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Agencies in this issue—

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Civil Aeronautics Board
Civil Service Commission
Commodity Credit Corporation
Consumer and Marketing Service
Customs Bureau
Defense Department
Education Office
Employees' Compensation Bureau
Employment Security Bureau
Federal Aviation Agency
Federal Communications Commission
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Federal Maritime Commission
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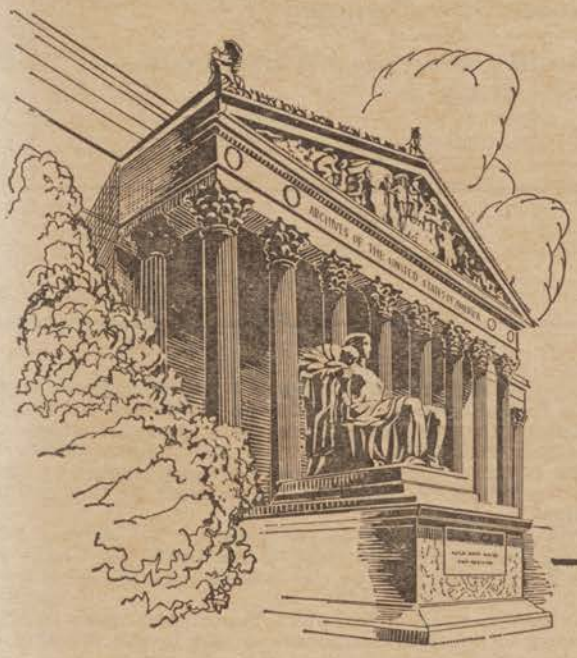

How To Find U.S. Statutes and United States Code Citations

[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 I—Civil Service Commission

PART 213—EXCEPTED SERVICE

PART 338—QUALIFICATION REQUIREMENTS (GENERAL)

Restriction on Temporary Appointment of Sons and Daughters of an Agency's Personnel

Sections 213.3101(b) and 338.202 are amended to restrict the temporary appointment of sons and daughters of an agency's personnel between May 14, 1967, and September 2, 1967, in conformance with the Commission's 1967 summer employment program. Section 213.3101(c) is amended to show the general application of the Commission's 1967 summer employment program to Schedule A positions filled on a part-time, seasonal, intermittent, or other temporary basis. Effective on publication in the FEDERAL REGISTER, paragraphs (b) and (c) of § 213.3101 and paragraphs (a) and (b) of § 338.202 are amended as set out below.

§ 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.

* * * * *

(b) An agency (including a military department) may not appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, to a position listed in Schedule A for part-time, seasonal, intermittent, or other temporary employment within the United States between May 14, 1967, and September 2, 1967; except that this prohibition shall not apply to the appointment of persons who are eligible for placement assistance under the Commission's Displaced Employee (DE) Program.

(c) An agency may appoint for part-time, seasonal, intermittent, or other temporary employment within the United States, between May 14, 1967, and September 2, 1967, in positions listed in Schedule A only in accordance with the terms of the Commission's 1967 summer employment program. This restriction does not apply to positions that are excepted only when filled by particular types of individuals.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

* * * * *

§ 338.202 Restriction on sons and daughters.

(a) An agency (including a military department) may appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, under a temporary limited appointment made for part-time, seasonal, intermittent, or other temporary employment within the United States between May 14, 1967, and September 2, 1967, only when the position is filled from a list of eligibles established under a Commission examination, and there is no other available eligible with the same or higher rating. An eligible who is the son or daughter of an official who has the authority to make selection or appointment decisions may be selected or appointed by that official only with the prior approval of an official at a higher level in the agency concerned.

(b) Paragraph (a) of this section shall not apply to the appointment of persons who are eligible for placement assistance under the Commission's Displaced Employee (DE) Program.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66-12734; Filed, Nov. 22, 1966; 10:10 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 26—GRAIN STANDARDS

Department Charges and Fees

Pursuant to the authority of section 6 of the U.S. Grain Standards Act, as amended (7 U.S.C. 78), the provisions of 7 CFR 26.74(g) prescribing charges in connection with overtime, night, or holiday work performed by employees of the Department on account of an appeal or a dispute are hereby amended by changing the phrase "$6.40 per man-hour" to "$7.20 per man-hour."

