. These provisions shall not alter the rights of the importer and the supplier to effect adjustments by arbitration or otherwise in accordance with the provisions of the contract or customs of the trade for other than quality deficiencies, or for quality deficiencies if CCC does not request arbitration.

(7) *Certification as to quality and classification:* Block 21 of the signed original Form CCC 329 or a signed attachment thereto shall contain the following certification: "The undersigned hereby represents that he believes the quality and classification of the cotton shipped under this contract are substantially as stated in the contract. The supplier does not guarantee the quality or classification, and agrees to adjust the price for any difference in quality or classification determined by arbitration as provided in the Regulations or purchase authorization."

(8) *Delayed letter of credit:* Interest or carrying charges incurred as a result of delays in establishing letters of credit are not eligible for financing hereunder.

(9) *Sampling, classification and adjustment of contract price:* (This provision is applicable to all sales hereunder unless the contract provides for Form A Certificates.)

(i) *Tag lists and sampling:* The supplier shall furnish to any permanent Consumer and Marketing Service classing office of the supplier's choice a tag list of the cotton included in a single export shipment showing the supplier's name and address; the CCC registration number; the purchase authorization number; the supplier's sale number, if any; the name, address and CCC code number of the warehouse in which the cotton is stored; and the warehouse bale number of the cotton to be exported listed in numerical sequence. A separate tag list must be submitted for the cotton to be shipped from each warehouse. Samples will be required from a minimum of 10 percent of the bales of cotton (larger percentages will be used on small lots). The bales to be sampled will be selected by the chosen C&MS classing office and entered on a Record Sheet. If the supplier desires a larger percentage of samples to be drawn than the minimum required he should indicate such percentage on the tag list. At the time the copy of the tag list is furnished the warehouseman by the supplier, he shall instruct him to sample the bales of cotton listed on the Record Sheet and to handle such samples in accordance with instructions issued by the New Orleans ASCS Commodity Office. The supplier shall also instruct the warehouseman that the cotton must not be shipped until after it has been sampled in accordance with instructions issued by the New Orleans ASCS Commodity Office. All costs relating to the samples and sampling will be for the account of the supplier.

(ii) *Submitting private-type for classification:* If the sale is made on the basis of private-type and if the particular type has not been submitted on or after August 1, 1962, for classification, the supplier shall sub-

mit the private-type for classing directly to the Appeal Board for Review Examiners, Cotton Division, C&MS, U.S. Department of Agriculture, 4841 Summer Avenue, Memphis, Tenn., 38117. The type shall be identified by the supplier's name and address and private-type name or designation. The classification of any type submitted prior to August 1, 1962, will not be acceptable. If the sale is made on the basis of a private-type previously submitted on or after August 1, 1962, for classification, the supplier shall so advise the New Orleans ASCS Commodity Office and identify such private-type by furnishing the supplier's name and address, the number of the C&MS classification memorandum, the date of such classification memorandum, and the supplier's private-type name or designation. The private-type submitted for classification hereunder shall be identical in quality with the private-type on which the sale is based and the private-type supplied to the arbitration board in connection with the contract covering the sale.

(iii) *Adjustment of contract price:* In addition to the other requirements for quality arbitration, the following will also apply:

(a) If the allowances awarded whether by an arbitration board or an appeal board for quality differences on a shipment covered by one lot mark average 300 points or more per pound, such award shall be increased by the larger of the following two amounts: The amount of such allowances awarded, or the sum of any additional penalties for abnormal quality differences imposed under the contract or applicable association rules for such differences.

(b) If the classification of the cotton is determined by an appeal board in connection with an appeal from an arbitration award, the contract price shall be reduced by the larger of the following two amounts: The award assigned under (a) above or the amount by which the contract price exceeds the prevailing range of export prices at the time of sale as determined by CCC on the basis of the classification assigned by the appeal board in connection with such appeal.

(c) In any case where the classification of the cotton is not determined by an appeal board in connection with an appeal from an arbitration award, the contract price shall be reduced by the award.

(10) *Extra copy of invoice:* The supplier shall forward, immediately after shipment of the cotton, a legible copy of his invoice to the Director, ASCS Commodity Office, New Orleans, Wirth Building, 120 Marais Street, New Orleans, La., 70112, Attention: CO-8-JPD. Such copy is in addition to the copy for CCC to be submitted with other required documents to the banking institution.

