FEDERAL REGISTER

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Agencies in this issue—

Agricultural Stabilization and Conservation Service
Civil Aeronautics Board
Coast Guard
Consumer and Marketing Service
Customs Bureau
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Food and Drug Administration
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Justice Department
Labor Department
Land Management Bureau
Maritime Administration
United States Information Agency
Post Office Department
Securities and Exchange Commission

Detailed list of Contents appears inside.

How To Find U.S. Statutes and U.S. Code Citations

[Revised Edition—1965]

This pamphlet contains typical legal references which require further citing. The official published volumes in which the citations may be found are shown alongside each reference—with suggestions as to the logical sequence to follow in using them. Additional finding aids, some especially useful in citing current legislation, also have been included. Examples are furnished at pertinent points and a list of references, with descriptions, is carried at the end.

This revised edition contains illustrations of principal finding aids and reflects the changes made in the new master table of statutes set out in the 1964 edition of the United States Code.

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Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM ACREAGE ALLOTMENTS AND MARKETING QUOTAS

[Amdt. 7]

PART 717—HOLDING OF REFERENDA ON MARKETING QUOTAS

Subpart—Regulations Governing the Holding of Referenda on Marketing Quotas

MISCELLANEOUS AMENDMENTS

1. *Basis and purpose.* a. The amendments contained herein are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) to amend the regulations governing the holding of refenda on marketing quotas (28 F.R. 13249, 29 F.R. 16184, 30 F.R. 2521, 2588, 6144, 14260, 14411). The amendments provide (1) that only one polling place shall be designated in a referendum community (2) changes in the definition of a referendum community, (3) clarification of the eligibility of a spouse to vote, (4) that eligibility to vote in referenda shall be limited to persons 18 years of age or older, and (5) that a list of eligible voters shall be furnished referendum committees prior to the date of the referendum.

b. Public notice of intention to issue these amendments was given (30 F.R. 15222) in accordance with the provisions of the Administrative Procedure Act (5 U.S.C. 1003). No data, views, or recommendations were received in response to the notice.

c. Since a referenda for Cigar Filler and Binder (Types 42, 43, 44, 53, 54, and 55) and Cigar-Binder (Types 51 and 52) tobacco are scheduled to be held on February 10, 1966, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date provision of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is impracticable and contrary to the public interest and these amendments shall be effective upon the date of filing this document with the Director, Office of the Federal Register.

2. Paragraph (m) of § 717.1 is amended to read as follows:

§ 717.1 Definitions.

* * * * *

(m) *Referendum community.* Referendum communities (1) shall conform with communities established under regulations governing ASC county and community committees published in Part 7 of this title (7 CFR Part 7) or (2) if determined by the county committee with approval of a representative of the State committee shall be a political township, or a local voting precinct for purposes of general elections, or a combination of townships or precincts. The county committee may, if it determines eligible producers will be given a convenient place to vote, combine communities with less than 25 farms on which there are producers eligible to vote, with other communities. In counties with less than 100 farms on which there are producers eligible to vote in the referendum, the county committee and State committee may determine that the county be treated as one referendum community.

§ 717.2 [Amended]

3. Paragraph (b) of § 717.2, as amended, is amended by entering a period following the word "alternate" in the second sentence and deleting the remaining part of the second sentence which reads: "and may be increased if more than one polling place is to be provided in the referendum community to provide at least two regular members for each polling place."

4. Paragraph (b)(2) of § 717.3 is amended by deleting the last three sentences and inserting in lieu thereof the following: "Whether a husband or wife is entitled to vote does not depend upon whether the other spouse is eligible to vote. Eligibility to vote applies to each one individually. A wife is eligible to vote if she shares in the proceeds of the required crop as an owner, cash tenant, landlord of a share tenant, share tenant (including in the case of rice, furnishing water for a share of the crop), or sharecropper. If a husband and wife are tenants or sharecroppers on a farm, jointly responsible under the rental or sharecropping agreement, both are eligible to vote. This is true whether the rental or sharecropping agreement is written, signed by both parties, or oral, provided both husband and wife made the oral agreement. A minor is not disqualified from voting solely because of his minority if otherwise eligible and he is not less than 18 years of age.

5. Paragraph (c) of § 717.3 is amended to read as follows:

§ 717.3 Voting eligibility.

* * * * *

(c) *Register of eligible voters.* Prior to the date of the referendums, the county office manager shall cause to be prepared, by referendum communities, a list of all known eligible voters. The name and address of each known eligible voter shall be entered on the register for the community in which the producer is eligible to vote. The right of any person to vote may be challenged under § 717.7(d) even though his name appears on this register.

§ 717.4 [Amended]

6. Section 717.4 is amended by deleting the first sentence and entering the following in lieu thereof: "The county committee shall designate only one polling place for balloting in each referendum community."

§ 717.6 [Amended]

7. Paragraph (a) of § 717.6 is amended by deleting the second sentence and entering the following sentence in lieu thereof: "Such notice shall be on a form prescribed by the Deputy Administrator and shall state the commodity or commodities and marketing year, or years, or crops for which the referendum is to be held, the location of the polling place in the community, the date of the referendum, and the hours when the polls will be opened and closed."

§ 717.7 [Amended]

8. Paragraph (d) of § 717.7 is amended by deleting the period at the end of the first sentence and inserting the following: "or (3) the person's name and address have not been entered on the register of eligible voters, prior to its delivery to the referendum committee."

§ 717.11 [Amended]

9. Paragraph (c) of § 717.11 is amended by deleting the last sentence and entering in lieu thereof the following sentence: "If no notice to the contrary is received by the end of such time, and after the ballots and other records have been examined by a representative of the State committee, the voted ballots and challenged ballots shall be destroyed, but the registers and community and county summary sheets on forms MQ-4, 6, and 7, and the register of absentee ballots, shall be filed for a period of five years in the office of the county committee."

(Secs. 312, 317, 366, 343, 344a, 2354, 358, 375, 377, 52 Stat. 46, as amended, 55, as amended, 56, as amended, 61, as amended, 65, as amended, 55 Stat. 88, as amended, 70 Stat. 206, as amended, 79 Stat. 66, 1197, secs. 106, 112, 70 Stat. 191, 195, as amended; 7 U.S.C. 1312, 1314c, 1336, 1343, 1344b, 1354, 1358, 1375, 1377, 1824, 1836)

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

Signed at Washington, D.C., on February 2, 1966.

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

[F.R. Doc. 66-1302; Filed, Feb. 4, 1966; 8:47 a.m.]

PART 724—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, VIRGINIA SUN-CURED, CIGAR-BINDER (TYPES 51 AND 52), CIGAR-FILLER AND BINDER (TYPES 42, 43, 44, 53, 54, AND 55), AND MARYLAND TOBACCO

Subpart—Determination and Announcement of Community Average Yields for Burley Tobacco Determined Under Section 317 of the Agricultural Adjustment Act of 1938, as Amended

COMMUNITY AVERAGE YIELDS FOR BURLEY TOBACCO

§ 724.35p Basis and purpose.

(a) Section 724.35q is issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, particularly by Public Law 89-12 (79 Stat. 66), approved April 16, 1965 (7 U.S.C. 1281 et seq.), to determine and announce community average yields for burley tobacco under section 317 of such Act.

(b) Notice that the Secretary was preparing to establish such community average yields was filed with the Director, Office of the Federal Register, on October 15, 1965, and published in the FEDERAL REGISTER on October 16, 1965 (30 F.R. 13231). The community average yields contained in § 724.35q were established after consideration of the data, views and recommendations received pursuant to such notice within the limits permitted by the Act.

(c) Section 317(a)(5) of the Act provides:

The "community average yield" means for Flue-cured tobacco the average yield per acre in the community designated by the Secretary as a local administrative area under the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, which is determined by averaging the yields per acre for the 3 highest years of the 5 years 1959 to 1963, inclusive, except that if the yield for any of the 3 highest years is less than 80 per centum of the average for the 3 years then that year or years shall be eliminated and the average of the remaining years shall be the community average yield. Community average yields for other kinds of tobacco shall be determined in like manner, except that the 5 years 1960 to 1964, inclusive, may be used instead of the period 1959 to 1963, as determined by the Secretary.

The community average yields set forth in section 724.35q have been determined, on the basis of the 5 years 1959 to 1963, from the latest available statistics of the Federal Government in accordance with the provisions of section 317(a)(5) of the Act quoted above. Section 317 of the Act also provides that in counties where less than 500 acres of the kind of tobacco for which the determination is being made were allotted in the last year of the 5-year period the county may be considered as one community. Where this rule has been applied, only one community for a county is shown in the determination.

(d) The Act requires the holding of a special referendum of burley tobacco farmers within 45 days after the announcement of the national marketing quota on an acreage-poundage basis for the 1966-67 marketing year, the national acreage allotment, and the national average yield goal, to determine whether they favor or oppose quotas on an acreage-poundage basis for the 3 marketing years beginning October 1, 1966, October 1, 1967 and October 1, 1968. Since burley tobacco farm operators must, under section 317 of the Act, be notified, insofar as practicable, of the marketing quotas for their farms at least 15 days prior to the special referendum and community average yields are required in the determination of farm yields and farm marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the community average yields contained herein shall become effective upon the date of filing of this document with the Director, Office of the Federal Register.

§ 724.35q Community average yields for burley tobacco.

The following table sets forth the community average yields which are hereby determined for burley tobacco. The community average yields are expressed in terms of pounds per acre.

BURLEY TOBACCO COMMUNITY AVERAGE YIELDS DETERMINED UNDER SECTION 317 OF AGRICULTURAL ADJUSTMENT ACT OF 1938, AS AMENDED

County and community	*Community average yield*	*County and community*	*Community average yield*
ALABAMA			
Blount:		Lauderdale:	
1 community	[1] 2,024	1 community	[1] 1,661
Clay:		Limestone:	
1 community	[1] 1,855	1 community	627
Cullman:		Madison:	
1 community	1,697	1 community	1,672
Jackson:		Marshall:	
1 community	2,600	1 community	1,075
ARKANSAS			
Boone:		Newton:	
1 community	1,641	1 community	[1] 2,820
Carroll:		Randolph:	
1 community	1,378	1 community	[1] 980
GEORGIA			
Bartow:		Catoosa:	
1 community	[1] 3,433	1 community	1,738

See footnotes at end of table.

GEORGIA—Continued

County and community	*Community average yield*	*County and community*	*Community average yield*
Chatooga:		Putnam:	
1 community	[2] 0	1 community	2,743
Fannin:		Towns:	
1 Community	1,590	1 community	1,745
Gilmer:		Union:	
1 community	1,425	1 community	1,576
Habersham:		White:	
1 community	1,686	1 community	[1] 1,352
Murray:		Whitfield:	
1 community	1,541	1 community	[1] 1,924
ILLINOIS			
Hamilton:		Union:	
1 community	2,193	1 community	1,323
Massac:			
1 community	2,064		
INDIANA			
Bartholomew:		Franklin—Con.	
1 community	1,987	Springfield	2,289
Brown:		Whitewater	1,982
1 community	1,708	Greene:	
Clark:		1 community	1,966
Bethlehem	2,257	Harrison:	
Carr	1,868	Blue River	2,110
Charlestown	2,117	Boone	2,076
Jeffersonville	1,290	Franklin	1,790
Monroe	1,923	Harrison	1,929
Oregon	2,185	Heth	2,060
Owen	2,023	Jackson	1,961
Silver Creek	2,104	Morgan	2,063
Union	2,037	Posey	1,928
Utica	1,910	Scott	1,931
Washington	2,340	Spencer	1,960
Wood	2,008	Taylor	1,951
Crawford:		Washington	1,983
1 community	1,927	Webster	1,854
Daviess:		Hendricks:	
1 community	[2] 0	1 community	2,320
Dearborn:		Henry:	
1 community	1,938	1 community	3,158
Decatur:		Jackson:	
1 community	2,468	1 community	2,140
Dubois:		Jefferson:	
1 community	1,722	Graham	2,180
Fayette:		Hanover	2,447
1 community	2,023	Lancaster	2,136
Floyd:		Madison	2,154
1 community	2,012	Milton	1,947
Fountain:		Monroe	2,349
1 community	1,552	Republican	2,353
Franklin:		Saluda	2,247
Blooming Grove	2,173	Shelby	2,189
Brookville	2,153	Smyrna	2,261
Butler	2,133	Jennings:	
Fairfield	2,326	1 community	1,975
Highland	2,062	Johnson:	
Laurel	2,253	1 community	1,958
Metamora	2,387	Lawrence:	
Posey	2,165	1 community	1,960
Ray	2,215	Monroe:	
Salt Creek	2,404	1 community	2,342
		Morgan:	
		1 community	2,848

INDIANA—Continued

County and community	Community average yield
Ohio:	
1 community	2,147
Orange:	
1 community	2,333
Owen:	
1 community	2,095
Parke:	
1 community	[1] 2,811
Perry:	
1 community	1,494
Putnam:	
1 community	2,839
Ripley:	
1 community	2,187
Rush:	
1 community	2,028
Scott:	
1 community	2,147
Shelby:	
1 community	2,222
Spencer:	
Carter	1,888
Clay	[1] 2,044
Grass	1,944
Hammond	1,740
Harrison	1,819
Huff	2,138
Jackson	2,055
Luce	1,931
Ohio	1,862
Sullivan:	
1 community	2,015
Switzerland:	
Cotton	2,163
Craig	2,004
Jefferson	2,020
Pleasant	2,298
Posey	1,827
York	1,961
Union:	
1 community	2,031
Warrick:	
1 community	1,807
Washington:	
1 community	2,155

KANSAS

County and community	Community average yield
Atchison:	
1 community	1,744
Doniphan:	
1 community	1,544
Leavenworth:	
1 community	1,408
Linn:	
1 community	1,311

KENTUCKY

County and community	Community average yield
Adair:	
A	1,969
B	2,070
C	2,066
D	2,017
E	2,131
F	2,122
G	2,080
Allen:	
A	1,867
B	1,800
C	1,891
D	1,967
E	1,775
F	1,735
G	2,054
Anderson:	
A	2,090
B	2,126
C	1,878
D	1,831
E	1,697
F	1,709
G	1,742
Ballard:	
A	1,975
B	1,880
C	1,838
D	2,017
E	1,857
Barren:	
A	2,107
B	2,156
C	2,117
D	2,156
E	2,328
F	2,093
G	2,164
Bath:	
A	2,356
B	1,966
C	1,975
Bath—Continued	
D	2,095
E	[1] 2,291
Bell:	
1 community	2,041
Boone:	
A	1,989
B	1,988
C	1,935
D	1,801
E	2,147
Bourbon:	
A	2,281
B	2,274
C	2,192
D	2,358
E	2,434
F	2,388
G	2,409
Boyd:	
1 community	2,109
Boyle:	
A	1,996
B	2,026
C	2,035
D	2,212
E	2,013
F	2,136
G	2,004
Bracken:	
A	2,330
B	2,113
C	1,933
D	1,745
E	2,139
F	2,149
G	2,061
Breathitt:	
A	1,702
B	1,687

See footnotes at end of table.

KENTUCKY—Continued

County and community	Community average yield
Breathitt—Con.	
C	1,621
D	1,949
E	1,671
F	1,754
G	1,750
Breckinridge:	
A	2,098
B	1,812
C	1,886
D	1,984
E	2,055
F	2,091
G	1,966
Bullitt:	
A	1,998
B	1,952
C	2,040
D	1,900
E	1,737
Butler:	
1 community	1,774
Caldwell:	
A	1,511
B	1,778
C	1,655
D	1,525
E	1,569
F	1,750
G	1,435
Calloway:	
1 community	1,531
Campbell:	
1 community	1,858
Carlisle:	
1 community	1,704
Carroll:	
A	2,113
B	2,062
C	2,118
D	2,117
E	2,154
F	2,322
G	2,174
Carter:	
A	2,014
B	2,074
C	2,044
D	2,113
E	2,021
Casey:	
A	2,090
B	2,175
C	2,114
D	2,037
E	1,974
F	2,056
G	2,165
Christian:	
A	1,674
B	1,729
C	1,994
D	1,717
E	1,757
F	2,061
G	1,965
H	2,015
J	1,954
Clark:	
A	2,118
B	2,323
C	1,872
D	2,030
E	1,862
F	2,098
G	2,188
Clay:	
A	1,990
B	2,110
C	1,976
Clay—Continued	
D	1,914
E	2,162
F	1,861
G	2,009
Clinton:	
A	2,043
B	2,077
C	2,078
D	1,986
E	2,035
Crittenden:	
1 community	1,502
Cumberland:	
A	1,963
B	1,995
C	2,089
D	1,974
E	1,933
F	1,871
G	1,943
H	1,918
I	1,884
Daviess:	
A	1,940
B	1,787
C	1,736
D	1,721
E	1,793
F	2,117
G	1,919
H	1,766
J	1,793
K	1,961
L	1,906
Edmonson:	
A	1,977
B	2,005
C	1,983
D	2,050
E	2,345
Elliott:	
A	2,138
B	2,065
C	2,255
D	2,204
E	2,238
Estill:	
A	1,757
B	1,749
C	2,088
D	1,894
E	1,845
Fayette:	
A	2,364
B	2,349
C	2,283
D	2,196
E	2,327
Fleming:	
A	[1] 2,137
B	2,078
C	2,191
D	2,144
E	[1] 2,472
F	2,092
G	2,000
Floyd:	
1 community	1,998
Franklin:	
A	1,798
B	1,943
C	2,009
D	2,185
E	1,986
F	2,295
G	[1] 2,087
H	1,828
Fulton:	
1 community	2,445

KENTUCKY—Continued

County and community	Community average yield
Gallatin:	
A	1,984
B	2,197
C	1,880
Garrard:	
A	2,139
B	2,187
C	2,168
D	2,263
E	2,323
Grant:	
A	1,896
B	1,859
C	2,265
D	2,461
E	2,234
F	2,285
G	1,928
H	2,414
I	2,210
Graves:	
A	1,451
B	1,555
C	1,557
D	1,619
E	1,667
F	1,590
G	1,691
H	1,639
J	1,583
Grayson:	
A	2,118
B	2,118
C	1,994
D	2,076
E	2,369
F	2,167
Green:	
A	2,217
B	2,155
C	2,066
D	2,123
E	2,200
F	1,998
G	2,187
Greenup:	
A	2,113
B	2,047
C	2,231
D	2,123
E	2,131
F	2,163
G	2,152
H	2,084
I	2,067
Hancock:	
A	1,885
B	1,826
C	1,664
Hardin:	
A	2,061
B	2,375
C	2,131
D	2,024
E	1,888
F	1,879
G	2,051
H	1,968
J	1,999
K	1,895
L	1,864
Harlan:	
1 community	1,989
Harrison:	
A	2,450
B	2,276
C	2,335
D	2,168
E	2,022
F	1,891
G	2,252
H	2,046
Harrison—Con.	
J	1,793
K	1,763
L	1,913
Hart:	
A	2,352
B	2,428
C	2,318
D	2,232
E	2,275
Henderson:	
A	1,568
B	1,635
C	1,598
D	1,550
E	1,664
F	1,528
G	1,742
Henry:	
A	2,465
B	2,467
C	2,243
D	2,414
E	2,399
F	2,481
G	2,061
H	2,430
I	2,546
Hickman:	
1 community	1,605
Hopkins:	
1 community	1,514
Jackson:	
A	2,046
B	2,097
C	2,136
D	2,131
E	2,052
Jefferson:	
1 community	1,945
Jessamine:	
A	1,988
B	2,193
C	2,104
D	2,077
Johnson:	
1 community	1,966
Kenton:	
A	2,030
B	2,010
C	1,876
D	2,229
E	1,899
Knott:	
1 community	2,270
Knox:	
A	2,113
B	2,053
C	1,880
D	1,999
E	2,001
Larue:	
A	2,083
B	1,836
C	2,088
D	2,257
E	2,145
Laurel:	
A	2,189
B	2,213
C	2,315
D	2,076
E	2,214
F	2,187
G	2,327
Lawrence:	
1 community	2,139

KENTUCKY—Continued

County and community	Community average yield
Lee:	
1 community	1,887
Leslie:	
1 community	1,737
Letcher:	
1 community	1,724
Lewis:	
A	[1] 2,278
B	2,044
C	2,067
D	2,109
E	2,093
F	[1] 2,338
G	2,191
Lincoln:	
A	2,176
B	2,027
C	2,054
D	2,102
E	2,027
F	2,134
G	2,132
Livingston:	
1 community	[1] 1,650
Logan:	
A	1,866
B	2,005
C	2,023
D	1,846
E	2,104
F	1,783
G	1,853
H	1,862
J	1,918
Lyon:	
1 community	1,566
McCracken:	
A	1,638
B	1,812
C	1,776
D	1,894
E	1,966
McCreary:	
1 community	1,874
McLean:	
A	1,839
B	1,899
C	1,932
D	1,587
E	1,985
F	1,791
G	1,865
Madison:	
A	2,095
B	1,989
C	2,097
D	2,281
E	2,159
F	2,347
G	2,074
Magoffin:	
A	1,846
B	1,940
C	1,839
D	1,896
E	1,959
Marion:	
A	2,071
B	2,362
C	2,143
D	2,101
Marion—Continued	
E	2,236
F	2,112
G	2,227
H	2,194
J	2,282
K	2,212
L	2,249
Marshall:	
1 community	1,444
Martin:	
1 community	2,224
Mason:	
A	[1] 2,300
B	2,007
C	2,066
D	2,274
E	2,205
F	[1] 2,223
G	1,957
H	2,061
J	2,102
Meade:	
A	2,001
B	1,859
C	1,926
D	1,856
E	1,902
Menifee:	
A	1,914
B	1,983
C	2,125
D	2,146
E	2,157
Mercer:	
A	1,802
B	1,891
C	2,067
D	2,185
E	2,220
Metcalfe:	
A	2,063
B	2,023
C	2,144
D	2,250
E	2,049
Monroe:	
A	1,899
B	1,979
C	2,177
D	2,085
E	1,998
F	2,175
G	2,203
H	2,177
J	2,086
Montgomery:	
A	2,242
B	2,108
C	2,010
D	2,267
E	2,133
Morgan:	
A	1,887
B	2,035
C	1,883
D	2,014
E	2,225
F	1,915
G	2,118
Muhlenberg:	
A	1,387
B	1,845
C	1,748
Muhlenberg—Con.	
D	1,650
E	1,765
Nelson:	
A	1,880
B	2,068
C	1,929
D	2,124
E	2,129
F	1,970
G	2,244
H	2,176
J	2,055
Nicholas:	
A	2,020
B	1,965
C	2,107
D	1,997
E	[1] 2,402
Ohio:	
A	1,723
B	1,623
C	1,782
D	1,785
E	1,782
F	1,700
G	1,839
Oldham:	
A	2,282
B	2,161
C	2,098
D	2,199
E	2,179
Owen:	
A	2,392
B	2,404
C	2,162
D	1,963
E	2,077
Owsley:	
A	1,897
B	2,030
C	2,066
D	1,920
E	1,925
Pendleton:	
A	2,079
B	1,896
C	2,037
D	1,901
E	1,944
F	2,022
G	1,939
Perry:	
1 community	1,660
Pike:	
1 community	1,763
Powell:	
A	1,753
B	[1] 2,033
C	1,849
D	[1] 1,962
E	[1] 1,819
Pulaski:	
A	2,113
B	2,086
C	2,099
D	2,080
E	2,144
F	2,275
G	2,220
H	2,448
J	2,194
Robertson:	
A	1,888
B	1,764
C	1,753
Rockcastle:	
A	2,188
B	2,358
C	2,182
D	2,016
E	2,032
Rowan:	
A	2,121
B	2,122
C	2,098
D	2,033
E	2,070
Russell:	
A	1,958
B	1,971
C	2,007
D	2,011
E	2,087
F	1,994
G	2,080
Scott:	
A	2,329
B	2,236
C	2,080
D	1,898
E	1,896
F	2,076
G	2,110
Shelby:	
A	2,265
B	1,976
C	2,369
D	2,193
E	2,094
Simpson:	
A	2,149
B	2,215
C	2,055
Spencer:	
A	1,916
B	2,136
C	2,156
D	2,017
E	2,031
F	2,120
G	2,055
Taylor:	
A	2,230
B	2,227
C	2,294
D	2,183
E	2,170
F	2,064
G	2,164
Todd:	
A	1,762
B	2,174
C	1,873
D	1,706
E	1,847
F	2,014
G	2,057
H	2,090
J	1,746
K	1,694
L	2,231
Trigg:	
A	1,703
B	1,778
C	1,917
D	1,565
E	1,938
Trimble:	
A	2,452
B	2,536
C	2,494
Union:	
1 community	1,559
Warren:	
A	1,989
B	1,893
C	1,900
D	2,114
E	2,061
F	2,084
G	2,021
H	1,998
J	1,859
Washington:	
A	2,034
B	1,948
C	2,044
D	2,136
E	2,185
Wayne:	
A	2,029
B	2,128
C	2,242
D	2,130
Wayne—Continued	
E	2,103
F	2,161
G	2,151
H	2,140
J	2,114
K	2,123
L	2,026
Webster:	
1 community	1,729
Whitley:	
1 community	1,958
Wolfe:	
A	1,878
B	1,893
C	1,971
D	2,062
E	2,128
Woodford:	
A	2,549
B	2,238
C	2,412
D	2,341
E	2,329
F	2,135

MISSOURI

County and community	Community average yield
Andrew:	
1 community	1,623
Atchison:	
1 community	1,857
Bates:	
1 community	[1] 1,805
Bollinger:	
1 community	[1] 1,998
Boone:	
1 community	1,757
Buchanan:	
1 community	1,786
Caldwell:	
1 community	[1] 1,480
Callaway:	
1 community	1,757
Carroll:	
1 community	2,022
Chariton:	
1 community	1,865
Christian:	
1 community	974
Clay:	
1 community	1,621
Clinton:	
1 community	1,657
Cole:	
1 community	1,508
Cooper:	
1 community	1,872
De Kalb:	
1 community	1,641
Howard:	
1 community	1,856
Howell:	
1 community	1,806
Knox:	
1 community	1,736
Lafayette:	
1 community	1,459
Lincoln:	
1 community	1,756
Moniteau:	
1 community	1,723
Platte:	
Carroll	1,812
Fair	1,955
Green	1,923
Lee	1,962
Marshall	2,039
Pettis	1,670
Preston	1,576
Waldron	1,918
Weston	1,948
Randolph:	
1 community	1,685
Ray:	
1 community	1,592
Ripley:	
1 community	1,085
St. Clair:	
1 community	2,027

See footnotes at end of table.

MISSOURI—Continued

County and community	Community average yield
St. Francois:	
1 community	[1] 2,209
Saline:	
1 community	2,141
Shelby:	
1 community	1,901
Stone:	
1 community	[1] 1,364
Taney:	
1 community	[1] 2,305
Texas:	
1 community	1,479

NORTH CAROLINA

County and community	Community average yield
Alleghany:	
1 community	2,247
Ashe:	
A Chestnut Hill	2,146
B Clifton	2,304
C Creston	2,335
D Elk	2,452
E Grassy Creek	2,306
F Helton	2,278
G Horse Creek	2,318
H Hurricane	2,153
J Jefferson	2,217
K Laurel	2,247
L North Fork	2,276
M Obids	2,405
N Old Fields	2,495
O Peak Creek	2,251
P Piney Creek	2,198
Q Pine Swamp	2,422
R Pond Mountain	2,501
S Walnut Hill	2,197
T West	
T West Jefferson	2,270
Avery:	
1 community	2,472
Brunswick:	
1 community	[2] 0
Buncombe:	
A Asheville	2,019
B Avery's Creek	1,914
C Black Mountain	2,089
D Broad River	2,134
E Fairview	2,018
F Flat Creek	2,090
G French Broad	2,127
H Hominy	2,079
J Ivy	2,191
K Leicester	2,189
L Limestone	2,001
M Reems Creek	2,096

See footnotes at end of table.

County and community	Community average yield
Buncombe—Con.	
N Sandy Mush	2,353
P Swannanoa	2,100
R Weaverville	2,069
S West Buncombe	2,072
Burke:	
1 community	1,644
Caldwell:	
1 community	1,909
Catawba:	
1 community	[1] 1,138
Cherokee:	
1 community	2,077
Clay:	
1 community	1,908
Cleveland:	
1 community	1,276
Davidson:	
1 community	1,822
Gaston:	
1 community	[2] 0
Graham:	
1 community	2,115
Granville:	
1 community	[1] 2,971
Haywood:	
Beaverdam	2,130
Clyde	2,059
Crabtree	2,088
East Fork	2,234
Fines Creek	2,086
Panther Creek	2,208
Ironduff	1,996
Ivy Hill	2,149
Jonathan	1,999
Pigeon	2,226
Waynesville	2,074
White Oak	1,900
Henderson:	
1 community	1,994
Iredell:	
1 community	2,276
Jackson:	
1 community	2,010

NORTH CAROLINA—Continued

County and community	Community average yield
McDowell:	
1 community	1,870
Macon:	
1 community	2,008
Madison:	
A-1	2,181
B-2	2,386
C-3	2,354
D-4	2,245
E-5	2,238
F-6	2,229
G-7	2,074
H-8	2,123
J-9	2,239
K-10	2,199
L-11	2,227
M-12	2,164
N-13	2,054
O-14	2,389
P-15	2,229
Q-16	2,187
Mitchell:	
A Bakersville	2,290
B Bradshaw	2,331
C Cane Creek	2,260
D Fork Mountain	2,446
E Grassy Creek	2,244
F Herrell A	2,350
G Herrell B	2,481
H Little Rock	2,610
J Poplar	2,270
K Red Hill	2,327
L Snow Creek	2,474
Polk:	
1 community	2,080
Rutherford:	
1 community	1,378
Stokes:	
1 community	2,032
Surry:	
1 community	2,884
Swain:	
1 community	1,972
Transylvania:	
1 community	1,916
Watauga:	
A Beaver Dam	2,322
B Brushy Fork	2,360
C Cove Creek	2,454
D Laurel Creek	2,396
E Meat Camp	2,398
F New River	2,345
G North Fork	2,430
H Shawneehaw	2,449
J Stony Fork	2,442
K Watauga	2,368
Wilkes:	
1 community	2,180
Yancey:	
A East Burnsville	2,526
B West Burnsville	2,475
C Cane River	2,413
D Upper Egypt	2,446
E Lower Egypt	2,420
F Ramseytown	2,229
G Green Mountain	2,338
H Brush Creek	2,304
J Upper Jacks Creek	2,417
K Lower Jacks Creek	2,317
L East Crabtree	2,254
M West Crabtree	2,405
N Upper South Toe	1,998
O Lower South Toe	2,309
P Pensacola	2,517
Q Prices Creek	2,394

OHIO

County and community	Community average yield
Adams:	
Bratton	2,014
Brush Creek	1,886
Franklin	1,872
Green	1,861
Jefferson	1,976
Liberty	2,072
Manchester	2,068
Meigs	1,904
Monroe	1,844
Adams—Continued	
Oliver	1,973
Scott	2,184
Sprigg	1,926
Tiffin	1,987
Wayne	2,099
Winchester	2,050
Athens:	
1 community	2,048

OHIO—Continued

County and community	Community average yield
Brown:	
Byrd	[1] 2,357
Clark	1,962
Eagle	2,107
Franklin	1,987
Green	1,728
Huntington	1,908
Jackson	2,062
Jefferson	[1] 2,377
Lewis	2,116
Perry	1,870
Pike	1,778
Pleasant	[1] 2,299
Scott	1,915
Sterling	1,787
Union	2,113
Washington	1,993
Butler:	
1 community	2,044
Clermont:	
Batavia	1,861
Franklin	2,020
Jackson	1,782
Miami	1,737
Monroe	1,893
Ohio	1,986
Pierce	1,749
Stonelick	1,646
Tate	1,942
Union	1,756
Washington	1,940
Wayne	1,949
Williamsburg	2,083
Clinton:	
1 community	1,915
Delaware:	
1 community	[2] 0
Fayette:	
1 community	1,751
Gallia:	
Addison	1,835
Cheshire	1,929
Clay	2,015
Gallipolis	1,857
Green	1,896
Greenfield	1,802
Guyan	1,949
Harrison	1,814
Huntington	2,012
Morgan	1,866
Ohio	1,801
Perry	1,919
Raccoon	1,874
Springfield	1,806
Walnut	1,937
Greene:	
1 community	1,922
Hamilton:	
1 community	1,854
Highland:	
Brushcreek	1,978
Clay	1,818
Concord	1,973
Dodson	[1] 2,324
Fairfield	1,963
Hamer	1,914
Jackson	2,038
Liberty	2,013
Madison	1,869
Marshall	2,031
New Market	1,983
Paint	2,014
Penn	2,012
Salem	1,779
Union	1,845
Washington	2,028
Whiteoak	2,056
Jackson:	
1 community	2,023
Lawrence:	
1 community	1,833
Licking:	
1 community	[2] 0
Meigs:	
1 community	1,803
Montgomery:	
1 community	1,500
Monroe:	
1 community	1,782
Morgan:	
1 community	2,363
Noble:	
1 community	1,817
Pickaway:	
1 community	1,692
Pike:	
1 community	1,875
Preble:	
1 community	1,673
Ross:	
1 community	1,741
Scioto:	
1 community	1,984
Union:	
1 community	[2] 0
Vinton:	
1 community	2,135
Warren:	
1 community	1,794

PENNSYLVANIA

County and community	Community average yield
Lancaster:	
1 community	2,344

No. 25——2

SOUTH CAROLINA

County and community	Community average yield
Cherokee:	
1 community	1,645
Spartanburg:	
1 community	[1] 2,013
York:	
1 community	[2] 0

TENNESSEE

County and community	Community average yield
Anderson:	
1 community	1,838
Bedford:	
1 community	1,563
Benton:	
1 community	1,661
Bledsoe:	
1 community	1,625
Blount:	
A	1,691
B	1,883
C	1,677
D	1,712
E	1,707
F	1,825
G	1,707
H	1,616
J	1,914
K	1,725
L	1,934
M	1,910
N	1,818
O	1,590
P	1,695
Q	1,427
R	1,675
S	1,820
Bradley:	
1 community	1,558
Campbell:	
A	2,086
B	2,154
C	2,322
D	2,101
E	2,046
F	2,242
G	1,759
H	1,940
J	1,875
Cannon:	
1 community	1,629
Carroll:	
1 community	926
Carter:	
A	2,283
B	2,550
C	2,178
D	2,362
E	2,014
F	2,174
G	2,240
H	2,222
J	2,255
K	2,299
L	2,117
M	2,344
N	2,104
O	2,189
P	2,519
Q	2,214
R	2,249
Cheatham:	
1 community	1,921
Claiborne:	
A	2,252
B	2,158
C	2,286
D	2,154
E	2,248
F	2,482
G	2,228
H	2,353
J	2,269
K	2,262
L	2,584
M	2,222
N	2,234
O	2,667
P	2,400
Q	2,574
R	2,304
S	2,242
T	2,220
U	2,218
V	2,309
W	2,387
X	2,202
Y	2,574
Z	2,310
Clay:	
A	1,849
B	1,690
C	2,177
D	1,870
E	1,988
F	1,903
G	1,922
Cocke:	
A	2,086
B	2,012
C	1,750
D	1,785
E	1,946
F	1,934
G	1,867
H	1,943
J	1,985
K	2,129
L	1,943
Coffee:	
1 community	1,736
Cumberland:	
1 community	2,001
Davidson:	
1 community	1,644
Decatur:	
1 community	[2] 0
De Kalb:	
A	1,664
B	1,660
C	1,778
D	1,549
E	1,743
F	1,774
G	1,860
H	1,791
J	1,589
K	1,512
L	1,883
M	1,653
N	1,671
Dickson:	
1 community	1,686
Dyer:	
1 community	1,255
Fentress:	
1 community	2,046
Franklin:	
1 community	1,636
Giles:	
A	1,444
B	968
C	1,621
D	1,991
E	1,814
F	1,539
G	1,608
H	1,549
J	1,235
K	1,630
L	1,635
M	1,642
N	1,734
O	1,651
P	1,862
Q	1,711
R	1,690
S	1,612
T	1,703
U	1,674
V	1,609
W	1,603
X	1,657
Grainger:	
A	1,919
B	2,100
C	2,253
D	2,083
E	2,156
F	2,037
G	2,022
H	2,060
J	2,288
K	1,791
L	2,136
M	2,322
N	1,830
O	1,944
P	2,200
Greene:	
A	2,161
B	2,069
C	2,173
D	1,816
E	1,861
F	1,715
G	1,852
H	1,845
J	2,104
K	1,998
L	1,934
M	1,912
N	2,103
O	2,156
P	2,195
Q	1,917
R	1,978
S	2,197
T	1,913
U	2,107
V	1,855
W	2,179
X	1,996
Y	2,080
Z	1,985
Grundy:	
1 community	1,560
Hamblen:	
A	2,213
B	2,083
C	1,975
D	1,929
E	1,945
F	2,036
G	2,141
H	2,193
J	2,086
Hamilton:	
1 community	1,391
Hancock:	
A	2,257
B	2,125
C	2,015
D	2,036
E	2,085
F	2,046
G	1,961
H	2,139
J	2,345
K	2,280
L	2,239
M	2,051
N	2,392
Hardin:	
1 community	1,230
Hawkins:	
A	1,982
B	1,772
C	1,767
D	1,844
E	1,906
F	1,917
G	2,080
H	2,095
J	2,116
K	2,049
L	2,051
M	2,305
N	2,374
O	1,794
P	1,959
Q	1,899
R	2,082
S	2,124
T	2,086
U	2,056
V	2,142
Henry:	
1 community	1,593
Hickman:	
1 community	1,563
Houston:	
1 community	1,490
Humphreys:	
1 community	1,733
Jackson:	
A	1,611
B	1,536
C	1,498
D	1,906
E	1,703
F	1,667
G	1,937
H	1,592
J	1,674
K	1,751
L	1,635
M	1,721
N	1,579
O	1,647
P	1,598
Jefferson:	
A	2,110
B	1,996
C	2,056
D	2,273
E	1,881
F	1,909
G	2,107
H	1,890
J	2,069
Johnson:	
A	2,446
B	2,284
C	2,211
D	2,424
E	2,455
F	2,436
G	2,287
H	2,453
J	2,552
K	2,418
Knox:	
B	1,794
C	2,034
D	1,820
E	2,111
G	1,689
H	1,898
J	1,722
K	1,957
L	1,738
M	1,870
N	1,804
O	1,917
P	1,868
Q	1,762
R	1,764
Lawrence:	
1 community	1,588
Lewis:	
1 community	1,641
Lincoln:	
A	1,510
B	1,586
C	1,418
D	1,810
E	1,634
F	1,693
G	1,657
H	1,448
J	1,495
K	1,553
L	1,398
M	1,409
N	1,548
O	1,600
P	1,488
Q	1,623
R	1,580
S	1,498
T	1,694
U	1,644
V	1,570
W	1,665
X	1,557
Y	1,665
Loudon:	
A	1,715
B	1,692
C	1,685
D	1,767
E	1,778
F	1,767
G	1,843
H	1,667
J	1,818
K	1,752
L	1,700
McMinn:	
A	1,667
B	1,653
C	1,568
D	1,671
E	1,802
F	1,671
G	1,719
H	1,677
J	1,664
K	1,729
L	1,692
M	1,590
N	1,348
O	1,649
P	1,581
Q	1,659
R	1,699
S	1,571
T	1,781
Macon:	
A	1,906
B	1,891
C	1,568
D	1,654
E	1,995
F	1,919
G	1,856
H	1,882
J	1,884
K	1,794
L	1,959
M	1,777
N	1,838
Marion:	
1 community	1,562
Marshall:	
A	1,645
B	1,568
C	1,343
D	1,334
E	1,398
F	1,478
G	1,504
H	1,493
J	1,575
K	1,601
L	1,709
M	1,488
N	1,538
O	1,803
Maury:	
A	1,577
B	1,540
C	1,534
D	1,476
E	1,596
F	1,514
G	1,547
H	1,597
J	1,630
K	1,613
Meigs:	
1 community	1,591
Monroe:	
A	1,776
B	1,780
C	1,750
D	1,567
E	1,659
F	1,671
G	1,503
H	1,616
J	1,659
Montgomery:	
A	1,959
B	1,731
C	1,691
D	1,886
E	1,500
F	1,686
G	1,596
H	1,690
J	1,576
K	1,391
L	1,694
M	1,924
N	1,381
O	1,637
P	1,482
Q	1,463

See footnotes at end of table.