The U.S. Grain Standards Act provides that the Secretary of Agriculture is authorized to pay employees assigned to perform appeal inspections for all overtime, night, or holiday work at such rates as he may determine and to accept from persons, Government agencies and departments, and Government corporations for whom such work is performed reimbursement for any sums paid for such work. The Federal Salary and Fringe Benefits Act of 1966 (P.L. 89–504) has required increases in the overtime paid to Federal employees engaged in the performance of appeal inspections. It has been determined that in order to cover the increased costs of the service, the overtime charges in connection with the performance of appeal services must be increased as soon as practicable as provided for herein. The need for the increase and the amount thereof are dependent upon facts within the knowledge of the Consumer and Marketing Service. Therefore, under section 4 of the Administrative Procedures Act (5 U.S.C. 553), it is found that notices and other public procedure with respect to this amendment are impractical and unnecessary and good cause is found for making the amendment effective less than 30 days after its publication in the FEDERAL REGISTER.

(39 Stat. 484, as amended; 7 U.S.C. 78)

This amendment shall become effective January 1, 1967, with respect to appeal inspection services rendered on and after that date.

Done at Washington, D.C., this 17th day of November 1966.

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

[F.R. Doc. 66-12645; Filed, Nov. 22, 1966; 8:47 a.m.]

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

[Navel Orange Reg. 112, Amdt. 1]

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

Limitation of Handling

(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 recommendation 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 amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restrictions on the handling of Navel oranges grown in Arizona and designated part of California.

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i) and (iv) of § 907.412 (Navel Orange Regulation 112, 31 F.R. 14494) are hereby amended to read as follows:

§ 907.412 Navel Orange Regulation 112.

* * * * *

(b) *Order.* (1) * * *

(i) District 1: 727,216 cartons;

* * * * *

(iv) District 4: 100,000 cartons.

* * * * *

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

Dated: November 18, 1966.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 66-12664; Filed, Nov. 22, 1966; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Rev. 2, Amdt. 1]

PART 1490—PAYMENTS ON EXPORTS OF CERTAIN KINDS OF TOBACCO

Subpart—Tobacco Export Program

The regulations issued by Commodity Credit Corporation, published in 31 F.R. 12997 (Oct. 6, 1966), which contain the terms and conditions of payments on exports of certain kinds of tobacco, are herein amended as follows:

1. In § 1490.3, paragraph (b)(1) is amended to include burley tobacco of the 1960, 1961, and 1962 crops of tobacco for which the export payment rate shall be $10 per hundredweight. The amended subparagraph reads as follows:

§ 1490.3 Export payment and rate.

* * * * *

(b) The export payment rate shall be as follows:

(1) Ten dollars per hundredweight for (i) Flue-cured tobacco (Types 11–14) of the 1960, 1961, and 1962 crops, (ii) Fire-cured tobacco (Type 21) of the 1959, 1960, 1961, and 1962 crops, (iii) Fire-cured tobacco (Types 22–23) of the 1960, 1961, and 1962 crops, (iv) Dark air-cured tobacco (Types 35–36) of the 1961 and 1962 crops, and (v) Burley tobacco (Type 31) of the 1960, 1961, and 1962 crops. If such tobacco was purchased from CCC loan stocks (tobacco pledged to CCC as security for a price support loan) under terms and conditions providing for or authorizing a refund of part of the purchase price upon proof of exportation, the exporter's application for export payment under this program shall constitute a waiver of his right to such refund. If the purchaser of the tobacco was other than the exporter, the exporter shall submit a waiver of the right to such refund signed by the person entitled thereto and, if the exporter does not furnish such a waiver, the rate of payment shall be as provided in subparagraph (2) of this paragraph.

* * * * *

2. In § 1490.7, paragraph (a) is amended to require certification by the exporter that the increased export payment provided for burley tobacco of the 1960, 1961, and 1962 crops was passed to the foreign buyer by reduction in sales price with respect to tobacco which was either (1) sold under contract entered into between the exporter and foreign buyer before the effective date of this amendment or (2) acquired prior to the effective date of this amendment under a barter contract with CCC. The amended paragraph reads as follows:

§ 1490.7 Application for tobacco export payment and evidence of export.