APPENDIX B—REGULATIONS GOVERNING THE FINANCING OF COMMERCIAL SALES OF SURPLUS AGRICULTURAL COMMODITIES FOR FOREIGN CURRENCIES

Special documentation for specific commodities is required to be submitted in addition to the documentation required by section 11.13 of the regulations, the purchase authorization, and the letter of commitment, as follows:

SPECIAL DOCUMENTATION PROVISIONS

(a) *Wheat in bulk or bags.*

(1) *Notice of price approval.* One copy of Form CCC 359, Declaration of Sale, signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved

price shown on Form CCC 359, Declaration of Sale. For subsequent transactions under the same contract, the supplier shall certify on the CCC copy of the detailed invoice as follows:

"I hereby certify that the applicable signed copy of the Declaration of Sale was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Transshipment.* If the Form CCC 106 requires the wheat to be exported from a Canadian transshipment point(s) in U.S.-flag vessel(s), and if it authorizes financing of ocean transportation by CCC, the following certification is required on the supplier's invoice: "The undersigned hereby certifies that a quantity of the same kind of grain covered by this invoice, at least equal to the quantity covered by this invoice, has been shipped in U.S.-flag vessels from U.S. Great Lakes ports via the St. Lawrence Seaway and received by the undersigned at Canadian transshipment points and such quantity was not previously exported by the undersigned under Title I of Public Law 480 or under any other government program to which the provisions of Public Law 664, 83d Congress, are applicable." "Kind of grain" as used in the above certification is defined as wheat, without regard to grade or class.

(3) *In the case of wheat in bulk.*

(i) *Inspection Certificate.* One copy of a Grain Inspection Certificate issued by an inspector holding a license under the U.S. Grain Standards Act, or a Commodity Inspection Certificate (Form GR-292) for grain issued by an inspector holding a license under the Agricultural Marketing Act, issued at point of loading to vessel.

(ii) *Weight Certificate.* One copy of a weight certificate issued at point of loading to vessel.

(4) *In the case of wheat in bags.*

(i) *Inspection Certificate.* One copy of a Grain Inspection Certificate issued by an inspector holding a license under the U.S. Grain Standards Act, or a Commodity Inspection Certificate (Form GR-292) for grain issued by an inspector holding a license under the Agricultural Marketing Act, covering inspection at port of loading to vessel.

(ii) *Examination report.* One copy of a Commodity Examination Report (Form GR-116) issued by the Consumer and Marketing Service, which shows that the bagged wheat was checkloaded.

(iii) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the wheat loaded aboard the vessel or shall show the number of bags, and the gross weight of the wheat loaded aboard the vessel, provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier: "The undersigned hereby certifies that the weight of the bags is _____ pounds."

(iv) *Supplier's detailed invoice.* The supplier's detailed invoice shall show the size and type of bags and whether they are new or used.

(b) *Wheat flour.*

(1) One copy of Form CCC 362, Declaration of Sale, signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on Form CCC 362, Declaration of Sale. For subsequent transactions under the same contract, the supplier shall certify on the CCC copy of the detailed invoice as follows:

"I hereby certify that the applicable signed copy of the Declaration of Sale was submitted to _____ with documents covering Invoice No. _____ dated _____ for \$ _____"

(2) One copy of a Commodity Inspection Certificate (Form GR-133) issued by the Grain Division, Consumer and Marketing Service, United States Department of Agriculture, or One copy of a Laboratory Report issued by a commercial laboratory which shall bear the following certification:

"The undersigned hereby certifies that the Laboratory Report was issued as a result of the analysis of samples received from (name and address of independent surveyor) and that the samples were drawn in accordance with the requirements of the purchase authorization."

Note: In lieu of the above certification, a certification will be accepted from the laboratory with which will be included a certification by the independent surveyor, as follows:

(From the independent surveyor): "The undersigned hereby certifies that samples furnished to (name and address of laboratory) were drawn in accordance with the provisions of the purchase authorization."

(From the laboratory): "The undersigned hereby certifies that the Laboratory Report was issued as a result of samples received from (name and address of independent surveyor)."

The Commodity Inspection Certificate (Form GR-133) issued by the Grain Division, C&MS, USDA, or the laboratory report issued by a commercial laboratory shall show the exact moisture, protein, and ash contents of the flour delivered under this authorization.

(3) If the commodity Inspection Certificate (GR-133) or the Laboratory Report is dated more than fifteen (15) days prior to the on-board date shown on the ocean bill of lading, the following additional documentation:

(1) One copy of a Commodity Examination Report (GR-116) issued by the Grain Division, C&MS, USDA, dated not more than 15 days prior to the "on-board" date and showing that the flour was free from infestation, or (11) One copy of an Independent Surveyor's Report dated not more than 15 days prior to the "on-board" date and showing that the flour was free from infestation.

(4) One copy of a Commodity Examination Report (GR-116) issued by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, or one copy of a weight certificate issued by an independent weighmaster or an independent surveyor.

(5) The ocean bill of lading shall show thereon or in a separate listing attached thereto, the identifying lot number(s) which appear on the Commodity Inspection Certificate or laboratory report. The lot number may be the warehouse number, the rail car number, truck license number, or any other number that will accurately identify the lot.