TENNESSEE—Continued

County and community	Community average yield
Montgomery—Con.	
R	1,454
S	1,436
T	1,525
Moore:	
1 community	1,644
Morgan:	
1 community	1,734
Overton:	
1 community	1,971
Pickett:	
1 community	1,957
Polk:	
1 community	1,559
Putnam:	
A	1,845
B	1,937
C	1,864
D	1,924
E	1,814
F	1,841
G	2,032
H	1,898
J	1,899
K	1,767
L	1,704
M	1,674
N	1,635
Rhea:	
O	1,676
P	1,782
1 community	1,721
Roane:	
A	1,415
B	1,470
C	1,542
D	1,626
E	1,693
F	1,610
G	1,596
Robertson:	
A	2,308
B	2,160
C	2,127
D	2,012
E	1,965
F	1,706
G	1,858
H	1,841
J	1,955
K	1,961
L	1,830
M	1,831
N	1,980
O	1,911
P	1,850
Q	1,950
R	1,898
S	2,131
Rutherford:	
1 community	1,485
Scott:	
1 community	2,051
Sevier:	
A	1,744
B	1,672
C	1,949
D	1,885
E	1,797
F	1,895
G	1,845
H	2,071
J	1,780
K	1,804
Sevier—Continued	
L	1,862
M	1,748
N	1,816
O	1,519
P	1,556
Q	1,680
R	1,956
Smith:	
A	1,908
B	1,798
C	1,736
D	1,847
E	1,762
F	1,588
G	1,673
H	1,560
J	1,748
K	1,791
L	1,661
M	1,742
N	1,702
O	1,677
P	1,635
Stewart:	
1 community	1,517
Sullivan:	
A	1,974
B	1,957
C	2,094
D	2,150
E	2,111
F	2,143
G	2,114
H	1,999
J	2,054
K	1,948
N	1,971
O	1,945
P	1,871
Q	2,074
S	2,022
T	2,088
U	1,932
V	2,020
Sumner:	
A	1,749
B	1,878
C	1,635
D	1,808
E	1,668
F	1,533
G	1,580
H	1,798
J	1,858
K	1,723
L	1,531
M	1,425
N	1,758
O	1,879
P	1,971
Q	2,227
R	2,013
S	1,963
T	1,973
U	1,756
V	1,932
W	2,251
X	2,159
Y	1,799
Z	1,803
Trousdale:	
A	1,786
B	1,836
C	1,728
D	1,798
E	1,775
F	1,695
G	1,819
Unicoi:	
A	2,215
Unicoi—Continued	
B	2,227
C	2,140
D	2,093
E	2,135
F	2,202
G	2,267
Union:	
A	2,165
B	2,093
C	1,847
D	2,187
E	1,972
F	2,214
G	2,023
H	2,039
J	2,149
K	2,331
L	2,094
Van Buren:	
1 community	1,759
Warren:	
1 community	1,757
Washington:	
A	2,111
B	2,144
C	2,258
D	2,101
E	2,197
F	2,138
G	2,058
H	2,079
J	2,176
K	2,095
L	2,104
M	1,988
N	2,147
O	2,232
P	2,183
Q	2,149
R	2,300
S	2,174
Weakley:	
1 community	1,291
White:	
A	1,903
B	2,094
C	1,830
D	1,834
E	1,933
F	1,805
G	1,691
H	1,988
White—Continued	
J	1,934
K	2,030
L	1,657
M	1,945
N	1,994
Williamson:	
A	1,663
B	1,618
C	1,565
D	1,587
E	1,593
F	1,470
G	1,375
H	1,619
J	1,693
K	1,646
L	1,569
M	1,482
N	1,449
O	1,596
P	1,570
Q	1,328
R	1,390
S	1,703
T	1,381
U	1,622
V	1,612
W	1,571
X	1,545
Wilson:	
A	1,529
B	1,662
C	1,616
D	1,654
E	1,613
F	1,651
G	1,530
H	1,555
J	1,706
K	1,572
L	1,725
M	1,538
N	1,728
O	1,720
P	1,581
Q	1,734
R	1,426
S	1,552
T	1,512
U	1,572
V	1,456
W	1,622
X	1,402
Y	1,523
Z	1,843

See footnotes at end of table.

VIRGINIA

County and community	Community average yield
Albemarle:	
1 community	1,850
Amelia:	
1 community	1,798
Appomattox:	
1 community	1,796
Bedford:	
1 community	1,754
Bland:	
1 community	2,237
Brunswick:	
1 community	2,167
Buchanan:	
1 community	2,049
Buckingham:	
1 community	1,908
Campbell:	
1 community	2,183
Carroll:	
1 community	1,002
Charlotte:	
1 community	1,878
Cumberland:	
1 community	1,623
Dickenson:	
1 community	2,073
Dinwiddie:	
1 community	1,944
Floyd:	
1 community	1,854
Fluvanna:	
1 community	1,507

VIRGINIA—Continued

County and community	Community average yield
Franklin:	
1 community	2,570
Giles:	
1 community	2,291
Grayson:	
1 community	2,224
Halifax:	
1 community	1,924
Lee:	
South Jonesville	2,064
Yokum Station	2,202
West Rose Hill	2,159
Rocky Station	2,231
White Shoals	2,219
Jonesville	2,341
Rose Hill	2,247
Madison:	
1 community	2,120
Mecklenburg:	
1 community	1,921
Montgomery:	
1 community	1,908
Nelson:	
1 community	2,304
Nottoway:	
1 community	1,641
Pittsylvania:	
1 community	[1] 2,182
Powhatan:	
1 community	1,881
Prince Edward:	
1 community	1,858
Pulaski:	
1 community	1,718
Russell:	
Lebanon	2,435
Elk Garden	2,332
New Garden	2,416
Cleveland	2,319
Moccasin	2,633
Castlewood	2,241
Copper Creek	2,579
Scott:	
Dekalb	2,136
Estillville	1,984
Floyd	2,125
Fulkerson	2,110
Johnson	2,342
Powell	2,029
Taylor	2,107
Smyth:	
Rich Valley	2,214
Marion	2,233
St. Clair	2,361
Tazewell:	
1 community	2,172
Washington:	
Abingdon	2,263
Glade Spring	2,322
North Goodson	2,363
South Goodson	2,088
Holston	2,340
Kinderhook	2,250
North Fork	2,269
Saltville	2,239
Wise:	
1 community	2,108
Wythe:	
1 community	2,281

WEST VIRGINIA

County and community	Community average yield
Boone:	
1 community	1,799
Cabell:	
Barboursville	1,714
Grant	1,812
McComas	1,716
Union	1,851
Greenbrier:	
1 community	[1] 2,400
Jackson:	
1 community	1,900
Kanawha:	
1 community	1,712
Lincoln:	
Carroll	1,783
Duval-Washington	1,760
Harts-Laurel Hill	1,725
Jefferson	1,980
Sheridan	1,695
Union	1,887
Logan:	
1 community	1,735
McDowell:	
1 community	[1] 1,601
Mason:	
Arbucle	1,786
Clendenin	1,781
Cooper	1,837
Cologne	1,853
Graham-Waggener	1,327
Hannan	1,866
Lewis-Robinson	1,864
Union	1,742
Mercer:	
1 community	2,205
Monroe:	
1 community	2,278
Putnam:	
Northside	1,916
Southside	1,743

WEST VIRGINIA—Continued

County and community	*Community average yield*	*County and community*	*Community average yield*
Raleigh:		Wayne:	
1 community	1,853	1 community	1,904
Ritchie:		Wirt:	
1 community	1,629	1 community	2,082
Roane:		Wood:	
1 community	2,180	1 community	1,869
Summers:			
1 community	2,835		

[1] Adjusted in accordance with the Act.
[2] No burley production during the period 1959–63.

(Secs. 317, 375, 79 Stat. 66, 52 Stat. 66, as amended; 7 U.S.C. 1314c, 1375)

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

Signed at Washington, D.C., on January 27, 1966.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-1090; Filed, Jan. 28, 1966; 9:38 a.m.]

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

[Navel Orange Reg. 99]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.399 Navel Orange Regulation 99.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 3, 1966.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., February 6, 1966, and ending at 12:01 a.m., P.s.t., February 13, 1966, are hereby fixed as follows:

(i) District 1: 950,000 cartons;
(ii) District 2: 425,000 cartons;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: February 4, 1966.

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

[F.R. Doc. 66-1390; Filed, Feb. 4, 1966; 11:32 a.m.]

[Lemon Reg. 200]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.500 Lemon Regulation 200.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 1, 1966.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., February 6, 1966, and ending at 12:01 a.m., P.s.t., February 13, 1966, are hereby fixed as follows:

(i) District 1: 23,250 cartons;
(ii) District 2: 116,250 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: February 3, 1966.

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

[F.R. Doc. 66-1352; Filed, Feb. 4, 1966; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7136; Amdt. No. 21-8]

PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Export Airworthiness Approval Procedures

The purpose of this amendment to Part 21 of the Federal Aviation Regulations is to clarify the existing regulations concerning those persons authorized to perform the inspections required for certain classes of export approval and to delete the overhaul requirement presently applicable to used engines, propellers, and appliances, exported as a part of an aircraft.

Under the current requirements of § 21.329, used aircraft must have undergone a periodic inspection and be approved for return to service in accordance with the applicable provisions of Part 43 of the Federal Aviation Regulations. In addition, used engines and propellers which are not being exported as part of a certificated aircarft must have been newly overhauled. In accordance with the provisions of Part 43, mechanics holding inspection authorizations are authorized to perform periodic inspections and overhauls to the extent provided in Part 65 of the Federal Aviation Regulations and air carriers and commercial operators are authorized to perform similar functions as provided in Parts 121 or 127 of the Federal Aviation Regulations. Under Parts 121 and 127, air carriers are limited to the performance of maintenance on their own or other air carrier aircraft in accordance with applicable continuous airworthiness maintenance programs and commercial operators are limited to performing maintenance on their own aircraft in accordance with such programs, and the Agency has applied such limitations to their performance of the necessary inspections and overhauls for export approvals. However, notwithstanding the foregoing, the present provisions of § 21.337 do not list air carriers, commercial operators or persons holding inspection authorizations as being authorized, under any condition, to perform the inspections and overhauls required for export airworthiness approval. The notice of proposed rule making that preceded the adoption of present § 21.337 listed air carriers as persons authorized to perform the required inspections and overhauls for export approval. However, as the preamble of the final amendment clearly indicates, air carriers were not included in the provisions of § 21.337 as proposed in order to remove the implication that the air carriers could perform the required inspections and overhauls without limitations and not to prevent air carriers from performing such functions within the limitations imposed by Parts 121 and 127. This would also be applicable now to commercial operators conducting their operations under Part 121. This oversight has created considerable confusion and the provisions of § 21.337 require clarification. For this reason, the requirements of § 21.337 have been amended consistent with the foregoing to include air carriers, commercial operators and the holders of inspection authorizations.

In addition to the foregoing, the provisions of § 21.329 have been amended by deleting the requirement that used engines, propellers and appliances being exported as part of an aircraft must have been overhauled within the last 500 hours' time in service prior to being exported. The Agency now considers that this requirement is unnecessary for the purpose of establishing the airworthiness of such products in the light of the existing requirement that used aircraft being exported must have undergone a periodic inspection and be approved for return to service. Under a periodic inspection, the condition of the engines, propellers and appliances installed on an aircraft must be investigated and if it is found that an overhaul of such engines, propellers or appliances is necessary in order to make them airworthy, the aircraft cannot be approved for return to service until such overhaul has been performed. As amended herein, only the necessary overhauls of used engines, propellers and appliances need be performed and exporters would be relieved of the substantial economic burden of overhauling engines, propellers, and appliances regardless of the actual condition of such products as required under the current rules.

Finally, as noted above, § 21.329(c) requires that used aircraft must have undergone a periodic inspection and be approved for return to service in accordance with the applicable provisions of Part 43 of the Federal Aviation Regulations. In addition, it requires that this inspection must have been performed within 30 days before the date the application is made for an export certificate of airworthiness. The requirement for a periodic inspection was intended only to identify the scope of the inspection which the Agency considers necessary for export approval of used aircraft and the rule has been amended to make this clear. Moreover, it has been brought to the attention of the Agency that the requirement for a periodic type of inspection does not take into proper account the scope of the other forms of inspections used on civil aircraft. In this connection, the present requirement requires a complete periodic type inspection notwithstanding that some of the inspections required under a periodic inspection may have already been accomplished under an established continuous airworthiness maintenance program or progressive inspection program within the 30 days prior to the date that the application for export approval was made. Therefore, to prevent the unnecessary duplication of inspections, the provisions of § 21.329(c) have been amended to permit consideration of inspections performed within 30 days prior to the date an application is made for export approval on aircraft maintained in accordance with a continuous airworthiness maintenance program under Part 121 or 127 of the Federal Aviation Regulations or a progressive inspection program under Part 91 of the Federal Aviation Regulations.

Since these amendments remove unnecsessary restrictions, are clarifying in nature and impose no additional burden on any person, notice and public procedure hereon are unnecessary and they may be made effective on less than 30 days' notice.

In consideration of the foregoing, Part 21 of the Federal Aviation Regulations, (14 CFR Part 21) is amended effective January 28, 1966 as follows:

1. Section 21.329 is amended by striking out present paragraph (e) and by redesignating paragraphs (f) and (g) as paragraphs (e) and (f), and by amending paragraph (c) to read as follows:

§ 21.329 Issue of Export Certificates of Airworthiness for Class I Products.

* * * * *

(c) Used aircraft must have undergone a periodic type inspection and be approved for return to service in accordance with Part 43 of this Chapter. The inspection must have been performed and properly documented within 30 days before the date the application is made for an export certificate of airworthiness. In complying with this paragraph, consideration may be given to the inspections performed on an aircraft maintained in accordance with a continuous airworthiness maintenance program under Parts 121 or 127 of this Chapter or a progressive inspection program under Part 91 of this Chapter, within the 30 days prior to the date the application is made for an export certificate of airworthiness.

* * * * *

2. Section 21.337 is amended by adding new paragraphs (d), (e), and (f) to read as follows:

§ 21.337 Performance of inspection and overhauls.

* * * * *

(d) The holder of an inspection authorization as provided in Part 65 of this Chapter.

(e) An air carrier, when the product is one that the carrier has maintained under its own or another air carrier's continuous airworthiness maintenance program and maintenance manuals as provided in Parts 121 or 127 of this Chapter.

(f) A commercial operator, when the product is one that the operator has maintained under its continuous airworthiness maintenance program and maintenance manual as provided in Part 121 of this Chapter.

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

Issued in Washington, D.C., on January 28, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-1254; Filed, Feb. 4, 1966; 8:45 a.m.]

[Docket No. 1447; Amdt. 39-190]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 188A and 188C Series Airplanes

Amendment 514 (27 F.R. 11991), AD 62-26-4, as amended by Amendment 736 (29 F.R. 6849) requires inspection, and replacement where necessary, of the elevator balance weight arms on Lockheed Models 188A and 188C Series airplanes. Subsequent to the issuance of Amendment 736 the Agency has determined that the modification in accordance with Revision B of the manufacturer's service bulletin specified in paragraph (f) of the AD could result in interference at the trailing edge of the horizontal stabilizer. The manufacturer has issued a later revision to the service bulletin that provides a revised modification that will eliminate this interference. It is therefore necessary to amend the AD to require an inspection for interference and compliance with the latest revision of the manufacturer's service bulletin if interference is found.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 514 (27 F.R. 11991), AD 62-26-4, as amended by Amendment 736 (29 F.R. 6849) is further amended by amending paragraph (f) to read as follows:

(f) The periodic inspections of (a), (b), and (e) may be discontinued after compliance with either of the following—

(1) Modify elevator assembly in accordance with sections 2.A through 2.W of Lockheed Service Bulletin 88/SB-567C or later FAA-approved revision; or

(2) If elevator assembly has been modified before February 3, 1966, in accordance with sections 2.A through 2.S of Lockheed Service Bulletin 88/SB-567B, inspect the horizontal stabilizer throughout the elevator travel for interference.

(i) If interference exists, modify the elevator assembly in accordance with sections 2.A through 2.W of Lockheed Service Bulletin 88/SB-567C or later FAA-approved revision.

(ii) If no interference exists, no further action is necessary.

This amendment becomes effective February 3, 1966.

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

Issued in Washington, D.C., on January 27, 1966.

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

[F.R. Doc. 66-1255; Filed, Feb. 4, 1966; 8:45 a.m.]

[Docket No. 7138; Amdt. 39-191]

PART 39—AIRWORTHINESS DIRECTIVES

General Electric CJ805 Series Engines

There has been a complete failure of a second stage turbine disc in a General Electric CJ805-3 turbojet engine. Since this condition is likely to exist or develop in other engines of the same type design, an airworthiness directive is being issued to require removal from service of second stage turbine discs after 7,000 cycles.

As a situation exists which demands immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GENERAL ELECTRIC. Applies to Models CJ805-3, -3A, -3.3, -23, -23B, and -23C turbojet engines.

Compliance required as indicated.

To prevent the failure of second stage turbine discs, accomplish the following:

(a) Remove from service second stage turbine discs with less than 7,000 cycles on the effective date of this AD before the accumulation of 7,200 cycles.

(b) Remove from service second stage turbine discs with 7,000 or more cycles on the effective date of this AD within the next 200 cycles.

(c) For the purpose of this AD, the number of cycles equals the number of flights that involve an engine operating sequence consisting of engine starting, takeoff operation, landing, and engine shutdown. The number of cycles may be determined by actual count or, subject to acceptance by the assigned FAA maintenance inspector, may be calculated by dividing each second stage turbine disc's hours' time in service by the operator's fleet average time per flight (involving an engine operating sequency consisting of engine starting, takeoff operation, landing, and engine shutdown) for airplanes equipped with General Electric CJ805 engines.

(General Electric telegram to CJ805 operators dated December 1, 1965, pertains to this subject.)

This amendment becomes effective February 3, 1966.

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

Issued in Washington, D.C., on January 28, 1966.

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

[F.R. Doc. 66-1293; Filed, Feb. 4, 1966; 8:46 a.m.]

[Airspace Docket No. 65-WE-64]

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

Alteration and Designation of Control Zones, Alteration and Designation of Transition Areas and Revocation of Control Area Extensions

On August 25, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 10996) stating that the Federal Aviation Agency proposed to alter the controlled airspace in the Port Angeles and Whidbey Island, Wash., terminal areas.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable except the Aircraft Owners and Pilots Association objected to the dimensions of the proposed 700-foot transition area.

A subsequent review of the airspace requirements in the Whidbey Island area disclosed that air traffic control procedures would not be derogated by raising the floor of a portion of the proposed 700-foot transition area to 1,200 feet above the surface. In addition two TACAN instrument approach procedures were cancelled and eliminated the requirement for the control zone extensions SW of Whidbey Island, Wash. (Ault Field NAS and Oak Harbor NAS). These modifications are reflected in the final rule.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 31, 1966 as hereinafter set forth:

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

PORT ANGELES, WASH.

Within a 5-mile radius of CGAS Port Angeles (latitude 48°08'30" N., longitude 123°24'45" W.), within 2 miles each side of the Port Angeles VOR 093° radial, extending from the 5-mile radius zone to 8 miles E of the VOR, and within 2 miles each side of the 089° bearing from the Ediz Hook, Wash., RBN, extending from the 5-mile radius zone to 8 miles E of the RBN. This control zone is effective 0400 to 2200 hours, local time, daily.

2. In § 71.171 (29 F.R. 17640) the Whidbey Island, Wash., control zone is amended as follows:

WHIDBEY ISLAND, WASH.

Within a 5-mile radius of Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.); within a 5-mile radius of the INT of the N/S and E/W sealane landing areas (latitude 48°15'55" N., longitude 122°35'15" W.) Oak Harbor Seaplane Base, Whidbey Island, Wash.; within a 1-mile radius of OLF Coupeville Airport, Coupeville, Wash. (latitude 48°11'20" N., longitude 122°37'50" W.); within 2 miles each side of the Whidbey Island TACAN 351° radial, extending from

the 5-mile radius zone to 7.5 miles N of the TACAN.

3. In § 71.181 (29 F.R. 17691) the Port Angeles, Wash., transition area is amended as follows:

PORT ANGELES, WASH.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Clallam County Airport, Port Angeles, Wash. (latitude 48°07'20" N., longitude 123°29'40" W.); within a 5-mile radius of CGAS Port Angeles (latitude 48°08'30" N., longitude 123°24'45" W.), within 2 miles N and 5 miles S of the Port Angeles VOR 093° radial, extending from the VOR to 12 miles E of the VOR; that airspace extending upward from 1,200 feet above the surface bounded on the E by the W edge of V-4 and the W edge of Amber 1, on the S by latitude 48°03'00" N., on the W by longitude 123°35'00" W. and on the N by the United States/Canadian border.

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

WHIDBEY ISLAND, WASH.

That airspace extending upward from 700 feet above the surface bounded on the E by a line extending from latitude 48°40'00" N., longitude 122°05'00" W. to latitude 48°05'00" N., longitude 121°55'00" W., on the S by latitude 48°05'00" N., on the W by the E edge of Amber 1 and the United States/Canadian border to latitude 48°25'00" N., thence via latitude 48°25'00" N. to an arc of a 13-mile radius circle centered on Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.), thence clockwise via the 13-mile radius arc to longitude 122°45'00" W., thence to latitude 48°40'00" N., longitude 122°43'00" W., on the N by latitude 48°40'00" N. to point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 48°52'00" N., longitude 122°00'00" W., thence via longitude 122°00'00" W. to latitude 48°43'00" N., thence via latitude 48°43'00" N. to longitude 121°45'00" W., thence via longitude 121°45'00" W. to latitude 48°05'00" N., thence via latitude 48°05'00" N., to longitude 121°55'00" W., thence to latitude 48°40'00" N., longitude 122°05'00" W., thence via latitude 48°40'00" W. to the United States/Canadian border, thence via the United States/Canadian border to latitude 48°52'00" N., thence to point of beginning, and that airspace NW of Whidbey Island bounded on the S by latitude 48°25'00" N., to an arc of a 13-mile radius circle centered on Ault Field, Whidbey Island, Wash. (latitude 48°21'10" N., longitude 122°39'20" W.), thence clockwise via the 13-mile radius arc to longitude 122°45'00" W., thence to latitude 48°40'00" N., longitude 122°43'00" W. on the N by latitude 48°40'00" N., and on the W by the United States/Canadian border to point of beginning; that airspace extending upward from 8,200 feet MSL bounded on the E by longitude 121°30'00" W., on the S by latitude 48°00'00" N., on the W by longitude 121°45'00" W., and on the N by latitude 48°38'00" N. to point of beginning; that airspace extending upward from 12,000 feet MSL bounded on the E by longitude 121°00'00" W., on the S by latitude 48°00'00" N., on the W by longitude 121°30'00" W., and on the N by latitude 48°30'00" N. to point of beginning.

5. In § 71.181 (30 F.R. 8999) the Bellingham, Wash. transition area is amended as follows:

BELLINGHAM, WASH.

That airspace extending upward from 700 feet above the surface bounded on the E by longitude 122°15'00" W., on the S by latitude 48°52'00" N., and on the W and N by the United States/Canadian border.

6. In § 71.165 (29 F.R. 17577, 17580) the folowing control area extensions are revoked:

a. Seattle, Wash. (B).
b. Whidbey Island, Wash.

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

Issued in Los Angeles, Calif., on January 26, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-1256; Filed, Feb. 4, 1966; 8:45 a.m.]

[Airspace Docket No. 66-SO-3]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Montgomery, Ala., transition area.

The Montgomery, Ala., 1,200-foot transition area is designated in part as within "* * * a 35-mile radius arc centered on the Selma RBN * * *".

Because of the decommissioning of the Selma, Ala., radiobeacon, it is necessary to alter this portion by substituting geographical coordinates for the Selma RBN.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary and the amendment may become effective without regard to the 30-day statutory period.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (29 F.R. 17643) the Montgomery, Ala., 1,200-foot transition area (30 F.R. 3422) is amended as follows: Substitute "* * * latitude 32°27'25" N., longitude 87°05'14" W. * * *" for "* * * Selma RBN * * *".

(Sec. 07(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on January 26, 1966.

HENRY S. CHANDLER,
Acting Director, Southern Region.

[F.R. Doc. 66-1258; Filed, Feb. 4, 1966; 8:45 a.m.]

[Airspace Docket No. 65-WE-115]

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

Alteration of Transition Area and Alteration and Designation of Federal Airways

On December 17, 1965, a notice of proposed rule making was published in the FEDERAL REGISTER (30 F.R. 15593) stating that the Federal Aviation Agency proposed to alter the Burbank Transition area, realign VOR Federal Airways Nos. V-186 and V-518 and designate a new airway (V-326) to serve the Burbank, Van Nuys, Calif., terminal area.

The notice omitted the following proposed airspace action. As a result of the realignment of V-186, the segment of V-186 between Pomona and Ontario, Calif., is cancelled and in order to provide airway continuity, V-197 has been extended from Pomona to Ontario, Calif. Final rule making action on V-186 and V-197 as contained herein is based on the relocated Ontario VOR (latitude 33° 55'06" N., longitude 117°31'44" W.) scheduled to be commissioned approximately March 31, 1966. Since the change effected by this amendment is no more restrictive in nature than at present, notice and public procedure thereon are unnecessary.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. The one comment received was favorable.

In consideration of the foregoing, Part 71, of the Federal Aviation Regulations is amended, effective 0001 e.s.t., March 31, 1966 as hereinafter set forth:

1. In § 71.181 (29 F.R. 17651) the Burbank, Calif., transition area is amended by deleting "That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34°14'00" N., longitude 118°47'00" W.; to latitude 34°14'00" N., longitude 118°15'00" W.; * * *" and substitute the following therefor "That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 34°15'30" N., longitude 118°47'00" W.; to latitude 34°15'30" N., longitude 118°33'00" W.; to latitude 34°14'00" N., longitude 118°33'00" W.; to latitude 34°14'00" N., longitude 118°15'00" W.; * * *".

2. Section 71.123 (29 F.R. 17530, 17543, 17531, 17509) is amended as follows:

(a) V-186 is redesignated: From Fillmore, Calif., 1,200 feet AGL via Van Nuys, Calif.; 1,200 feet AGL to Ontario, Calif.

(b) V-518 is redesignated: From Fillmore, Calif., 1,200 feet AGL via INT of Fillmore 102° and Ventura, Calif., 061° radials; 1,200 feet AGL via INT of Ventura 061° and Palmdale, Calif., 233° radials; 1,200 feet AGL to Palmdale, Calif.

(c) V-197 is redesignated: From Ontario, Calif., via Pomona Calif., to Palmdale, Calif.

(d) V-326 is added: From Fillmore, Calif., 1,200 feet AGL via INT of Fillmore 163° and Van Nuys, Calif., 270° radials; 1,200 feet AGL to Van Nuys, Calif.

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

Issued in Los Angeles, Calif., on January 25, 1966.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 66-1259; Filed, Feb. 4, 1966; 8:45 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-451]

PART 221—CONSTRUCTION, PUBLICATION, FILING AND POSTING OF TARIFFS OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Passenger Credit Plans

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 2d day of February 1966.

In a notice of proposed rule making published in the FEDERAL REGISTER on August 21, 1965 (30 F.R. 10907) and circulated to the industry as EDR-88, Docket 16416, the Board proposed to amend Part 221 of its Economic Regulations (14 CFR Part 221) to conform its regulations to Board opinions requiring air carriers and foreign air carriers to file with the Board passenger credit plans as tariffs. In the notice, the Board invited interested persons to submit pertinent information and data with respect to the proposed rule.

Pursuant to the above notice, three comments were received, two from U.S. trunkline carriers[1] and the third from a local service carrier.[2]

Interested persons have been afforded an opportunity to participate in the making of this rule, and due consideration has been given to all relevant matter presented. The rule as proposed would (1) require air carriers and foreign air carriers to file with the Board as a tariff filing the basic features of passenger credit plans and amendments thereto that involve air transportation within the meaning of the Act; and (2) permit such carriers, in lieu of setting forth the minor details of the plans as tariff documents, to refer in the tariff to a manual for such details as is currently done with the Universal Air Travel Plan (UATP), the plan predominantly used for passenger credit. For the reasons set forth herein, we shall modify the rule as proposed in two respects: (1) We shall authorize publication of credit plan data in a governing credit plan tariff in order to eliminate the need for duplicate publication of credit plan rules when a carrier has more than one governing rules tariff to which the same credit plan appertains (see § 221.107a, infra); and (2) except with respect to UATP, we shall eliminate any reference to a manual in the tariff rule. Other than these changes and minor clarifying and editorial modifications, the final rule is the one initially proposed.

Discussion. At the outset it should be observed that the tariffs of a number of carriers currently on file with the Board do set forth various types of passenger credit plans offered to the general public.[3] Other than the provision of the UATP with respect to the payment of interest on customers' deposits,[4] the Board is not aware that any such tariffs presently on file are not adequate with respect to the credit plan rules contained therein.

1. Eastern objected to the proposed rule on the ground, inter alia, that it would require air carriers like Eastern with both domestic and international routes and with two sets of fares tariffs and two sets of governing rules tariffs to republish the identical credit plan data in two governing rules tariffs. It maintained that such procedure is wasteful; and that the Board should modify the rule so as to permit publication of a carrier's passenger credit plan data in a single, separate, governing rules tariff. This suggestion has merit and has been adopted.[5] (See § 221.107a, infra.)

2. Eastern also asserted, as did United, that there are insurmountable difficulties in distinguishing between the "principal features" of a particular credit plan which must be published in a tariff and the "minor details" thereof which may be set forth in a manual filed with the Board but not filed as a tariff document. In this connection, Eastern refers to the difference of opinion relating to the provisions governing the payment of interest on UATP deposits, the carrier apparently considering such provisions as minor details whereas the notice states that these will henceforth be treated as basic features, necessitating their inclusion in tariff filings.

Although the proposed rule would have given carriers the option of filing all features of passenger credit plans as tariff documents or setting forth the basic features of such plans in a tariff and referring therein to a manual filed with the Board for the minor details, we have modified it by precluding the filing of manuals except in the case of UATP. Thus, the final rule has eliminated the necessity for carriers making a distinction between basic features and minor details except with respect to UATP. As to this type of credit plan, the carriers can avoid making this distinction by not filing a manual and by placing all terms relating thereto in a tariff document. In addition, we believe there are no real difficulties in ascertaining what are the basic features of UATP as distinguished from the minor details since the carriers, as well as the Board, have been distinguishing between basic features and minor details in UATP filings for a number of years. Moreover, we have made it clear in the rule that the basic features of passenger credit plans include (1) a definite time within which a passenger is required to pay the carrier for the transportation and other services purchased on credit; (2) the amount of money, if any, which a passenger will be required to keep on continuous deposit with the carrier, and the rate of interest which the carrier will pay the passenger on such deposit; and (3) any charges which the passenger will be required to pay the carrier in connection with the extension of credit, including but not limited to charges for credit investigations, interest or other charges for the extension of credit, or penalties for late payments. For the above reasons, there is no substance to the carriers' objections based upon alleged difficulties in distinguishing between basic features and minor details of UATP.