(a) The exporter shall submit an original of an application for tobacco export payment on the form prescribed by CCC to the Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250. Supplies of the application form may be obtained from that office. The exporter, in order to receive an export payment under this program, must submit the application required by this section within 365 days from the date of export. If the tobacco is exported pursuant to a contract of sale with a foreign buyer, and the tobacco is not 1960, 1961, or 1962 crop burley tobacco, the exporter shall certify either (1) that such contract of sale was entered into after July 6, 1966, or (2) that the sale price in the contract of sale with the foreign buyer was reduced by an amount equal to the export payment for which application is made. If burley tobacco of the 1960, 1961, or 1962 crop is exported pursuant to a contract of sale with a foreign buyer, the exporter shall certify either (i) that the sales contract was entered into after November 25, 1966, (ii) that the sales contract was entered into between July 6, 1966, and November 25, 1966, and that the sales price in the contract was reduced $5 per hundredweight, or (iii) that the sales contract was entered into prior to July 6, 1966, and that the sales price in the contract was reduced $10 per hundredweight. If the tobacco was acquired prior to July 6, 1966, for export under a barter contract with CCC, the exporter shall certify that the sales price in the contract of sale with the foreign buyer was reduced by an amount equal to the export payment for which application is made. If the tobacco is 1960, 1961, or 1962 crop burley tobacco and was acquired between July 6, 1966, and November 25, 1966, for export under a barter contract with CCC, the exporter shall certify that the sales price in the contract of sale with the foreign buyer was reduced $5 per hundredweight. Any reduction of the sale price may be made by credit invoices or other standard commercial practice acceptable to the foreign buyer. The exporter shall also certify as to the kind, type, form (i.e., unstemmed tobacco, stemmed tobacco, or blackfat) and the quantity of eligible tobacco exported and, in the event the export is made under a contract entered into under section 1490.6, the particular crop or crops of tobacco exported and the contract acceptance number. If the tobacco exported is of a kind and crop specified in § 1490.3(b)(1), the exporter shall also certify as to the particular crops exported and shall state whether or not the tobacco was purchased from CCC loan stocks by a purchaser who is other than the exporter. Each application for export payment shall show, by type and form, the unstemmed-leaf packed-weight or the unstemmed-leaf packed-weight equivalent of the eligible tobacco exported, determined in accordance with § 1490.3(d). When such weight is different from the invoice weight, the computation of the weight on which payment is claimed shall be certified to CCC. The use of a conversion rate provided for in § 1490.3(d) in determining the unstemmed-leaf packed-weight equivalent shall constitute the exporter's representation that the stemmed tobacco is of the quality, with respect to the percentage of stems remaining therein, to which the conversion factor applies. Applications for export payment shall be supported by the following documentary evidence:

* * * * *

Effective date: November 25, 1966.

Signed at Washington, D.C., on November 18, 1966.

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

[F.R. Doc. 66-12663; Filed, Nov. 22, 1966; 8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports, effective July 31, 1966 (9 CFR 97.1), administrative instructions (9 CFR 97.2) effective July 30, 1963, as amended May 18, 1964 (29 F.R. 6318), December 7, 1964 (29 F.R. 16316), April

12, 1965 (30 F.R. 4609), June 18, 1965 (30 F.R. 7893), June 7, 1966 (31 F.R. 8020), October 11, 1966 (31 F.R. 13114), and November 1, 1966 (31 F.R. 13939), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein, as follows:

OUTSIDE METROPOLITAN AREA

ONE HOUR

Add: Port of Morgan (served from Morgan, Mont.).

THREE HOURS

Add: Port of Morgan (when served from Malta, Mont.).

FIVE HOURS

Add: Brownsville, Tex. (served from Laredo or San Antonio, Tex.).
Add: Del Rio, Tex. (served from Laredo or San Antonio, Tex.).
Add: Eagle Pass, Tex. (served from Laredo or San Antonio, Tex.).
Add: Laredo, Tex. (served from Brownsville, Eagle Pass or San Antonio, Tex.).
Add: Port of Ophaim (served from Wolf Point or Plentywood, Mont.).
Add: Presidio, Tex. (served from El Paso, Tex.).

SEVEN HOURS

Add: Port of Morgan (when served from Wolf Point, Mont.).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561)

These revised administrative instructions shall be effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 17th day of November 1966.

G. H. WISE,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 66-12646; Filed, Nov. 22, 1966; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

[No. 20,273]

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

PART 531—STATEMENTS OF POLICY

Rates of Interest or Dividends on Withdrawable Accounts

NOVEMBER 16, 1966.

Whereas by Federal Home Loan Bank Board Resolution No. 20,192 dated September 21, 1966, as amended by Federal Home Loan Bank Board Resolution No. 20,201 dated September 22, 1966, and duly published in the FEDERAL REGISTER on September 24, 1966 (31 F.R. 12,595), this Board adopted regulations limiting the rates of interest or dividends on withdrawable accounts; that could be paid by member institutions, and

Whereas the aforesaid regulations limiting the rate of return payable on withdrawable accounts of member institutions have rendered obsolete prior published policy statements of the Board.

Now, therefore, it is hereby resolved, that §§ 531.4 and 531.8 of the regulations for the Federal Home Loan Bank System (12 CFR 531.4 and 531.8) are hereby rescinded effective immediately.

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,
Assistant Secretary.