(6) The on-board ocean bill of lading shall show the net weight of the flour loaded aboard the vessel or shall show the number of bags and gross weight of the flour loaded aboard the vessel, provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(7) The supplier's detailed invoice shall show the gross weight of the flour in bags, the weight of the bags, and the net weight of the flour invoiced. The invoice shall also show the size and type of bags.

(c) *Feed Grains in bulk or bags.*
(1) *Notice of price approval.* A letter signed by the General Sales Manager, Deputy

General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed copy of the notification of price and commission approval was submitted to _____

(Name of U.S. Bank) with documents covering Invoice No. _____ dated _____ for \$ _____"

(2) *Transshipment.* If the Form CCC 106 requires the feed grains to be exported from a Canadian transshipment point(s) in U.S.-flag vessel(s) and if it authorizes financing of ocean transportation by CCC, the following certification is required on the supplier's invoice:

"The undersigned hereby certifies that a quantity of the same kind of grain covered by this invoice, at least equal to the quantity covered by this invoice, has been shipped in U.S.-flag vessels from U.S. Great Lakes ports via the St. Lawrence Seaway and received by the undersigned at Canadian transshipment points and such quantity was not previously exported by the undersigned under Title I of Public Law 480 or under any other government program to which the provisions of Public Law 664, 83d Congress are applicable."

"Kind of grain" as used in the above certification is defined as the same kind of grain covered by the invoice without regard to grade or class.

(3) *In the case of feed grains in bulk.*

(1) *Inspection Certificate.* One copy of a Grain Inspection Certificate issued by an inspector holding a license under the U.S. Grain Standards Act, or a Commodity Inspection Certificate (Form GR-292) for grain issued by an inspector holding a license under the Agricultural Marketing Act, issued at point of loading to vessel.

(11) *Weight Certificate.* One copy of a weight certificate issued at point of loading to vessel.

(4) *In the case of feed grains in bags.*

(1) *Inspection Certificate.* One copy of a Grain Inspection Certificate issued by an inspector holding a license under the U.S. Grain Standards Act, or a Commodity Inspection Certificate (Form GR-292) for grain issued by an inspector holding a license under the Agricultural Marketing Act covering inspection at port of loading to vessel.

(11) *Examination Report.* One copy of a Commodity Examination Report (Form GR-116) issued by the Consumer and Marketing Service, which shows that the bagged feed grain was checkloaded.

(111) *On-board bill of lading.* The on-board ocean bill of lading shall show the net weight of the feed grain loaded aboard the vessel or shall show the number of bags and the gross weight of the feed grain loaded aboard the vessel provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(iv) *Supplier's detailed invoice.* The supplier's detailed invoice shall show the size and type of bags and whether they are new or used.

(d) *Corn Meal (Edible).*

(1) A letter signed by the General Sales Manager, Deputy General Sales Manager, or

Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank) with documents covering Invoice No. _____ dated _____ for \$ _____"

(2) *Inspection Certificate.* One copy of a Commodity Inspection Certificate (Form GR-133) issued by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, covering inspection at point of loading to vessel.

(3) *Examination Report.* One copy of a Commodity Examination Report (Form GR-116) issued by the Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture, which shows that the corn meal was checkloaded.

(4) *Independent Surveyor's Report.* One copy of an independent surveyor's report stating that the bags, bag markings, and brand names or labels meet the requirements of section 11.8(d) of this subpart, and that the bags are suitable for the export of corn meal.

(5) *Identifying lot number.* The ocean bill of lading shall show thereon or in a listing attached thereto the identifying lot number(s) which appear on the Commodity Inspection Certificate. The lot number may be the warehouse number, the rail car number, truck license number, or any other number that will accurately identify the lot.

(6) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the corn meal loaded aboard the vessel or shall show the number of bags and the gross weight of the corn meal loaded aboard the vessel, provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(7) *Supplier's detailed invoice.* The supplier's detailed invoice shall show the size and type of bags and whether they are new or used.

(c) *Cracked Corn and/or Corn Meal.*

(1) *Notice of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank) with documents covering Invoice No. _____ dated _____ for \$ _____"

(2) *Inspection Certificate.* One copy of a Grain Inspection Certificate issued by an inspector holding a license under the United States Grain Standards Act.

(3) *Examination Report.* One copy of a Commodity Examination Report (Form GR-116) issued by the Consumer and Marketing Service, which shows that the processed commodity (cracked corn and/or corn meal) was check loaded.

(4) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the cracked corn and/or corn meal loaded aboard the vessel or shall show the number of bags and the gross weight of the cracked corn and/or corn meal loaded aboard the vessel, provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(5) *Supplier's detailed invoice.* The supplier's detailed invoice shall show the kind and size of bags and whether they are new or used.