3. Trans-Texas favors a rule which would require a general description of passenger credit plans such as UATP, on-line credit cards, American Express credit cards, and states that anything beyond this, such as requiring the filing of a complete tariff reflecting rules, regulations and practices relative to the extension of credit, would be unduly burdensome to the air carriers concerned. It further avers that many details of credit arrangements are constantly undergoing change and that it is sometimes impossible to determine in advance the exact details of the credit arrangements for certain types of transactions. Eastern objects also to the provision in the proposed rule that when references to a manual are set forth in a tariff, the referenced portion of a manual shall be posted in accordance with the provisions of Subpart N of Part 221 (14 CFR Part 221). According to Eastern, such a posting requirement would be unduly burdensome to the carriers concerned.

Turning first to Trans-Texas' objection, we find that carrier's contentions unpersuasive. A general description of credit plans without providing details thereof would be ineffective as a means of informing the public of the particulars of passenger credit plans and practices and would therefore frustrate the primary purpose of the instant rule.

Eastern's objection to the posting requirement is likewise without merit. In the first place, since we are eliminating any reference in the rule to manuals except with respect to UATP, Eastern's objection is applicable only to a UATP manual. In this context, the carrier has presented no facts to support its objection and the Board believes that the posting of those portions of the UATP manual

[1] Eastern Air Lines, Inc. (Eastern), and United Air Lines (United).

[2] Trans-Texas Airways, Inc. (Trans-Texas).

[3] Inherent in each carrier's tariff (whether or not expressly set forth therein) is the general rule that charges for transportation shall be prepaid unless credit is extended to the purchaser of transportation services pursuant to rules expressly set forth in the tariff.

[4] The notice stated that one of the basic features of the UATP credit plan which must be set forth in a tariff filing is the rule governing the payment of interest on UATP deposits. The final rule promulgated herein affirms this requirement (see § 221.38(i)(1), infra).

[5] Under the rule, a carrier may publish one governing credit plan tariff which can be made applicable to either property tariffs or passenger tariffs, but the same credit plan tariff cannot govern both types of tariffs.

referred to in a tariff is necessary[6] to apprise the public of all credit rules adopted by a particular carrier and to facilitate enforcement of the Board's tariff regulation.[7]

In view of the fact that EDR-88 proposed to authorize the filing of manuals (but not as tariff documents) in which carriers could set forth the minor details of passenger credit plans, whereas the final rule restricts the filing of manuals to UATP,[8] we shall permit interested persons to petition for reconsideration of the partial elimination of this provision from the final rule. Ten (10) copies of such petitions should be filed with the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428, on or before February 23, 1966. Copies of any petition filed will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, Washington, D.C. The filing of petitions for reconsideration will not operate to stay the effective date of the rule.

In addition to the amendments previously discussed, the final rule contains certain editorial and clarifying modifications. (See § 221.38(i)(1), infra.)

Accordingly, the Civil Aeronautics Board hereby amends Part 221 of its Economic Regulations (14 CFR Part 221) effective March 7, 1966, as follows:

1. By amending § 221.38(i) by redesignating subparagraphs (1) and (2) thereof as (2) and (3), respectively, and by adding a new subparagraph (1) entitled "Passenger tariffs." As amended, § 221.-38(i) will read as follows:

§ 221.38 Rules and regulations.

* * * * *

(i) *Carriers' extension of credit—passenger tariffs, property tariffs, joint transportation*—(1) *Passenger tariffs.* All air carriers and foreign air carriers shall set forth in their tariffs governing the transportation of persons, including passengers' baggage, their charges, rules, regulations, and practices relating to the extension of credit for payment of charges applicable to such transportation services (including services incidental thereto). Such tariff provisions for extension of credit shall include but are not limited to (i) a definite time within which a passenger is required to pay the carrier for the transportation and other services purchased on credit; (ii) the amount of money, if any, which a passenger will be required to keep on continuous deposit with the carrier, and the rate of interest which the carrier will pay the passenger on such deposit; and (iii) any charges which the passenger will be required to pay the carrier in connection with the extension of credit, including but not limited to charges for credit investigations, interest or other charges for the extension of credit, or penalties for late payments. Nothing in this rule is intended to preclude the filing of a manual embodying the minor details of the Universal Air Travel Plan (UATP).[9] However, the rules governing the payment of interest on UATP deposits made by a subscriber (passenger) with a carrier shall be set forth in a tariff document rather than in a manual filed with the Board. Also, when references to a manual are set forth in the tariff, the appropriate part of the manual shall be made available for public inspection as is presently provided for tariff publications by Subpart N of this Part 221.

(2) *Property tariffs.* All direct and indirect air carriers and foreign air carriers shall state in their tariffs governing transportation of property their rules, regulations and practices relating to the billing of shippers (including the billing of indirect air carriers by direct air carriers) for transportation services rendered, and the payment of rendered bills by shippers for such services. Such statements, applicable to all shippers or any class of shippers, shall include the billing intervals, the period covered by each billing, the time within which the bills are payable, and any charges for late payment.

(3) *Credit on joint transportation.* Notwithstanding § 221.10(a), a tariff issued by a carrier may include provisions under which the issuing carrier offers to extend credit for rates, fares or charges to be collected by the issuing carrier and which are applicable to through transportation performed by the issuing carrier in conjunction with connecting carriers regardless of whether such transportation is subject to a through joint fare or rate or a combination of separately established fares or rates of the respective carriers. Similarly, a tariff issued by an agent may include provisions for account of an individual participating carrier under which such carrier offers to extend credit for rates, fares, or charges to be collected by such carrier and which are applicable to through transportation performed by such carrier in conjunction with connecting carriers regardless of whether such transportation is subject to a through joint fare or rate or a combination of separately established fares or rates of the respective carriers.

* * * * *

2. By amending the table of contents of Part 221 by adding a new § 221.107a to read as follows:

221.107a Credit plan tariff.

3. By adding a new § 221.107a to authorize a carrier to publish its credit plan information in a separate governing credit plan tariff, as follows:

§ 221.107a Credit plan tariff.

If desired, credit plan data required by § 221.38(i) may be published in a separate governing credit plan tariff conforming to §§ 221.100 and 221.101 in lieu of including such rules or regulations in the fares tariffs or rates tariffs which they govern, or in the governing rules tariffs authorized by § 221.102.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324(a). Interpret or apply secs. 403, 404, and 1002, 72 Stat. 758, as amended by 74 Stat. 445; 49 U.S.C. 1373; 72 Stat. 760, 49 U.S.C. 1374; 72 Stat. 788, 49 U.S.C. 1482)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON, *Secretary.*

[F.R. Doc. 66-1292; Filed, Feb. 4, 1966; 8:46 a.m.]

[6] ER-278 adopted July 7, 1959, 24 F.R. 5564, amending Part 221 (the tariff regulation), discusses the need for the posting and notice requirements.

[7] Also, we shall deny United's request that the carriers and members of the Board's staff confer, prior to Board adoption of the proposed amendment, with respect to what should be included as "minor details" in the manual. As stated above, we are deleting all reference to a manual except with respect to UATP. As to UATP, we are merely conforming the Board's tariff regulation to prior Board opinions and have defined in the regulation what is meant by the term "basic features" of a carrier's passenger credit plan. Thus, the Board sees no need for an industry committee meeting.

[8] Nothing contained herein is intended to alter the present practice of filing a UATP manual except as follows: (1) The rules pertaining to interest payment on customers' deposits must be set forth in the tariff document; and (2) when references to the manual are set forth in the tariff, the appropriate part of the manual shall be made available for public inspection as is presently provided for tariff publications by Subpart N of Part 221. Both of these requirements were set forth in the notice and are contained in the final rule (see § 221.38(i)(1), infra).

[9] For a discussion of the contents of a UATP manual, see the Board's opinions in Universal Air Travel Plan, 12 CAB 601, 604 (1951) and Passenger Credit Plans Investigation, Order E-19197, Jan. 16, 1963.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD-PRODUCTS

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

SULFAETHOXYPYRIDAZINE

1. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 3D0946) filed by American Cyanamid Co., Post Office Box 400, Princeton, N.J., 08540, and other relevant data, has concluded that the food additive regulations should be amended to provide the conditions under which sulfaethoxypyridazine may be safely used in the feed and drinking water of swine. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR

2.90), Part 121 is amended by adding to Subpart C the following new section:

§ 121.280 Sulfaethoxypyridazine.

The food additive sulfaethoxypyridazine may be safely used in accordance with the following prescribed conditions:

(a) The additive is the chemical *N'*-(6-ethoxy-3-pyridazinyl) sulfanilamide ($C_{12}H_{14}H_4O_3S$). It has a melting-point range of 180° C.–186° C.

(b) The additive is used or intended for use as sole medication as prescribed in the following table:

TABLE 1—SULFAETHOXYPYRIDAZINE FOR SWINE

Principal ingredient	Amount	Combined with—	Amount	Limitations	Indications for use
	Grams per ton				
1. Sulfaethoxypyridazine.	1000 (0.11%)	----------	----------	In feed: Administer not less than 4 days nor more than 10 days; withdraw 10 days before slaughter; do not use sulfaethoxypyridazine-medicated feed and medicated water simultaneously.	Treatment of bacterial scours (necro, salmonellosis), pneumonia-enteritis, bronchitis, septicemia accompanying *Salmonella cholerasuis* infection.
	Grams per gallon				
2. Sulfaethoxypyridazine.	1.9–3.8 (0.05%–0.1%)	----------	----------	In drinking water: Administer 3.8 grams per gallon for first day followed by 1.9 grams per gallon for not less than 3 days nor more than 9 days; withdraw 10 days before slaughter; do not use sulfaethoxypyridazine-medicated feed and medicated water simultaneously.	Do.

(c) To assure safe use, the label and labeling of the additive, any feed additive supplement, feed additive concentrate, feed additive premix, or complete feed or other dosage form prepared therefrom, shall bear, in addition to the other information required by the act, the following:

(1) The name of the additive.

(2) A statement of the quantity of the additive contained therein.

(3) Adequate directions and warnings for use.

2. Based upon an evaluation of the data before him, and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner has concluded that where swine have been treated with sulfaethoxypyridazine in accordance with § 121.280, a tolerance limitation is required to assure that the edible products of swine are safe for human consumption. Accordingly, Part 121 is amended by adding to Subpart D the following new section:

§ 121.1144 Sulfaethoxypyridazine.

A tolerance of zero is established for residues of sulfaethoxypyridazine in the edible tissues of swine.

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

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

(Sec. 409(c) (1), (4), 72 Stat. 1786; 21 U.S.C. 348(c) (1), (4))

Dated: January 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-1297; Filed, Feb. 4, 1966; 8:47 a.m.]

Title 22—FOREIGN RELATIONS

Chapter V—United States Information Agency

PART 502—CERTAIN MEASURES TO FACILITATE THE CIRCULATION ABROAD OF AMERICAN-MADE VISUAL AND AUDITORY EDUCATIONAL MATERIALS

Miscellaneous Amendments

Revised paragraphs of Part 502 (which formerly appeared in 18 F.R. 8696, Dec. 24, 1953) are set forth below:

Paragraph (b) of § 502.1 is amended to read as follows:

§ 502.1 Background and function of the Attestation program.

* * * * *

(b) This program facilitates the circulation abroad of eligible American visual and auditory materials by certification of their international educational character. Certificates issued in consequence of this program are recognized by certain other governments, which accord duty free entry and other privileges to materials covered by them. As of January 1, 1965, the Agency had issued 22,182 certificates covering an estimated 150,000 items of visual and auditory material. A number of the certificates cover materials arranged in series form.

* * * * *

Paragraph (c) of § 502.4 is amended to read as follows:

§ 502.4 Interpretation of criteria.

* * * * *

(c) The Agency does not certify materials which by special pleading attempt to influence opinion, conviction or policy (religious, economic, or political propaganda), to inculcate any dogma, to constitute a ritual or denominational service. Visual and auditory materials intended for use in denominational programs of moral and religious education and which otherwise meet the criteria set forth under § 502.3 may be determined eligible for certification.

The introductory text of § 502.8 is amended as follows:

* * * * *

§ 502.8 Method of requesting certification.

Application for certification of the international educational character of visual and auditory material must be made to the Agency by the American owner of the right to reproduce it. Application is made on Forms IAP 1, IAP 2, IAP 3, IAP 4, and IAP 8. A form should be executed for each subject or series it is desired to have considered for certification. As a part of the application, the following should also be submitted.

* * * * *

Section 502.10 is revised as follows:

§ 502.10 Certain governments recognizing certificates or finding them helpful in establishing the educational character of imported materials.

(a) The following are among the governments reported as recognizing the certificates outright or finding them helpful in making local determination of the educational character of materials covered:

Bermuda, Canada, Ceylon, Costa Rica, Denmark, Dominican Republic, Dutch Guiana, El Salvador, Ecuador, Gibraltar, Greece, Guatemala, Haiti, India, Iraq, Ireland, Italy, Liberia, Malta, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Rhodesia and Nyasaland (Fed. of), Spain, Sweden, Taiwan (Rep. of China), Trinidad, Turkey, Uruguay.

(b) Certain countries also have signed and ratified the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific and Cultural Character which provides for the recognition of certified visual and auditory materials.

(1) This agreement has been ratified by the following countries:

Brazil, Cambodia, Canada, Denmark, El Salvador, Ghana, Greece, Haiti, Iran, Iraq, Malagasy Republic, Norway, Pakistan, Philippines, Syria, Yugoslavia.

(2) In addition the following countries have signed but have not yet ratified:

Afghanistan, Dominican Republic, Ecuador, Lebanon, Netherlands, United States of America, Uruguay. The United States has signed the Agreement; in 1960 the Senate gave its consent to ratification. The Congress has draft enabling legislation under consideration.

The introductory text of § 502.12 is revised as follows:

§ 502.12 Motion picture and filmstrip catalogue.

For circulation abroad, the Agency compiles and publishes a catalogue entitled "United States Educational, Scientific and Cultural Motion Pictures and Filmstrips Selected and Available for Use Abroad." It is the purpose of this catalogue to facilitate the circulation abroad of available American-made films and filmstrips approved by an advisory board of American visual education specialists, by listing and describing the materials and indicating from whom and on what terms prints may be obtained.

* * * * *

Sections 502.13 and 502.14 are revised as follows:

§ 502.13 Explanation of the UNESCO film coupon.

Producers and distributors of educational films encountering currency difficulties in arranging for sales of films, filmstrips, and projection equipment abroad, may find assistance in overcoming these difficulties through the UNESCO Coupon. The coupon permits institutions and individuals in "soft currency" countries to buy films and filmstrips and related materials for educational, scientific and cultural purposes from suppliers in "hard currency" countries. In the case of the United States, producers may redeem coupons received in payment for their materials at the UNESCO Liaison Office, United Nations Building, New York City, or the UNESCO Coupon Office, Place de Fontenoy, Paris. UNESCO redeems the full amount of the coupons in U.S. dollars, less handling charges which are 5 percent of the first $100; 4 percent for $100 to $1,000; and 3 percent for over $1,000 with the approval of the distributors. Folders describing the UNESCO Coupon are available.

§ 502.14 Inquiries.

Requests for application forms and further information about facilitating the circulation abroad of American visual and auditory materials by the means outlined above, may be obtained from:

U.S. Information Agency, attention: Motion Picture and Television Service, International Communications Media Staff, Washington, D.C., 20547.

Issued: February 1, 1966.

LEONARD H. MARKS,
Director.

[F.R. Doc. 66-1274; Filed, Feb. 4, 1966; 8:46 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6873]

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

Interest on Certain Deferred Payments

Correction

In F.R. Doc. 66-656 appearing at page 941 in the issue for Tuesday, January 25, 1966, the following corrections are made.

1. The computation in § 1.483-1 (f) (5), Example (2), item (ii) should read as follows:

Total unstated interest (recomputed)	$809.38
Less: Portion of original total unstated interest previously included in income	186.63
Total unstated interest allocated to remaining payments	622.75

2. The final section designation in the document, now reading § 1.4441-2, should read § 1.1441-2.

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Order No. 353-66]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart I—Civil Division

FUNCTIONS

Amendment to the Department of Justice Organization Order (No. 271-62) redefining a part of the functions of the Civil Division.

Under and by virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) and section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), paragraphs (e) and (h) of § 0.45 of Subpart I of Part 0 of Chapter I of Title 28 of the Code of Federal Regulations are hereby revoked and paragraph (i) of that section is hereby amended by inserting before the word "reparations" the following: "defense of actions for the recovery of United States Government Life Insurance and National Service Life Insurance (38 U.S.C. 784), enforcement of reemployment rights in private industry pursuant to Universal Military Training and Service Act (50 U.S.C., App. 459);"

The amendment made by this order shall become effective upon the date of the publication of this order in the FEDERAL REGISTER.

(R.S. 161; 5 U.S.C. 22; sec. 2, Reorg. Plan No. 2 of 1950, 3 CFR, 1941-1953 Comp., 64 Stat. 1261)

Dated: January 26, 1966.

NICHOLAS DEB. KATZENBACH,
Attorney General.

[F.R. Doc. 66-1264; Filed, Feb. 4, 1966; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER D—NAVIGATION REQUIREMENTS FOR CERTAIN INLAND WATERS

[CGFR 66-1]

PART 82—BOUNDARY LINES OF INLAND WATERS

Gulf Coast

The descriptions of the boundary lines in 33 CFR 82.103 (from Mississippi Passes, La., to Sabine Pass, Tex.), 82.106 (from Sabine Pass, Tex., to Galveston, Tex.), and 82.111 (from Galveston, Tex., to Brazos River, Tex.) are amended so that reference points used therein will be identified by aids to navigation as listed in the Coast Guard's Light Lists. The names of the Pass a Loutre Abandoned Lighthouse and Ship Shoal Light structures have been officially changed to Pass a Loutre Daybeacon and Ship Shoal Daybeacon. The Ship Shoal Light has been discontinued. The name of the buoy has been officially changed from Galveston Bar Lighted Whistle Buoy 1 to Galveston Bay Entrance Channel Lighted Whistle Buoy 1. Additionally, the amendment to § 82.111, which uses the Galveston Bay Entrance Channel Lighted Whistle Buoy 1, will allow the line to continue to pass through the outermost buoy of a buoyed channel, although the location of the aid was changed and it moved the line approximately 1.5 miles to seaward. As these amendments are editorial in effect to bring the regulations up to date with identifications of aids to navigation as listed in the Light Lists, it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule making procedure thereon and effective date requirements) is unnecessary under provisions in section 4 of this Act (5 U.S.C. 1003).

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 633, Title 14, U.S. Code, and Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), and 167-17, dated June 29, 1955 (20 F.R. 4976), the following amendments are prescribed and shall become effective upon the date of publication in the FEDERAL REGISTER:

1. Section 82.103 is amended to read as follows:

§ 82.103 Mississippi Passes, La., to Sabine Pass, Tex.

A line drawn from a point 5.1 miles, 107° True, from Pass a Loutre Daybeacon to South Pass Lighted Whistle Buoy 2; thence to Southwest Pass Entrance Mid-

channel Lighted Whistle Buoy 1; thence to Ship Shoal Daybeacon; thence to Calcasieu Channel Lighted Whistle Buoy 1; thence to Sabine Pass Lighted Whistle Buoy 1.

2. Section 82.106 is amended to read as follows:

§ 82.106 Sabine Pass, Tex., to Galveston, Tex.

A line drawn from Sabine Pass Lighted Whistle Buoy 1 to Galveston Bay Entrance Channel Lighted Whistle Buoy 1.

3. Section 82.111 is amended to read as follows:

§ 82.111 Galveston, Tex., to Brazos River, Tex.

A line drawn from Galveston Bay Entrance Channel Lighted Whistle Buoy 1 to Freeport Entrance Lighted Bell Buoy 1.

(Sec. 2, 28 Stat. 672, as amended; 33 U.S.C. 151. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Dated: January 28, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 66-1288; Filed, Feb. 4, 1966; 8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 112—RATES AND CONDITIONS FOR SPECIFIC CLASSES

PART 114—TREATMENT OF INCOMING POSTAL UNION MAIL

PART 168—DIRECTORY OF INTERNATIONAL MAIL

Discontinuance of 8-Ounce Merchandise Packages to Certain Countries

A notice of proposed revision in Parts 112, 114, and 168 of Title 39, Code of Federal Regulations, was published in the FEDERAL REGISTER of December 22, 1965 (30 F.R. 15810-15811) concerning the discontinuance of the 8-ounce merchandise classification which has been available to Chile, Cuba, Guatemala, Haiti, Paraguay, and Peru. Interested persons were given 30 days in which to submit written comments with respect to the proposal.

After consideration of the comments received, the Department has reached the conclusion to adopt the proposal. The amendments to be effective upon publication are as follows:

I. In Part 112, Rates and Conditions for Specific Classes, §§ 112.8 and 112.9 are revised to read as follows:

§ 112.8 Combination packages.

(a) *Definition.* Combination packages are packages made up of two parts, firmly attached together, both addressed for delivery to the same addressee, and consisting of (1) a sealed envelope containing a written or printed communication; and (2) an unsealed container, with samples of merchandise or printed matter enclosed.

(b) *Rates.* Each part of a combination package must be fully prepaid at the appropriate rate of postage.

(c) *Countries for which accepted.* The following countries accept combination packages as ordinary (unregistered) mail only, except as noted:

Australia.
Austria.
Bolivia.
Brazil.
British Guiana.
British Honduras.
Bulgaria.
Canada.
Colombia.
Denmark.
Dominican Republic (ordinary or registered).
Faroe Islands.
Greenland.
Haiti.
Republic of Honduras (registered only).
Iceland.
Jamaica.
Mexico.
Nicaragua.
Norway.
Panama.
Philippines.
Poland.
Rumania.
El Salvador.
Sweden.
Turks Islands.

§ 112.9 Articles grouped together.

(a) *Grouping permitted.* A single envelope or package may contain commercial papers, samples of merchandise, and/or printed matter subject to the following conditions:

(1) Each article taken singly must not exceed the limits of weight applicable to it.

(2) The total weight must not exceed 4 pounds 6 ounces per package if it consists solely of commercial papers and samples.

(3) The weight limit is raised to 6 pounds 9 ounces if the package also contains prints, but in such case the total weight of the commercial papers and samples must not exceed 4 pounds 6 ounces.

(4) The dimensions of the package must not exceed those of letters.

(b) *Rates.* Postage will be charged at the highest surface rate (including minimum charge) applicable to any of the categories of mail involved. For air service, the rates for "Other Articles" applies. See individual country items in the Directory of International Mail.

(c) *Preparation and marking.* Envelopes or packages mailed as grouped articles must not be sealed. Senders must mark the address side of the envelope or package "Grouped Article."

NOTE: The corresponding Postal Manual sections are 222.8 and 222.9.

II. In Part 114, Treatment of Incoming Postal Union Mail, paragraph (f)(1) in § 114.1 is revised to read as follows:

§ 114.1 Charges.

* * * * *

(f) *Returned mail.* Post offices will collect charges on returned mail as follows:

(1) On returned surface merchandise packages weighing 8 ounces or less mailed to Canada, 10 cents for 5 ounces or less, 12 cents for 6 ounces, 14 cents for 7 ounces, and 16 cents for 8 ounces.

* * * * *

NOTE: The corresponding Postal Manual section is 224.16a.

III. In Part 168, Directory of International Mail, make the following changes:

§ 168.1 [Amended]

A. In § 168.1 *Postal Union mail*, the following material is deleted from the chart under paragraph (a) *Classifications, surface rates and weight limits.*

Classification (surface and air)	Surface Rates	Weight limits (surface and air)
		Ounces
8 ounce merchandise packages (see § 112.8 of this chapter).	----------	8
To Canada	4 cents first 2 ounces, 2 cents each additional ounce; minimum charge 10 cents.	----------
To Chile, Cuba, Guatemala, Haiti, Paraguay, and Peru.	25 cents each (flat rate).	----------

§ 168.5 [Amended]

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

1. In "Canada (including Newfoundland and Labrador)" make the following changes:

a. Under Postal Union Mail, the material under the item *Surface rates, classifications, weight limits, and dimensions* is revised to read:

Postal Union Mail

Surface rates, classifications, weight limits and dimensions. See § 168.1. For packages of merchandise weighing up to 8 ounces the surface rates are 10 cents for 5 ounces or less, 12 cents for 6 ounces, 14 cents for 7 ounces, and 16 cents for 8 ounces. These packages are treated as other articles (AO Mail), must be unsealed, and must bear a completed customs label, Form 2976 (see § 111.4 of this chapter). An invoice or a completed paper customs declaration, Form 2976-A, must be enclosed in commercial packages. See "Observations" concerning mail for Canadian armed forces.

b. Under Postal Union Mail, the item *Eight-ounce merchandise packages* and its accompanying material is deleted.

c. Under Parcel Post, the item *Surface parcel rates* is amended to read as follows:

Parcel Post

Surface parcel rates. Parcels over 8 ounces but not over 2 pounds, 80 cents; each additional pound or fraction, 30 cents.

NOTE: Any package weighing 8 ounces or less must be prepared and mailed as postal union mail.

* * * * *

2. In "Cuba (including Isle of Pines, West Indies)" make the following changes under Postal Union Mail:

a. The material immediately preceding the item *Surface rates, classification, weight limits, and dimensions* is revised to read:

(Letter packages are limited to those containing medicines.)

b. The item *Eight-ounce merchandise packages* and its accompanying material is deleted.

c. A new item *Observations* is added preceding the item *Prohibitions* to read:

Observations. Senders must affix a green customs label (Form 2976), showing the contents and value, to all letter packages.

3. In the countries "Chile," "Guatemala," "Haiti," "Paraguay," and "Peru," under Postal Union Mail, the item *Eight-ounce merchandise packages* and its accompanying material is deleted.

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

HARVEY H. HANNAH,
Acting General Counsel.

[F.R. Doc. 66-1273; Filed, Feb. 4, 1966; 8:46 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 15; Docket No. 875]

PART 533—FILING OF TARIFFS BY TERMINAL OPERATORS

Notice of Postponement of Date for Compliance

Good cause appearing, the date for compliance with the provisions of this part is hereby postponed indefinitely pending disposition of the petition to review the Commission's General Order 15 filed by the Alabama Great Southern Railroad Co. et al. in the United States Court of Appeals, District of Columbia Circuit, in the Court's Docket No. 19,798.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 66-1277; Filed, Feb. 4, 1966; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 13]

CAST, ROLLED, ORDINARY, COLORED, OR SPECIAL GLASS DUTIABLE ON WEIGHT BASIS

Proposed Methods of Determining Weight

Notice is hereby given that under the authority of General Headnote 12, Tariff Schedules of the United States, it is proposed to prescribe methods to be used in determining the weight of cast, rolled, ordinary, colored, or special glass defined in schedule 5, part 3B, headnote 2, Tariff Schedules of the United States, which is dutiable on a weight basis under part 3B of schedule 5.

Invoice net weights for shipments of such glass are generally based on averages as to thickness and weight per case or box. Where such weights are within the framework of acceptable tolerances of the weights as ascertained in accordance with the method specified in Treasury Decision 49891, the invoice weight may be accepted in liquidation

It has come to the attention of the Bureau, however, that the method specified in Treasury Decision 49891 is inadequate for glass weighing not over 28 ounces per square foot and packed in cases over 500 pounds, because the thickness of the glass may vary substantially within each sheet and from sheet to sheet. In order to provide a more accurate basis and uniform procedure for determining the weight of glass defined in schedule 5, part 3B, headnote 2, Tariff Schedules of the United States, it is proposed to incorporate in the regulations prescribed methods for ascertaining the dutiable weight of such glass. The proposed procedure would retain the method presently prescribed in Treasury Decision 49891 for ascertaining the weight of glass imported in cases weighing not more than 500 pounds per case. A revised procedure is proposed for ascertaining the weight of glass imported in cases weighing over 500 pounds per case. Under the revised procedure the actual weight in pounds per square foot of a representative sample of such glass is obtained and the total weight of the shipment determined by applying the square-foot weight to the total area of the shipment. Where it is not practicable to use this procedure, an alternate method is prescribed.

The proposed regulations are set forth in tentative form below:

Part 13 is amended by adding a new centerhead and section as follows:

CAST, ROLLED, ORDINARY, COLORED, OR SPECIAL GLASS

§ 13.20 Ascertainment of weight; cast, rolled, ordinary, colored, or special glass.

(a) The net weight of one case of each size and thickness in every invoice designated for examination shall be determined by one of the appropriate methods described in the instructions below:

(1) To obtain the net weight of glass in cases weighing not over 500 pounds each, weigh the entire amount of glass in the case, or obtain the gross weight of the case, remove and weigh all coverings and subtract the weight of the coverings from the gross weight.

(2) To obtain the net weight of glass in cases weighing over 500 pounds, remove and weigh 20 or more sheets, aggregating not less than 100 square feet, divide the weight so found by the total area of the sheets weighed to obtain the weight in pounds per square foot, and multiply this by the total area of the sheets contained in the case. If this is not practicable, caliper the edges of at least 5 sheets chosen from the case at random, using a micrometer caliper, if available; multiply the average thickness in inches by 13 to obtain the weight in pounds per square foot; and multiply this by the total area of the sheets contained in the case. (The calipering method, when used for glass weighing 28 ounces or less per square foot, is subject to significant inaccuracies, and its use with such glass should be avoided.)

(b) Where the test net weight as ascertained in accordance with paragraph (a) of this section does not vary from the invoice weight by more than 5 percent the invoice weights of the glass of such size and thickness shall be accepted for the purpose of computing duties. The test weight shall be used as a basis to compute duties of the glass of such size and thickness, if it varies by more than 5 percent from the invoice weights.

(c) The method selected for determining the test net weight, when needed, will be governed to a degree by the availability of customs weighing facilities, weighing facilities provided by importers, availability of personnel, and other considerations bearing directly upon the suitability of the method. However, when unusual conditions require a departure from the above instructions, the net weight shall be determined by the method most appropriate to the circumstances.

Prior to the issuance of the proposed amendment, consideration will be given to any relevant data, views, or arguments which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington, D.C., 20226, and received not later than 20 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

Approved: January 26, 1966.

JAMES POMEROY HENDRICK,
Acting Assistant Secretary of the Treasury.

[F.R. Doc. 66-1291; Filed, Feb. 4, 1966; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1097, 1102, 1108]

[Docket Nos. AO-219-A16, AO-237-A11, AO-243-A13]

MILK IN MEMPHIS, TENN.; FORT SMITH, ARK.; AND CENTRAL ARKANSAS MARKETING AREAS

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreements and to Orders

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 formulaton 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 agreements and orders regulating the handling of milk in the Memphis, Tenn.; Fort Smith, Ark.; and Central Arkansas marketing areas. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., 20250, not later than 7 days after publication 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 agreements and to the orders as amended, were formulated, was conducted at Memphis, Tenn., on May 20-21, and in Little Rock, Ark., on May 24-25, 1965, pursuant to notice thereof which was issued May 7, 1965 (30 F.R. 6534).

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

A. Issues relating to Memphis, Tenn., and Central Arkansas orders:

1. Class I prices under Memphis and Central Arkansas orders.

B. Issues relating to only Memphis, Tenn., order:

2. Qualifications for regulated plants.

3. Definition of "handler", "producer", "approved plant", "route disposition", "fluid milk product", and "other source milk".

4. Plants subject to other Federal orders.

5. Handler location differentials.

6. Method of pooling.

7. Base rules and computation of uniform base and excess prices.

C. Miscellaneous and conforming changes, all three orders.

Decisions have been issued dealing with Issue No. A 1 relating to Class I prices under the Memphis and Central Arkansas orders. The amended Class I price provisions were effective December 15, 1965 (30 F.R. 15463) in the Memphis order and December 17, 1965 (30 F.R. 15998) in the Central Arkansas order. This decision is concerned with the remaining issues.

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

B. Issues relating only to Memphis, Tenn., order:

2. *Qualifications for regulated plants*. The definition of fluid milk plants and nonfluid milk plants should be revised.

The Memphis order provides for regulation of two types of plants: (1) A plant distributing on routes in the marketing area and (2) a plant shipping milk or cream to the first type of plant. The latter, which may be termed a supply plant, qualifies for regulation on the basis of shipment of Grade A milk, skim milk or milk equivalent in the form of cream in excess of 70,000 pounds to a distributing plant if any of such shipments are assigned to Class I.

The definition of a supply plant should be modified to specify that qualifying shipments of fluid milk products may be in either bulk or packaged form. The term "fluid milk product", as defined in the order includes milk, skim milk and cream and other milk products which are part of the normal supply for fluid distribution. Packaged fluid milk products may become an important source of supply for some plants now regulated by the order. At least one handler has made arrangements under which he could receive either packaged or bulk milk from another plant. Since the order presently does not specify packaged shipments to another plant as qualifying a source of supply, it might be presumed that only bulk shipments serve to qualify the shipping plant. The order should properly provide for regulation of such source of supply whether the shipments are in bulk or are packaged.

A minor change in the definition of the distributing fluid milk plant would change the word "bottling" to "packaging" in recognition of such practice. The definition is also made more concise by use of the term "route disposition" for which definition is provided herein.

3. *Definitions*. A cooperative association may be a handler under the present order provisions with respect to milk which it receives from member-producers and delivers to the fluid milk plant of another handler in a bulk tank truck. The cooperative is required to notify the market administrator and the handler to whom the milk is delivered if it wishes to be the handler for such milk.

The order provision should be modified to allow the cooperative association to continue in the capacity of the handler for such milk from month-to-month without notification each month to the handler and the market administrator. A cooperative association wishing to be the handler on such basis should indicate in its notification that it wishes to continue as a handler on such milk until further notification. A proposal was made to require the market administrator to approve a cooperative for handler status but it was not clear on what basis such approval should be made. Accordingly, such proposal is denied.

The definition of "approved plant" should be deleted. This definition becomes unnecessary with minor changes in the definition of "handler" and reporting provisions adopted herein.

A partially regulated distributing plant is defined among the types of nonfluid milk plants. The operator of such plant should be included in the handler definition. This does not represent a change in the scope of the order since the operator of such a plant is presently a handler as the operator of an "approved plant". The handler definition shall also include the operator of a supply-type plant whether or not it qualifies as a fluid milk plant. The market administrator should be authorized to require reports from such plants to determine their status under the order.

No change is made in the definition of "producer". It was proposed that a dairy farmer should qualify as a producer under the Memphis order only if he delivered milk for eight or more days to a regulated plant under the Memphis order. On the basis of every-other-day delivery, as is common in this market, this requirement would ordinarily mean that the majority of the producer's milk was delivered to a Memphis order plant.

Some dairy farmers frequently have producer status under the Memphis order and one of the other two orders on different days of the same month. It was not claimed, however, that such shifting resulted in burdening the Memphis market with reserve milk of other markets, or that it impeded the marketing of milk of other Memphis producers. A cooperative association which supplies milk to handlers under the three orders objected to such change. It was pointed out that some producer-members of this association are shifted among the three markets and may be producers under all three orders during any one month. The definition of "producer" under the other two orders was not open for consideration at this hearing. As a consequence it would not be possible to modify the definition under all three orders in a manner to assure that there would be no conflict, or that the change in one order would not interfere with the efficient movement of milk among the markets. Without coordinated changes in the three orders there would be some possibility of situations where a dairy farmer would not be able to maintain continuous status as a producer under one order or another.

The definition of fluid milk product should be modified to exclude sterilized cream packaged in hermetically sealed containers not labeled as Grade A. This exclusion of sterilized cream from the definition of a fluid milk product will result in classification as Class II milk rather than Class I.

At least one handler regulated by the Memphis, Tenn., order distributes a product known as sterilized cream in a hermetically sealed container. The product is received and disposed of in the same container.