[F.R. Doc. 66-12647; Filed, Nov. 22, 1966; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7759; Amdt. 39-313]

PART 39—AIRWORTHINESS DIRECTIVES

SIAI-Marchetti Model S.205 Airplanes, of Certain Serial Numbers

Cracks have been found on the rear spar web at an area adjacent to the holes of the aileron outboard hinge bracket attaching bolts on certain SIAI-Marchetti Model S.205 airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued requiring inspection of the rear spar web for cracks and reinforcement of the rear spar when cracks are found.

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 notice.

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

SIAI-MARCHETTI. Applies to SIAI-Marchetti Model S.205 airplanes, Serial Nos. 101 through 222, 224, 228, 229, 231 through 233.

Compliance required as indicated.

To detect cracks on the rear spar web at areas adjacent to the aileron outboard hinge bracket bolts, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, unless already accomplished within the last 90 hours' time in service, and thereafter at intervals not to exceed 100 hours' time in service from the last inspection, visually inspect the rear spar web for cracks in accordance with SIAI Service Bulletin No. 205B4, dated September 14, 1966. If cracks are detected during this inspection, comply with paragraph (b) of this AD before further flight.

(b) Modify the rear spar by incorporating a reinforcement as set forth in paragraph (b) of SIAI Service Bulletin No. 205B4, dated September 14, 1966, or an FAA-approved equivalent.

(c) The repetitive inspections required by paragraph (a) of this AD may be discontinued after the rear spar is reinforced in accordance with paragraph (b) of this AD.

This amendment becomes effective November 23, 1966.

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

Issued in Washington, D.C., on November 17, 1966.

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

[F.R. Doc. 66-12626; Filed, Nov. 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66-WA-25]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Areas

On October 4, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 12925) stating that the Federal Aviation Agency was considering an amendment to Part 73 of the Federal Aviation Regulations which would extend the time of designation of temporary restricted areas R-2513C and R-2513D near the Hunter-Liggett Military Reservation to December 16, 1966.

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

The designation of these temporary restricted areas and the proposed extension of the time of designation was requested by Joint Task Force Two to contain activities of a classified nature that might be hazardous to nonparticipating aircraft.

The Administrator has determined that, in the interest of National Defense, the designation of the temporary restricted area should be continuous, therefore, this amendment may be made

effective without regard to the 30-day period preceding effectiveness.

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

In § 73.25 (31 F.R. 2299, 7612, 12402) the Hunter-Liggett, Calif. (Temporary), restricted areas R–2513C and R–2513D are altered by deleting "Time of Designation: Continuous July 21, 1966, through November 30, 1966." and substituting therefor "Time of Designation: Continuous July 21, 1966, through December 16, 1966."

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

Issued in Washington, D.C., on November 16, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–12627; Filed, Nov. 22, 1966; 8:45 a.m.]

[Airspace Docket No. 66–SO–69]

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

The purpose of this amendment to § 73.21 of the Federal Aviation Regulations is to change the designated altitudes of Restricted Area R–2102, Fort McClellan, Ala.

To assure maximum efficiency in airspace utilization, the U.S. Army has requested that R–2102 be stratified into three subareas. Such stratification would allow the Army to activate only that amount of airspace absolutely required to contain its operations, thereby leaving a maximum of airspace unrestricted.

Since the proposed modification to R–2102 imposes no additional burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, § 73.21 (31 F.R. 2294) Restricted Area R–2102, Fort McClellan, Ala., is amended, effective immediately, to read as follows:

R–2102 FORT MCCLELLAN, ALA.

Boundaries: Beginning at latitude 33°45'-00" N., longtitude 85°53'55" W.; to latitude 33°44'07" N., longitude 85°53'36" W.; to latitude 33°44'07" N., longitude 85°52'55" W.; to latitude 33°41'04" N., longitude 85°52'55" W.; to latitude 33°40'15" N., longitude 85°-54'00" W.; to latitude 33°41'20" N., longitude 85°55'30" W.; to latitude 33°41'20" N., longitude 86°01'07" W.; to latitude 33°43'55" N., longitude 86°01' 07" W.; to latitude 33°-44'11" N., longitude 86°00'54" W.; to latitude 33°45'00" N., longitude 86°00'45" W.; to latitude 33°45'20" N., longitude 86°00'31" W.; to latitude 33°45'27" N., longitude 86°00'16" W.; to latitude 33°45'27" N., longitude 85°-59'26" W.; to latitude 33°45'14" N., longitude 85°59'26" W.; to latitude 33°45'14" N., longitude 85°55'17" W.; to latitude 33°45'00" N., longitude 85°55'17" W.; to point of beginning.

Designated altitudes: Subarea A, surface to and including 5,000 feet MSL. Subarea B, from 5,000 feet MSL to and including 14,000 feet MSL. Subarea C, from 14,000 feet MSL to 24,000 feet MSL.