(f) *Soybean Oil and/or Cottonseed Oil.*

(1) *Notice of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed copy of notification of price and commission approval was submitted to _____ with

(Name of U.S. bank)

documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.*

(i) One copy of a Commodity Inspection Certificate (Form GR-133) issued by the Inspection Branch of the Grain Division, Consumer and Marketing Service, USDA, or one copy of a chemical analysis certificate issued by a commercial laboratory which shall bear the following certification:

"The undersigned hereby certifies that the chemical analysis certificate was issued as a result of the analysis of samples taken by independent surveyor(s), and that such chemical analysis was performed in accordance with the procedure prescribed in the Trading Rules of the National Soybean Processors Association, or in the Trading Rules of the National Cottonseed Products Association."

(ii) The Commodity Inspection Certificate (GR-133) or the Chemical Analysis Certificate shall state that the oil met the analytical requirements of the specifications as provided in the applicable purchase authorization, and if shipped in containers, the certificate shall state that markings are in conformance with the applicable purchase authorization and shall also show other markings appearing thereon.

Note: If the chemical analysis on bulk oil is performed by a commercial laboratory, one copy of a certificate of the sampler or inspector stating that the samples were drawn in accordance with American Oil Chemists Society Official Method C 1-47.

(3) *In the case of oil in bulk.*

(i) One copy of weight certificate or survey report issued by an independent weighmaster or by an independent surveyor.

(ii) The weight certificate or survey report shall state that the ship's tank(s) was examined and found suitable for receipt of the oil.

(4) *In the case of oil exported in drums, barrels, or bags.*

(1) One copy of weight certificate.

(ii) One copy of an independent surveyor's certificate stating that the barrels were new or the drums were new or reconditioned, or the bags were new or used and that the drums, barrels, or bags are suitable for export and that the drums, barrels, or bags comply with contract specifications.

(g) *Unmanufactured Tobacco and/or Tobacco Products.*

(1) *Unmanufactured Tobacco.*

(i) The signed original of Tobacco Examination Report, FAS Form 480-C.

(ii) The signed original of FAS Form 480-D, "Certification by Port Official with Respect to Loading Certain Tobacco", or the signed originals of FAS Form 480-E, "Certification of Warehouse Official with Respect to Consignment of Certain Tobacco" and FAS Form 480-F, "Certification of Port Official with Respect to Receiving and Loading Certain Tobacco".

(iii) The signed original of FAS Form 480-G, "Weight Certificate" or FAS Form 480-G-1, "Packaging Certificate".

(iv) The invoice shall contain the following certification signed by the supplier:

"The undersigned hereby certifies that the unmanufactured tobacco represented on this invoice does not contain cigar cuttings, scrap, siftings, stems (except the stem of the leaf sold), trimmings, or homogenized leaf."

(v) The supplier's invoice shall identify the tobacco by U.S. type and recapitulate the quantity and value of the tobacco by type. This information is required on only one copy of the detailed invoice and such copy shall be included with the documents submitted to CCC. The supplier's detailed invoice shall contain a certification that the tobacco covered by the invoice was produced in the continental United States or Puerto Rico.

(2) *Tobacco Products: Cigarettes and/or Packaged Pipe and Cut Tobacco.* The supplier's invoice shall show the name of the tobacco products, the quantity, the brand name, and in case of cigarettes, whether standard or "economy" brand and whether filter, non-filter or all-tobacco tip. The CCC copy of each invoice must also show the net weight of the unmanufactured U.S. leaf tobacco used in the manufacture of the tobacco products.

(3) *Tobacco Products: Cased strips and shredded tobacco.*

(i) The signed original of Tobacco Examination Report, FAS Form 480-C.

(ii) The signed original of FAS Form 480-D, "Certification by Port Official with Respect to Loading Certain Tobacco", or the signed originals of FAS Form 480-E, "Certification of Warehouse Official with Respect to Consignment of Certain Tobacco" and FAS Form 480-F, "Certification of Port Official with Respect to Receiving and Loading Certain Tobacco".

(iii) The signed original of FAS Form 480-C "Weight Certificate" or FAS Form 480-G-1, "Packaging Certificate" shall be submitted for the strip or shredded tobacco before flavoring, casing material, or other tobacco is added, and a signed original of Weight Certificate (FAS Form 480-G) shall be submitted for the tobacco product containing such material.

(iv) *Invoice.* The invoice shall contain the following certifications signed by the supplier:

"The undersigned hereby certifies that the manufactured tobacco represented on this invoice does not contain cigar cuttings, scrap, siftings, stems (except the stem of the leaf sold), trimmings, or homogenized leaf."

The supplier's detailed invoice shall show the following: The supplier's invoice shall identify the tobacco by U.S. type and recapitulate the quantity of the tobacco by type. This information is required on only

one copy of the detailed invoice and such copy shall be included with the documents submitted to CCC. The supplier's detailed invoice shall contain a certification that the tobacco covered by the invoice was produced in the continental United States or Puerto Rico.