The sterilized cream received by the local handlers is manufactured in a processing plant located in Gustine, Calif., approximately 2,050 miles from Memphis,[1] and thus incurs considerable transportation cost.

Official notice is taken of the decision issued March 23, 1965, with respect to proposed amendments to the St. Joseph, Mo., and Greater Kansas City marketing orders (30 F.R. 3965) in which consideration was given to sterilized cream in hermetically sealed containers manufactured at the plant in Gustine, Calif. It was found that the product was manufactured from cream of 40 percent butterfat content purchased at about 80 cents per pound of butterfat and skim milk used to standardize to 30 percent butterfat. The cost of cream at 80 cents per pound of butterfat approximates the cost of its equivalent in cream of 30 percent butterfat content computed at the average Class I price under the Memphis order during 1964. The manufacturer would incur besides this cost, the cost of the purchase of skim milk. The cost of the product at Memphis would include also the transportation for the 2,050 miles. This product, therefore, would have little if any competitive advantage compared to cream derived from producer milk.

Fluid milk products are intended to include milk and milk products eligible for disposition in a form for which Grade A sources of milk are required. It is concluded that sterilized cream in hermetically sealed containers and not labeled as Grade A should be excluded from the definition of fluid milk products.

The fluid milk product definition should continue to exclude frozen cream. In this way, cream when stored as frozen cream will be a Class II use and will not again be subject to classification unless it is re-used in another product. In this case, it would be reported as a receipt of other source milk. This procedure, as is now contained in the order, avoids carrying frozen cream as an inventory item from month to month.

[1] Official notice is taken of the Standard Highway Mileage Guide 1961, Rand McNally & Co.

The definition of "other source milk" should be modified herein for clarification purposes by specifying that it is a receipt at a fluid milk plant.

A definition of "route disposition" should be included in the Memphis order. Although the order now uses the term "route" in a number of provisions, there is no definition of routes or route disposition in the order. To make the order language more specific it should include a definition of "route disposition" as any delivery of a fluid milk product from a plant to wholesale or retail outlets (including any delivery by vendor, from a plant store, or through a vending machine) other than a delivery to a milk plant. A delivery through a distribution point should be attributed to the plant from which the Class I milk is moved through the distribution point to wholesale or retail outlets, without intermediate movement to another milk plant. Such disposition through distribution points is common in this market. An explicit definition of route disposition is particularly important in determination as to which plant shall be regulated under the order.

4. *Plants subject to other orders.* The order provisions relating to a plant which qualifies as a "fluid milk plant" under the Memphis order and also as a fully regulated plant under another order should be revised. The Memphis order should continue to regulate a plant until the third consecutive month in which its Class I disposition is greater under another order.

The Mid-South Milk Producers Association proposed that a plant qualifying as a fully regulated plant under this and another order should be regulated under the order applicable in the marketing area where the plant disposed of the greater volume of Class I milk in bulk or packaged form to retail or wholesale outlets, including milk plants.

Under the present order provisions the determination as to whether this or another order would regulate a plant depends upon the relative volume of Class I milk disposed of from such plant during the immediately preceding 6-month period to retail or wholesale outlets (except milk plants in the Memphis marketing area) than in the other marketing area. The association proposal would make the determination on the basis of relative disposition in the two marketing areas during only the current month. Originally the 6-month basis for determining which order should regulate a plant was intended to stabilize the regulation of one plant which had about equal sales in the Memphis and Central Arkansas marketing areas. This situation no longer exists and there is no current problem with respect to a plant which might shift between the two orders because of temporary changes in disposition in one market or the other.

The corresponding provision of the Central Arkansas milk order was not opened for consideration at this hearing. No objection, however, was made by handlers or producer associations in the Central Arkansas market to the change proposed in the Memphis order. A Memphis order handler operating a fluid milk plant at Covington, Tenn., who has an affiliated plant at Fulton, Ky., which is a pool plant under the Paducah Federal order, opposed the proposed change. He argued that the 6-month provision should be retained under the Memphis order. At the time of the hearing, this handler was moving bulk milk from the plant at Fulton to his fluid milk plant at Covington. Also, at times this handler has moved packaged fluid milk products from the Covington plant to the Fulton plant. He further indicated that packaged fluid milk products could be moved from the Fulton plant to the Covington plant to meet changing competitive conditions in his sales areas. This handler's sales in the Paducah market are of such nature that under the cooperative's proposal a small increase in sales to the Covington plant could result in regulation of the Fulton plant under the Memphis order. It was his contention that a determination as to which order should regulate his plant based on relative volumes of disposition in each marketing area creates a hardship on a handler with small plant operations such as his.

In order that a plant selling milk in two marketing areas shall not have undue competitive advantage, it is necessary that it be regulated under the order in which it has the greatest proportion of its Class I sales. When the larger proportion of a handler's Class I sales shifts from one market to another the change in regulation should therefore be as soon as possible. However, so as to give the handler reasonable notice of prospective change in regulation and to allow him to rearrange his business as he so desires, he may be permitted to remain for a brief period under the regulation where he has the lesser part of his sales. The 6-month period now contained in the order is too long a period for a handler to be allowed to operate under another order although his greater disposition is in this market.

The provision adopted here is intended to work in a manner complementary to similar provisions in other orders. It would provide that the Memphis order would continue to regulate a plant until the third consecutive month in which its Class I disposition was greater under another order. In the third month the Memphis order would relinquish regulation if the plant qualified as a fully regulated plant under the other order.

To avoid conflict between the Memphis and any other order involved, however, it should be provided that if in any event the other order does not exempt the plant because of its regulation under this order, then the Memphis order will yield the regulation to the other order. This would apply in particular to a plant which continues under regulation under another order for 2 months under a similar provision while having its greater disposition in the Memphis area.

The determination as to which market a plant has the greater association may depend on shipment of milk (bulk or packaged) to plants or routes distribution by the plant in question. For example, a plant with sales on routes in one marketing area sufficient only to qualify for regulation under the applicable order may have substantially more disposition in transfers (bulk or packaged) to plants under another order where such transfers are used in the fluid disposition. In such a case the amount of the fluid milk products transferred to the plants under the other order should be counted the same as would be route disposition by the transfer or plant in the second marketing area.

5. *Handler location differentials.* No change should be made in the location allowances to handlers.

The only proposal to modify the location differential system for handlers was by a handler whose plant is located approximately 40 miles from the City Hall in Memphis in the vicinity of Covington, Tenn. Estimated mileage indicated that the distance might be somewhat less than 40 miles. The handler proposed that a location differential allowance of not less than 7.5 cents per hundredweight apply at his plant. It was his position that such allowance was necessary to compensate for the cost of his moving finished products from his plant to the city of Memphis or points in Shelby County. The handler currently has sales in the northern part of Shelby County but has no disposition in the city of Memphis. Besides Tipton County where his plant is located his disposition extends northward and eastward as far as Dyer, Gibson, Chester, and McNairy Counties of Tennessee.

Most of the handlers under the order are located in the city of Memphis. Their distribution routes extend out over a wide area, however, and encompass areas north and east of the city of Covington including parts of Chester, Dyer, Gibson, Madison, and McNairy Counties, Tennessee. It is clear that all of the marketing area is adequately served by handlers under the present location differential system.

Location differentials are intended to reflect the value of milk according to location in relation to the primary market. The value of the milk in the outlying parts of the supply area is affected by the cost of transporting milk into the primary consuming center. The wide distribution area of handlers located within Memphis as well as that of proponent handler indicates that the market itself is spread over a large part of the supply area. Supply areas close to the center of the market accordingly lose distinction as locations from which milk moves into a consuming center. Within such area the basic reason for location differentials diminishes.

For plants located in such areas of both supply and fluid disposition, the value of milk produced tends to equal or approach the value of milk delivered by farmers to plants in the most concentrated areas of milk consumption. As population spreads throughout the supply area, plants formerly considered to be in outlying areas gain advantage in cost of moving milk for disposition at the fringe of the distribution area.

Thus, the geographical area in which no location differentials would apply would tend to enlarge rather than diminish. The question of whether this concentration should lead to any reduction of location differentials was not sufficiently explored on this record to modify any of the existing location differentials.

6. *Method of pooling*. The method of payment to producers in the Memphis market should not be changed from individual-handler pools.

Certain handlers requested a change to marketwide pooling. This, it was contended, would provide a more favorable basis for handlers to procure milk for Class I and reserve milk supply and overcome alleged efforts by cooperative associations intended to maintain a short supply.

Producer representatives, on the other hand, opposed the change to a market pool on the basis that such change could not produce any benefits for producers.

Procurement of additional milk supplies for this market would be consistent with the objective of an adequate milk supply, since this market has been dependent in recent years partially on outside sources. It was not shown, however, that there are additional supplies available within the present production area such that could change the market substantially from its present situation of short supply. In answer to handlers' contention that there are supplies which the principal cooperative association holds off the market, the association stated that only about two percent of member milk was not reported in 1964. This milk was disposed of to manufacturing plants because it was not needed by fluid milk plants. The supposition that there is a surplus of production in the present supply area which could be attached to the market was not supported. On the contrary, handlers expect difficulty in procuring milk in the supply area except at blend prices as high as those paid by other handlers or the cooperative association.

There is ordinarily only a small quantity of reserve milk on the market and such reserve is handled by the cooperative association. Thus, there is no showing of existence of a burdensome surplus or prospect of surplus, or that reserve supplies are inequitably distributed among groups of producers. Cooperative associations in the market did not complain of inequitable sharing of reserve or request a market pool.

In view of the foregoing considerations, it is concluded that marketwide pooling should not be adopted in this market.

7. *Base and excess payments*. A new base should be computed for any producer who has a base and acquires all or part of the base of another producer. Payments to cooperative associations delivering milk as a bulk tank handler to a plant should reflect the base and excess milk of each individual farmer whose milk is contained in such deliveries.

A cooperative association proposed that the base transfer rules be revised so that the base of a producer who acquired additional base from another producer would reflect the combined milk deliveries and period in which such milk was delivered by the two producers. This would be accomplished by computing a new base as if all the milk had been delivered by one producer. It was complained that under the present order provisions a producer may gain advantage, for base forming purposes, by a change in the name in which the milk is delivered during the base forming months of September through January. This allows the earning of two bases the sum of which is greater than if only one base were earned by delivery of the same quantity of milk by a single producer in the same total period. Similarly, two bases could be earned on the same farm due to change in ownership, the total of which would be greater than a single base computed from all deliveries from the same farm.

The effect of such earning of dual bases is contrary to the intent of the base-excess plan. The purpose of the base plan is to prorate returns to producers during the base paying period in a manner which reflects their individual deliveries during the base forming period, and thus provide incentive to achieve even production throughout the year. However, the earning of multiple bases in the manner described tends to result in bases for some producers which are greater in proportion to the average daily deliveries from which such bases are computed than in the case of other producers. To achieve the intent of the base plan, it is necessary to provide a uniform method of computing base for each producer.

A new base should be computed in any instance where a base is transferred to a producer who already has a base. This should be done by adding together milk deliveries from which both bases were computed and dividing this total quantity by the number of days of delivery from the day of first delivery by either producer to the last day of such base forming period, but not less than 120 days.

A portion of a jointly held base should be transferable in the same manner as an entire base. However, transfers of partial bases should be limited to those occasions where the entire base is disposed of by all joint holders. This will inhibit temporary shifts of partial bases which would interfere with the uniform application of the base plan. In the case of a producer who already has a base and acquires, in addition, a portion of a jointly held base, a new base would be computed which would reflect a proportionate share of the milk deliveries, and all of the days of delivery, from which the joint base was originally computed.

Another proposal by the same cooperative association would provide payment to a cooperative association as a bulk tank handler for the base and excess milk contained in deliveries it makes to handlers' plants.

The order provides in § 1097.71(c) for proration of the value obtained in the uniform price computation between milk from cooperatives as bulk tank handlers and producer milk. Such proration is also used in the months when base and excess prices are computed. As a result, the only Class I and Class II utilization in the handler's plant which is applied to base and excess milk is that assigned to base and excess milk delivered directly from producers' farms without the cooperative as an intermediary. Inasmuch as virtually all producer milk in the Memphis market is delivered to fluid milk plants by cooperative associations as handlers, such assignment is of little or no effect. Monies prorated to the cooperative association pursuant to § 1097.71(c) become part of the total returns which the cooperative association as a handler may assign to the base and excess milk of its members for payment purposes.

Under this treatment, it is possible that if milk were delivered by producers without base, or such milk were delivered by a cooperative association as a handler, it would be assigned the same average value per hundredweight as is accorded to base milk delivered by a cooperative association.

A modification in the method of payment in the manner proposed by the cooperative would tend to more fully implement the purpose of the base plan. It would provide payment to the cooperative association commensurate with the base milk delivered so that it could compensate its members accordingly.

There are few plants at which there is received milk of producers other than that delivered by a single cooperative association as a bulk tank handler. For this reason, the necessary reporting by the cooperative association of the amount of base milk and excess milk of each member delivered to a particular plant should be at the discretion of the market administrator. The order provisions for computation of payments for base and excess milk are revised to make payments to the cooperative association on the basis of the base and excess milk of its members delivered to fluid milk plants.

The Food and Agricultural Act of 1965 provides that any base plan shall not become effective in any marketing order unless separately approved by producers in a referendum in which each individual producer has one vote. This Act further provides that disapproval of such order provisions shall not be considered disapproval of the order or other terms of the order. Accordingly, the base and excess provisions of this order are herein listed separately and will be subject to the separate voting procedure in a referendum as provided in such Act.

C. Miscellaneous, all three orders:

Reports. No change should be made in the dates on which Memphis handlers are required to file reports. Objection was made by some handlers to any change which would require an earlier filing of reports than presently under the Memphis order. The order requires the report on receipts and utilization be submitted by mail on or before the sixth day after the end of the month or by delivery not later than the eighth day after the end of the month. The current

requirements have not resulted in serious problems to the extent that the final date for delivery would need to be advanced one day as proposed.

The reporting provisions should be modified to conform to the deletion of the approved plant definition and the corresponding changes in the definition of handlers. The reporting requirements for a partially regulated distributing plant currently appearing in §§ 1097.30 (f) and 1097.31(c) should be combined in the latter paragraph. In addition, in § 1097.31, entitled "Other reports", there should be a requirement for a handler making shipments to a fluid milk plant to furnish reports to the market administrator at the administrator's request. This is necessary to determine whether or not the handler qualifies as a fully regulated plant.

Proposals that milk from producers' farms sold off the market by cooperative associations be included in the published market statistics and in the definition of "producer milk" have been considered in the decision issued December 8, 1965 (30 F.R. 15327) with respect to the Memphis order. The findings and conclusions on these proposals with respect to the Memphis market involved milk from producer farms in the Central Arkansas and Fort Smith markets, since producer milk under the latter two orders is used in the supply-demand adjustment computation for all three orders. The considerations as to the inappropriateness of the use of the data on off-market disposition are similar with respect to all three markets, and for the same reasons as stated in the decision of December 8, 1965, are here denied.

Net obligation of handlers. Producers proposed that "pounds" be used instead of "hundredweight" to designate the volume of milk in the computation of the obligation of a handler with respect to changes in inventory of fluid milk products from month to month under the Memphis order. This would follow the normal practice in reporting receipts and disposition to the market administrator and should be adopted.

Shrinkage. The Memphis order provision for proration of shrinkage between producer milk and other source milk should be modified so that such proration is limited to other source milk in the form of bulk fluid milk products. This will make clear that shrinkage is not intended to apply to other source milk in the form of packaged fluid milk products or nonfluid milk products.

Other. The notice of hearing contained Proposal No. 18, to amend the provision relating to butterfat differentials to handlers under the Memphis order and Proposal Nos. 16, 26, and 28 to amend the producer milk definitions under the Memphis, Central Arkansas and Fort Smith orders. The support of Proposal No. 18 was withdrawn by proponent at the hearing, and no further testimony was presented either in support of or in opposition to such proposed revision. No testimony was offered either in support of or in opposition to Proposal Nos. 16, 26, and 28 as contained in the notice of hearing. The evidence in the record does not support the proposed changes.

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 Memphis, Tennessee, 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:

General amendments. 1. Section 1097.7 is revised to read as follows:

§ 1097.7 Fluid milk plant.

(a) Any milk processing or packaging plant from which a volume of Class I milk equal to an average of 1,000 pounds or more per day, or not less than 5.0 percent of the Class I milk of such plant is disposed of during the month as Class I milk on route disposition in the marketing area;

(b) Any plant from which during the month fluid milk products (bulk or packaged) in excess of 70,000 pounds are moved to and received at a plant(s) described pursuant to paragraph (a) of this section.

2. Section 1097.8 is revised to read as follows:

§ 1097.8 Route disposition.

"Route disposition" means a delivery (including disposition from a plant store or from a distribution point and distribution by a vendor or vending machine) of any fluid milk products to a retail or wholesale outlet other than a delivery to a milk plant. A delivery through a distribution point shall be attributed to the plant from which the Class I milk is moved through a distribution point to wholesale or retail outlets, without intermediate movement to another milk plant.

3. In § 1097.9 the introductory paragraph is revised to read as follows:

§ 1097.9 Nonfluid milk plant.

"Nonfluid milk plant" means any milk manufacturing, processing or packaging plant other than a fluid milk plant. The following categories of nonfluid milk plants are further defined as follows:

* * * * *

4. In § 1097.10, add new paragraphs (d), (e), and (f), and paragraphs (a) and (c) are revised to read as follows:

§ 1097.10 Handler.

"Handler" means:

(a) Any person in his capacity as the operator of one or more fluid milk plants;

* * * * *

(c) Any cooperative association with respect to the milk of its member-producers which it causes to be delivered directly from the farm to the fluid milk plant(s) of another handler in a bulk tank truck owned and operated by, or under contract to, or under control of such cooperative, if the cooperative association notifies the market administrator and the handler to whom the milk is delivered, in writing, that it wishes to become the handler for such milk. The cooperative association shall be considered the handler for such bulk tank milk, effective the first day of the month following receipt of such notice, and shall account for the actual receipts from each producer as determined at the farm at prices applicable to receipts from producers at plants to which the cooperative association delivers the milk. The cooperative association, once it becomes the handler for such bulk tank milk, shall remain the handler for such bulk tank milk from month to month until the cooperative association notifies the market administrator and handler that such status is to be discontinued, effective the first day of the month following receipt of such notice;

(d) Any person who operates a partially regulated distributing plant;

(e) Any person in his capacity as the operator of an unregulated supply plant; and

(f) A producer-handler, or any person who operates an other order plant described in § 1097.61.

5. In § 1097.13, the introductory sentence of paragraph (a) is revised to read as follows:

§ 1097.13 Other source milk.

* * * * *

(a) Receipts during the month at a fluid milk plant in the form of fluid milk products except:

* * * * *

6. Section 1097.16 is revised to read as follows:

§ 1097.16 Fluid milk product.

"Fluid milk product" means the fluid form of milk, skim milk, buttermilk, plain or flavored milk drinks, sweet and sour cream (except aerated cream, frozen cream, and sterilized cream packaged in hermetically sealed containers not labeled as Grade A); and any mixture in fluid form of milk, skim milk, and cream except mixes for frozen dairy products. Eggnog and sour cream mixtures to which cheese or any food substance other than a milk product has been added shall be considered as fluid milk products only if disposed of under a Grade A label.

7. In § 1097.42, paragraph (b)(1) is revise to read as follows:

§ 1097.42 Shrinkage.

* * * * *

(b) For each handler prorate the resulting respective amounts between:

(1) The pounds of skim milk and butterfat in other source milk received in the form of bulk fluid milk products exclusive of that specified in § 1097.41(b)(5); and

* * * * *

8. Section 1097.61 is revised to read as follows:

§ 1097.61 Plants subject to other Federal orders.

In the case of a handler in his capacity as operator of a plant specified in paragraph (a) or (b) of this section, the provisions of this part shall not apply except that such handler shall with respect to his total receipts and disposition of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may prescribe and allow verification of such reports by the market administrator:

(a) A plant qualified pursuant to § 1097.7 (a) or (b) which would be fully regulated pursuant to the provisions of another order issued pursuant to the Act and from which the market administrator determines that a greater volume of fluid milk products was disposed of during the month from such plant as Class I route disposition in the marketing area regulated by the other order and as fluid milk products transferred as Class I milk to plants fully regulated by such other order than as Class I route disposition in the Memphis, Tenn., marketing area and as fluid milk products transferred as Class I milk to other fluid milk plants: *Provided*, That a plant which was a fluid milk plant pursuant to § 1097.7 (a) or (b) under this order in the immediately preceding month shall continue to be subject to all of the provisions of this part until the third consecutive month in which a greater proportion of fluid milk products is disposed of as Class I milk on routes in such other marketing area or to plants fully subject to such other order, unless the other order requires regulation of the plant without regard to its qualifying as a fluid milk plant for regulation under this order subject to the proviso of this paragraph; and

(b) A plant qualified pursuant to § 1097.7 (a) or (b) which meets the requirements for fully regulated plants under another Federal order and from which the market administrator determines a greater volume of fluid milk products is disposed of during the month as Class I route disposition in the Memphis, Tenn., marketing area and as fluid milk products transferred as Class I milk to other fluid milk plants than as Class I route disposition in the other marketing area and fluid milk products transferred as Class I milk to plants fully regulated by such other order, and such other order which fully regulates the plant does not contain provision to exempt the plant from regulation under the particular circumstances described herein of having greater Class I disposition under the Memphis, Tenn., order.

9. In § 1097.70, paragraph (e) is revised to read as follows:

§ 1097.70 Net obligations of handlers.

* * * * *

(e) Add the amount obtained from multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the lesser of:

(1) The pounds of skim milk and butterfat subtracted from Class I pursuant to § 1097.46(a)(5) and the corresponding step of (b); or

(2) The pounds of skim milk and butterfat remaining in Class II (exclusive of shrinkage) after computations pursuant to § 1097.46(a)(7)(i) and the corresponding step of (b) for the preceding month.

* * * * *

10. In § 1097.71, the introductory text is revised to read as follows:

§ 1097.71 Computation of uniform prices for handlers.

In any month when the base and excess prices do not apply, the market administrator shall compute for each handler a uniform price with respect to his producer milk as follows:

* * * * *

Base-excess plan. 11. The provisions relating to the base-excess plan are set forth below. Only the language applicable to the base-excess plan contained in §§ 1097.22(i)(2), 1097.91(b), and 1097.94(b) is included in the following provisions. The base-excess plan provisions which are being modified by this decision are §§ 1097.31(b)(3), 1097.72, and 1097.82.

§ 1097.17 Base milk.

"Base milk" means milk received by a handler from a producer during any of the months of March through July, which is not in excess of such producer's base computed pursuant to § 1097.81.

§ 1097.18 Excess milk.

"Excess milk" means milk received by a handler from a producer during any of the months of March through July, which is in excess of the base milk of such producer for such month, and shall include all milk from a producer for whom no base can be computed pursuant to § 1097.81

§ 1097.22 Duties.

* * * * *

(i) * * *

(2) * * * or 1097.72, as applicable * * *

* * * * *

§ 1097.31 Other reports.

* * * * *

(b) * * *

(3) * * *, and the base milk and excess milk of each producer-member received by a cooperative association in its capacity as a handler pursuant to § 1097.10(c);

* * * * *

§ 1097.72 Computation of the uniform prices for base and excess milk for handlers.

For each of the months of March through July the market administrator shall compute for each handler with respect to his producer milk a uniform price for base milk and for excess milk as follows:

(a) Following the computations and adjustments provided for in § 1097.71 (a), (b), and (d);

(b) Compute the value of excess milk received by such handler as producer milk and bulk milk from a cooperative association in its capacity as a handler pursuant to § 1097.10(c), by multiplying the quantity of such milk not in excess of the total quantity of Class II milk for such handler pursuant to § 1097.70(a) by the Class II price; multiply the remaining excess milk by the Class I price, and add together the resulting amounts;

(c) Divide the total value of excess milk obtained in paragraph (b) of this section by the total hundredweight of such excess milk and adjust to the nearest cent. The resulting figure shall be the uniform price for such handler for all excess milk of 3.5 percent butterfat content;

(d) Subtract, for each handler, the value of such handler's excess milk obtained in paragraph (b) of this section from the value of all milk obtained for such handler pursuant to paragraph (a) of this section; and

(e) Divide the amount obtained in paragraph (d) of this section by the total hundredweight of base milk received by such handler. The result, less any fraction of a cent per hundredweight, shall be the uniform price for such handler for base milk of 3.5 percent butterfat content subject to adjustments pursuant to § 1097.93.

DETERMINATION OF BASE

§ 1097.80 Computation of daily average base for each producer.

The daily average base for each producer shall be determined by the market administrator as folows: Divide the total pounds of milk received from such producer by handlers fully regulated under the terms of the respective orders regulating the handling of milk in the Memphis, Tenn.; Fort Smith, Ark.; and Central Arkansas marketing areas (this Part 1097 and Parts 1102 and 1108, respectively, of this chapter) during the immedi-

ately preceding period of September through January, by the total number of days in such period beginning with the first day on which milk is received from such producer by a handler regulated under any one of the aforesaid orders, but not less than 120. In the case of producers delivering milk to a handler's plant which first became a fluid milk plant during or after the end of the base-forming period, the daily average base for each producer shall be that which would have been calculated for such producer for the entire base-forming period if the handler's plant had been a fluid milk plant during such period.

§ 1097.81 Determination of monthly base of each producer.

Subject to the rules set forth in § 1097.82, the market administrator shall calculate a monthly base for each producer for each of the months of March through July, as follows:

(a) If milk is received by a handler as producer milk during the month, multiply such producer's daily average base computed pursuant to § 1097.80 by the number of days in such month;

(b) If milk is received as producer milk from the same farm by more than one handler and/or by handlers fully regulated under the terms of the Central Arkansas (Part 1108 of this chapter) or Fort Smith, Ark. (Part 1102 of this chapter), orders during the month, multiply such producer's daily average base computed pursuant to §1097.80 by the number of days in such month and multiply the result by the percentages of the total pounds of milk received from such producer by handlers fully regulated under the terms of the three orders specified in § 1097.80 which were received by each handler to determine the amount of base milk received from such producer by each handler.

§ 1097.82 Base rules.

The following rules shall apply in connection with the establishment of bases for each producer computed pursuant to § 1097.80:

(a) An entire base or share of a joint holder shall be transferred from a person holding such base to another person as of the end of the month during which an application for the transfer of such base is received by the market administrator, such application to be on forms approved by the market administrator and signed by the base holder(s) or by the heirs and by the person to whom such base is to be transferred subject to the following conditions:

(1) If a base is held jointly and such joint holding is terminated, the entire base may be transferred to one of the joint holders;

(2) The share of a joint base holder may be transferred to a person other than a joint holder of the base only if all shares of the entire base are at the same time transferred to the same or other persons; and

(3) If one or more bases are transferred to a producer already holding a base, a new base shall be computed by adding together the total eligible deliveries during the period of September through January of all persons in whose names such bases were earned and dividing the total by the total number of days in such period beginning with the first day on which milk was received during the months of September through January from any of such persons but not less than 120 days.

§ 1097.83 Announcement of established bases.

On or before February 25 of each year, the market administrator shall notify each producer of the daily average base established by such producer.

§ 1097.91 Payments to producers.

* * * * *

(b) * * * or 1097.72, as applicable * * *

* * * * *

§ 1097.94 Statement to producers.

* * * * *

(b) * * *, including for the months of March through July, such producer's deliveries of base and excess milk;

* * * * *

Signed at Washington, D.C., on February 1, 1966.

CLARENCE H. GIRARD,
Deputy Administrator, Regulatory Programs.

[F.R. Doc. 66-1253; Filed, Feb. 4, 1966; 8:45 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 60]

ALIENS SEEKING TO ENTER UNITED STATES FOR PURPOSE OF PERFORMING LABOR

Notice of Proposed Rule Making

Pursuant to section 212(a)(14) of the Immigration and Nationality Act of 1952, as amended by Public Law 89-236, I hereby propose to amend 29 CFR Part 60 (30 F.R. 14494, 14979) by adding the following material to Schedule A thereof:

Group IV: Persons coming to the United States solely to perform duties related to nonprofit organizations exclusively within a religious denomination of which they are members pursuant to an assignment by that denomination having a bona fide organization in the United States.

Any person interested in this proposal may file a written statement of data, views, or argument regarding it with the Secretary of Labor, U.S. Department of Labor, Washington, D.C., 20210, within 10 days after this notice is published in the FEDERAL REGISTER.

(79 Stat. 911)

Signed at Washington, D.C., this 2d day of February 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-1276; Filed, Feb. 4, 1966; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71]

[Airspace Docket No. 65-CE-139]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would designate floors on segments of Federal airways in the Indianapolis Air Route Traffic Control Center area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes to designate floors on the pertinent airway segments as hereinafter set forth:

1. V-4 From Evansville, Ind., 1,200 feet AGL via INT Evansville 080° and Louisville, Ky., 269° True radials; including a 1,200 feet AGL N alternate.
2. V-6 From South Bend, Ind., 1,200 feet AGL via INT South Bend 092° and Waterville, Ohio, 288° True radials; 1,200 feet AGL Waterville.
3. V-7 From Central City, Ky., 1,200 feet AGL Evansville, Ind.
4. V-8 From Goshen, Ind., 1,200 feet AGL Findlay, Ohio.
5. V-11 From Paducah, Ky., 1,200 feet AGL via INT Paducah 039° and Evansville, Ind., 227° True radials; 1,200 feet AGL Evansville.
6. V-12 From Shelbyville, Ind., 1,200 feet AGL via Richmond, Ind.; 1,200 feet AGL Dayton, Ohio.
7. V-30 From Litchfield, Mich., 1,200 feet AGL Waterville, Ohio.
8. V-38 From Fort Wayne, Ind., 1,200 feet AGL Findlay, Ohio.
9. V-44 From Samsville, Ill., 1,200 feet AGL via Nabb, Ind.; 1,200 feet AGL Falmouth, Ky.
10. V-47 From Evansville, Ind., 1,200 feet AGL via INT Evansville 065° and Nabb, Ind., 252° True radials; 1,200 feet AGL Nabb; 1,200 feet AGL Cincinnati, Ohio; 1,200 feet AGL Rosewood, Ohio, including a 1,200 feet AGL W alternate from Cincinnati to INT Dayton, Ohio, Municipal Airport ILS localizer SW course and Rosewood 202° True radial, via INT Cincinnati 006° True radial and Dayton Municipal Airport ILS localizer SW course.
11. V-49 From Bowling Green, Ky., 1,200 feet AGL via Mystic, Ky.; 1,200 feet AGL Nabb, Ind.

12. V–51 From Louisville, Ky., 1,200 feet AGL via Nabb, Ind.; 1,200 feet AGL Shelbyville, Ind.

13. V–53 From Louisville, Ky., 1,200 feet AGL via INT Louisville 333° and Indianapolis, Ind., 170° True radials; 1,200 feet AGL Indianapolis.

14. V–90 From Litchfield, Mich., 1,200 feet AGL via INT Litchfield 081° and Windsor, Ont., Canada, 265° True radials; 1,200 feet AGL to the international border.

15. V–92 From Goshen, Ind., 1,200 feet AGL to Waterville, Ohio.

16. V–96 From Fort Wayne, Ind., 1,200 feet AGL Waterville, Ohio.

17. V–97 From Cincinnati, Ohio, 1,200 feet AGL Shelbyville, Ind.

18. V–126 From Goshen, Ind., 1,200 feet AGL Waterville, Ohio.

19. V–128 From Indianapolis, Ind., 1,200 feet AGL via INT Indianapolis 137° and Cincinnati, Ohio, 290° True radials; 1,200 feet AGL Cincinnati.

20. V–144 From Fort Wayne, Ind., 1,200 feet AGL Findlay, Ohio.

21. V–171 From Louisville, Ky., 1,200 feet AGL Scotland, Ind.

22. V–214 From Richmond, Ind., 1,200 feet AGL INT Richmond 090° and Rosewood, Ohio, 202° True radials.

23. V–243 From Bowling Green, Ky., 1,200 feet AGL Scotland, Ind.

24. V–275 From Cincinnati, Ohio, 1,200 feet AGL via INT Cincinnati 006° and Dayton, Ohio, 207° True radials; 1,200 feet AGL Dayton, including a 1,200 feet AGL W alternate from Cincinnati to Dayton via INT, Cincinnati 336° and Richmond, Ind., 190° True radials and Richmond.

25. V–422 From Wolflake, Ind., 1,200 feet AGL via INT Wolflake 096° and Findlay, Ohio, 289° True radials; 1,200 feet AGL Findlay.

Floors of 1,200 feet AGL are proposed for the airway segments considered herein as the greater portion thereof are within transition areas with 1,200 feet AGL floors.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on January 27, 1966.

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

[F.R. Doc. 66–1257; Filed, Feb. 4, 1966; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 65–EA–96]

FEDERAL AIRWAYS

Proposed Alteration

The Federal Aviation Agency is considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of airway segments in the Washington, D.C., flight advisory area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y., 11430. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. An informal docket also will be available for examination at the Office of the Regional Air Traffic Division Chief.

The Federal Aviation Agency proposes to redesignate floors on the pertinent airway segments as hereinafter set forth:

1. V–1 From Cofield, N.C., 1,200 feet AGL via Norfolk, Va.; 1,200 feet AGL Cape Charles, Va.; 1,200 feet AGL INT Cape Charles 015° and Salisbury, Md., 206° True radials; 1,200 feet AGL Salisbury.

2. V–3 From Raleigh, N.C., 1,200 feet AGL via INT Raleigh 016° and Flat Rock, Va., 214° True radials; 1,200 feet AGL Flat Rock; 1,200 feet AGL Brooke, Va.; 1,200 feet AGL, 6 mi. wide INT Brooke 014° and Westminster, Md., 195° True radials; 1,200 feet AGL Westminster; 1,200 feet AGL INT Westminster 065° and West Chester, Pa., 250° True radials; 1,200 feet AGL West Chester.

3. V–4 From Charleston, W. Va., 1,200 feet AGL via Elkins, W. Va., including a 1,200 feet AGL S alternate via INT Charleston 083° and Elkins 228° True radials; 1,200 feet AGL Kessel, W. Va.; 1,200 feet AGL Front Royal, Va.; 1,200 feet AGL Herndon, Va.

4. V–8 From Indian Head, Pa., 1,200 feet AGL via Martinsburg, W. Va.; 1,200 feet AGL INT Herndon, Va., 048° and Washington, D.C., 324° True radials; 1,200 feet AGL Washington, including a 1,200 feet AGL N alternate from INT Martinsburg 297° and Grantsville, Md., 086° True radials via Hagerstown, Md., to INT Washington 324° and Herndon 048° True radials.

5. V–16 From Pulaski, Va., 1,200 feet AGL via Roanoke, Va.; 1,200 feet AGL INT Montebello, Va., 180° and Gordonsville, Va., 247° True radials; 1,200 feet AGL Gordonsville, including a 1,200 feet AGL N alternate from Roanoke to Gordonsville via INT Roanoke 035° and Montbello 250° True radials, and Montebello; 1,200 feet AGL Nottingham, Md.; 1,200 feet AGL, 6 miles wide Kenton, Del.

6. V–20 From South Boston, Va., 1,200 feet AGL via Richmond, Va.; 1,200 feet AGL INT Richmond 039° and Brooke, Va., 131° True radials.

7. V–31 From INT Patuxent River, Md., 036° and Nottingham, Md., 128° True radials; 1,200 feet AGL Nottingham. From Baltimore, Md., 1,200 feet AGL Harrisburg, Pa.

8. V–33 From Cofield, N.C., 1,200 feet AGL via INT Cofield 007° and Harcum, Va., 187° True radials; 1,200 feet AGL Harcum; 1,200 feet AGL INT Harcum 003° and Nottingham, Md., 174° True radials; 1,200 feet AGL Nottingham. From Baltimore, Md., 1,200 feet AGL Harrisburg, Pa.