Time of use: Continuous.

Controlling agency: Federal Aviation Agency, Atlanta ARTC Center.

Using agency: Commanding Officer, Fort McClellan, Ala.

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

Issued in Washington, D.C., on November 16, 1966.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 66–12628; Filed, Nov. 22, 1966; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation, Department of Labor

PART 25—COMPENSATION FOR DISABILITY AND DEATH OF NON-CITIZENS OUTSIDE THE UNITED STATES

Subpart C—Extensions of Special Schedule of Compensation

JAPANESE SEAMEN

Pursuant to the authority contained in 5 U.S.C. 8136, 8137, 8138, 8145, and 8149; Reorganization Plan No. 19 of 1950 (64 Stat. 1271, 15 F.R. 3178), and General Order No. 46 (Rev.) of the Secretary of Labor (24 F.R. 8472), Part 25 of Title 20, Code of Federal Regulations, is hereby amended by the addition of the section set forth below.

The amendment shall be effective on publication in the FEDERAL REGISTER. The provisions of 5 U.S.C. § 553, concerning notice of proposed rule making, public participation therein, and delayed effectiveness of substantive rules, do not apply, because the amendment relates to public benefits.

§ 25.26 Japanese seamen.

(a) (1) The special schedule of compensation established by Subpart B of this part shall apply, with the modifications or additions specified in paragraphs (b) and (c) of this section, as of June 1, 1965, to injuries sustained outside the continental United States or Canada by direct-hire Japanese seamen who are neither citizens nor residents of the United States or Canada and who are employed by the Military Sea Transportation Service in Japan. Compensation in all cases pending as of June 1, 1965, shall be readjusted accordingly, with credit taken in the amount of compensation paid prior to such date.

(2) Refund of compensation shall not be required if the amount of compensation paid in any case prior to June 1, 1965, otherwise than through fraud, misrepresentation, or mistake, exceeds the amount provided for under this section; and such case shall be deemed compromised and paid under 5 U.S.C. 8137.

(b) The total compensation payable under paragraph (a) of this section in cases other than those of permanent total disability or death, shall not exceed the sum of $10,000, exclusive of medical costs. The maximum weekly rate of compensation in any case shall not exceed the sum of $35 and the maximum wage on which compensation is calculated shall not exceed $52.50 a week.

(c) Paragraphs (a) through (j), inclusive, of § 25.12 of the special schedule of compensation established by Subpart B of this part shall not be applicable to any case under this section. In lieu thereof, compensation for death shall be as follows:

(1) To the undertaker or other person entitled to reimbursement, reasonable funeral expenses not exceeding the equivalent of two months' pay or $455, whichever is lower.

(2) To the widow, if there is no child, 41⅔ per centum of the weekly pay until her death or remarriage.

(3) To the widower, if there is no child and if wholly dependent for support upon the deceased employee at the time of her death, 41⅔ per centum of the weekly pay until his death or remarriage.

(4) To the widow or widower, if there is a child, compensation payable under subparagraph (2) or (3) of this paragraph and, in addition thereto, 10 per centum of weekly wage for each child, not to exceed a total of 66⅔ per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation of any child shall cease when he dies, marries, reaches the age of 18 years, or, if over such age and incapable of self-support, becomes capable of self-support.

(5) To the children if there is no widow or widower, 41⅔ per centum of such weekly pay for one child and 10 per centum thereof for each additional child, not to exceed a total of 66⅔ per centum thereof, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries, reaches the age of 18, or, if over such age and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(6) To the dependent parents, dependent grandparents or dependent grandchildren, 41⅔ per centum of the weekly pay, share and share alike. The compensation to a parent, grandparent, or grandchild shall be paid only if there is no widow, widower or child, but if there is a widow, widower or child entitled to compensation, there shall be paid so much of such percentage for a parent, grandparent, or grandchild, as when added to the total of the percentages for the widow, widower and children, will not exceed a total of 66⅔ per centum of such pay.

(7) If a deceased employee is not survived by an eligible widow, widower, child, parent, grandparent or grandchild,

there shall be paid to any other persons who were dependent upon the deceased for support at the time of his death, 50 per centum of the weekly pay for 312 weeks, share and share alike.

(8) The compensation of each beneficiary under subparagraph (6) of this paragraph shall be paid until he, if a parent or grandparent, dies, marries, or ceases to be dependent, and, if a grandchild, dies, marries, reaches the age of 18, or, if over such age and incapable of self-support, becomes capable of self-support. The compensation payable under subparagraph (6) or (7) of this paragraph to a beneficiary under legal age shall be paid to his or her guardian, if there is one, otherwise to the person having the custody or care of such child, for such child, as the Bureau in its discretion shall determine.