ALLOCATION OF NET INVOICE PRICE

Invoice total for _____ pounds tobacco product. \$_____

Less amount to be financed by importer: _____

(1) Cost of casing and flavoring material (including all costs incurred in application) _____ \$_____

(2) Cost of tobacco not covered by FAS Form 480-C _____

Amount to be financed by CCC _____

The CCC copy of the suppliers invoice shall show the number of pounds of unmanufactured U.S. leaf tobacco contained in the tobacco product covered by the invoice.

(h) *Rice (Milled and/or Brown) in bags or bulk.*

(1) *Form CCC 421, Declaration of Sale.* One copy of Form CCC 421, Declaration of Sale, signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on Declaration of Sale. For subsequent transactions under the same contract, the supplier shall certify on the CCC copy of the detailed invoice as follows:

"I hereby certify that the signed copy of the applicable Declaration of Sale was submitted to _____ with

(Name of U.S. bank)

documents covering Invoice No. _____ dated _____ for \$_____."

(i) *In the case of rice in bags.*

(a) *Inspection Certificate.* One copy of a Rice Inspection Certificate (lot inspection) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, covering inspection at port of loading to vessel.

(b) *Examination Report.* One copy of Commodity Examination Report (Form GR-116) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, which shows the rice was checkloaded.

(c) *Supplier's invoice.* The supplier's detailed invoice shall show the kind and size of bags and whether they are new or used.

(d) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the rice loaded aboard the vessel, or shall show the number of bags and the gross weight of the rice loaded aboard the vessel, provided that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(ii) *In the case of rice in bulk.*

(a) One copy of a Rice Inspection Certificate (lot inspection) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, covering inspection at point of loading to ocean vessel.

(b) One copy of a weight certificate issued at point of loading to ocean vessel, or one copy of a letter signed by the Director, Program Operations Division, FAS, USDA, approving the supplier's request to furnish weights taken at a point other than at point of loading to ocean vessel, and one copy of a weight certificate, and one copy of a Commodity Examination Report (Form GR-116) issued by or under the supervision of the Grain Division, C&MS, USDA, which shows that the rice was transferred from the carrier to ocean vessel in the manner specified in the letter of approval from the Director, Pro-

gram Operations Division, FAS, USDA, and containing a notification regarding any rice not so transferred, and the supplier's invoice must show the quantity represented by the weight certificate, a reduction identified as 0.5 percent (one-half of 1 percent) and the reduced weight. The invoice shall show that the value was computed by using the reduced weight times contracted price.

(1) *Dry Edible Beans.*

(1) A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* One copy of a Bean Inspection Certificate (lot inspection) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, covering inspection at port of loading to vessel.

(3) *Examination Report.* One copy of a Commodity Examination Report (Form GR-116) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, which shows the beans were checkloaded.

(4) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the beans loaded aboard the vessel, or shall show the number of bags and the gross weight of the beans loaded aboard the vessel, provided, that the weight of the bags is either shown on the bill of lading, or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(5) *Supplier's Invoice.* The supplier's detailed invoice shall show the kind and size of bags and whether they are new or used.

(j) *Dry Edible Peas.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* One copy of a Pea Inspection Certificate (lot inspection) issued by or under the supervision of the Grain Division, Consumer and Marketing Service, USDA, covering inspection at port of loading to vessel.

(3) *Examination Report.* One copy of a Commodity Examination Report (Form GR-116) issued by or under the supervision of

the Grain Division, Consumer and Marketing Service, USDA, which shows the peas were checkloaded.

(4) *On-board ocean bill of lading.* The on-board ocean bill of lading shall show the net weight of the peas loaded aboard the vessel, or shall show the number of bags and the gross weight of the peas loaded aboard the vessel, provided, that the weight of the bags is either shown on the bill of lading or is evidenced by the following certification furnished by the supplier:

"The undersigned hereby certifies that the weight of the bags is _____ pounds."

(5) *Supplier's Invoice.* The supplier's detailed invoice shall show the kind and size of bags and whether they are new or used.

(k) *Tallow (Inedible).* (1) A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Weight Certificate.* One copy of a Weight Certificate or Survey Report, issued by an independent surveyor or an independent weighmaster, or Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch, Livestock Division, C&MS, USDA.

(3) *Drums inspection or tank inspection.* (1) *In the case of tallow exported in drums.* One copy of an independent surveyor's certificate or one copy of Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch, Livestock Division, C&MS, USDA, stating that the drums were either new or reconditioned and that the drums were in conformance with contract specifications, and the provisions of section (k)(8)(iii) of Appendix A were complied with.

(ii) *In the case of bulk tallow,* the Survey Report issued by an independent surveyor or Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch, Livestock Division, C&MS, USDA, shall state that the ship's tank(s) was examined and found suitable for receipt of the tallow.