9. V–37 From Pulaski, Va., 1,200 feet AGL via Elkins, W. Va.; 1,200 feet AGL Morgantown, W. Va.

10. V–38 From Parkersburg, W. Va., 1,200 feet AGL Elkins, W. Va.

11. V–39 From South Boston, Va., 1,200 feet AGL via Gordonsville, Va.; 1,200 feet AGL INT Gordonsville 019° and Casanova, Va., 201° True radials; 1,200 feet AGL Casanova; 1,200 feet AGL Herndon, Va., including a 1,200 feet AGL E alternate from Gordonsville to Herndon via INT Herndon 202° and Brooke, Va., 300° True radials; 1,200 feet AGL Westminster, Md.; 1,200 feet AGL Lancaster, Pa.

12. V–44 From Morgantown, W. Va., 1,200 feet AGL via Martinsburg, W. Va.; 1,200 feet AGL Baltimore, Md.; 1,200 feet AGL INT Baltimore 094° and Kenton, Del., 262° True radials; 1,200 feet AGL Kenton.

13. V–92 From Grantsville, Md., 1,200 feet AGL Front Royal, Va.

14. V–93 From Patuxent River, Md., 1,200 feet AGL via INT Patuxent River 013° and Baltimore, Md., 122° True radials; 1,200 feet AGL Baltimore; 1,200 feet AGL Lancaster, Pa.

15. V–103 From Greensboro, N.C., 1,200 feet AGL via Roanoke, Va.; 1,200 feet AGL Elkins, W. Va.; 1,200 feet AGL Clarksburg, W. Va.

16. V–123 From Washington, D.C., 1,200 feet AGL via INT Baltimore, Md., 223° and Kenton, Del., 262° True radials; 1,200 feet AGL INT Kenton 262° and Woodstown, N.J., 230° True radials; 1,200 feet AGL Woodstown.

17. V–136 From Pulaski, Va., 1,200 feet AGL via INT Pulaski 094° and South Boston, Va., 295° True radials; 1,200 feet AGL South Boston.

18. V–139 From Cape Charles, Va., 1,200 feet AGL Snow Hill, Md.

19. V–140 From Bluefield, W. Va., 1,200 feet AGL via Clifdale, Va.; 1,200 feet AGL Montebello, Va.; 1,200 feet AGL Casanova, Va.; 1,200 feet AGL Herndon, Va.; 1,200 feet AGL INT Herndon 061° and West Chester, Pa., 234° True radials; 1,200 feet AGL West Chester.

20. V–143 From Greensboro, N.C., 1,200 feet AGL via Lynchburg, Va.; 1,200 feet AGL Montebello, Va.

21. V–144 From Morgantown, W. Va., 1,200 feet AGL Kessel, W. Va.; 1,200 feet AGL Linden, Va.; 1,200 feet AGL INT Linden 104° and Herndon, Va., 185° True radials.

22. V–155 From Lawrenceville, Va., 1,200 feet AGL via INT Lawrenceville 034° and Flat Rock, Va., 171° True radials; 1,200 feet AGL Flat Rock; 1,200 feet AGL Gordonsville, Va.; 1,200 feet AGL Linden, Va.; 1,200 feet AGL Front Royal, Va. The airspace within R–6602 is excluded.

23. V–156 From Elkins, W. Va., 1,200 feet AGL via Gordonsville, Va.; 1,200 feet AGL Richmond, Va.; 1,200 feet AGL Harcum, Va.; 1,200 feet AGL Cape Charles, Va.

24. V–157 From Lawrenceville, Va., 1,200 feet AGL via Richmond, Va.; 1,200 feet AGL Washington, D.C. (6 miles wide from INT Brooke, Va., 132° and Washington 189° True radials to Washington); 1,200 feet AGL Baltimore, Md.; 1,200 feet AGL INT Baltimore 038° and New Castle, Del., 261° True radials; 1,200 feet AGL New Castle.

25. V–162 From INT Clarksburg, W. Va., 135° and Elkins, W. Va., 092° True radials; 1,200 feet AGL Clarksburg.

26. V–166 From Parkersburg, W. Va., 1,200 feet AGL via Clarksburg, W. Va.; 1,200 feet AGL Kessel, W. Va.; 1,200 feet AGL Martinsburg, W. Va.; 1,200 feet AGL Westminster, Md.; 1,200 feet AGL New Castle, Del.

27. V–174 From Henderson, W. Va., 1,200 feet AGL Elkins, W. Va.; 1,200 feet AGL Linden, Va.; 1,200 feet AGL INT Linden 104° and Herndon, Va., 185° True radials.

28. V–189 From Rocky Mount, N.C., 1,200 feet AGL via Franklin, Va., 1,200 feet AGL Hopewell, Va.

29. V–194 From Cofield, N.C., 1,200 feet AGL via Norfolk, Va., including a 1,200 feet AGL S alternate via INT Cofield 084° and Norfolk 209° True radials; 1,200 feet AGL INT Norfolk 001° and Cape Charles, Va., 313° True radials.

30. V–213 From Rocky Mount, N.C., 1,200 feet AGL via Hopewell, Va.; 1,200 feet AGL INT Hopewell 019° and Brooke, Va., 131° True radials; 1,200 feet AGL Patuxent River, Md.

31. V–222 From Hickory, N.C., 1,200 feet AGL via Lynchburg, Va.; 1,200 feet AGL Gordonsville, Va.

32. V–223 From Flat Rock, Va., 1,200 feet AGL via INT Brooke, Va., 300° and Herndon, Va., 202° True radials; 1,200 feet AGL Herndon; 1,200 feet AGL Harrisburg, Pa.

33. V–251 From Montebello, Va., 1,200 feet AGL via Front Royal, Va.; 1,200 feet AGL Martinsburg, W. Va.; 1,200 feet AGL Lancaster, Pa.

34. V–258 From Charleston, W. Va., 1,200 feet AGL via Beckley, W. Va.; 1,200 feet AGL INT Beckley 125° and Roanoke, Va., 288° True radials; 1,200 feet AGL Roanoke; 1,200 feet AGL INT Roanoke 145° and Danville, Va., 320° True radials; 1,200 feet AGL Danville.

35. V–260 From Charleston, W. Va., 1,200 feet AGL via Rainelle, W. Va., including a 1,200 feet AGL N alternate via INT Charleston 083° and Rainelle 317° True radials; 1,200 feet AGL Roanoke, Va.; 1,200 feet AGL Lynchburg, Va., including a 1,200 feet AGL S alternate via INT Roanoke 177° and Lynchburg 253° True radials; 1,200 feet AGL Flat Rock, Va.; 1,200 feet AGL Richmond, Va.; 1,200 feet AGL Hopewell, Va.; 1,200 feet AGL INT Hopewell 128° and Norfolk, Va., 296° True radials; 1,200 feet AGL Norfolk.

36. V–265 From INT Nottingham, Md., 271° and Westminster, Md., 179° True radials, 1,200 feet AGL via Westminster; 1,200 feet AGL INT Westminster 346° and Harrisburg, Pa., 196° True radials; 1,200 feet AGL Harrisburg.

37. V–266 From South Boston, Va., 1,200 feet AGL Lawrenceville, Va.; 1,200 feet AGL Franklin, Va.; 1,200 feet AGL Norfolk, Va.

38. V–268 From INT Grantsville, Md., 086° and Martinsburg, W. Va., 297° True radials; 1,200 feet AGL Hagerstown, Md.; 1,200 feet AGL Westminster, Md.; 1,200 feet AGL Baltimore, Md.; 1,200 feet AGL INT Baltimore 094° and Kenton, Del., 262° True radials; 1,200 feet AGL Kenton. The portion within R–4001 is excluded.

39. V–286 From Linden, Va., 1,200 feet AGL via Casanova, Va.; 1,200 feet AGL INT Herndon, Va., 202° and Brooke, Va., 300° True radials; 1,200 feet AGL Brooke; 1,200 feet AGL Cape Charles, Va.

40. V–290 From Rainelle, W. Va., 1,200 feet AGL via Montebello, Va.; 1,200 feet AGL Flat Rock, Va. From Franklin, Va., 1,200 feet AGL Elizabeth City, N.C.

41. V–308 From INT Linden, Va., 273° and Casanova, Va., 284° True radials; 1,200 feet AGL via Casanova; 1,200 feet AGL INT Casanova 076° and Nottingham, Md., 271° True radials; 1,200 feet AGL Nottingham.

42. V–433 From Washington, D.C., 1,200 feet AGL via INT Baltimore, Md., 223° and Kenton, Del., 262° True radials; 1,200 feet AGL INT Kenton 262° and New Castle, Del., 222° True radials; 1,200 feet AGL New Castle.

43. V–454 From Lawrenceville, Va., 1,200 feet AGL Hopewell, Va.

44. V–469 From Danville, Va., 1,200 feet AGL Lynchburg, Va.

45. V–476 From Washington, D.C., 1,200 feet AGL via Baltimore, Md.; 1,200 feet AGL Millville, N.J.

46. V–501 From Martinsburg, W. Va., 1,200 feet AGL St. Thomas, Pa.

1,200 feet above the surface floors have been proposed for the airway segments considered herein as they are necessary for climb from the surface to minimum en route altitudes, for en route altitude change and for aeronautical chart legibility. V–308 from Nottingham, Md., to Boston, Mass., is not considered herein as it has been included in Airspace Docket No. 65–EA–91.

These amendments are proposed under the authority of sec. 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on January 27, 1966.

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

[F.R. Doc. 66–1260; Filed, Feb. 4, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16370]

MINIMUM POWER AUTHORIZED FOR CLASS IV RADIO STATIONS

Order Extending Time for Filing Reply Comments

1. In a notice of proposed rule making released on December 17, 1965, in this proceeding (FCC 65–1130), the Commission invited comments from interested parties on or before January 17, 1966, and reply comments on or before January 31, 1966, on a proposal to raise the minimum power for Class IV stations to 250 watts.

2. On January 28, 1966, the Association on Broadcasting Standards, Inc., filed a request for additional time to file reply comments until March 1, 1966. The Association states that it needs the additional time to consider the "engineering ramifications of the Commission's proposal and the comments filed."

3. We are of the view that the requested extension should be granted, and accordingly: *It is ordered*, This 1st day of February 1966, that the time for filing reply comments in this proceeding is extended to March 1, 1966.

4. This action is taken pursuant to the authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules and regulations.

Released: February 2, 1966.

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

[F.R. Doc. 66–1303; Filed, Feb. 4, 1966; 8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 65-55]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The procedures governing the granting of approvals, and the cancellation, termination, or withdrawal of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications), and detailed procedures for obtaining approvals are also described therein.

2. The Commandant's approval of a specific item is intended to provide a control over its quality. Therefore, such approval applies only to the item constructed or installed in accordance with the applicable requirements and the details described in the specific approval. If a specific item when manufactured does not comply with the details in the approval, then such item is not considered to have the Commandant's approval, and the certificate of approval issued to the manufacturer does not apply to such modified item. For example, if an item is manufactured with changes in design or material not previously approved, the approval does not apply to such modified item.

3. After a manufacturer has submitted satisfactory evidence that a particular item complies with the applicable laws and regulations, a Certificate of Approval (Form CGHQ-10030) will be issued to the manufacturer certifying that the item specified complies with the applicable laws and regulations and approval is given, which will be in effect for a period of 5 years from the date given unless sooner canceled or suspended by proper authority.

4. The purpose of this document is to notify all concerned that certain approvals were granted, as described in this document, during the period from August 25, 1965 to October 8, 1965 (List Nos. 22-65 and 23-65). These actions were taken in accordance with procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive.

5. The delegations of authority for the Coast Guard's actions with respect to approvals may be found in section 632 of Title 14, U.S. Code, and in Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-14 dated November 26, 1954 (19 F.R. 8026), 167-15 dated January 3, 1955 (20 F.R. 840), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), or 167-38 dated October 26, 1959 (24 F.R. 8857), and the statutory authority may be found in R.S. 4405, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U.S.C. 375, 416, 481, 489, 367, 526p, 1333, 390b), section 4(e), 67 Stat. 462 (43 U.S.C. 1333 (e)), or section 3(c), 68 Stat. 675 (50 U.S.C. 193), and implementing regulations in 46 CFR Chapter I or 33 CFR Chapter I.

6. In Part I of this document are listed the approvals granted which shall be in effect for a period of 5 years from the dates granted, unless sooner canceled or suspended by proper authority.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 3 AND 5

Approval No. 160.002/94/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86-88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.002/94/0 dated September 30, 1960.)

Approval No. 160.002/95/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86-88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.002/95/0 dated September 30, 1960.)

LIFE PRESERVERS: REPAIRING AND CLEANING

Approval No. 160.006/26/0, Kwik Dri cleaning process for kapok and fibrous glass life preservers as outlined in Kwik Dri Carpet & Upholstery Cleaners letter dated August 11, 1965, and U.S.C.G. Specification Subpart 160.006, issued to the Kwik Dri Carpet & Upholstery Cleaners, 471 Jessie Street, San Francisco, Calif., 94103, effective August 31, 1965. (Where buoyancy fillers are not removed from envelope covers during cleaning process.)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Approval No. 160.017/4/7, Model 241-A, Type II, embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 241-A, dated February 21, 1950, revised June 17, 1965, manufactured by the Great Bend Manufacturing Corp., 234 Godwin Avenue, Paterson, N.J., 07501, effective August 25, 1965. (Approval limited to ladders 60 feet or less in length.) (It supersedes Approval No. 160.017/4/6 dated May 2, 1962.)

LIFERAFTS

Approval No. 160.018/13/2, Type "B" liferaft for other than ocean and coastwise service, 9.67′ x 8.38′ x 2.92′, 18-person capacity, identified by general arrangement dwg. No. M-99-10 dated April 4, 1951, and revised January 13, 1960, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, effective August 25, 1965. (It reinstates and supersedes Approval No. 160.018/13/2 which was terminated June 21, 1965.)

LIFEBOATS

Approval No. 160.035/338/1, 28.0′ x 9.0′ x 3.96′ aluminum, oar-propelled lifeboat, 59-person capacity, identified by general arrangement drawing No. 28-1E dated March 19, 1965, and revised September 10, 1965, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, effective September 24, 1965. (Alternate aluminum interior.) (It supersedes Approval No. 160.035/338/0 dated July 17, 1961, to show change in construction.)

Approval No. 160.035/395/1, 24.0′ x 8.33′ x 3.58′ steel, oar-propelled lifeboat, 43-person capacity, identified by general arrangement drawing No. G-2443 dated June 1959, and revised August 24, 1965, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J., 07735, effective August 31, 1965. (T-bar Keel.) (It supersedes Approval No. 160.035/395/0 dated September 3, 1964.)

Approval No. 160.035/396/1, 24.0′ x 8.0′ x 3.5′ fibrous glass reinforced plastic (FRP) hand-propelled lifeboat, 40-person capacity, identified by construction and arrangement drawing No. P-24-1C dated December 15, 1964, and revised July 28, 1965, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, effective September 8, 1965. (It supersedes Approval No. 160.035/396/1 dated August 29, 1965, to show correction.)

Approval No. 160.035/401/2, 26.0′ x 9.0′ x 3.83′ steel, hand-propelled lifeboat, 53-person capacity, identified by general arrangement drawing No. G-2653-H dated April 15, 1965, and revised June 14, 1965, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J., 07735, effective August 31, 1965. (It supersedes Approval No. 160.035/401/1 dated February 12, 1965.)

Approval No. 160.035/422/1, 24.0′ x 8.33′ x 3.58′ steel, hand-propelled life-

boat, 43-person capacity, identified by general arrangement drawing No. G–2443–H dated October 1961, and revised August 25, 1965, manufactured by C. C. Galbraith & Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J., 07735, effective August 31, 1965. (T-Bar Keel). (It supersedes Approval No. 160.035/422/0 dated December 1, 1961.)

Approval No. 160.035/444/0, 28.0′ x 9.0′ x 3.96′ aluminum, hand-propelled lifeboat, 59-person capacity, identified by general arrangement drawing No. 28–1F dated April 1, 1965, and revised September 14, 1965, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, effective September 24, 1965. (Alternate aluminum interior.)

BOUYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/454/0, Type I, Model AK–1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Acme Products, Inc., 152–156 Brewery Street, New Haven, Conn., 06511, effective September 24, 1965. (It is an extension of Approval No. 160.047/454/0 dated September 26, 1960.)

Approval No. 160.047/455/0, Type I, Model CKM–1, child buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Acme Products, Inc., 152–156 Brewery Street, New Haven, Conn., 06511, effective September 24, 1965. (It is an extension of Approval No. 160.047/455/0 dated September 26, 1960.)

Approval No. 160.047/456/0, Type I, Model CKS–1, child buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Acme Products, Inc., 152–156 Brewery Street, New Haven, Conn., 06511, effective September 24, 1965. (It is an extension of Approval No. 160.047/456/0 dated September 26, 1960.)

Approval No. 160.047/460/0, Type I, Model AK–1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86–88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.047/460/0 dated September 30, 1960.)

Approval No. 160.047/461/0, Type I, Model CKM–1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86–88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.047/461/0 dated September 30, 1960.)

Approval No. 160.047/462/0, Type I, Model CKS–1, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86–88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.047/462/0 dated September 30, 1960.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/9/1, special approval for 14″ x 17″ x 2″ rectangular ribbed-type kapok buoyant cushion, 23-oz. kapok, dwg. No. 1, Rev. 1 dated September 24, 1965, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective October 8, 1965. (It supersedes Approval No. 160.048/9/1 dated June 9, 1965, to show change in construction.)

Approval No. 160.048/22/0, group approval for rectangular and trapezoidal fibrous glass buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of fibrous glass filling to be as per table 160.048–4(c)(1)(ii), manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.048/22/0 dated September 29, 1965.)

Approval No. 160.048/27/2, special approval for 17″ x 14″ x 2″ rectangular ribbed-type buoyant cushion, 21-oz. kapok, dwg. No. 4 and bill of materials dated August 23, 1965, manufactured by Brunswick Corp., Zebco Division, Eminence, Ky., 40019, effective August 27, 1965. (It supersedes Approval No. 160.-048/27/1 dated September 19, 1961 to show change in construction.)

Approval No. 160.048/191/0, special approval for 14″ x 17″ x 2″ rectangular ribbed-type kapok buoyant cushion, 21-oz. kapok, Atlantic-Pacific Manufacturing Corp. dwg. No. 72755 dated July 27, 1955, manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86–88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.048/191/0 dated September 30, 1960.)

Approval No. 160.048/192/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i), manufactured by the Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, for Nautical Products, Inc., 86–88 Congress Street, Brooklyn, N.Y., 11201, effective September 29, 1965. (It is an extension of Approval No. 160.048/192/0 dated September 30, 1960.)

Approval No. 160.048/204/1, special approval for 17″ x 14″ x 2″ rectangular ribbed-type kapok buoyant cushion, 21-oz. kapok, dwg. No. 4 and bill of materials dated August 23, 1965, manufactured by Brunswick Corp., Zebco Division, Eminence, Ky., for Drybak, Eminence, Ky., 40019, effective August 27, 1965. (For use on motorboats of classes A, 1, or 2 not carrying passengers for hire.) (It supersedes Approval No. 160.-048/204/0 dated September 19, 1961, to show change in construction.)

INFLATABLE LIFERAFTS

Approval No. 160.051/2/1, inflatable liferaft, 6-person capacity, identified by general arrangement dwg. No. SEC/MN/6001, alt. 4 dated April 23, 1964, manufactured by Patten Co., Lake Worth, Fla., for C. J. Hendry Co., 139 Townsend Street, San Francisco, Calif., 94107, effective September 22, 1965. (Satisfies requirements for inflatable liferaft of 1960 International Convention for Safety of Life at Sea.) (It supersedes Approval No. 160.051/2/0 dated April 9, 1964, to show change in equipment.)

Approval No. 160.051/25/0, inflatable liferaft, 6-person capacity, identified by general arrangement dwg. RFD–US–1072, revision No. 2 dated January 1, 1965, and specification RFD–US–100, revision No. 1 dated January 1, 1965, manufactured by R.F.D., Inc., Richwood, W. Va., 26685, effective September 24, 1965. (Satisfies requirements for inflatable liferaft of 1960 International Convention for Safety of Life at Sea.)

Approval No. 160.051/27/0, inflatable liferaft, 25-person capacity, identified by general arrangement dwg. RFD–US–1501, revision No. 3 dated July 1, 1965 and Specification RFD–US–100, revision No. 1 dated January 1, 1965, manufactured by R.F.D., Inc., Richwod, W. Va., 26685, effective September 20, 1965. (Satisfies requirements for inflatable liferaft of 1960 International Convention for Safety of Life at Sea.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval no. 160.052/319/0, Type II, Model LV–A, adult vinyl-dipped unicellular plastic foam buoyant vest, Goodenow dwg. No. 5581–E, revision 1 dated December 22, 1964, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pa., 16502, for Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective September 2, 1965.

Approval No. 160.052/320/0, Type II, Model LV–M, child medium, vinyl-dipped unicellular plastic foam buoyant vest, Goodenow dwg. No. 5622–C, revision 1 dated December 22, 1964, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pa., 16502, for Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective September 2, 1965.

Approval No. 160.052/321/0, Type II, Model LV–S, child small, vinyl-dipped unicellular plastic foam buoyant vest, Goodenow dwg. No. 5623–C, revision 1 dated December 22, 1964, manufactured by Goodenow Manufacturing, 1301 West 18th Street, Erie, Pa., 16502, for Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective September 2, 1965.

Approval No. 160.052/322/0, Type II, Model LVA–300, adult, vinyl-dipped unicellular plastic foam buoyant vest, Car-

lon dwg. No. 5581-D, revision 1 dated December 22, 1964, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn., 06418, for Miltco Products Corp., 139 Emerson Place, Brooklyn, N.Y., 11205, effective September 2, 1965.

Approval No. 160.052/323/0, Type II, Model LVCM-200, child medium, vinyl-dipped unicellular plastic foam buoyant vest, Carlon dwg. No. 5622-B, revision 1 dated December 22, 1964, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn., 06418, for Miltco Products Corp., 139 Emerson Place, Brooklyn, N.Y., 11205, effective September 2, 1965.

Approval No. 160.052/324/0, Type II, Model LVCS-100, child small, vinyl-dipped unicellular plastic foam buoyant vest, Carlon dwg. No. 5623-B, revision 1 dated December 22, 1964, manufactured by Carlon Rubber Products Co., 1 New Haven Avenue, Derby, Conn., 06418, for Miltco Products Corp., 139 Emerson Place, Brooklyn, N.Y., 11205, effective September 2, 1965.

LIFE PRESERVERS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

Approval No. 160.055/5/0, Type II, Model LVM-1 adult vinyl dipped unicellular plastic foam life preserver, dwg. No. LVM-1, Rev. 3 dated September 7, 1965, manufactured by Protection Equipment Co., Subsidiary of Vogt Manufacturing Corp., 100 Fernwood Avenue, Rochester, N.Y., 14621 (Plant: Sunbury, Pa.), effective October 8, 1965. (It supersedes Approval No. 160.055/5/0 dated February 9, 1965, to show minor change in construction.)

Approval No. 160.055/6/0, Type II, Model LVM-5 child vinyl dipped unicellular plastic foam life preserver, dwg. No. LVM-5, Rev. 3 dated September 7, 1965, manufactured by Protection Equipment Co., Subsidiary of Vogt Manufacturing Corp., 100 Fernwood Avenue, Rochester, N.Y., 14621 (Plant: Sunbury, Pa.), effective October 8, 1965. (It supersedes Approval No. 160.055/6/0 dated February 9, 1965, to show minor change in construction.)

BUOYANT VESTS, UNICELLULAR POLYETHYLENE FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.060/1/0, Type II, Model AE, adult, cloth covered polyethylene foam buoyant vest, dwg. Nos. 26 and 29, Rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, effective September 8, 1965. (It supersedes Approval No. 160.060/1/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/2/0, Type II, Model ME, child medium, cloth covered polyethylene foam buoyant vest, dwg. Nos. 27 and 30, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective September 8, 1965. (It supersedes Approval No. 160.060/2/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/3/0, Type II, Model SE, child small, cloth covered polyethylene foam buoyant vest, dwg. Nos. 28 and 31, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, effective September 8, 1965. (It supersedes Approval No. 160.060/3/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/4/0, Type II, Model AE, adult, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 26 and 29, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212, and 12th and Graham Streets, Emporia, Kans., 66801, for Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, Ill., 60610, effective September 8, 1965. (It supersedes Approval No. 160.060/4/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/5/0, Type II, Model ME, child medium, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 27 and 30, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, for Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, Ill., 60610, effective September 8, 1965. (It supersedes Approval No. 160.060/5/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/6/0, Type II, Model SE, child small, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 28 and 31, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, for Montgomery Ward & Co., Inc., 619 West Chicago Avenue, Chicago, Ill., 60610, effective September 8, 1965. (It supersedes Approval No. 160.060/6/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/7/0, Type II, Model AE, adult, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 26 and 29, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Sts., Emporia, Kans., 66801, for J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y., 10019, effective September 8, 1965. (It supersedes Approval No. 160.060/7/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/8/0, Type II, Model ME, child medium, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 27 and 30, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, for J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y., 10019, effective September 8, 1965. (It supersedes Approval No. 160.060/8/0 dated November 25, 1964, to show change of address of manufacturer.)

Approval No. 160.060/9/0, Type II, Model SE, child small, cloth covered polyethylene foam buoyant vest, Crawford Manufacturing Co., Inc., dwg. Nos. 28 and 31, rev. 1 dated October 29, 1964, and Bill of Materials dated November 6, 1964, manufactured by Crawford Manufacturing Co., Inc., 3d and Decatur Streets, Richmond, Va., 23212 and 12th and Graham Streets, Emporia, Kans., 66801, for J. C. Penney Co., Inc., 1301 Avenue of the Americas, New York, N.Y., 10019, effective September 8, 1965. (It supersedes Approval No. 160.060/9/0 dated November 25, 1964, to show change of address of manufacturer.)

TELEPHONE SYSTEMS, SOUND POWERED

Approval No. 161.005/4/3, sound-powered telephone station relay for operation with hand generated, nonlocking, splashproof, dwg. 60-162, alt. 6 dated August 10, 1960, manufactured by Henschel Corp., Amesbury, Mass., effective August 27, 1965. (For connecting in parallel with hand generator bell on machinery space sound-powered telephone station to operate separately powered audible signal.) (It is an extension of Approval No. 161.005/4/3 dated August 29, 1960.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/82/1, "Ultrafine CG No. 1 through CG No. 7" fibrous glass type incombustible material identical to that described in National Bureau of Standards Test Report Nos. TG10210-2120:FR3651 dated June 7, 1965, and TG10210-2122:FR3653 dated September 17, 1965, approved in a range from one-half through 3 pounds per cubic foot density, manufactured by Gustin-Bacon Manufacturing Co., Post Office Box 13126, Commerce Tower, Kansas City, Mo., 64199, effective September 24, 1965. (Plant No. 7: 3031 Fiberglas Road, Kansas City, Kans.) (It supersedes Approval No. 164.009/82/0 dated June 28, 1965, to show change in densities.)

Approval No. 164.009/85/0, Foster "Insulfas Glass Cloth No. 30", glass cloth with Foster normalizing treatment, woven glass fabric type incombustible material identical to that referenced in National Bureau of Standards Report No. TG10210-2121:FR3652 dated August 23, 1965, manufactured by Benjamin Foster

Co., Post Office Box 59, Ambler, Pa., 19002, effective September 14, 1965.

Approval No. 164.009/88/0, "American Bestoglas Nos. 1.10 and 1.40" woven combination Grade AAA asbestos and fibrous glass (2.5 percent lubricant or less) cloth type incombustible material identical to that described in American Asbestos Textile Corp., letters dated 9 and 17 September 1965, approved in weights of 1.10 (No. 1.10) and 1.40 (No. 1.40) pounds/square yard, manufactured by American Asbestos Textile Corp., 1032 Stanbridge Street, Norristown, Pa., 19404, effective September 29, 1965.

Approval No. 164.009/86/0, Porter Style CGAG woven combination Grade AAA asbestos and fibrous glass (2.5 percent lubricant or less) cloth type incombustible material identical to that described in H. K. Porter letter dated 1 September 1963, approved in weights one-half through 2.50 pounds per square yard, manufactured by H. K. Porter Co., Inc., Thermoid Division, 1250 Porter Building, Pittsburgh, Pa., 15219, effective September 8, 1965.

Dated: January 28, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 66-1289; Filed, Feb. 4, 1966; 8:46 a.m.]

[CGFR 65-62]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval and Termination of Approval Notice

1. Various items of lifesaving, firefighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The procedures governing the granting of approvals, and the cancellation, termination, or withdrawal of approvals are set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications), and detailed procedures for obtaining approvals are also described therein.

2. The Commandant's approval of a specific item is intended to provide a control over its quality. Therefore, such approval applies only to the item constructed or installed in accordance with the applicable requirements and the details described in the specific approval. If a specific item when manufactured does not comply with the details in the approval, then such item is not considered to have the Commandant's approval, and the certificate of approval issued to the manufacturer does not apply to such modified item. For example, if an item is manufactured with changes in design or material not previously approved, the approval does not apply to such modified item.

3. After a manufacturer has submitted satisfactory evidence that a particular item complies with the applicable laws and regulations, a Certificate of Approval (Form CGHQ-10030) will be issued to the manufacturer certifying that the item specified complies with the applicable laws and regulations and approval is given, which will be in effect for a period of 5 years from the date given unless sooner canceled or suspended by proper authority.

4. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document, during the period from May 26, 1965 to November 7, 1965 (List Nos. 24-65, 25-65 and 26-65). These actions were taken in accordance with procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive.

5. The delegations of authority for the Coast Guard's actions with respect to approvals may be found in section 632 of title 14, U.S. Code, and in Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-14 dated November 26, 1954 (19 F.R. 8026), 167-15 dated January 3, 1955 (20 F.R. 840), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), or 167-38 dated October 26, 1959 (24 F.R. 8857), and the statutory authority may be found in R.S. 4405, as amended, 4462, as amended, 4488, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U.S.C. 375, 416, 481, 489, 367, 526p, 1333, 390b), section 4(e), 67 Stat. 462 (43 U.S.C. 1333(e)), or section 3(c), 68 Stat. 675 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I or 33 CFR Chapter I.

6. In Part I of this document are listed the approvals granted which shall be in effect for a period of 5 years from the dates granted, unless sooner canceled or suspended by proper authority.

7. In Part II of this document are listed the approvals which have been terminated. Notwithstanding this termination of approvals of the items of equipment as listed in Part II such equipment may be used so long as such equipment is in good and serviceable condition.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

BUOYANT APPARATUS

Approval No. 160.010/36/2, 4.0′ x 3.0′ x 0.67′ buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 11-person capacity, dwg. Nos. 10-1, Rev. 4, BA-1, and BB-1 dated September 8, 1958, May 24, 1959, and July 30, 1965, respectively, and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, Oreg., 97217, effective October 22, 1965. (It supersedes Approval No. 160.010/36/1 dated July 2, 1964, to show change in construction.)

Approval No. 160.010/49/1, 2.75′ x 2.75′ x 0.67′ buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 7-person capacity, dwg. Nos. 8-1, Rev. 1, BA-1, and BB-1 dated July 11, 1958, May 24, 1959, and July 30, 1965, respectively, and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, Oreg., 97217, effective October 22, 1965. (It supersedes Approval No. 160.010/49/0 dated September 27, 1963, to show change in construction.)

Approval No. 160.010/50/1, 4.0′ x 4.0′ x 0.75′ buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 16-person capacity, dwg. Nos. 16-1, Rev. 1, BA-1, and BB-1 dated July 11, 1958, May 24, 1959, and July 30, 1965, respectively, and specification dated September 9, 1958, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, Oreg., 97217, effective October 22, 1965. (It supersedes Approval No. 160.010/50/0 dated September 27, 1963, to show change in construction.)

Approval No. 160.010/58/1, 6.0′ x 4.0′ x 0.75′ buoyant apparatus, fibrous glass reinforced plastic shell with unicellular plastic foam core, 20-person capacity, dwg. Nos. 20-1, Rev. 1, BA-1, and BB-1 dated March 28, 1960, May 24, 1959, and July 30, 1965, respectively, and specification dated March 24, 1960, manufactured by Portland Industrial Plastics Co., 5128 North Albina Avenue, Portland, Oreg., 97217, effective October 22, 1965. (It reinstates and supersedes Approval No. 160.010/58/0 which expired on June 21, 1965.)

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS

Approval No. 160.011/15/3, MSA Model "S" All-Service Gas Mask, part No. 42021 having the Model "S" canister and the All-Vision facepiece assembly, or part No. 48446 having the Model "S" canister and the All Vision Cleartone speaking diaphragm facepiece assembly which may be used in conjunction with the MSA Maskfone, or part No. 84000 having the Model "S" canister and Clearvue facepiece assembly, or part No. 81226 having the Model "S" Window-Cator canister and the All-Vision Cleartone speaking diaphragm facepiece assembly which may be used in conjunction with the MSA Maskfone, or part No. 83998 having the Model "S" Window-Cator canister and the Clearvue facepiece assembly, Bureau of Mines Approval No. 1434A; dwg. Nos. 1128-1, Rev. 17 dated January 26, 1958; 84000, Rev. 2 dated August 21, 1959; 81226, Rev. 3 dated August 24, 1959; 81227, Rev. 3 dated August 24, 1959; and 83998, Rev. 2 dated September 21, 1959, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa., effective October 22, 1965. (It is an extension of Approval No. 160.011/15/3 dated October 25, 1960.)

Approval No. 160.011/18/2, MSA Standard All-Service Gas Mask, part No. 15765 having the All-Vision facepiece assembly, or part No. 48442 having the All-Vision Cleartone speaking diaphragm

facepiece assembly which may be used in conjunction with the MSA Maskfone, or part No. 83999 having the Clearvue facepiece assembly, Bureau of Mines Approval No. BM-1405, dwg. Nos. 1128-1, Rev. 17 dated January 26, 1958, and 83999, Rev. 2 dated August 21, 1959, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa., effective October 22, 1965. (It is an extension of Approval No. 160.011/18/2 dated October 25, 1960.)

Approval No. 160.011/30/0, Globe Guardsman Air Breathing Protector, permissible one-half hour self-contained compressed air breathing apparatus, at least one extra fully charged cylinder of breathing air to be included as part of the complete unit, Bureau of Mines Approval No. 13D-11 for use only with BM-13D-11 facepiece and BM 13D-11 pressure regulator and assembly, assembly dwg. No. 1795-2 GA, Rev. C dated June 13, 1960, manufactured by Globe Industries, Inc., 125 Sunrise Place, Dayton, Ohio, effective October 18, 1965. (It is an extension of Approval No. 160.011/30/0 dated October 18, 1960.)

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Approval No. 160.017/10/3, Model 241-A/GR, Type II, embarkation-debarkation ladder, chain suspension, steel ears, steel rungs, dwg. No. 241-A/GR dated January 10, 1952, revised September 2, 1965, manufactured by Great Bend Manufacturing Corp., 234 Godwin Avenue, Paterson, N.J., 07501, effective October 12, 1965. (Approval limited to ladders 61 feet or less in length.) (It supersedes Approval No. 160.017/10/2 dated October 19, 1960, to show change in construction.)

Approval No. 160.017/31/1, Model 241A/61-79, Type II, embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 241A/61-79 dated April 21, 1961, revised September 2, 1965, manufactured by Great Bend Manufacturing Corp., 234 Godwin Avenue, Paterson, N.J., 07501, effective October 12, 1965. (Approval limited to ladders 79 feet or less in length.) (It supersedes Approval No. 160.017/31/0 dated July 28, 1961, to show change in construction.)