(9) Upon the cessation of any person's compensation for death under this section, the compensation of any remaining person entitled to the continuation of compensation in the same case shall be adjusted, so that the continuing compensation shall be at the same rate such person would have received, had no award been made to the person whose compensation was terminated.

(10) In case there are two or more classes of persons entitled to compensation for death under this section, and the apportionment of such compensation as above provided would result in injustice, the Bureau may in its discretion modify the apportionments to meet the requirements of the case.

(5 U.S.C. 8136, 8137, 8138, 8145, 8149; Reorg. Plan No. 19 of 1950, 64 Stat. 1271, 15 F.R. 3178; General Order No. 46 (Rev.), 24 F.R. 8472)

Signed at Washington, D.C., this 14th day of November 1966.

THOMAS A. TINSLEY,
Director,
Bureau of Employees' Compensation.

[F.R. Doc. 66-12639; Filed, Nov. 22, 1966; 8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 20—FROZEN DESSERTS

Ice Cream, Fruit Sherbet; Order Amending Identity Standards To List Microcrystalline Cellulose as Optional Ingredient

In the matter of amending the standard of identity for ice cream (§ 20.1) and for fruit sherbet (§ 20.4) by listing microcrystalline cellulose as an optional ingredient for these foods:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of August 16, 1966 (31 F.R. 10889), based on a petition submitted by American Viscose Division of FMC Corp., 1617 John F. Kennedy Boulevard, Philadelphia, Pa. 19103. The notice included a proposal on the initiative of the Commissioner of Food and Drugs that such use of microcrystalline cellulose be declared on the label of the frozen dessert.

The information submitted by the petitioner, comments received in response to the proposals, and other relevant material have been considered, and it is concluded that amending the standards as proposed will promote honesty and fair dealing in the interest of consumers. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008): *It is ordered*, That Part 20 be amended as set forth below.

Due to cross-references, the amendments herein to the standard for ice cream (§ 20.1) have the effect of making microcrystalline cellulose a permitted ingredient also of frozen custard (§ 20.2) and ice milk (§ 20.3).

Any person who will be adversely affected by the foregoing order may at any time within 30 days following 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. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

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

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: November 16, 1966.

J. K. KIRK,
Associate Commissioner for Compliance.

Part 20 is amended as follows:

1. In § 20.1 by changing the third sentence from the end of paragraph (a), by adding to paragraph (f) a new subparagraph and by revising paragraph (g)(3), as follows:

§ 20.1 Ice cream; identity; label statement of optional ingredients.

(a) * * * The finished ice cream contains not less than 1.6 pounds of total solids to the gallon and weighs not less than 4.5 pounds to the gallon; except that when the optional ingredient microcrystalline cellulose specified in paragraph (f)(6) of this section is used, the finished ice cream contains not less than 1.6 pounds of total solids to the gallon and weighs not less than 4.5 pounds to the gallon exclusive, in both cases, of the weight of the microcrystalline cellulose.

* * *

* * * * *

(f) * * *

(6) Microcrystalline cellulose, in a quantity not to exceed 1.5 percent by weight of the finished frozen dessert.

(g) * * *

(3)(i) If the food is subject to the requirements of subparagraph (2)(ii) of this paragraph or if it contains any artificial flavor not simulating the characterizing flavor, the label shall also bear the words "artificial flavor added" or "artificial _____ flavor added," the blank being filled with the common name of the flavor simulated by the artificial flavor in letters of the same size and prominence as the words that precede and follow it.

(ii) When the optional ingredient microcrystalline cellulose specified in paragraph (f)(6) of this section is used, the label shall bear the statement "microcrystalline cellulose added" or "with microcrystalline cellulose".

(iii) When two or more of the optional ingredients specified in paragraphs (b)(2) and (f)(6) of this section are used, such words may be combined; for example, "microcrystalline cellulose and artificial flavor added."

(iv) Wherever the name of the characterizing flavor appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words prescribed by this subparagraph shall immediately and conspicuously precede or follow such name, in a size reasonably related to the prominence of the name of the characterizing flavor and in any event the size of the type is not less than 6-point on packages containing less than 1 pint, not less than 8-point on packages containing at least 1 pint but less than one-half gallon, not less than 10-point on packages containing at least one-half gallon but less than 1 gallon, and not less than 12-point on packages containing 1 gallon or over; *Provided, however*, That where the characterizing flavor and a trade mark or brand are presented together, other written, printed, or graphic matter that is a part of or is associated with the trade mark or brand, may intervene if the required words are in such relationship with the trade mark or brand as to be clearly related to the characterizing flavor: *And provided further*, That if the finished product contains more than one flavor of ice cream subject to the requirements of this subparagraph, the statements required by this subparagraph need appear only once in each statement of characterizing flavors present in such ice cream, e.g., "VANILLA flavored, CHOCOLATE and STRAWBERRY flavored, artificial flavors added."