(4) *Inspection Certificate.* One copy of Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch of the Livestock Division, C&MS, USDA, or one copy of a laboratory report issued by a commercial laboratory. The Agricultural Products Certificate or the Laboratory Report, whichever is applicable, shall state that the tallow met contract specifications as approved by USDA, and if shipped in drums, that the markings are in accordance with the contract specifications.

(1) *Lard.*

(1) A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier

from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* A copy of a certificate (MI Form 412-3) issued by the Meat Inspection Division, C&MS, USDA, containing a determination as to wholesomeness. This certificate shall bear a serial number and shall show the export stamp numbers applied on the containers.

(3) *Agricultural Products Certificates.* A copy of Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch, Livestock Division, C&MS, USDA, at the point of origin showing the name of the product, the number of containers in the unit shipment, gross tare and net weights, identity and seal numbers of car or truck, and compliance with specifications, and a copy of another Agricultural Products Certificate (Form LS-5) issued by the Meat Grading Branch, Livestock Division at dockside, showing the quantity and condition of containers and that the product is the same as that examined at the point of origin.

(m) *Poultry (Frozen Chickens and Turkeys).*

(1) A copy of the letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing, shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed copy of the notification of price and commission approval was submitted to _____

(Name of U.S. bank)

with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Grading Certificate.* One copy of Poultry Grading Certificate (Form PY-224), issued by the Poultry Division, C&MS, USDA, at the inland inspection point showing wholesomeness, class, condition, packaging, weight and quality.

(3) *Poultry Products Certificate.* One copy of Poultry Products Grading Certificate (Form PY-225) issued by the Poultry Division, C&MS, USDA, at shipside stating that the lot(s) met the requirement(s) of the contract, and the provisions of section (m) of Appendix A with respect to wholesomeness, class, condition, packaging, weight and quality.

(n) *Canned Milk (Sweetened Condensed or Evaporated).*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing, shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the letter of notification of price and commission approval was submitted to _____ with

(Name of U.S. bank)
documents covering Invoice No. _____
dated _____ for \$ _____"

(2) In the case of sweetened condensed milk.

(1) *Inspection Certificate.* (Quality, Weight, etc.) One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the sweetened condensed milk and a statement that the product meets the specifications of the contract and section (n)(4) of Appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart.

(1) *Inspection Certificate.* (Dockside.) One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) covering inspection of the commodity at dockside showing quantity and condition of containers and verification that the product is same as that reported on the Inspection, Grading and Weight Certificates obtained under paragraph (2)(1) above.

(3) In the case of evaporated milk,
(1) *Inspection Certificate.* (Quality, Weight, etc.)

One copy of Evaporated Milk Grading Certificate (Form DA-142 or DA-142-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product meets the specifications of the contract and section (n)(5) of Appendix A and was packaged in accordance with the requirements of the contract(s) and section 11.8(d) of this subpart.

(1) *Inspection Certificate.* (Dockside.) One copy of Evaporated Milk Grading Certificate (Form DA-142 or DA-142-A) covering inspection of commodity at dockside showing quantity and condition of containers and verification that the product is same as that reported on the Evaporated Milk Grading Certificate obtained under paragraph (3)(1) above.

(o) *Nonfat Dry Milk.*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____
(Name of U.S. bank)
with documents covering Invoice No. _____
dated _____ for \$ _____"

(2) *Grading Certificate.* (Inspection at Processing Plant.) One copy of Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and section (e)(3) of Appendix A and was packaged in accordance with the re-

quirements of the contract(s) and of section 11.8(d) of this subpart, or in the event the nonfat dry milk was obtained from CCC pursuant to CCC Announcement MP-10, and it is being exported in the same package as received from CCC stocks, the following shall apply: In lieu of the copy of the Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) required above, a copy of the Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) covering the nonfat dry milk at the time of delivery by CCC to the supplier shall be required. The dry Milk Grading Certificate(s) shall be accompanied by the supplier's statement:

"The nonfat dry milk is being exported in the same packages as received from CCC, and such packaging is in accordance with the requirements of the contract."

(3) *Grading Certificate.* (Dockside.) One copy of Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) covering inspection of commodity at dockside showing quantity and condition of containers and verification that the product is same as that reported on the Dry Milk Grading Certificates obtained under paragraph (2) above. In the case of nonfat dry milk exported in the same packages as received from CCC, any labels or brand names applied must be noted on the certificate.

(4) *Supplier's invoice.* The supplier's detailed invoice shall show the following typed or stamped certification executed by the supplier:

"The undersigned hereby certifies that any quantity of the nonfat dry milk covered by this invoice, which is being exported in satisfaction of an export obligation arising out of a purchase of nonfat dry milk from CCC, is of the same grade as, or a better grade than, such nonfat dry milk purchased from CCC."

(p) *Dry Whole Milk.*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____
(Name of U.S. bank)
with documents covering Invoice No. _____
dated _____ for \$ _____"

(2) *Grading Certificate.* (Inspection at Processing Plant.) One copy of Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and section (p)(3) of Appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart.