LIFERAFTS

Approval No. 160.018/16/0, Type "B" MK2, liferaft, for other than ocean and coastwise service, 9.58' x 8.0' x 2.33', 18-person capacity, with polyurethane foamed, fibrous glass reinforced plastic tanks, identified by general arrangement dwg. No. M-99-17 dated May 6, 1959, and revised September 20, 1960, manufactured by Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, effective October 18, 1965. (It is an extension of Approval No. 160.018/16/0, dated October 18, 1960.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

Approval No. 160.048/237/1, special approval for 13" x 18" x 2" rectangular ribbed-type kapok buoyant cushion, 21-oz. kapok, dwg. No. 2, sheets 1 and 2 dated October 9, 1965, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (Approved for use on motorboats of classes A, 1, or 2 not carrying passengers for hire.) (It supersedes Approval No. 160.048/237/0 dated February 12, 1965, to show change in specification.)

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

Approval No. 160.049/38/0, group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049-4 (c)(1), manufactured by See Bentz & Sons, 111 Fifth Street, Watertown, Wis., 53904, effective October 22, 1965. (Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.) (It is an extension of Approval No. 160.049/38/0 dated October 24, 1960.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/110/0, Type II, Model BP, adult unicellular plastic foam buoyant vest, dwg. 160.052-2 (sheets 1 to 4) dated November 28, 1960, and Bill of Materials "BP-Type II Vests" dated September 28, 1965, manufactured by Burlington Mills, Inc., Burlington, Wis., 53105, effective October 18, 1965. (It supersedes Approval No. 160.052/100/0 dated January 27, 1961, to show change in specification.)

Approval No. 160.052/111/0, Type II, Model BPM, child unicellular plastic foam buoyant vest, dwg. No. 160.052-2 (sheets 1 to 4) dated November 28, 1960, and Bill of Materials "BPM-Type II Vest" dated September 28, 1965, manufactured by Burlington Mills, Inc., Burlington, Wis., 53105, effective October 18, 1965. (It supersedes Approval No. 160.052/110/0 dated January 27, 1961, to show change in specification.)

Approval No. 160.052/112/0, Type II, Model BPS, child unicellular plastic foam buoyant vest, dwg. No. 160.052-2 (sheets 1 to 4) dated November 28, 1960, and Bill of Materials "BPS-Type II Vest" dated September 28, 1965, manufactured by Burlington Mills, Inc., Burlington, Wis., 53105, effective October 18, 1965. (It supersedes Approval No. 160.052/112/0 dated January 27, 1961, to show change in specifications.)

Approval No. 160.052/116/1, Type II, Model UPA, adult unicellular plastic foam buoyant vest, dwg. No. 122061 (sheets 1 and 2), Rev. 1 dated June 24, 1963, and Bill of Materials dated September 30, 1965, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, effective October 27, 1965. (It supersedes Approval No. 160.052/116/1 dated November 20, 1963, to show change in specification.)

Approval No. 160.052/117/1, Type II, Model UPM, child medium unicellular plastic foam buoyant vest, dwg. No. 122061 (sheets 1 and 3), Rev. 1 dated June 24, 1963, and Bill of Materials dated September 30, 1965, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, effective October 27, 1965. (It supersedes Approval No. 160.052/117/1 dated November 20, 1963, to show change in specification.)

Approval No. 160.052/118/1, Type II, Model UPS, child small unicellular plastic foam buoyant vest, dwg. No. 122061 (sheets 1 and 4), Rev. 1 dated June 24, 1963, and Bill of Materials dated September 30, 1965, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y., 11201, effective October 27, 1965. (It supersedes Approval No. 160.052/118/1 dated November 20, 1963, to show change in specification.)

Approval No. 160.052/153/0, Type II, Model PVAII-3180, adult unicellular plastic foam buoyant vest, dwg. 1000 dated January 19, 1962, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/153/0 dated February 26, 1962, to show change in specification.)

Approval No. 160.052/154/0, Type II, Model PVCMII-3185, child unicellular plastic foam buoyant vest, dwg. 1001 dated January 17, 1962, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/154/0 dated February 26, 1962, to show change in specification.)

Approval No. 160.052/155/0, Type II, Model PVCSII-3190, child unicellular plastic foam buoyant vest, dwg. 1002 dated January 16, 1962, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/155/0 dated February 26, 1962, to show change in specification.)

Approval No. 160.052/190/1, Type II, Model 4155, adult unicellular plastic foam buoyant vest, dwg. No. 1003 (sheets 1 and 2), Rev. 3 dated February 20, 1964, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/190/1 dated February 28, 1964, to show change in specification.)

Approval No. 160.052/191/1, Type II, Model 4160, child medium unicellular plastic foam buoyant vest, dwg. No. 1004 (sheets 1 and 2), Rev. 3 dated February 20, 1964, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/191/1 dated February 28, 1964, to show change in specification.)

Approval No. 160.052/192/1, Type II, Model 4165, child small unicellular plastic foam buoyant vest, dwg. No. 1005 (sheets

1 and 2), Rev. 3 dated February 20, 1964, and Bill of Materials dated October 12, 1965, manufactured by Ero Manufacturing Co., 308 South William Street, Hazlehurst, Ga., 31539, effective October 27, 1965. (It supersedes Approval No. 160.052/192/1 dated February 28, 1964, to show change in specification.)

Approval No. 160.052/243/1, Type II, Model No. 500, adult unicellular plastic foam buoyant vest, dwg. Nos. CP-1 dated March 8, 1961, Rev. 1 dated June 24, 1963, and CP-0 dated March 13, 1961, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 1, 1965, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective October 27, 1965. (It supersedes Approval No. 160.052/243/1 dated September 12, 1963, to show change in specification.)

Approval No. 160.052/244/1, Type II, Model No. 501, child medium unicellular plastic foam buoyant vest, dwg. Nos. CP-2 dated March 10, 1961, Rev. 1 dated June 24, 1963, and CP-0 dated March 13, 1961, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 1, 1965, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective October 27, 1965. (It supersedes Approval No. 160.052/244/1 dated September 12, 1963, to show change in specification.)

Approval No. 160.052/245/1, Type II, Model No. 502, child small unicellular plastic foam buoyant vest, dwg. Nos. CP-0 and CP-3 dated March 13, 1961, Rev. 1 dated June 24, 1963, and Bill of Materials dated October 1, 1965, manufactured by Iowa Fibre Products, Inc., 2425 Dean Avenue, Des Moines, Iowa, 50317, effective October 27, 1965. (It supersedes Approval No. 160.052/245/1 dated September 12, 1963, to show change in specification.)

VALVES, PRESSURE-VACUUM RELIEF AND SPILL

Approval No. 162.017/84/0, Model MV-250 pressure-vacuum relief valve, enclosed pattern, screwed inlet, weight loaded discs, all bronze construction, dwg. No. MV-250A dated April 18, 1960, approved for 2½" pipe size, manufactured by the Staytite Co., 3606-12 Polk Avenue, Houston 3, Tex., effective October 11, 1965. (It is an extension of Approval No. 162.017/84/0 dated October 12, 1960.)

SAFETY RELIEF VALVES, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/58/0, Style JO-2? safety relief valve for liquefied petroleum gas and anhydrous ammonia service, full nozzle type, metal-to-metal seat, temperature limits −21° F. to −75° F., approved for inlet diameters of 1 inch through 6 inches, maximum set pressure of 275 p.s.i.g. for orifices D, E, F, G, H, J, K, L, M, N, P; 165 p.s.i.g. for orifices Q and S; 100 p.s.i.g. for orifice R, manufactured by Crosby Valve and Gage Co., Wrentham, Mass., effective October 22, 1965.

APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

Approval No. 162.020/132/0, Basmor Champion Model No. 320E liquefied petroleum gas hot water heater, approved by the American Gas Association, Inc., under Certificate No. 3-798-1.301, manufactured by Bastian-Morley Co., Inc., La Porte, Ind., effective October 22, 1965. (It is an extension of Approval No. 162.020/132/0 dated November 7, 1960.)

Approval No. 162.020/133/0, Basmor Champion Model No. 320GE liquefied petroleum gas hot water heater, approved by the American Gas Association, Inc. under Certificate No. 3-798-1.301, manufactured by Bastian-Morley Co., Inc., La Porte, Ind., effective October 22, 1965. (It is an extension of Approval No. 162.020/133/0 dated November 7, 1960.)

Approval No. 162.020/154/0, Basmor Champion Model No. 330GG liquefied petroleum gas hot water heater, approved by the American Gas Association, Inc. under Certificate No. 3-863-1.001, manufactured by Bastian-Morley Co., Inc., La Porte, Ind., effective October 22, 1965. (See Approval No. 162.020/134/0 for dwg. No. 6-1133A.) (It supersedes Certificates of Approval Nos. 162.020/134/0 and 162.020/135/0 dated 11/7/60.)

Approval No. 162.020/155/0, Basmor Champion Model No. 340GG liquefied petroleum gas hot water heater, approved by the American Gas Association, Inc. under Certificate No. 3-(863-1.1 and -4.1).001, manufactured by Bastian-Morley Co., Inc., La Porte, Ind., effective October 22, 1965. (See Approval No. 162.020/136/0 for dwg. No. 6-1134A.) (Supersedes Certificates of Approval Nos. 162.020/136/0 and 162.020/137/0 dated 11/7/60.)

FIRE EXTINGUISHING SYSTEMS, FOAM TYPE

Approval No. 162.033/7/0, National AER-O-FOAM 100 Marine Foam Fire Extinguishing Systems, with AER-O-FOAM 100 foaming concentrate and catalyst, for use on polar solvents (alcohols, ketones, etc.) or ordinary petroleum products, Instruction Sheet No. 628 dated September 21, 1965, manufactured by National Foam System, Inc., West Chester, Pa., 19380, effective October 28, 1965.

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/87/0, "Fiberglas Marine Insulating Board (Semi-Rigid)", fibrous glass type, incombustible material identical to that described in National Bureau of Standards Test Report No. TG-10210-2126:FR3657 dated October 18, 1965, manufactured by Owens-Corning Fiberglas Corp., Toledo, Ohio, 43601, effective October 27, 1965.

PART II—TERMINATIONS OF APPROVAL OF EQUIPMENT, INSTALLATIONS, OR MATERIALS

LIFE PRESERVERS: REPAIRING AND CLEANING

The Rightway Mattress Co., 4410 Austin Boulevard, Island Park, N.Y., whose Approval No. 160.006/12/1 for repairing and cleaning life preservers has expired and it is terminated, effective September 29, 1965.

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS

The Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa., no longer manufactures a particular gas mask and therefore Approval No. 160.011/12/2 is terminated, effective October 21, 1965.

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

The Viking Marine Co., 2614 Western Avenue, Seattle 1, Wash., no longer manufactures a particular ladder and therefore Approval No. 160.017/24/1 has expired and is terminated, effective November 7, 1965.

LIFEFLOATS

The Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J., no longer manufactures a particular lifefloat and therefore Approval No. 160.027/36/0 is terminated; item no longer manufactured, effective September 21, 1965.

LIFEBOATS

The Marine Safety Equipment Corp., Foot of Paynter's Road, Farmingdale, N.J., 07727, no longer manufactures a particular lifeboat and therefore Approval No. 160.035/262/1 has expired and is terminated, effective May 26, 1965.

BUOYANT CUSHIONS, KAPOK, OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans, La., 511 North Solomon Street, New Orleans, La. and Fairfield, Calif., no longer manufactures a particular kapok buoyant cushion and therefore Approval No. 160.048/6/0 is terminated; item no longer manufactured, effective September 29, 1965.

The Neptune Specialties, Inc., 14 North Chatsworth Avenue, Larchmont, N.Y., no longer manufactures a particular kapok buoyant cushion and therefore Approval No. 160.048/25/0 has expired and is terminated, effective September 29, 1965.

The Noble Products Co., Box 327, Caldwell, Ohio, no longer manufactures certain kapok buoyant cushions and therefore Approval Nos. 160.048/41/0, 160.048/42/0, 160.048/43/0 and 160.048/44/0 are terminated; item no longer manufactured, effective October 27, 1965.

The W. L. Dumas Manufacturing Co., 14 A Street Northwest, Miami, Okla., now manufactures a particular cushion under a group approval and therefore Approval No. 160.048/143/0 is terminated, effective October 27, 1965.

The American Pad & Textile Co., 6230 Bienvenue Street, New Orleans, La., 511 North Solomon Street, New Orleans, La.,

and Fairfield, Calif., no longer manufactures a particular kapok buoyant cushion and therefore Approval No. 160.048/154/0 is terminated, effective September 29, 1965.

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The Sears, Roebuck and Co., 925 South Homan Avenue, Chicago, Ill., 60607, no longer distributes a particular unicellular plastic foam buoyant cushion and therefore Approval No. 160.049/8/0 is terminated, effective November 1, 1965.

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

The Style-Crafters, Inc., Post Office Box 3277, Station A, Greenville, S.C., no longer manufactures certain unicellular plastic foam buoyant vests and therefore Approval Nos. 160.052/177/0, 160.052/178/0 and 160.052/179/0 are terminated, effective September 29, 1965.

APPLIANCES, LIQUEFIED PETROLEUM GAS CONSUMING

The Bastian-Morley Co., Inc., La Porte, Ind., no longer manufactures certain liquefied petroleum gas hot water heaters and therefore Approval Nos. 162.020/134/0, 162.020/135/0, 162.020/136/0 and 162.020/137/0 have expired and are terminated, effective November 7, 1965.

DECK COVERINGS

The F. E. Schundler & Co., 504 Railroad Street, Joliet, Ill., no longer manufactures a particular deck covering and therefore Approval No. 164.006/44/0 is terminated; manufacturer no longer in business, effective September 21, 1965.

INCOMBUSTIBLE MATERIALS

The Ocean-Lite Flooring Corp., 143 Pioneer Street, Brooklyn 31, N.Y., no longer manufactures a particular incombustible material and therefore Approval No. 164.009/11/0 is terminated; manufacturer no longer in business, effective September 21, 1965.

Dated: January 28, 1966.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard, Acting Commandant.

[F.R. Doc. 66-1290; Filed, Feb. 4, 1966; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Oregon 017497]

OREGON

Notice of Proposed Withdrawal and Reservation of Land

JANUARY 25, 1966.

The Forest Service, U.S. Department of Agriculture, has filed an application, Serial Number Oregon 017497, for the withdrawal of the lands described below from location and entry under the mining laws (Ch. 2, 30 U.S.C.).

The applicant desires to use the land for an administrative site addition.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 Northeast Holladay, Portland, Oreg., 97232.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

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:

OREGON—WILLAMETTE MERIDIAN

WINEMA NATIONAL FOREST

Pelican Administrative Site Addition

T. 36 S., R. 6 E.,
Sec. 16, E½NW¼NE¼.

The area described contains 20 acres.

D. B. LEIGHTNER,
Acting Land Office Manager.

[F.R. Doc. 66-1275; Filed, Feb. 4, 1966; 8:46 a.m.]

ALASKA

Notice of Filing of Plat of Survey

JANUARY 31, 1966.

1. The Plat of Survey of the land described below will be officially filed at the Fairbanks Land Office, Fairbanks, Alaska, effective 10 a.m. on:

FAIRBANKS MERIDIAN

T. 2 S., R. 5 W. (Group 110).

2. The area described above aggregates 21,331.36 acres. The plat was accepted January 4, 1966. Available data indicates the lands included in this plat is hilly in nature. Drainage is generally to the south and the soil consists of a brown sandy silt with rocks on the steeper slopes.

Inquiries concerning these lands shall be addressed to the Manager, Fairbanks District and Land Office, Bureau of Land Management, Post Office Box 1150, Fairbanks, Alaska, 99701.

ROSS A. YOUNGBLOOD,
Manager, Fairbanks District and Land Office.

[F.R. Doc. 66-1294; Filed, Feb. 4, 1966; 8:47 a.m.]

CHIEF, BRANCH OF LANDS ET AL.

Redelegation of Authority by Land Office Manager

1. Pursuant to section 2.1, Bureau Order No. 701 of July 23, 1964, as amended, the following authority is hereby delegated to the Branch Chiefs of the Division of Lands and Minerals Program Management and Land Office, to become effective immediately upon publication in the FEDERAL REGISTER.

(a) Chief, Branch of Lands, authority to take action for the Manager in matters listed in section 2.3(c) only to the extent that such repayments pertain to Branch of Lands casework, section 2.5 (b) and (c), and section 2.9 of Part II of Bureau Order No. 701 supra.

(b) Chief, Branch of Minerals, authority to take action for the Manager in matters listed in section 2.2(b) only as to relinquished oil and gas leases pursuant to section 30(b) of the Act of February 25, 1920, as amended (41 Stat. 437; 30 U.S.C. 187(b), section 2.3(c) only to the extent that such repayments pertain to Branch of Minerals casework, and section 2.6 of Part II of Bureau Order No. 701 supra.

(c) Chief, Branch of Title and Records, authority to take action for the Manager in matters listed in section 2.2 (c) of Part II of Bureau Order No. 701 supra.

2. The authority delegated in paragraph 1 above may not be redelegated.

3. This redelegation of authority supersedes all previous redelegations by the Land Office Manager.

GLENDON E. COLLINS,
Manager, Land Office, Phoenix, Ariz.

Approved: February 1, 1966.

FRED J. WEILER,
State Director, Arizona.

[F.R. Doc. 66-1295; Filed, Feb. 4, 1966; 8:47 a.m.]

Office of the Secretary

VIVAN B. JONES

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken

place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of January 31, 1966.

Dated: January 31, 1966.

VIVAN B. JONES.

[F.R. Doc. 66-1285; Filed, Feb. 4, 1966; 8:46 a.m.]

MAX R. LLEWELLYN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) Delete: Arizona Bank and Del Webb Warrants. Add: None.
(3) No change.
(4) No change.

This statement is made as of January 28, 1966.

Dated: January 28, 1966.

MAX R. LLEWELLYN.

[F.R. Doc. 66-1286; Filed, Feb. 4, 1966; 8:46 a.m.]

SAMUEL R. SHEPPERD

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) American Bank of Commerce, Victoria, Tex.; Ling Tempco Vought Corp.; Fidelity Capital Corp.; Marine Capital Corp.; Aileen, Inc.
(3) None.
(4) None.

This statement is made as of January 7, 1966.

Dated: January 28, 1966.

RIGGS SHEPPERD.

[F.R. Doc. 66-1287; Filed, Feb. 4, 1966; 8:46 a.m.]

DEPARTMENT OF COMMERCE

MARITIME ADMINISTRATION

[Report No. 67]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through January 14, 1966, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those listed in section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

FLAG OF REGISTRY, NAME OF SHIP	Gross tonnage
Total all flags (246 ships)	1,732,740
British (74 ships)	557,011
**Agate (trips to Cuba under ex-name Dairen—British flag).	
**Amalia (now Maltese flag).	
**Amazon River (now River—sold to Dutch breakers)	7,234
Antarctica	8,785
Arctic Ocean	8,791
Ardenode	7,036
Ardgem	6,981
**Ardmore (now Kali Elpis—British flag)	4,664
Ardpatrick	7,054
Ardrowan	7,300
Ardsirod	7,025
Ardtara	5,795
**Arlington Court (now Southgate—British flag).	
Athelcrown (Tanker)	11,149
Athelduke (Tanker)	9,089
*Athelknight (Tanker)	9,087
Athelmere (Tanker)	7,524
Athelmonarch (Tanker)	11,182
**Athelsultan (Tanker—broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
**Chipbee (sold for scrap)	7,271
**Cosmo Trader (trips to Cuba under ex-name, Ivy Fair—British flag).	
**Dairen (now Agate—British flag)	4,939
**East Breeze (now Phoenician Dawn—British flag)	8,708
Eastfortune	8,789
*Elicos	7,134
Formentor	8,424
**Free Enterprise (now Haitian flag)	6,807
**Free Merchant (now Cypriot flag).	
**Garthdale (now Jeb Lee—British flag)	7,542
Grosvenor Mariner	7,026
Hazelmoor	7,907
Helka	2,111
Hemisphere	8,718
Ho Fung	7,121
Inchstaffa	5,255
**Ivy Fair (now Cosmo Trader—British flag—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name, Garthdale—British flag).	
Jollity	8,660
**Kali Elpis (trip to Cuba under ex-name, Ardmore—British flag).	
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
Magister	2,339
Nancy Dee	6,597
Nebula	8,924
British—Continued	
**Newdene (now Free Navigation—Cypriot flag).	
**Newforest (now Cypriot flag).	
Newgate	6,743
Newglade	7,368
**Newgrove (now Cypriot flag).	
Newheath	7,643
Newhill	7,855
Newlane	7,043
**Newmeadow (now Cypriot flag).	
Newmoat	7,151
Newmoor	7,168
Nils Amelon	6,281
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
**Phoenician Dawn (trips to Cuba under ex-name, East Breeze—British flag).	
**Redbrook (now E. Evangelia—Greek flag)	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese flag).	
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
Shienfoon	7,127
**Shun Fung (wrecked)	7,148
**Soclyve (now Maltese flag).	
**Southgate (previous trips to Cuba under ex-name, Arlington Court—British flag)	9,662
Stanwear	8,108
**Suva Breeze (now Djatingaleh—Panamanian flag)	4,970
**Swift River (now Kallithea—Cypriot flag)	7,251
Thames Breeze	7,878
**Timios Stavros (now Maltese flag—previous trips to Cuba under Greek flag).	
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
West Breeze	8,718
Yungfutary	5,388
Yunglutaton	5,414
Zela M	7,237
Lebanese (58 ships)	389,592
Agia Sophia	3,106
Aiolos II	7,256
Ais Giannis	6,997
Akamas	7,285
Al Amin	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
Areti	7,176
Aristefs	6,995
Astir	5,324
Athamas	4,729
**Carnation (sold Spanish breakers)	4,884
Claire	5,411
Cris	6,032
Dimos	7,187
**E. Myrtidiotissa (trips to Cuba under ex-name, Kalliopi D. Lemos—Lebanese flag).	
**Free Trader (now Cypriot flag).	
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
**Kalliopi D. Lemos (now E. Myrtidiotissa—Lebanese flag)	5,103
Katerina	9,357
Leftric	7,176
Malou	7,145

*Added to Rept. No. 66, appearing in the FEDERAL REGISTER issue of Dec. 22, 1965.

**Ships appearing on the list that have been scrapped or have had changes in name, and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued	Gross tonnage
Lebanese—Continued	
Mantric	7,255
Maria Despina	7,254
Maria Renee	7,203
Marichristina	7,124
**Marymark (sold German shipbreakers)	4,383
Mersinidi	6,782
Mimosa	7,314
Mousse	6,984
Nictric	7,296
Noelle	7,251
Noemi	7,070
Olga	7,199
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
Reneka	7,250
Rio	7,194
St. Anthony	5,349
St. Nicolas	7,165
San George	7,267
**San John (now Ledra—Cypriot flag).	
San Spyridon	7,260
**Sheik Boutros (trips to Cuba under ex-name, Cavtat—Yugoslav flag).	
Stevo	7,066
Taxiarhis	7,349
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	4,561
Troyan	7,243
Vassiliki	7,192
Vastric	6,453
Vergolivada	6,339
Yanxilas	10,051
Greek (34 ships)	250,409
Agios Therapon	5,617
Akastos	7,331
Alice	7,189
**Ambassade (sold Hong Kong ship breakers)	8,600
Americana	7,104
Anacreon	7,359
**Anatoli (now Sunrise—Cypriot flag).	
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek flag)	6,712
**Antonia (now Amfithea—Cypriot flag).	
Apollon	9,744
Athanassios K	7,216
Barbarino	7,084
Calliopi Michalos	7,249
**Embassy (broken up)	8,418
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British flag).	
Flora M	7,244
**Gloria (now Helen—Greek flag).	
**Helen (previous trips to Cuba under ex-name, Gloria—Greek flag)	7,128
Irena	7,232
Istros II	7,275
Kapetan Kostis	5,032
Kyra Hariklia	6,888
**Maria Theresa (now Ingrid Hanne—South African flag)	7,245
Marigo	7,147
**Maroudio (now Thalie—Panamanian flag)	7,369
**Mastro-Stelios II (now Wendy H.—South African flag)	7,282
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek flag)	7,199

**Ships appearing on the list that have been scrapped or have had changes in name, and/or flag of registry.

FLAG OF REGISTRY, NAME OF SHIP—Continued	Gross tonnage
Greek—Continued	
**Nicolaos Frangistas (now Nicolaos F.—Greek flag).	
Pamit	3,929
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek flag).	
**Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (Tanker)	10,608
**Seirios (broken up)	7,239
Sophia	7,030
**Stylianos N. Vlassopulos (now Antonia II—Cypriot flag)	7,303
**Timios Stavros (formerly British flag—now Maltese flag).	
Tina	7,362
Western Trader	9,268
Polish (17 ships)	125,837
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czeladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Transportowiec	10,880
Italian (14 ships)	111,681
Achille	6,950
Agostino Bertani	8,380
**Andrea Costa (Tanker—broken up)	10,440
Aspromonte	7,154
Caprera	7,189
Giuseppe Giulietti (Tanker)	17,519
Mariasusanna	2,479
Montiron	1,595
Nazareno	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (Tanker)	12,461
Santa Lucia	9,278
**Somalia (now Chenchang—Nationalist Chinese flag)	3,352
Cypriot (13 ships)	85,847
Acme	7,159
Adelphos Petrakis	7,170
Alexandros	7,245
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek flag)	5,171
**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek flag).	
Artemida	7,247
**Free Merchant (previous trips to Cuba under British flag)	5,237
**Free Navigator (previous trips to Cuba under ex-name, Newdene—British flag)	7,181
**Free Trader (previous trips to Cuba under Lebanese flag)	7,067
**Kallithea (trips to Cuba under ex-name, Swift River—British flag).	
**Ledra (previous trips to Cuba under ex-name, San John—Lebanese flag)	5,172
**Newforest (previous trips to Cuba under British flag)	7,185

FLAG OF REGISTRY, NAME OF SHIP—Continued	Gross tonnage
Cypriot—Continued	
**Newgrove (previous trips to Cuba under British and Haitian flags)	7,172
**Newmeadow (previous trips to Cuba under British flag)	5,654
**Sunrise (previous trip to Cuba under ex-name, Anatoli—Greek flag)	7,187
Yugoslav (9 ships)	60,800
Bar	7,233
**Cavtat (now Sheik Boutros—Lebanese flag)	7,266
Cetinje	7,200
Dugi Otok	6,997
Kolasin	7,217
Mojkovac	7,125
Plod	3,657
Promina	6,960
**Trebisnjica (wrecked)	7,145
French (7 ships)	26,817
Arsinoe (Tanker—sunk)	10,426
Circe	2,874
Enee	1,232
Foulaya	3,739
Mungo	4,820
Nelee	2,874
**Neve (now Drameoumar—Guinean flag)	852
Moroccan (5 ships)	35,828
Atlas	10,392
Banora	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
**Amalia (previous trips to Cuba under British flag)	7,304
Ispahan	7,156
**St. Antonio (previous trip to Cuba under British flag)	6,704
**Soclyve (previous trips to Cuba under British flag)	7,291
**Timios Stavros (previous trips to Cuba under British flag and Greek flag)	5,333
Finnish (4 ships)	32,919
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name, Amfred—Swedish flag).	
Margrethe Paulin	7,251
Ragni Paulin	6,823
*Sword (Tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	11,894
Ole Bratt	7,144
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish flag)	2,828
**Dagmar (now Ricardo—Panamanian flag)	6,490
Guinean:	
**Drameoumar (trip to Cuba under ex-name, Neve—French flag).	

*Added to Rept. No. 66, appearing in the FEDERAL REGISTER issue of Dec. 22, 1965.

FLAG OF REGISTRY, NAME OF SHIP—Continued

	Gross tonnage
Haitian:	
**Free Enterprise (trips to Cuba under British flag).	
**Newgrove (now Cypriot flag).	
Liberian:	
**Flora M. (trips to Cuba under Greek flag).	
Nationalist Chinese:	
**Chen Chang (trip to Cuba under ex-name, Somalia—Italian flag).	
Panamanian:	
**Djatingaleh (trips to Cuba under ex-name (Suva Breeze—British flag).	
**Jezreel (trip to Cuba under ex-name, Tine—Norwegian flag—wrecked).	
**Ricardo (trips to Cuba under ex-name, Dagmar—Swedish flag).	
**Thalie (trip to Cuba under ex-name, Maroudio—Greek flag).	
South African:	
**Wendy H. (trip to Cuba under ex-name, Mastro-Stelios II—Greek flag).	
**Ingrid Hanne (trip to Cuba under ex-name, Maria Theresa—Greek flag).	

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade;

(b) That no other vessels under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c) and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY, NAME OF SHIP

a. Since last report: None.

b. Previous reports:

	Number of ships
Flag of registry (total)	88
British	37
Danish	1
Finnish	2
French	1
German (West)	1
Greek	25
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	2
Norwegian	4
Spanish	6
Swedish	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through January 14, 1966:

Flag of registry	Number of trips										
	1963	1964	1965							1966	Total
			Jan.-June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	
British	133	180	64	11	11	7	10	17	5		438
Lebanese	64	91	31	8	2	3	3	5	3		210
Greek	99	27	11	3	2		1	2	3		148
Italian	16	20	14	2	2	2	1	2		1	60
Yugoslav	12	11	5	2	2	2		1	2		37
Spanish	8	17									25
Norwegian	14	10									24
Moroccan	9	13				1					23
French	8	9	3		2		1	1	2		26
Cypriot		1	3	1	1	2	5	3	1		17
Finnish	1	4	2				1	1	1	1	11
Maltese		2	3		1			2			8
Netherlands		4	1	1							6
Swedish	3	3									6
Kuwaiti		2	1								3
Israeli			2								2
Danish	1										1
German (West)	1										1
Haitian			1								1
Japanese	1										1
Subtotal	370	394	141	28	23	17	22	34	17	2	1048
Polish	18	16	6	1	1	1		1	1		45
Grand total	388	410	147	29	24	18	22	35	18	2	1093

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data become available.

By order of the Deputy Maritime Administrator.

Dated: January 25, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 66-1338; Filed, Feb. 4, 1966; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 65-SO-9]

SCRIPPS-HOWARD BROADCASTING CO. AND TELEVISION STATION WPTV

Notice of Hearing

Notice is hereby given that, on February 18, 1966, the public hearing in the above subject matter will be reconvened at 9 a.m., in Conference Room 610C, Federal Aviation Agency, Headquarters Building, 800 Independence Avenue SW., Washington, D.C., for the purpose of determining the issues remaining and selecting a date and place mutually acceptable to all parties concerned to take the balance of testimony required in the matter.

Each party must be prepared to state at that time whether he intends to produce additional evidence, the nature of that evidence, and the number of witnesses he intends to produce.

In the event any party to the hearing plans to submit further exhibits in this matter, that party will be required to circularize to the other parties all such exhibits. A ruling will be made at that time on the admissibility of such exhibits.

Issued in Washington, D.C., on February 2, 1966.

GEORGE R. BORSARI,
Presiding Officer.

[F.R. Doc. 66-1262; Filed, Feb. 4, 1966; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

E. I. DU PONT DE NEMOURS AND CO., INC.

Notice of Filing of Petition for Food Additive Cellophane

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6B1878) has been filed by E. I. du Pont de Nemours and Co., Inc., 1007 Market Street, Wilmington, Del., 19898, proposing an amendment to § 121.2507 *Cellophane* to provide for the safe use of polybutadiene as an optional component of food-packaging cellophane.

Dated: January 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66-1298; Filed, Feb. 4, 1966; 8:47 a.m.]

MERCK SHARP & DOHME RESEARCH LABORATORIES

Notice of Filing of Petition for Food Additives Amprolium, Ethopabate, 3-Nitro-4-Hydroxyphenylarsonic Acid

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 6D1895) has been filed by Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J., 07065, proposing that § 121.210 *Amprolium* be amended by changing item 2.4q of table 1 in paragraph (c) to provide for the safe use of 3-nitro-4-hydroxyphenylarsonic acid with amprolium or amprolium plus ethopabate in chicken and turkey feed, as follows:

TABLE 1—AMPROLIUM IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
2.4 * * * q. 2.1 and 2.2	113.5–227	3-Nitro-4-hydroxyphenylarsonic acid.	22.7–45.4	§ 121.262, table 1, item 1.1.	§ 121.262, table 1, item 1.1; prevention of coccidiosis in replacement flocks when immunity is not desired.
* * *	* * *	* * *	* * *	* * *	* * *

Dated: January 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–1299; Filed, Feb. 4, 1966; 8:47 a.m.]

CHAS. PFIZER & CO., INC.

Notice of Filing of Petition for Food Additive Diethylstilbestrol

Pursuant to the provisions of the Federal Food, Drug and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6D1937) has been filed by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y., 10017, proposing an amendment to § 121.241 *Diethylstilbestrol* to provide for the safe use of diethylstilbestrol in lambs by subcutaneous ear or jaw implantation of 3 milligrams per animal for increasing rate of growth and improving feed efficiency.

Dated: January 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–1300; Filed, Feb. 4, 1966; 8:47 a.m.]

UNIVERSAL FOODS CORP.

Notice of Filing of Petition for Food Additive Sorbitan Monostearate

Pursuant to the provisions of the Federal Food, Drug and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 6A1939) has been filed by Universal Foods Corp., 435 East Michigan Street, Milwaukee, Wis., 53201, proposing an amendment to § 121.1029 *Sorbitan monostearate* to provide for the safe use of sorbitan monostearate as a rehydration enhancer in the production of active dry yeast at a level not to exceed 1 percent by weight of the dry yeast.

Dated: January 27, 1966.

J. K. KIRK,
Assistant Commissioner for Operations.

[F.R. Doc. 66–1301; Filed, Feb. 4, 1966; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15861, 15862; FCC 66M–164]

CHARLOTTESVILLE BROADCASTING CORP. (WINA) AND WBXM BROADCASTING CO., INC.

Order Continuing Hearing

In re applications of Charlottesville Broadcasting Corp. (WINA), Charlottesville, Va., Docket No. 15861, File No. BP–15768; WBXM Broadcasting Co., Inc., Springfield, Va., Docket No. 15862, File No. BP–15808; for construction permits.

Upon written request of counsel for WBXM Broadcasting Co., Inc., filed January 28, 1966, for a continuance of the hearing in the above-entitled matter now scheduled for February 1, 1966, and

It appearing, that a continuance is necessary in the posture of the case.

It is ordered, This 1st day of February 1966, that the request is granted and that, accordingly, the hearing now scheduled for this date is continued to 10 a.m., March 3, 1966, in the Commission's offices, Washington, D.C.

Released: February 1, 1966.

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

[F.R. Doc. 66–1304; Filed, Feb. 4, 1966; 8:47 a.m.]

[Docket Nos. 16088—16092; FCC 66R–38]

THEODORE GRANIK ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Theodore Granik, Washington, D.C.; Docket No. 16088, File No. BPCT–3453; All American Television Features, Inc., Washington, D.C.; Docket No. 16089, File No. BPCT–3459; T.C.A. Broadcasting, Inc., Washington, D.C., Docket No. 16091, File No. BPCT–3498; Colonial Television Corp., Washington, D.C., Docket No. 16092, File No. BPCT–3549; for construction permit for new television broadcast station.

1. The Review Board has before it a petition to enlarge issues, filed November 1, 1965, by T.C.A. Broadcasting, Inc. (T.C.A.), and a motion to enlarge issues, filed November 1, 1965, by Colonial Television Corp. (Colonial).[1] Both T.C.A. and Colonial seek addition of the standard financial qualifications issue[2] against Theodore Granik (Granik). T.C.A. further requests an issue to determine whether two persons who have made loan commitments to Granik are in fact undisclosed principals in that applicant.