2. By revising § 20.3(e) to read as follows:

§ 20.3 Ice milk; identity; label statement of optional ingredients.

* * * * *

(e) The quantity of food solids per gallon is not less than 1.3 pounds; except that when the optional ingredient microcrystalline cellulose specified in § 20.1(f)(6) is used the quantity of food solids per gallon is not less than 1.3 pounds, exclusive of the weight of the microcrystalline cellulose.

3. In § 20.4 by changing the last sentence of paragraph (a), by adding to paragraph (e) a new subparagraph (11), and by adding to paragraph (g) a new subparagraph (4), as follows:

§ 20.4 Fruit sherbets; identity; label statement of optional ingredients.

(a) * * * The finished fruit sherbet weighs not less than 6 pounds to the gallon; except that when the optional ingredient microcrystalline cellulose specified in paragraph (e)(11) of this section is used, the finished fruit sherbet weighs not less than 6 pounds to the gallon, exclusive of the weight of the microcrystalline cellulose.

* * * * *

(e) * * *

(11) Microcrystalline cellulose, in a quantity not to exceed 0.5 percent of the weight of the finished fruit sherbet.

* * * * *

(g) * * *

(4) When the optional ingredient microcrystalline cellulose specified in paragraph (e)(11) of this section is used, the label shall bear the statement "microcrystalline cellulose added" or "with added microcrystalline cellulose."

* * * * *

[F.R. Doc. 66-12677; Filed, Nov. 22, 1966; 8:48 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

O,O-Diethyl O-(2-Isopropyl-4-Methyl-6-Pyrimidinyl) Phosphorothioate

A petition (PP 6F0482) was filed with the Food and Drug Administration by Geigy Agricultural Chemicals, a division of the Geigy Chemical Corp., Yonkers, N.Y. 10702, proposing the establishment of tolerances of 40 parts per million for residues of the insecticide *O,O*-diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate in or on pineapple forage, sorghum forage, and sorghum grain. The petitioner later reduced the requested tolerance level in or on sorghum forage to 10 parts per million and in or on sorghum grain to 0.75 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

After consideration of the data submitted in the petition and other relevant material, it is concluded that the tolerances established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), § 120.153 is amended to establish the requested tolerances by revising the third, fifth, and eighth paragraphs to read as follows:

§ 120.153 Tolerances for residues of *O,O*-diethyl *O*-(2-isopropyl-4-methyl-6-pyrimidinyl) phosphorothioate.

* * * * *

40 parts per million in or on alfalfa (fresh), clover (fresh), corn forage, pineapple forage.

* * * * *

10 parts per million in or on alfalfa hay, bean hay, clover hay, grass hay, peavine hay, sorghum forage, sugarbeet tops.

* * * * *

0.75 part per million in or on apples, apricots, beans (snap), beet roots, beet tops, blackberries, blueberries, boysenberries, broccoli, cabbage, carrots, cauliflower, celery, cherries, collards, corn (kernels and cob with husks removed), cranberries, cucumbers, dewberries, endive (escarole), figs, grapefruit, grapes, hops, kale, lemons, lettuce, lima beans, loganberries, melons, nectarines, onions, oranges, parsley, parsnips, peaches, pears, peas with pods (determined on peas after removing any shell present when marketed), peppers, pineapples, plums (fresh prunes), radishes, raspberries, sorghum grain, spinach, strawberries, sugarbeet roots, summer squash, Swiss chard, tomatoes, turnip roots, turnip tops, winter squash.

* * * * *

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 become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: November 14, 1966.

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

[F.R. Doc. 66-12678; Filed, Nov. 22, 1966; 8:48 a.m.]

SUBCHAPTER C—DRUGS

PART 166—DEPRESSANT AND STIMULANT DRUGS; DEFINITIONS, PROCEDURAL AND INTERPRETATIVE REGULATIONS

Confirmation of Effective Date of Order Listing Additional Drugs as Drugs Subject to Control

In the matter of listing chloral betaine, chlorhexadol, petrichloral, sulfondiethylmethane, sulfonethylmethane, and sulfonmethane as depressant or stimulant drugs within the meaning of section 201(v) of the Federal Food, Drug, and Cosmetic Act because of their depressant effect on the central nervous system:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371), and under the authority delegated by the Secretary of Health, Education, and Welfare to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of September 20, 1966 (31 F.R. 12435).