(3) *Grading Certificate.* (Dockside.) One copy of Dry Milk Grading Certificate (Form DA-136, DA-136-1, or DA-136-A) covering inspection of commodity at dockside showing quantity and condition of containers and verification that the product is the same as that reported on the Dry Milk Grading Certificates obtained under paragraph (2) above.

(q) *Butter.*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____
(Name of U.S. bank)
with documents covering Invoice No. _____
dated _____ for \$ _____"

(2) *Grading Certificate.* (Quality, Weight, etc.) One copy of Butter Grading Certificate (Form DA-126 or DA-126-a) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and of section (q)(3) of Appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart, or in the event the butter was obtained from CCC pursuant to CCC Announcement MP-10, and it is being exported in the same packages as received from CCC stocks, the following shall apply:

In lieu of the copy of the Butter Grading Certificate (Form DA-126 or DA-126a) required above, a copy of the Butter Grading Certificate (Form DA-126 or DA-126a) covering the butter at the time of delivery by CCC to the supplier shall be required. The Butter Grading Certificate(s) shall be accompanied by the supplier's statement:

"The butter is being exported in the same packages as received from CCC, and such packaging is in accordance with the requirements of the contract."

(3) *Grading Certificate.* (Dockside.) One copy of Butter Grading Certificate (Form DA-126 or DA-126a) covering inspection of commodity at dockside showing quantity and condition of containers and verification that the product is same as that reported on Butter Grading Certificate obtained under paragraph (2) above. In the case of butter exported in the same packages received from CCC, any labels or brand names applied must be noted on the certificate. (If labels or brand names are used they must comply with the requirements of section 11.8(d) of this subpart.)

(4) *Supplier's invoice.* The supplier's detailed invoice shall show the following typed or stamped certification executed by the supplier:

"The undersigned hereby certifies that any quantity of the butter covered by this invoice, which is being exported in satisfaction of an export obligation arising out of a purchase of butter from CCC, is of the same grade as, or a better grade than, such butter purchased from CCC."

(r) *Anhydrous Milk Fat and/or Anhydrous Butter Fat and/or Butter Oil.*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S.

bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____

(Name of U.S. bank) with documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* (Quality, Weight, etc.) One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and of section (r)(3) of appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart.

(3) *Inspection Certificate.* (Docksides.) One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) covering inspection of commodity at docksides showing quantity and condition of containers and verification that product is same as that reported on the Inspection, Grading and Weight Certificate obtained under paragraph (2) above.

(4) *Supplier's invoice.* The supplier's detailed invoice shall show the following typed or stamped certification executed by the supplier:

"The undersigned hereby certifies that any quantity of the products covered by this invoice, which is being exported in satisfaction of an export obligation arising out of a purchase of the product from CCC, is of the same grade as, or a better grade than, such product purchased from CCC."

(5) *Cheese (Cheddar and/or Process).*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the letter of notification of price and commission approval was submitted to _____ with

(Name of U.S. bank) documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Grading Certificate.* (Quality, Weight, etc.) One copy of Cheese Grading Certificate (Form DA-131 or DA-131a) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and of section (s) (3) of Appendix A was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart, or in the event the cheese was obtained from CCC pursuant to CCC Announcement MP-10, and it is being exported in the same packages as received from CCC stocks, the following shall apply:

In lieu of the copy of the Cheese Grading Certificate (Form DA-131 or DA-131a) re-

quired above, a copy of the Cheese Grading Certificate (Form DA-131, or DA-131a) covering the cheese at the time of delivery by CCC to the supplier shall be required. The Cheese Grading Certificate shall be accompanied by the supplier's statement:

"The cheese is being exported in the same packages as received from CCC, and such packaging is in accordance with the requirements of the contract."

(3) *Inspection at Docksides.* One copy of Cheese Grading Certificate (Form DA-131 or DA-131a) covering inspection of commodity at docksides showing quantity and condition of containers and verification that product is same as that reported on the Cheese Grading Certificate obtained under paragraph (2) above. In the case of cheese exported in the same packages as received from CCC any labels or brand names applied must be noted on the certificate. (If labels or brand names are used they must comply with the requirements of section 11.8(d) of this subpart.)

(4) *Supplier's invoice.* The supplier's detailed invoice shall show the following typed or stamped certification executed by the supplier:

"The undersigned hereby certifies that any quantity of the cheese covered by this invoice, which is being exported in satisfaction of an export obligation arising out of a purchase of cheese from CCC, is of the same grade as, or a better grade than, such cheese purchased from CCC."

(5) *Ghee.*

(1) *Notification of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the letter of notification of price and commission approval was submitted to _____ with

(Name of U.S. bank) documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* (Quality, Weight, etc.)

One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) issued by the Inspection and Grading Branch, Dairy Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and of section (t)(4) of Appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart.