2. T.C.A., Colonial, Granik and All American Television Features, Inc. (All American) are applicants for a construction permit for a new television broadcast station on channel 50, Washington, D.C.[3] The applications were designated for hearing in a consolidated proceeding by Order, FCC 65–587, released July 6, 1965. In the designation Order, Granik was held to be legally, technically, financially, and otherwise qualified to construct, own, and operate the broadcast station. Pursuant to agreements reached at a prehearing conference on July 30, 1965, amendments were to be filed comporting with the Ultravision opinion, supra. The parties were given until September 30, 1965, to submit the necessary amendments. Order, FCC 65M–1000, released August 2, 1965. On October 21, 1965, the Examiner released an Order, FCC 65M–1365, accepting the submitted amendments.

3. Under the Ultravision test, a UHF applicant in a market with three VHF stations is required to show its ability to meet expenses for construction and first year operation either through available finances alone or finances presently available "supplemented by sufficient advertising or other revenue." Ultravision Broadcasting Co., supra, 5 RR 2d at 347, 1 FCC 2d at 547. The Commission placed the burden on the applicant:

> * * * [A] determination as to whether there exists a reasonable likelihood of a continuing operation must rest on a realistic estimate of construction costs and operating expenses. Applicants for broadcast stations

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[1] Also before the Board are: (a) Opposition to T.C.A. petition to enlarge issues, filed Nov. 30, 1965, by Theodore Granik; (b) opposition to Colonial motion to enlarge issues, filed Nov. 30, 1965, by Granik; (c) comments to T.C.A. petition, filed Dec. 6, 1965, by the Broadcast Bureau; and (d) reply to Granik opposition to T.C.A. petition, filed Dec. 10, 1965, by T.C.A. Good cause having been shown, a petition of the Bureau, filed Dec. 6, 1965, to accept the late filed comments of Dec. 6 will be granted.

[2] As framed in Ultravision Broadcasting Co., FCC 65–581, 5 RR 2d 343, 1 FCC 2d 544, and its subsequent Clarification, FCC 65–595, 5 RR 2d 349, 1 FCC 2d 550.

[3] A fifth application, filed by the Greater Washington Educational Television Association, Inc., has been dismissed. Order, FCC 65M–112, released Aug. 30, 1965.

are expected to plan carefully their programing and other operations. We see no reason why the parties should encounter any particular difficulty in submitting evidentiary proof concerning the amounts allocated for staffing, programing, fixed charges, and other expenses during the first year of operation; and to establish that the funds allocated for programing are reasonably likely to suffice for effectuation of program proposals. We agree * * * to permit inquiry into the basis of each applicant's estimated construction costs and estimated operating expenses during the first year of operation. Ibid., 1 FCC 2d at 546.

4. Granik's amended application indicates that construction costs will be $316,500, but because of credit extended in the purchase of equipment, the cash requirement for construction is $122,000; first year operation costs have been amended to specify $370,000. Thus, the total for construction and first year operations is $492,000. Granik proposes to finance this through his own and his wife's liquid assets, a loan commitment of $200,000 from Samuel Spitzbart,[4] and, if necessary, the sale of the Granik apartment in Washington, D.C.[5] The amount totals $533,024.51.[6] Granik is, at the present time, also a principal in the application of Granik Broadcasting Co., Inc., for a proposed television broadcast station in Patchogue, N.Y. (BPCT-3422, as amended),[7] and a community antenna television system in New York City.[8] The assets of $533,024.51 are $41,024.51 more than Granik estimates he will need in the first year.

5. Granik's amended application specifies a staff of 35 persons to be employed, in addition to Mr. Granik, who will work as general manager at no salary. Of these, 15 persons will be in the engineering department, 15 in programing, 2 in sales and 3 on the office staff; one-third of both the engineering and program staffs will be made up of part-time employees. An affidavit submitted by Granik's consultant, Ira Kamen, indicates the total salaries of the 34[9] persons to be $158,000 for the first year. The application specifies 77 hours of programing a week, including 60 hours of recorded programing and 17 hours live. The Kamen affidavit estimates programing costs of $88,200, of which $52,000 is to be spent on film costs. Kamen alleges that the operating budget amounts to $320,700, leaving a contingency fund of $49,300 from the amended first year operation costs (see par. 4, supra).

6. T.C.A. claims that Granik's Ultravision showing is insufficient in that Granik did not allot enough for first year operating expenses.[10] To this end, it has submitted affidavits from Eugene C. Walz, former program director of WRC-TV, Washington, D.C. and presently an independent producer of television documentaries. Walz challenges the engineering, programing, sales, and office staff salary figures, noting that "Mr. Granik's first-year employee payroll should be no less than $270,000," rather than $158,000. He estimates the cost of film expenses will run close to $146,000, rather than the $52,000 budgeted. In toto, Walz believes that production costs will be no less than $100,000 above the final Granik figure.

7. The Board concludes that a substantial question has been raised as to the feasibility of the present Granik proposal. The Walz affidavits, coming from a person with intimate knowledge of the operations of a commercial television station and of the market in question, must be accorded weight by the Board. Under the circumstances, the Board concludes that the conflicting opinions of Kamen and Walz require that an issue be added to determine whether Granik's operating expense estimates are sufficient.

8. Colonial challenges the financial resources of Samuel Spitzbart and Stuart Gould, both of whom are to lend money to Granik. The November 17, 1965, amendment to Granik's application obviated the deficiencies in the Gould loan arrangement by withdrawing Gould's commitment to lend Granik any amount for this particular application. Furthermore, the balance sheet of Spitzbart has now been submitted and it appears he has ample resources to fulfill his loan obligation to Granik of $200,000. Therefore, the Colonial objections have been met by Granik.

9. T.C.A. also seeks to add an issue to determine if Spitzbart and Gould are undisclosed principals in the Granik application. In reaching this conclusion, T.C.A. has seized on the use of the word "agreement" in the loan arrangement between Spitzbart and Granik to intimate that there have been undisclosed dealings between the two; that the use of the word "company" indicates Granik is not applying as an individual; and that the loan is too "open-ended." These speculative contentions have been negated by the sworn statement submitted by Spitzbart in which he says that friendship was the only basis for the loan commitment and that he has no understandings as to any ownership interest. No inquiry need be made as to the Gould relationship, as his interest in the applicant was removed by the November 17th amendment.

Accordingly, it is ordered, This 28th day of January 1966, that the petition to accept late filed pleading, filed on December 6, 1965, by the Broadcast Bureau, is granted; and

It is further ordered, That the petition to enlarge issues, filed November 1, 1965, by T.C.A. Broadcasting, Inc., is granted to the extent indicated herein and is denied in all other respects; that the motion to enlarge issues, filed November 1, 1965, by Colonial Television Corp., is denied; and that the issues in this proceeding are enlarged by addition of the following issues:

(a) To determine as to the applicant, Theodore Granik, the basis of (1) estimated construction costs and (2) estimated operating expenses for the first year of operation;

(b) In the event that the applicant, Theodore Granik, will depend upon operating revenues during the first year of operation to meet fixed costs and operating expenses, to determine the basis of such applicant's estimated revenues for the first year of operation; and

(c) To determine, in light of the evidence adduced, if the applicant, Theodore Granik, has demonstrated a reasonable likelihood of construction and continuing operation of its proposed station in the public interest.

Released: February 1, 1966.

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

[F.R. Doc. 66-1305; Filed, Feb. 4, 1966; 8:47 a.m.]

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[4] A partial financial statement for Spitzbart was included in the amendment to the Granik application, filed Nov. 17, 1965. This mooted one objection of Colonial. See par. 8, infra.

[5] The Nov. 17 amendment provided an appraisal of Granik's apartment.

[6] The Granik finances are listed as follows:

Net liquid assets in excess of all liabilities	$288,024.51
Loan from Samuel Spitzbart	200,000.00
Minimum market value of apartment	45,000.00
Total	533,024.51

The appraisal of Granik's apartment is accepted only for the purpose of deciding whether to add the issue.

[7] Granik's individual obligation in the Patchogue application is $100,000, but he states that this amount is considered a liability for the purpose of determining his net asset figure—$533,024.51—available for the Washington application. Granik, as an individual, was relieved of any liability above $100,000 in a Nov. 17, 1965, amendment to the Patchogue application.

[8] A petition to amend, filed Jan. 12, 1966, by Granik, relating to the financing of the CATV operation, is now pending before the Hearing Examiner. The pleading does not affect the disposition of the present petition. Colonial has urged in a letter to the Review Board, received Jan. 18, 1966, that the Board take official notice of a lack of funds of one party committed to lend Granik money for the CATV system. In light of the issues which we add infra, no further consideration of the effect of the CATV financing is necessary.

[9] While the amended application provided for 15 persons on the programing staff, a further breakdown for salary purposes provided by Granik's consultant, Kamen, listed only 14 persons, 5 of whom were part time.

[10] Granik states that this is an Evansville issue and should properly be addressed to the Examiner pursuant to the delegation contained in the designation Order. The Commission, however, has discontinued the ordering clause which permitted the Examiner to add an Evansville issue. Keith L. Reising, FCC 65-949, 6 RR 2d 431, 1 FCC 2d 1082. Under these circumstances, the Board is of the view that the present petition is properly addressed to the Board.

[Docket Nos. 16393—16395; FCC 66M-150]

HARRISCOPE, INC., ET AL.

Order After Prehearing Conference

In re applications of: Harriscope, Inc., San Bernardino, Calif., Docket No. 16393, File No. BPCT-3432; Marbro Broadcasting Co., Inc., San Bernardino, Calif.,

Docket No. 16394, File No. BPCT-3455; Supat Broadcasting Corp., San Bernardino, Calif., Docket No. 16395, File No. BPCT-3499; for construction permit for new television broadcast station.

The Hearing Examiner having under consideration the agreements, understandings and directives reached or specified during the prehearing conference in the above-entitled proceeding held today;

It is ordered, This 27th day of January 1966, that the hearing is hereby rescheduled and will commence on Monday, April 11, 1966, at the Commission's offices, Washington, D.C., at 10 a.m., and that all direct case exhibits, in final form, will be exchanged among counsel, with one copy of each to the Examiner, by March 15; and

It is ordered further, That the transcript of today's prehearing conference is hereby incorporated herein by reference and that it will guide the parties on all matters not specifically mentioned above.

Released: January 27, 1966.

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

[F.R. Doc. 66-1306; Filed, Feb. 4, 1966; 8:47 a.m.]

[Docket Nos. 11290, 16298; FCC 66R-36]

IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY (WOI)

Order Modifying Issue

In re applications of Iowa State University of Science and Technology (WOI), Ames, Iowa, Docket No. 11290, File No. BSSA-276; Iowa State University of Science and Technology (WOI), Ames, Iowa, Docket No. 16298, File No. BP-16060; for construction permit.

The Review Board having before it for consideration the motion of Earle C. Anthony, Inc. (KFI), to modify or clarify the designation Order herein (FCC 65-1029, released November 23, 1965); [1]

It appearing, that petitioner is uncertain as to whether Issue 3 as presently worded might be interpreted to preclude a showing of other primary radio service in the secondary service area of KFI which would be subject to interference from the presunrise operation proposed by Iowa State University of Science and Technology (WOI); and that WOI does not oppose KFI's motion if the issue as modified will permit the introduction of evidence as to the availability of secondary radio service in the KFI primary service area receiving interference from WOI;

It further appearing, that under the circumstances of this case the issue should be modified to permit the evidentiary showings contemplated by KFI and WOI;

It is ordered, This 28th day of January 1966, that the motion is granted, and that Issue 3 is modified as follows:

3. To determine whether the proposed operation of Station WOI would cause objectionable interference between the hours of 6 a.m. and local sunrise, (c.s.t.), and between the hours of 6 a.m. and local sunrise, (c.d.s.t.), at Ames, Iowa, to the primary and secondary service areas of Station KFI, Los Angeles, Calif., and if so, the nature and extent thereof, the areas and populations affected thereby, the availability of other primary and secondary service to such areas and populations, and the nature and character of the program service now being rendered by Station KFI to such areas and populations.

Released: February 1, 1966.

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

[F.R. Doc. 66-1307; Filed, Feb. 4, 1966; 8:47 a.m.]

[1] Before the Review Board for consideration are the following pleadings: (1) Motion to Clarify Or, In the Alternative, Modify the Issues, filed by KFI on Dec. 13, 1965; (2) Statement of the Broadcast Bureau, filed Dec. 28, 1965; and (3) Conditional Opposition to Motion, filed by Iowa State University of Science and Technology (WOI), filed Dec. 29, 1965.

[Docket Nos. 14082, 14088; FCC 66M-162]

MONROEVILLE BROADCASTING CO. AND MINERS BROADCASTING SERVICE, INC. (WMBA)

Order Continuing Prehearing Conference

In re applications of Monroeville Broadcasting Co., Monroeville, Pa., Docket No. 14082, File No. BP-13840; Miners Broadcasting Service, Inc. (WMBA), Ambridge-Aliquippa, Pa., Docket No. 14088, File No. BP-13855; for construction permits.

It is ordered, This 1st day of February 1966, on the Hearing Examiner's own motion, that the further prehearing conference in the above-entitled matter now scheduled for February 2, 1966, is hereby rescheduled to 10 a.m., February 8, 1966, in the Commission's offices in Washington, D.C.

Released: February 1, 1966.

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

[F.R. Doc. 66-1308; Filed, Feb. 4, 1966; 8:47 a.m.]

[Docket Nos. 16388—16390; FCC 66M-163]

D. H. OVERMYER COMMUNICATIONS CO. ET AL.

Order Scheduling Prehearing Conference

In re applications of D. H. Overmyer Communications Co., Dallas, Tex., Docket No. 16388, File No. BPCT-3463; Maxwell Electronics Corp., Dallas, Tex., Docket No. 16389, File No. BPCT-3489; Grandview Broadcasting Co., Dallas, Tex., Docket No. 16390, File No. BPCT-3595; for construction permits.

It is ordered, This 1st day of February 1966, that there will be a prehearing conference in this proceeding on February 10, 1966, 10 a.m., in the Commission's offices, Washington, D.C.

Released: February 1, 1966.

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

[F.R. Doc. 66-1309; Filed, Feb. 4, 1966; 8:47 a.m.]

[Docket Nos. 13243, 13248; FCC 66M-160]

TIDEWATER BROADCASTING CO., INC., AND EDWIN R. FISCHER

Order Scheduling Further Hearing Conference

In re applications of The Tidewater Broadcasting Co., Inc., Smithfield, Va., Docket No. 13243, File No. BP-12814; Edwin R. Fischer, Newport News, Va., Docket No. 13248, File No. BP-13114; for construction permits.

The Hearing Examiner having under consideration the Memorandum Opinion and Order of the Commission (FCC 66-61) released January 20, 1966, reopening the record in the above-styled proceeding and remanding it to the Hearing Examiner for further hearing upon newly specified issues; and

It appearing, that the hereinafter specified date is agreeable to all counsel in the proceeding;

It is ordered, This the 27th day of January 1966, that a further hearing conference will be held on February 8, 1966, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: February 1, 1966.

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

[F.R. Doc. 66-1310; Filed, Feb. 4, 1966; 8:47 a.m.]

FEDERAL MARITIME COMMISSION

[Docket No. 66-5]

BROKERAGE PRACTICES OF PACIFIC COAST AUSTRALASIAN TARIFF BUREAU

Order To Show Cause

The Pacific Coast Australasian Tariff Bureau (the Bureau), pursuant to FMC Agreement No. 50, publishes an outbound tariff designated Pacific Coast Australasian Tariff Bureau Local Tariff No. 13, FMC No. 1 (Tariff No. 13), which in pertinent part provides:

23. *Brokerage*. It is understood that there is no legal obligation on the part of carriers to pay a fee for forwarding or com-

mission of any kind in connection with freight booking.

When brokerage is paid for cargo loaded at U.S. ports, it shall only be to freight forwarders who are licensed under the provisions of the Shipping Act of 1916, as amended (Public Law 87-254), and only when the forwarder certifies in writing that he has complied with the provisions of such law including rendering the required services.

When brokerage is paid, it shall be payable on the applicable rate from U.S. port of loading to port of discharge only. No brokerage shall be paid on arbitraries shown in this tariff or on transshipment charges on cargo consigned to ports other than the port of discharge. No brokerage shall be paid on Heavy Lift or Long Length Charges nor on open-rated commodities and Lumber.

No brokerage shall be paid on cargo loaded in Canada. Payment of brokerage shall not exceed 1-1¼ percent on all cargo except the following items on which no brokerage will be paid:

Asbestos Fiber.
Borax, Boric Acid, Borate.
Earth, Diatomaceous, Diatomite, Infusorial.
Bulk Liquids.
Magnesite.
Oil Lubricating.
Paper, Newsprint.
Paper, Waste including Newspaper (old).
Refrigerator Cargo.
Woodpulp.

(Original page 35-A, effective June 14, 1965.)

The Bureau also publishes an outbound tariff designated Pacific Coast Australasian Tariff Bureau Overland Freight Tariff No. 14, FMC No. 1 (tariff No. 14), which in pertinent part provides:

22. *Brokerage.* It is understood that there is no legal obligation on the part of carriers to pay a fee for forwarding or commission of any kind in connection with freight booking.

When brokerage is paid for cargo loaded at U.S. ports, it shall only be to freight forwarders who are licensed under the provisions of the Shipping Act of 1916, as amended (Public Law 87-254), and only when the forwarder certifies in writing that he has complied with the provisions of such law, including rendering the required services.

When brokerage is paid, it shall be payable on the applicable rate from U.S. port of loading to port of discharge only. No brokerage shall be paid on arbitraries shown in this tariff or on transshipment charges on cargo consigned to ports other than the port of discharge. No brokerage shall be paid on Heavy Lift or Long Length Charges nor on open-rated commodities and Lumber.

No brokerage shall be paid on cargo loaded in Canada.

Payment of brokerage shall not exceed 1-1¼ percent on all cargo except the following items on which no brokerage will be paid:

Asbestos Fiber.
Borax, Boric Acid, Borate.
Earth, Diatomaceaus, Diatomite, Infusorial.
Bulk liquids.
Magnesite.
Oil, Lubricating.
Paper, Newsprint.
Paper, Waste including Newspapers (old).
Refrigerator Cargo.
Woodpulp.

(Original page 16-A, effective June 14, 1965.)

On December 20, 1965, Tariff Nos. 13 and 14 were amended in pertinent part cancelling rules 23 and 22 respectively and in their stead provided the following rule to be effective February 15, 1966:

RULES AND REGULATIONS

BROKERAGE

(C) All rates are net; no brokerage or other compensation will be paid to Ocean Freight Forwarders.

On January 13, 1966, the Pacific Coast Customs & Freight Broker Association (Association), a voluntary unincorporated association of ocean freight forwarders having offices on the U.S. Pacific Coast petitioned this Commission inter alia to reject the revised rules set forth hereinabove because the rule revisions were contrary to the Order promulgated by the Commission in Practices and Agreements of Common Carriers, 7 FMC, 51, 61 (1962), or in the alternative grant such relief as the Commission deems meet and proper. On January 18, 1966, the New York Foreign Freight Forwarders & Brokers Association, Inc., by letter concurred in the protest filed by the Association seeking the same relief as the Association.

The Bureau's Rules 23 and 22 of Tariff Nos. 13 and 14 appear contrary to the order of the Commission premised on its findings and conclusions [1] after hearing in Practices and Agreements of Common Carriers, supra, which in pertinent part provides:

It is further ordered, that all conferences or associations of common carriers by water in the outbound trades in the foreign commerce of the United States, including the Pacific Coast European Conference, shall prior to March 23, 1962, modify their conference agreements, regulations and tariffs so as to eliminate therefrom any provisions which are not in compliance with the findings and conclusions contained in the said Supplemental Report (7 FMC 61).

Now, therefore, pursuant to section 22 of the Shipping Act, 1916:

It is ordered, That the Pacific Coast Australasian Tariff Bureau and the member lines thereof show cause why Rule 23 of Tariff No. 13, first revised p. 35-A and Rule 22 of Tariff No. 14, second revised p. 16-A, which flatly prohibit the payment of brokerage and Rule 23 of Tariff No. 13, original p. 35-A, and Rule 22 of Tariff No. 14, first revised p. 16-A, to the extent they prohibit the payment of brokerage on:

Open-rated commodities.
Lumber.
Asbestos Fiber.
Borax, Boric Acid, Borate.
Earth, Diatomaceous, Diatomite, Infusorial.
Bulk Liquids.
Magnesite.
Oil Lubricating.
Paper, Newsprint.
Paper, Waste including Newspaper (old).
Refrigerator Cargo.
Woodpulp.

should not be declared unlawful and why said rules should not be ordered stricken from said tariffs. This proceeding shall be limited to the submission of affidavits of fact and memorandum of law and oral argument. The affidavits and memorandum shall be filed by respondents no later than close of business on February 25, 1966, replies thereto shall be filed by petitioner, Hearing Counsel, and intervenors, if any, no later than close of business March 15, 1966. An original and 15 copies of affidavits of fact, memorandum of law and replies shall be filed with the Secretary, Federal Maritime Commission, Washington, D.C., 20573. Copies of any papers filed with the Secretary must also be served upon all parties hereto. Oral argument will be heard in Room 114, 1321 H Street NW., Washington, D.C., at a time and date to be announced.

It is further ordered, That the Pacific Coast Australasian Tariff Bureau and its member lines, as indicated in Appendix A, below, are hereby made respondents in this proceeding.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy of such order be served upon each respondent and petitioners.

Persons other than respondents, Hearing Counsel, and petitioners, who desire to become a party to this proceeding, shall file a petition for leave to intervene in accordance with Rule 5(1) of the Commission's rules of practice and procedure, no later than close of business February 18, 1966, with copies to respondents.

By the Commission.

[SEAL] THOMAS LISI,
Secretary.

APPENDIX A

W. C. Galloway, Chairman, Pacific Coast Australasian Tariff Bureau, 635 Sacramento Street, San Francisco, Calif., 94111.

MEMBERS

Crusader Shipping Co., Ltd., c/o Furness, Withy & Co., Ltd., 34 Whitehall Street, New York, N.Y., 10004.

Marine Chartering Co., Inc., 310 Sansome Street, San Francisco 4, Calif.

Oceanic Steamship Co. (The) c/o Matson Navigation Co., Management Agents, 630 Fifth Avenue, New York, N.Y., 10020.

P & O Orient Lines, c/o Union Steam Ship Co. of New Zealand, Ltd., Agents, 230 California Street, San Francisco, Calif., 94111.

Transatlantic Steamship Co., Ltd., (Pacific Australia Direct Line), General Steamship Corp., Ltd., Agents, One Bush Street, San Francisco, Calif.

[1] We conclude and find on this record that agreements between common carriers by water in the export foreign commerce which prohibit brokerage or limit the amount thereof to less than 1-1¼ percent of freight charges, operate to the detriment of the commerce of the United States and are contrary to the public interest, in violation of section 15 of the Shipping Act, 1916, as amended. All conferences or associations of common carriers by water in the outbound trades in the foreign commerce of the United States, including the Pacific Coast European Conference, are respondents herein and required to conform their brokerage practices to this ruling. An appropriate order accompanies this Supplemental Report (7 FMC 60).

Columbus Line, 26 Broadway, New York, N.Y., 10004.
Union Steam Ship Co. of New Zealand, Ltd., 230 California Street, San Francisco, Calif., 94111.

[F.R. Doc. 66-1278; Filed, Feb. 4, 1966; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-233]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

JANUARY 27, 1966.

Take notice that on January 20, 1965, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex., 77001, filed in Docket No. CP66-233 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 certain natural gas facilities, the sale of additional volumes of natural gas to existing customers and the rendition of additional services, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization for the construction, installation and operation of additional pipeline and compressor facilities, the sale of additional volumes of natural gas to existing customers and the rendition of additional services, all of which are to be commenced and completed over a 3-year period beginning with the 1966 construction season as set forth below.

Applicant states that during the year 1966, its proposed services amount to an additional 97,127 Mcf of gas per day of pipeline service, 1,000 Mcf of GSS storage service and 1,230 Mcf of LG-A storage service, all of said services being covered by commitments from its customers.

Applicant proposes to construct, in 1967, a pipeline traversing a new route to the termini of its system in the New York Metropolitan Area extending from a point near New Brunswick, N.J., to the New Jersey shore near Laurence Harbor and thence across Lower New York Bay to a point at Long Beach, Long Island, N.Y. Applicant states that the onshore New Jersey portion of this line will consist of 13 miles of 42-inch pipeline and the underwater portion of the line will consist of 33.71 miles of 26-inch pipeline.

The application states that the total additional pipeline sales proposed by Applicant for the 1967-68 heating season amount to 142,073 Mcf of gas per day with 44,025 Mcf per day being covered by commitments from its customers and the remaining 98,048 Mcf per day consisting of estimated sales based upon data furnished primarily by its customers. The application further states that in addition to the above, Applicant would render additional GSS natural gas storage service consisting of 8,000 Mcf per day, of which 1,000 Mcf per day is under contract, together with an estimated 370 Mcf per day of LG-A storage service. During the same 1967-68 season, Applicant proposes to continue on a long-term basis the annual sale of 2,000,000 Mcf of ACQ-2 gas to Carolina Pipeline Co. which, under the terms of the amended certificate granted by the Commission in Docket No. CP65-70 on April 2, 1965, would otherwise expire on December 31, 1966.

Applicant's proposed pipeline sales for the 1968-69 winter season amount to 164,059 Mcf of gas per day. Applicant states that 35,000 Mcf of this amount is under contract. During the same period, Applicant proposes to render an estimated 34,200 Mcf per day of GSS storage service and 2,400 Mcf of LG-A storage service.

Applicant proposes an additional pipeline supply of 30,000 Mcf of gas per day to be served commencing November 1, 1969, to The Brooklyn Union Gas Co. and the Long Island Lighting Co. in connection with the new pipeline proposed to be constructed from New Brunswick, N.J., to Long Beach, Long Island, N.Y. Applicant states that this amount, when added to commitments in the prior two years by these same customers, brings the total volume directly related to this proposed new pipeline to 95,000 Mcf of gas per day.

The total estimated cost of Applicant's proposed construction is estimated to be $230,388,000, which cost will be financed initially through temporary bank loans and cash on hand and permanent financing as needed through the issuance of first mortgage pipeline bonds and debentures.

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 February 17, 1966.

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.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 66-1261; Filed, Feb. 4, 1966; 8:45 a.m.]

[Docket No. G-3840 etc.]

UNION OIL CO. OF CALIFORNIA

Order Amending Orders Issuing Certificates, Redesignating FPC Gas Rate Schedules, Substituting Respondents, Redesignating Proceedings, and Accepting Agreement and Undertaking for Filing

Correction

In F.R. Doc. 66-915 appearing at page 1215 in the issue for Saturday, January 29, 1966, the docket number in the Appendix which now reads C161-256 is corrected to read C161-265.

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

JANUARY 31, 1966.

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 February 1, 1966, through February 10, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-1265; Filed, Feb. 4, 1966; 8:45 a.m.]

[01-7]

HOME TELEPHONE CO. OF RIDGWAY

Order for Hearing on Application for an Exemption

JANUARY 28, 1966.

Notice is hereby given that Home Telephone Co. of Ridgway ("Applicant"),

Ridgway, Pa., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("Act"), for a finding that by reason of the number and nature of public investors, the limited amount of trading interest in its securities and that regulation of its activities by a State regulatory commission, an exemption from the registration provisions of section 12(g) of the Act with respect to its $50 par value 5 percent cumulative preferred stock would not be inconsistent with the public interest or the protection of investors. Exemption from section 12(g) will have the additional effect of exempting Applicant from sections 13 and 14 of the Act and any officer, director or beneficial owner of more than 10 percent of Applicant's equity securities from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer, with certain stated exceptions, which is engaged in interstate commerce, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total assets exceeding $1,000,000 and a class of equity security held of record initially by 750 or more persons and after July 1, 1966, by 500 or more persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting and proxy solicitation provisions of the Act and to grant exemption from the reporting and trading provisions of section 16 of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

Applicant states, in part:

1. That Applicant has two classes of stock authorized and outstanding: $50 par value common stock and $50 par value 5 percent cumulative preferred stock. As at December 31, 1964, Applicant had 24,000 shares of common stock authorized with 23,080 shares outstanding, and 26,000 shares of preferred stock authorized with 26,000 shares outstanding;

2. That as at December 31, 1964, Applicant had 264 common stockholders and 926 preferred stockholders;

3. That as at December 31, 1964, Applicant had total assets of $5,969,238;

4. That Applicant is incorporated under the laws of the Commonwealth of Pennsylvania and provides telephone service for the community in which it is located;

5. That if Applicant is required to register on Form 10 pursuant to section 12(g) of the Act, it will be subject to an expense of approximately $25,000;

6. That Applicant believes that the limited amount of trading interest in its securities justified granting the requested exemption. In support thereof, tables derived from Applicant's transfer records summarizing the trading activity in Applicant's stock for the years 1962–63, inclusive, have been set forth in its application. It is stated in the application that the summary for $50 par value 5 percent cumulative preferred stock indicates that for the years 1962–63, inclusive, there were transfers through brokers of 240 shares which, in reality, represented only one-half that number of shares, since transfers into and out of brokers' hands are counted twice;

7. That the various issues of Applicant's common and preferred stock have been sold in limited amounts and have been sold exclusively to residents of the State and, largely, of the community in which Applicant is located. The common stock has been taken under preemptive rights by present stockholders. There is a waiting list with respect to Applicant's preferred stock of such proportions that when any preferred stock is issued it has to be and has been allocated on the basis of not more than $1,000 par value to any one person;

8. That Applicant is under the jurisdiction of the Public Utilities Commission of the Commonwealth of Pennsylvania to which periodic reports are made in accordance with the requests of that Commission and the books and operations of Applicant are subject to minute review and inspection by its staff members. Further, the sale and issuance of all Applicant's outstanding common and preferred stock have been the subject of approval by the Public Utilities Commission of the Commonwealth of Pennsylvania;

9. Accordingly, Applicant concludes that by reason of the number and nature of public investors, the limited amount of trading interest in its securities and the regulation of its activities by various State regulatory commissions, granting the requested exemption would not be inconsistent with the public interest or the protection of investors; and

10. Applicant has further stated that the Securities and Exchange Commission may embody and include in any order for exemption issued by it the following provisions:

a. Applicant shall be subject to and comply with the requirements of section 16 of the Act;

b. Applicant shall be subject to and comply with the requirements of section 14 of the Act;

c. Applicant shall be required to and shall file current reports on Form 8–K pursuant to section 13 or 15(d) of the Act when such reports are indicated by the occurrence of events specified in the items of said form;

d. Applicant shall be required to and shall file semiannual reports on Form 9–K pursuant to section 13 of the Act;

e. Applicant agrees to disclose in the respective reports to stockholders any and all transactions between management (and members thereof) and Applicant; and

f. Applicant will submit to and file with the Securities and Exchange Commission copies of all reports filed by said Applicant with the regulatory commission having supervision over it within 30 days after filing.

For a more detailed statement of information presented, all persons are referred to said application and the brief filed in support thereof, which are on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

The Company has requested a hearing on the matters raised in the application.

It is ordered, That pursuant to section 12(h) of the Act, that a hearing on the aforesaid application be held at 10 a.m., e.s.t., March 7, 1966, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549. At such time the Hearing Room Clerk will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in the Rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

It is further ordered, That these proceedings shall be presided over by Sidney L. Feiler, as hearing officer, or by such other hearing officer as the Commission may designate, who is authorized to perform all the duties of a hearing officer set forth in the Commission's rules of practice or as otherwise authorized by law.

The Division of Corporation Finance having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the nature of Applicant's business, including the regulated nature of its activities, is such as to justify the requested exemption;

2. Whether the number of public investors and the amount of trading interest in Applicant's securities is sufficiently limited to justify the requested exemption; and

3. Generally, whether the requested exemption is consistent with the public interest and with the protection of investors.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice to the aforesaid hearing by mailing a copy of this notice and order by certified mail to Home Telephone Co. of Ridgway and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in

respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 66-1266; Filed, Feb. 4, 1966; 8:45 a.m.]

[01-5]

JAMESTOWN TELEPHONE CORP.

Notice of and Order for Hearing on Application for an Exemption

JANUARY 28, 1966.

Notice is hereby given that Jamestown Telephone Corp. ("Applicant"), Jamestown, N.Y., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("Act"), for a finding that by reason of the number and nature of public investors, the limited amount of trading interest in its securities, and the regulation of its activities by a State regulatory commission, an exemption from the registration provisions of section 12(g) of the Act with respect to its first cumulative 5 percent preferred stock would not be inconsistent with the public interest or the protection of investors. Exemption from section 12(g) will have the additional effect of exempting Applicant from sections 13 and 14 of the Act and any officer, director or beneficial owner of more than 10 percent of Applicant's equity securities from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer, with certain stated exceptions, which is engaged in interstate commerce, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total assets exceeding $1,000,000 and a class of equity security held of record initially by 750 or more persons and after July 1, 1966, by 500 or more persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting and proxy solicitation provisions of the Act and to grant exemption from the reporting and trading provisions of section 16 of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such exemption is not inconsistent with the public interest or the protection of investors.

Applicant states, in part:

1. That Applicant has two classes of stock authorized and outstanding: No par value common stock and $100 par value first cumulative 5 percent preferred stock. As at December 31, 1964, Applicant had 120,000 shares of common stock authorized with 78,900 shares outstanding, and 40,000 shares of preferred stock authorized with 24,500 shares outstanding;

2. That as at December 31, 1964, Applicant had 266 common stockholders and 1,311 preferred stockholders;

3. That as at December 31, 1964, Applicant had total assets of $12,164,057;

4. That Applicant is incorporated under New York law and provides telephone service for the community in which it is located;

5. That if Applicant is required to register on Form 10 pursuant to section 12(g) of the Act, it will be subject to an expense of approximately $25,000;

6. That Applicant believes that the limited amount of trading interest in its securities justifies granting the requested exemption. In support thereof, tables derived from Applicant's transfer records summarizing the trading activity in Applicant's stock for the years 1962–63, inclusive, have been set forth in its application. It is stated in the application that the summary for first cumulative 5 percent preferred stock indicates that for the years 1962–63, inclusive, there were transfers through brokers of 274 shares which in reality represented only one-half that number of shares, since transfers into and out of broker's hands are counted twice;

7. That the various issues of Applicant's common and preferred stock have been sold in limited amounts and have been sold exclusively to residents of the State and, largely, of the community in which Applicant is located. The common stock has been taken under preemptive rights by present stockholders. There is a waiting list with respect to Applicant's preferred stock of such proportions that when any preferred stock is issued it has to be and has been allocated on the basis of not more than $1,000 par value to any one person;

8. That Applicant is under the jurisdiction of the New York State Public Service Commission to which periodic reports are made in accordance with the requests of that Commission and the books and operations of Applicant are subject to minute review and inspection by its staff members. Further, the sale and issuance of all Applicant's outstanding common and preferred stock have been the subject of approval by the New York State Public Service Commission;

9. Accordingly, Applicant concludes that by reason of the number and nature of public investors, the limited amount of trading interest in its securities and the regulation of its activities by a State regulatory commission, granting the requested exemption would not be inconsistent with the public interest or the protection of investors; and

10. Applicant has further stated that the Securities and Exchange Commission may embody and include in any order of exemption issued by it the following provisions:

a. Applicant shall be subject to and comply with the requirements of section 16 of the Act;

b. Applicant shall be subject to and comply with the requirements of section 14 of the Act;

c. Applicant shall be required to and shall file current reports on Form 8–K pursuant to sections 13 or 15(d) of the Act when such reports are indicated by the occurrence of events specified in the items of said form;

d. Applicant shall be required to and shall file semiannual reports on Form 9–K pursuant to section 13 of the Act;

e. Applicant agrees to disclose in the respective reports to stockholders any and all transactions between management (and members thereof) and Applicant; and

f. Applicant will submit to and file with the Securities and Exchange Commission copies of all reports filed by said Applicant with the regulatory commission having supervision over it within 30 days after filing.

For a more detailed statement of information presented, all persons are referred to said application and the brief filed in support thereof, which are on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

The Company has requested a hearing on the matters raised in the application.

It is ordered, That pursuant to section 12(h) of the Act, that a hearing on the aforesaid application be held at 10 a.m., e.s.t., March 7, 1966, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549. At such time the Hearing Room Clerk will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in the rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

It is further ordered, That these proceedings shall be presided over by Sidney L. Feiler, as hearing officer, or by such other hearing officer as the Commission may designate, who is authorized to perform all the duties of a hearing officer set forth in the Commission's rules of practice or as otherwise authorized by law.

The Division of Corporation Finance having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the nature of Applcant's business, including the regulated nature of its activities, is such as to justify the requested exemption;

2. Whether the number of public investors and the amount of trading interest in Applicant's securities is sufficiently limited to justify the requested exemption; and

3. Generally, whether the requested exemption is consistent with the public interest and with the protection of investors.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice to the aforesaid hearing by mailing a copy of this notice and order by registered mail to Jamestown Telephone Corp. and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-1267; Filed, Feb. 4, 1966; 8:45 a.m.]

[O1-5, O1-6, O1-7]

JAMESTOWN TELEPHONE CORP. ET AL.

Order and Notice of Consolidation of Proceedings

JANUARY 28, 1966.

It is ordered, Pursuant to Rule 10 of the Commission's rules of practice that the proceedings authorized by the Commission on January 28, 1966, in the matters of Jamestown Telephone Corp., Meadville Telephone Co. and Home Telephone Co. of Ridgway, pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended, be joined for hearing and be consolidated for the reason that these matters involve common questions of law and fact.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-1268; Filed, Feb. 4, 1966; 8:45 a.m.]

[File No. 70-4350]

LOUISIANA POWER & LIGHT CO.

Proposed Issue and Sale at Competitive Bidding of Principal Amount of First Mortgage Bonds

JANUARY 31, 1966.

Notice is hereby given that Louisiana Power & Light Co. ("Louisiana"), 142 Delaronde Street, New Orleans, La., 70114, an electric utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

Louisiana proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $35,000,000 principal amount of its First Mortgage Bonds, ______ percent Series due March 1, 1996. The interest rate of the new bonds (which will be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Louisiana (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The new bonds will be issued under the Indenture dated as of April 1, 1944, between Louisiana and The Chase Manhattan Bank (National Association), successor Trustee to The Chase National Bank of the city of New York, as heretofore supplemented and as to be further supplemented by a Supplemental Indenture to be dated as of March 1, 1966.

Louisiana will apply the net proceeds from the proposed sale of bonds toward its current construction program, estimated at $50,000,000 for the year 1966, and for other corporate purposes including the repayment of short-term bank loans in an amount not to exceed $15,000,000.

It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction. The fees and expenses to be paid in connection with the proposed transaction are estimated at $85,000, including accountants' fees of $3,000 and legal fees of $28,000. The fee of counsel for the underwriters, estimated at $8,500, is to be paid by the successful bidders.

Notice is further given that any interested person may, not later than February 25, 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 said 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 (airmail if the person being served is located more than 500 miles from the point of mailing) upon the 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 in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 66-1269; Filed, Feb. 4, 1966; 8:45 a.m.]

[812-1897]

MARATHON SECURITIES CORP. AND BEAR, STEARNS & CO.

Filing of Application for Order Exempting Transactions

JANUARY 31, 1966.

Notice is hereby given that Marathon Securities Corp. ("Marathon"), 66 Beaver Street, New York, N.Y., 10004, a Delaware corporation, registered as a closed-end, nondiversified, investment company under the Investment Company Act of 1940 ("Act"), and Bear, Stearns & Co. ("Bear, Stearns"), 1 Wall Street, New York, N.Y., 10005, a New York limited partnership, registered as a broker-dealer under the Securities Exchange Act of 1934, have filed a joint application pursuant to section 17(b) of the Act and Rule 17d—1 promulgated under section 17(d) of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Bear, Stearns proposes to buy from Marathon 50,550 shares of the capital stock of Packard-Bell Electronics Corp. ("Packard-Bell"). It also proposes to buy from Packard-Bell 100,000 unissued shares of such stock. The purchases will be made by Bear, Stearns as a representative of, or managing underwriter for, a group of underwriters to be formed by Bear, Stearns for a public offering of such stock. Under the terms of the proposed underwriting agreement, the price to be paid to Marathon and Packard-Bell will be the price at which such shares are to be offered to the public by the underwriters less total discounts or commissions not to exceed 7 percent of such public offering price. The public offering price will be determined by Packard-Bell, Marathon and the underwriters and will not be higher than the last reported sale price (regular way) of the stock on the New York Stock Exchange immediately prior to such determination. The cost of the registration of the shares under the Securities Act of 1933 and various underwriting expenses will be borne by Marathon and Packard-Bell in the same proportion as the number of shares which each is selling to the underwriters bears to the total shares. Bear, Stearns will receive the same underwriting discounts and commissions as all other members of the underwriting group and as managing underwriter will receive a fee not expected to exceed 22 percent of the total underwriting discounts and commissions.

Mr. Jerome Kohlberg, Jr., a general partner of Bear, Stearns, is a director of Marathon, and Bear, Stearns, therefore, is an affiliated person of an affiliated person of Marathon, as defined by section 2(a)(3) of the Act. Marathon and Packard-Bell are also affiliated persons of each other because, among other things, the 50,550 shares of the latter's capital stock owned by Marathon represents 5.7 percent or more than 5 percent of the outstanding voting securities of Packard-Bell.

Unless exempted by order under section 17(b) of the Act, it would be unlawful under section 17(a) of the Act, as here pertinent, for Bear, Stearns, as an affiliated person of an affiliated person of Marathon, to purchase as principal from Marathon the 50,550 shares of Packard-Bell capital stock. Section 17(b) of the Act directs the Commission to issue such order of exemption if the 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 Marathon, 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 Packard-Bell as an affiliated person of Marathon, a registered investment company, to participate in any joint transaction or arrangement with Marathon, such as the proposed sales to underwriters, 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 Marathon 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 Packard-Bell.

In support of the application, it is stated that on July 28, 1965, Marathon acquired all of the assets of Electronics International Capital, Ltd. ("Electronics"), a Bermuda corporation and a registered closed-end, nondiversified, investment company. Electronics is now in the process of liquidation. Among these assets were (i) 50,550 shares of Packard-Bell capital stock and (ii) a $5,000,000 principal amount 5½ percent convertible subordinated note of Packard-Bell. This note is convertible until April 30, 1968, into approximately 526,000 shares of capital stock of Packard-Bell at a conversion price of $9.50 per share, and is convertible thereafter until maturity at increasing conversion prices. The average cost to Marathon of the 50,550 shares of Packard-Bell capital stock is stated to be $14.90 per share, or substantially less than its current market price.

The application states that Marathon proposes to enter into the proposed transaction in order to take advantage of the favorable market price, and to reduce its disproportionately large investment in Packard-Bell, which amounted to approximately 51.4 percent of its total assets on September 30, 1965. Moreover, it is stated that the disposition of the 50,550 shares may be accomplished most expeditiously and with the least expense by participating with Packard-Bell in the registration under the Securities Act of 1933 of the shares which Packard-Bell proposes to sell for the purpose of raising funds to increase certain of its inventories and provide additional working capital. In this latter connection, it is asserted that Marathon has been advised by counsel that it might be a person directly or indirectly controlling Packard-Bell or part of a control group of Packard-Bell, and would, therefore, not be entitled to make a public distribution of all of its shares of Packard-Bell capital stock without the registration thereof under the Securities Act of 1933.

Notice is further given that any interested person may, not later than February 14, 1966, 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 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 (airmail 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 the case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after such 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. 66-1270; Filed, Feb. 4, 1966; 8:45 a.m.]

[01-6]

MEADVILLE TELEPHONE CO.

Notice of and Order for Hearing on Application for an Exemption

JANUARY 28, 1966.

Notice is hereby given that Meadville Telephone Co. ("Applicant") Meadville, Pa., has filed an application pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended ("Act"), for a finding that by reason of the number and nature of public investors, the limited amount of trading interest in its securities and the regulation of its activities by a state regulatory commission, an exemption from the registration provisions of section 12(g) of the Act with respect to its 5 percent cumulative preferred stock would not be inconsistent with the public interest or the protection of investors. Exemption from section 12(g) will have the additional effect of exempting Applicant from sections 13 and 14 of the Act and any officer, director or beneficial owner of more than 10 percent of Applicant's equity securities from section 16 thereof.

Section 12(g) of the Act requires the registration of the equity securities of every issuer, with certain stated exceptions, which is engaged in interstate commerce, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce and, on the last day of its fiscal year, has total assets exceeding $1,000,000 and a class of equity security held of record initially by 750 or more persons and after July 1, 1966, by 500 or more persons.

Section 12(h) empowers the Commission to exempt, in whole or in part, any issuer or class of issuers from the registration, periodic reporting and proxy solicitation provisions of the Act and to grant exemption from the reporting and trading provisions of section 16 of the Act if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise, that such exception is not inconsistent with the public interest or the protection of the investors.

Applicant states, in part:

1. That Applicant has two classes of stock authorized and outstanding: $25 par value common stock and $25 par value 5 percent cumulative preferred stock. As at December 31, 1964, Applicant had 64,000 shares of common stock authorized with 52,720 shares outstanding, and 96,000 shares of preferred stock authorized with 72,000 shares outstanding;

2. That as at December 31, 1964, Applicant had 319 common stockholders and 1,062 preferred stockholders;

3. That as at December 31, 1964, Applicant had total assets of $8,178,837;

4. That Applicant is incorporated under the laws of the Commonwealth of Pennsylvania and provides telephone service for the community in which it is located;

5. That if Applicant is required to register on Form 10 pursuant to section 12(g) of the Act, it will be subject to an expense of approximately $25,000;

6. That Applicant believes that the limited amount of trading interest in its securities justifies granting the requested exemption. In support thereof, tables derived from Applicant's transfer records summarizing the trading activity in Applicant's stock for the years 1962-63, inclusive, have been set forth in its application. It is stated in the application that the summary for 5 percent cumulative preferred stock indicates that for the years 1962-63, inclusive, there were transfers through brokers of 463 shares which, in reality, represented only one-half that number of shares, since transfers into and out of broker's hands are counted twice;

7. That the various issues of Applicant's common and preferred stock have

been sold in limited amounts and have been sold exclusively to residents of the State and, largely, of the community in which Applicant is located. The common stock has been taken under preemptive rights by present stockholders. There is a waiting list with respect to Applicant's preferred stock of such proportions that when any preferred stock is issued it has to be and has been allocated on the basis of not more than $1,000 par value to any one person;

8. That Applicant is under the jurisdiction of the Public Utilities Commission of the Commonwealth of Pennsylvania to which periodic reports are made in accordance with the requests of that Commission and the books and operations of Applicant are subject to minute review and inspection by its staff members. Further, the sale and issuance of all Applicant's outstanding common and preferred stock have been the subject of approval by the Public Utilities Commission of the Commonwealth of Pennsylvania;

9. Accordingly, Applicant concludes that by reason of the number and nature of public investors, the limited amount of trading interest in its securities and the regulation of its activities by various State regulatory commissions, granting the requested exemption would not be inconsistent with the public interest or the protection of investors; and

10. Applicant has further stated that the Securities and Exchange Commission may embody and include in any order of exemption issued by it the following provisions:

a. Applicant shall be subject to and comply with the requirements of section 16 of the Act;

b. Applicant shall be subject to and comply with the requirements of section 14 of the Act;

c. Applicant shall be required to and shall file current reports on Form 8-K pursuant to sections 13 or 15(d) of the Act when such reports are indicated by the occurrence of events specified in the items of said form;

d. Applicant shall be required to and shall file semi-annual reports on Form 9-K pursuant to section 13 of the Act;

e. Applicant agrees to disclose in the respective reports to stockholders any and all transactions between management (and members thereof) and Applicant; and

f. Applicant will submit to and file with the Securities and Exchange Commission copies of all reports filed by said Applicant with the regulatory commission having supervision over it within 30 days after filing.

For a more detailed statement of information presented, all persons are referred to said application and brief filed in support thereof, which are on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

The Company has requested a hearing on the matters raised in the application.

It is ordered, That pursuant to section 12(h) of the Act, that a hearing on the aforesaid application be held at 10 a.m., e.s.t., March 7, 1966, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington, D.C., 20549. At such time the Hearing Room Clerk will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in the rule, setting forth any issues of law or fact which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

It is further ordered, That these proceedings shall be presided over by Sidney L. Feiler, as hearing officer, or by such other hearing officer as the Commission may designate, who is authorized to perform all the duties of a hearing officer set forth in the Commission's rules of practice or as otherwise authorized by law.

The Division of Corporation Finance having advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the nature of Applicant's business, including the regulated nature of its activities, is such as to justify the requested exemption;

2. Whether the number of public investors and the amount of trading interest in Applicant's securities is sufficiently limited to justify the requested exemption; and

3. Generally, whether the requested exemption is consistent with the public interest and with the protection of investors.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice to the aforesaid hearing by mailing a copy of this notice and order by certified mail to Meadville Telephone Co. and that notice of all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-1271; Filed, Feb. 4, 1966; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 973; Pfahler's Car Distribution Direction 11]

GULF MOBILE & OHIO RAILROAD CO. AND UNION PACIFIC RAILROAD CO.

Freight Car Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 973.

It is ordered, That:

(1) The Gulf, Mobile & Ohio Railroad Co. and the Union Pacific Railroad Co. shall observe, enforce, and obey the following directions, rules, regulations, and practices with respect to freight car distribution:

(a) The Gulf, Mobile & Ohio Railroad Co. shall deliver to the Union Pacific Railroad Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44'8" and doors less than 8 feet wide. Exception: Canadian Ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be carded to the Union Pacific Railroad Co. and each car shall be identified by the Gulf, Mobile & Ohio Railroad Co. on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(2) No common carrier by railroad subject to the Interstate Commerce Act shall intercept, appropriate, or divert any empty cars moving under the provisions of this direction.

(a) The Gulf, Mobile & Ohio Railroad Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m., to the Union Pacific Railroad Co.

(b) The Union Pacific Railroad Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars received, as requested by this order, during the preceding week.

(3) Application: The provisions of this direction shall apply to intrastate, interstate, and foreign commerce.

(4) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(5) Effective date: This direction shall become effective at 12:01 a.m., February 3, 1966.

(6) Expiration date: This direction shall expire at 11:59 p.m., April 30, 1966, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction 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 that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 1, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-1279; Filed Feb. 4, 1966; 8:46 a.m.]

[S.O. 973; Pfahler's Car Distribution Direction 12]

SOUTHERN RAILWAY CO. AND ST. LOUIS-SAN FRANCISCO RAILWAY CO.

Freight Car Distribution

Pursuant to section I(15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 973.

It is ordered, That:

(1) The Southern Railway Co. and the St. Louis-San Francisco Railway Co. shall observe, enforce, and obey the following directions, rules, regulations, and practices with respect to freight car distribution:

(a) The Southern Railway Co. shall deliver to the St. Louis-San Francisco Railway Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44′8″ and doors less than 8 feet wide. Exceptions: Canadian Ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be carded to the St. Louis-San Francisco Railway Co. and each car shall be identified by the Southern Railway Co. on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(2) No common carrier by railroad subject to the Interstate Commerce Act shall intercept, appropriate, or divert any empty cars moving under the provisions of this direction.

(a) The Southern Railway Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m., to the St. Louis-San Francisco Railway Co.

(b) The St. Louis-San Francisco Railway Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars received as requested by this order, during the preceding week.

(3) Application: The provisions of this direction shall apply to intrastate, interstate, and foreign commerce.

(4) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(5) Effective date: This direction shall become effective at 12:01 a.m., February 3, 1966.

(6) Expiration date: This direction shall expire at 11:59 p.m., April 30, 1966, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction 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 that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 1, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-1280; Filed, Feb. 4, 1966; 8:46 a.m.]

[S.O. 973; Pfahler's Car Distribution Direction 13]

WESTERN MARYLAND RAILWAY CO. ET AL.

Freight Car Distribution

Pursuant to section I (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 973.

It is ordered, That:

(1) The Western Maryland Railway Co., the Norfolk & Western Railway Co. and the Chicago, Rock Island & Pacific Railroad Co. shall observe, enforce, and obey the following directions, rules, regulations, and practices with respect to freight car distribution:

(a) The Western Maryland Railway Co. shall deliver to the Norfolk & Western Railway Co. a weekly total of 350 empty plain serviceable boxcars with inside length less than 44′8″ and doors less than 8 feet wide. Exception: Canadian ownerships.

(b) Cars received by the Norfolk & Western Railway Co. under this order shall be delivered to the Chicago, Rock Island & Pacific Railroad Co.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be carded to the Chicago, Rock Island & Pacific Railroad Co. and each car shall be identified by the Western Maryland Railway Co., and Norfolk & Western Railway Co. on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(2) No common carrier by railroad subject to the Interstate Commerce Act shall intercept, appropriate, or divert any empty cars moving under the provisions of this direction.

(a) The Western Maryland Railway Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m., to the Norfolk & Western Railway Co.

(b) The Norfolk & Western Railway Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars received and delivered, as requested by this order, during the preceding week.

(c) The Chicago, Rock Island & Pacific Railroad Co. must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, received during the preceding week, ending each Sunday at 11:59 p.m.

(3) Application: The provisions of this direction shall apply to intrastate, interstate, and foreign commerce.

(4) Regulations suspended: The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(5) Effective date: This direction shall become effective at 12:01 a.m., February 3, 1966.

(6) Expiration date: This direction shall expire at 11:59 p.m., April 30, 1966, unless otherwise modified, changed or suspended by order of this Commission.

It is further ordered, That a copy of this direction 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 that notice of this direction be given to the general public by depositing a copy in the Office of the Secretary of the Commission in Washington, D.C., and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., February 1, 1966.

INTERSTATE COMMERCE COMMISSION,
[SEAL] R. D. PFAHLER,
Agent.

[F.R. Doc. 66-1281; Filed, Feb. 4, 1966; 8:46 a.m.]

[Notice 125]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 2, 1966.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the

new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 28478 (Sub-No. 29 TA), filed January 26, 1966. Applicant: GREAT LAKES EXPRESS CO., 172 Davenport Street, Saginaw, Mich. Applicant's representative: Rex Eames, 1800 Buhl Building, Detroit, Mich., 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment, serving the plantsite of Game Time Inc., Litchfield, Mich., as an off-route point in connection with carrier's existing regular route operations, for 180 days. Supporting shipper: Game Time Inc., Litchfield, Mich. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich., 48933.

No. MC 52574 (Sub-No. 24 TA), filed January 26, 1966. Applicant: ELIZABETH FREIGHT FORWARDING CORP., 120 South 20th Street, Irvington, N.J., 07111. Applicant's representative: August W. Heckman, 297 Academy Street, Jersey City 6, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products and containers therefor*, from Marysville, Pa., to Kearny, N.J., Jersey City, N.J., Linden, N.J., Baltimore, Md., and Washington, D.C.; from Marysville, Pa., to Philadelphia via New Jersey or Delaware. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Shull's Lady Fingers, Inc., of Marysville, Pa., for 180 days. Supporting shipper: Shull's Lady Fingers, Inc., Marysville, Pa., 17053. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J., 07102.

No. MC 61396 (Sub-No. 154 TA), filed January 27, 1966. Applicant: HERMAN BROS., INC., 2501 No. 11 Street, Post Office Box 189 (Downtown Station), Omaha, Nebr., 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia* in bulk, in tank trucks from East Dubuque, Ill., to points in Iowa, Minnesota, and Wisconsin, for 150 days. Supporting shipper: Apple River Chemical Co., Post Office Box D, East Dubuque, Ill., 61025. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr., 68102.

No. MC 93649 (Sub-No. 15 TA), filed January 27, 1966. Applicant: GAINES MOTOR LINES, INC., 1816 Ninth Avenue Drive NE., Post Office Box 1549, Hickory, N.C. Applicant's representative: John R. Sims, Jr., 1750 Pennsylvania Avenue NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Laboratory, technical and institutional furniture, equipment, material and supplies*, uncrated, from Burke and Catawba Counties, N.C., to points in Connecticut, Delaware, the District of Columbia, Kentucky, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, Vermont, and West Virginia for 180 days. Supporting shipper: Southern Desk Co., Hickory, N.C. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 206, 327 North Tryon Street, Charlotte, N.C., 28202.

No. MC 107012 (Sub-No. 63 TA), filed January 26, 1966. Applicant: NORTH AMERICAN VAN LINES, INC., Lincoln Highway East and Meyer Road, Post Office Box 988, Fort Wayne, Ind. Applicant's representative: Martin A. Weissert (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Institutional, dormitory, and laboratory furniture and fixtures*, uncrated, from Burke and Catawba Counties, N.C., to points in Alabama, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: Southern Desk Co., Hickory, N.C., 28601. Send protests to: Fred Gruin, Jr., Safety Inspector, Bureau of Operations and Compliance, Interstate Commerce Commission, 308 Federal Building, Fort Wayne, Ind., 46802.

No. MC 108207 (Sub-No. 177 TA), filed January 26, 1966. Applicant: FROZEN FOOD EXPRESS, INC., Post Office Box 5888, 318 Cadiz Street, Dallas, Tex., 75222. Applicant's representative: J. E. McClellan (same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese spreads and cheese dips*, from Fort Worth, Tex., to Cincinnati, Cleveland, Columbus, Dayton, and Toledo, Ohio, for 180 days. Supporting shipper: Lyle Searcy Brokerage Co., 318 Cadiz Street, Room 107A, Dallas, Tex., 75207. Send protests to: E. K. Willis, Jr., District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1314 Wood Street, 513 Thomas Building, Dallas, Tex., 75202.

No. MC 110525 (Sub-No. 767 TA), filed January 25, 1966. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., 19335. Applicant's representative: Edwin H. Van Deusen (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil*, in bulk, in tank vehicles, from Dravosburg, Pa., to Enon, W. Va., for 180 days. Supporting shipper: The Pure Oil Co., 200 East Golf Road, Palatine, Ill. Send protests to: Peter R. Guman, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa., 19106.

No. MC 111729 (Sub-No. 132 TA), filed January 26, 1966. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside, Long Island, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as applicant). Authority sought to operate as a *common 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 Fremont, Ohio, on the one hand, and, on the other, points in Berrien, Branch, Calhoun, Cass, Hillsdale, Jackson, Kalamazoo, Lenawee, Monroe, Van Buren, Washtenaw, and Wayne Counties, Mich., for 180 days. Supporting shipper: Financial Computer Services, Inc., Post Office Box 562, Fremont, Ohio, 43420. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 115669 (Sub-No. 58 TA), filed January 27, 1966. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. Applicant's representative: C. A. Ross, 714 South 45th, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*

(except in bulk in tank vehicles) from Esterville, Iowa, to points in Nebraska, for 180 days. Supporting shipper: Mobile Chemical Co., a division of Socony Mobil Oil Co., Inc., Richmond, Va. Send protests to: Max H. Johnston, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr., 68508.

No. MC 123099 (Sub-No. 3 TA), filed January 26, 1966. Applicant: HOWARD ANDERSON, doing business as ANDERSON'S TRUCKING COMPANY, Tioga Street, Wellsboro, Pa. Applicant's representative: Howard Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, between Buffalo, Rochester and Utica, N.Y., on the one hand, and, on the other, Bradford County, Pa., and *empty containers and pallets*, on return, for 180 days. Supporting shippers: S. R. Loomis, 912 North Wilbur Avenue, Sayre, Pa., and Michael Skerpon, 103–107 Bradford Street, Sayre, Pa. Send protests to: Kenneth R. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa., 18503.

No. MC 126409 (Sub-No. 4 TA), filed January 26, 1966. Applicant: TIGER TANK LINES, INC., 1600 South Joyce Street, Arlington, Va. Applicant's representative: Leonard A. Jaskiewicz, Madison Building, 1155 15th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium sulphate (salt cake)*, dry, in bulk, from Baltimore, Md., to Roaring Springs, Pa., for 150 days. Supporting shipper: Allied Chemical Corp., Traffic Department, 40 Rector Street, New York, N.Y., 10006. Send protests to: Robert D. Caldwell, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1220, Washington, D.C., 20423.

No. MC 127196 (Sub-No. 2 TA), filed January 26, 1966. Applicant: ZERBIN L. KLINE AND JAMES L. KLINE, doing business as, KLINE TRUCKING, Rural Delivery No. 1, Millville, Pa. Applicant's representative: McNees, Wallace and Nurick, Post Office Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Venetian blinds and subassemblies, component parts, and materials used in the manufacture thereof*, from the plant site of the Carey McFall Company, located at Montoursville, Lycoming County, Pa., to Dallas, and Houston, Tex., New Orleans, La., and Atlanta, Ga., for 180 days. Supporting shipper: Carey McFall Company, Montoursville, Pa. Send protests to: Kenneth R. Davis, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa., 18503.

No. MC 127431 (Sub-No. 4 TA), filed January 28, 1966. Applicant: CAROLINA-VIRGINIA COURIERS, INC., 222–17 Northern Boulevard, Bayside, N.Y., 11361. Applicant's representative: J. K. Murphy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents and written instruments (except coin, currency, bullion and negotiable securities)* as are used in the businesses of banks and banking institutions, between Richmond, Va., on the one hand, and, on the other Raleigh, N.C., for 180 days. Supporting shipper: State-Planters Bank of Commerce & Trusts, Richmond, Va., 23214. Send protests to: E. N. Carignan, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y., 10013.

No. MC 127833 (Sub-No. 1 TA), filed January 26, 1966. Applicant: T. L. MYDLAND TRUCK LINES, INC., Post Office Box 10086, New Orleans, La., 70121. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Nonalcoholic beverages*, in containers, from Gretna, La., to points in Mississippi, Louisiana, Houston, Galveston, Port Arthur, and Beaumont, Tex., Pensacola, Fla., Mobile, Demopolis, Frisco City, and York, Ala., for 180 days. Supporting shipper: The Louisiana Coca-Cola Bottling Co., Ltd., 1050 South Jefferson Davis Parkway, New Orleans, La., 70125. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, T–4009 Federal Office Building, 701 Loyola Avenue, New Orleans, La., 70113.

MOTOR CARRIER OF PASSENGERS

No. MC 107135 (Sub-No. 1 TA), filed January 27, 1966. Applicant: O. G. GOLDSTON, doing business as ROSWELL–CARRIZOZO STAGE LINES, 401 North Union, Roswell, N. Mex., 88201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail, and newspapers*, in the same vehicle with passengers, between Socorro, N. Mex., and Springerville, Ariz., over U.S. Highway 60, serving all intermediate points, for 180 days. Supporting shippers: John R. Worthington, 1100 Highway 85, Socorro, N. Mex., Frank Martin, 1100 Highway 85, Socorro, N. Mex., R. A. Baugerter, 303 North California, Socorro, N. Mex., Mrs. J. W. McDonald, Magdelena, N. Mex., Claude R. Graham, Datil, N. Mex., J. A. Keele, Pie Town, N. Mex., Myrtle Cox, Quemado, N. Mex., Bernard Heinsohs, Quemado, N. Mex., Billy J. Armstrong, Quemado, N. Mex., Lee Coker, Datil, N. Mex., and Ray Willingham, Post Office Box 35, Quemado, N. Mex. Send protests to: John E. Nance, Safety Inspector, Bureau of Operations and Compliance, Interstate Commerce Commission, 109 U.S. Courthouse Building, Albuquerque, N. Mex., 87101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 66-1282; Filed, Feb. 4, 1966; 8:46 a.m.]

[Notice 1296]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 2, 1966.

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–68372. By order of January 28, 1966, the Transfer Board approved the transfer to Robert W. Robinson and Terence J. Woods, a partnership, doing business as Robinson-Ogilvie Moving & Storage Co., Pittsburgh, Pa., of the operating rights of John Beckman and John C. Sherman, a partnership, doing business as Beckman Bros., Pittsburgh, Pa., in Certificate No. MC–78031, issued January 19, 1961, authorizing the transportation, over irregular routes, of household goods, between points in Alleghany County, Pa., on the one hand, and, on the other, points in New York, New Jersey, Ohio, and West Virginia. Edward M. Larkin, 901 Grant Building, Pittsburgh, Pa., 15219, attorney for applicants.

No. MC–FC–68412. By order of January 28, 1966, the Transfer Board approved the transfer to Emma Menini, doing business as Jumbo Cartage, Lincolnwood, Ill., of the Certificate in No. MC–109904, issued June 9, 1950, to Sante Minini, doing business as Jumbo Cartage, Chicago, Ill., authorizing the transportation of: Clay products, between Sparland, Cicero, and Shale City, Ill., and Crawfordsville, Ind., on the one hand, and, on the other, Benton Harbor, Mich., and points in Racine, Kenosha, Walworth, Rock, Green, and Lafayette Counties, Wis., except those on U.S. Highways 41 and 45, and Wisconsin Highway 42. Thomas L. Murphy, 33 North La Salle Street, Chicago, Ill., 60602, attorney for applicants.

No. MC–FC–68413. By order of January 28, 1966, the Transfer Board approved the transfer to J. O. Ringgenberg, Inc., Jetmore, Kans., of the certificate in No. MC–107799, issued August 3, 1965, to Verla Ringgenberg, doing business as J. O. Ringgenberg, Jetmore, Kans., authorizing the transportation of: Petroleum products, in bulk, in tank trucks, from points within 5 miles of Laverne, Okla., to points in Lane County, Kans.; liquefied petroleum gases, from Borger, Tex., and points within 20 miles of Borger, and from Hooker, Okla., and points

in Oklahoma within 20 miles of Hooker, to points in Ellis, Lane, and Ness Counties, Kans.; and liquefied petroleum gases, in bulk, in tank vehicles, from Borger, Tex., and Hooker and Tyrone, Okla., to points as specified in Kansas. John E. Jandera, 641 Harrison, Topeka, Kans., attorney for applicants.

No. MC-FC-68438. By order of January 28, 1966, the Transfer Board approved the transfer to O & H Trucking Co., a corporation, Los Angeles, Calif., of the operating rights of Oscar Fine and Herman Granofsky, a partnership, doing business as O & H Trucking Co., Los Angeles, Calif., authorizing the transportation in Certificate of Registration No. MC-120709 (Sub-No. 1), issued May 11, 1965, authorizing the transportation as a common carrier, over irregular routes, of general commodities, between all points within the Los Angeles territory as described in Part II of the appendix to the said certificate, except that it may not transport shipments between any two points both of which are located in the Los Angeles drayage area as described in Part III of the appendix to the said certificate. It is also restricted against the transportation of household goods and personal effects not packed as required, automobiles, trucks, and buses, livestock, commodities requiring protection from heat by the use of ice refrigeration, liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such vehicles, commodities when transported in bulk in dump trucks or in hopper type trucks, commodities when transported in motor vehicles equipped for mechanical mixing in transit, logs, and wearing apparel on hangers. Roberta Johnson, 1144 South Robertson Boulevard, Los Angeles, Calif., 90035, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-1283; Filed, Feb. 4, 1966; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 2, 1966.

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

LONG-AND-SHORT HAUL

FSA No. 40273—*Fertilizer components from points in Utah.* Filed by Western Trunk Line Committee, agent (No. A-2441), for interested rail carriers. Rates on manufactured fertilizer compounds, dry, in carloads, from Garfield, Geneva, and Salt Lake City, Utah, to specified points in Minnesota, North Dakota, and South Dakota.

Grounds for relief—Market competition.

Tariffs—Supplement 146 to Western Trunk Line Committee, agent, tariff ICC A-4411 and supplement 101 to Union Pacific Railroad Co., tariff ICC 5557.

FSA No. 40274—*Joint motor-rail rates—southwestern territory.* Filed by J. D. Hughett, agent (No. 79), for interested carriers. Rates on property moving on class and commodity rates, loaded in highway trailers and moving over joint routes of applicant rail and motor carriers, between points in Arkansas, Colorado, Oklahoma, Louisiana, Missouri, New Mexico, Texas, also Memphis, Tenn., Natchez and Vicksburg, Miss.

Grounds for relief—Motortruck competition.

Tariffs—Supplement 28 to J. D. Hughett, agent, tariff MF-ICC 400, and other schedules named in the application.

FSA No. 40275—*Iron or steel plate or sheet to Blakely, Ala.* Filed by O. W. South, Jr., agent (No. A4838), for interested rail carriers. Rates on iron or steel plate or sheet, n.o.i.b.n., galvanized or plain, corrugated or not corrugated, in carloads, from Alton, East St. Louis, Federal and Granite City, Ill., to Blakely, Ala.

Grounds for relief—Barge competition.

Tariff—Supplement 43 to Southern Freight Association, agent, tariff ICC S-502.

FSA No. 40276—*Soda ash to the South.* Filed by O. W. South, Jr., agent (No. A4837), for interested rail carriers. Rates on soda ash, in bulk, in covered hopper cars, in carloads, from Saltville, Va., to Nixon, Ga., and from Baton Rouge, and North Baton Rouge, La., to Hillsboro and Tampa, Fla., Forest Park and Hapeville, Ga., and East Moss Point, Miss.

Grounds for relief—Carrier competition.

Tariffs—Supplements 40 and 88 to Southern Freight Association, agent, tariffs ICC S-517 and S-397, respectively.

FSA No. 40277—*Sand to Depew, N.Y.* Filed by Southwestern Freight Bureau, agent (No. B-8814), for interested rail carriers. Rates on sand, as described in the application, in carloads, from specified points in Missouri and Oklahoma, also Guion, Ark., to Depew, N.Y.

Grounds for relief—Market competition.

Tariff—Supplement 89 to Southwestern Freight Bureau, agent, tariff ICC 4565.

FSA No. 40278—*Anhydrous ammonia to Central and Rockland, Fla.* Filed by Southwestern Freight Bureau, agent (No. B-8816), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, from Lake Charles and West Lake Charles, La., also Houston and Texas City, Tex., to Central and Rockland, Fla.

Grounds for relief—Market competition.

Tariff—Supplement 157 to Southwestern Freight Bureau, agent, tariff ICC 4422.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66-1284; Filed, Feb. 4, 1966; 8:46 a.m.]

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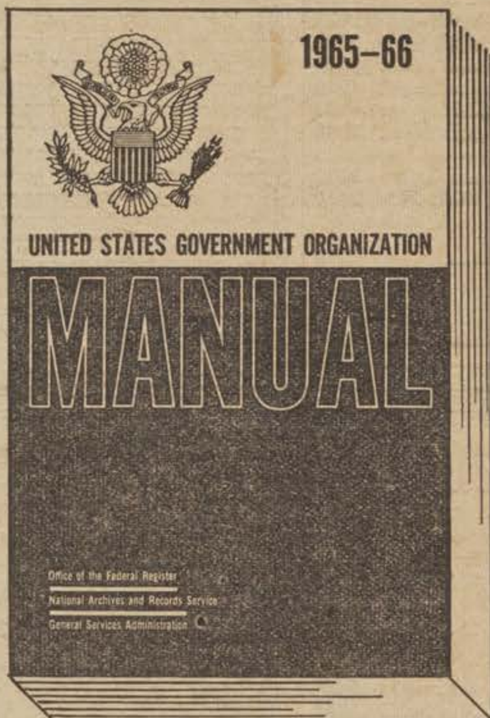

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