(3) *Inspection.* (Docksides.) One copy of Inspection, Grading and Weight Certificate (Form DA-214 or DA-214-A) covering inspection of ghee at docksides showing quantity and condition of containers and verification that the ghee is same as that reported on the Inspection, Grading and Weight Certificate obtained under paragraph (2) above.

(4) *Supplier's invoice.* The supplier's detailed invoice shall show the following typed or stamped certification executed by the supplier: "The undersigned hereby certifies that any quantity of the ghee covered by this invoice, which is being exported in satisfaction of an export obligation arising out of a purchase of butter from CCC was processed from butter of the same or better grade as such butter purchased from CCC."

(u) *Stabilized Dried Whole Eggs.*

(1) *Notice of price approval.* A letter signed by the General Sales Manager, Deputy General Sales Manager, or Assistant General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, by which the supplier will have been notified that the price and commission are approved for financing shall be submitted to the U.S. bank with the documents covering the first transaction under the contract. The unit price shown on the supplier's invoice must not exceed the approved price shown on the letter to the supplier from the Office of the General Sales Manager. For subsequent transactions under the same contract, the supplier shall certify on the detailed invoice as follows:

"I hereby certify that the signed letter of notification of price and commission approval was submitted to _____ with

(Name of U.S. bank) documents covering Invoice No. _____ dated _____ for \$_____."

(2) *Inspection Certificate.* (Quality, weight, etc.) One copy of Egg Products Inspection Certificate (Form PY-200) issued by the Grading Branch, Poultry Division, Consumer and Marketing Service, U.S. Department of Agriculture, showing the quality and weight of the product and a statement that the product met the specifications of the contract and of section (u)(4) of Appendix A and was packaged in accordance with the requirements of the contract(s) and of section 11.8(d) of this subpart.

(3) *Inspection Certificate.* (Docksides.) One copy of Poultry Products Grading Certificate (Form PY-225) issued by the Poultry Division, C&MS, USDA, at docksides showing quantity and condition of containers and a certification that the product is the same as that reported on Egg Products Inspection Certificate (Form PY-200).

(v) *Upland Cotton.*

(1) *Weight Certificate.* One copy (or photostat) of the weight and tare sheets certified by a U.S. warehouseman or one copy (or photostat) of a weight certificate and tare sheets issued at U.S. port of export by an authorized weigher. The certification of the U.S. warehouseman or authorized weigher must show markings, supplier's name, CCC Registration Number, Purchase Authorization Number, gross weight, type of bagging, number of ties, and weight of patches, if any, for each bale and the tare. The gross weight minus tare shall constitute net weight. The certification must also state that cotton in the shipment was weighed after the last sampling and not more than 30 days prior to the date of certification.

(2) *Port or Custody Bill of Lading.* In lieu of the bill of lading required in section 11.13 of the Regulations there may be substituted a nonnegotiable copy (or photostat) of a Port or Custody Bill of Lading dated within the delivery period specified in the purchase authorization, with on-board endorsement dated not later than 20 days after the final delivery date specified in the purchase authorization.

(3) *Supplier's invoice.* The supplier's invoice shall show the contract terms of weight settlement, and unless the sale is made against private types, the quality described in terms of the Official Cotton Standards of the United States.

(4) *CCC Registration Number.* All documents shall be identified with the CCC Registration Number.

(5) *Eligibility for financing.* In order to be eligible for CCC financing the provisions of section (v)(1) of Appendix A must be complied with.

(w) *Extra Long Staple Cotton.*

(1) *Weight Certificate.* One copy (or photostat) of the weight and tare sheets certified by a United States warehouseman or one copy (or photostat) of a weight certificate and tare sheets issued at U.S. port of export

by an authorized weigher. The certification of the United States warehouseman or authorized weigher must show markings, supplier's name, CCC Registration Number, Purchase Authorization Number, gross weight, type of bagging, number of ties, and weight of patches, if any, for each bale and the tare. The gross weight minus tare shall constitute net weight. The certification must also state that cotton in the shipment was weighed after the last sampling and not more than 30 days prior to the date of certification.

(3) *Port or Custody Bill of Lading.* In lieu of the bill of lading required in section 11.13 of the Regulations there may be substituted a nonnegotiable copy (or photostat) of a Port or Custody Bill of Lading dated within the delivery period specified in the purchase authorization, with on-board endorsement dated not later than 20 days after the final delivery date specified in the purchase authorization.

(3) *Supplier's invoice.* The supplier's invoice shall show the contract terms of weight settlement, and unless the sale is made

against private types, the quality described in the terms of the Official Cotton Standards of the United States.

(4) *CCC Registration Number.* All documents shall be identified with the CCC Registration Number.

(5) *Eligibility for financing.* In order to be eligible for CCC financing the provisions of section (w)(1) of Appendix A must be complied with.

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