Accordingly, the amendments promulgated by that order will become effective November 19, 1966.

(Secs. 201(v), 511, 701, 52 Stat. 1055, as amended, 79 Stat. 227 et seq.; 21 U.S.C. 321(v), 360a, 371)

Dated: November 9, 1966.

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

[F.R. Doc. 66-12679; Filed, Nov. 22, 1966; 8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER F—TRANSPORTATION

PART 200—OCEAN TRANSPORTATION SERVICE

Miscellaneous Amendments

Scope and purpose. Part 200 is updated to reflect current statutory authority for, and organization and functions of, the Military Sea Transportation Service.

1. The citation of authority for Part 200 is revised to read as follows:

AUTHORITY: The provisions of this Part 200 issued under R.S. 161, secs. 125, 133, 76 Stat.

515, 517; 5 U.S.C. 22, 10 U.S.C. 125, 133. Interpret or apply sec. 2202, 70A Stat. 120; 10 U.S.C. 2202.

2. Section 200.1 is amended by revising paragraph (d) to read as follows:

§ 200.1 Authority and responsibility.

* * * * *

(d) The Military Sea Transportation Service is a major component of the U.S. Navy and is commanded by a flag officer who is appointed by the Chief of Naval Operations subject to the approval of the Secretary of the Navy. As MSTS is a part of the Operating Forces of the Navy, the Commander Military Sea Transportation Service is under the command of the Chief of Naval Operations. The Under Secretary of the Navy shall exercise policy supervision in procurement and related areas affecting the Military Sea Transportation Service, except that the Assistant Secretary of the Navy (Installations and Logistics) shall exercise policy supervision with respect to (1) determinations and findings authorizing negotiation of contracts and (2) business clearance as required by Navy Procurement Directives 1–403.

* * * * *

3. Section 200.3 is amended by revising paragraph (b) to read as follows:

§ 200.3 Organization.

* * * * *

(b) Under the Commander Military Sea Transportation Service, with headquarters at Washington, D.C., Area Commands, headed by Flag Officers, have been established as follows:

Eastern Atlantic and Mediterranean Area (ELM), Bremerhaven.
Atlantic Area (LANT), New York.
Pacific Area (PAC), Oakland.
Far East Area (FE), Yokohama.

Sub-area Commands and Port Offices have been established at locations within Area Commands. Such Port Offices are subject to inactivation or relocation as circumstances warrant to meet the sea transportation needs of military personnel and cargo.

4. Section 200.4 is amended by revising paragraphs (b), (c), and (e) to read as follows and by deleting paragraph (g):

§ 200.4 Relationships.

* * * * *

(b) *Departmental headquarters.* The following departmental headquarters offices are the points of contact with the Military Sea Transportation Service for the ocean transportation requirements of their respective departments:

(1) Department of the Army, Office of the Deputy Chief of Staff (Logistics).

(2) Department of the Air Force, Office of the Director of Transportation.

(3) Department of the Navy:

(i) Navy (Cargo), Naval Supply Systems Command Headquarters; (Personnel) Bureau of Naval Personnel.

(ii) Marine Corps (Cargo), Naval Supply Systems Command Headquarters; (Personnel) Bureau of Naval Personnel.

(c) *Space assignment committees.* Space assignment committees have been established at headquarters and at each of the Area and Sub-area Commands. These committees, for passenger space allocations, are composed of representatives of each of the shipper services and are chairmanned by a representative of MSTS.

* * * * *

(e) *Reporting shipping requirements.* Procedures for reporting shipping requirements have been established by the Joint Chiefs of Staff, in coordination with the Military Sea Transportation Service, the Military Traffic Management and Terminal Service, and the military departments.

* * * * *

(g) [Deleted]

* * * * *

(R.S. 161, sec. 2202, 70A Stat. 120, secs. 125, 133, 76 Stat. 515, 517; 5 U.S.C. 22, 10 U.S.C. 125, 133, 2202)

MAURICE W. ROCHE,
Director, Correspondence and Directives Division, OASD (Administration).

NOVEMBER 16, 1966.

[F.R. Doc. 66–12625; Filed, Nov. 22, 1966; 8:45 a.m.]

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 725—DISPOSITION OF CASES INVOLVING PHYSICAL DISABILITY

Miscellaneous Amendments

Scope and purpose. Part 725 is updated to conform to Change 2 to the Disability Separation Manual of the Department of the Navy. Change 2 will be distributed to Navy and Marine Corps commands in due course.

1. Section 725.216 is amended by revising paragraph (b) to read as follows:

§ 725.216 Incurred while entitled to receive basic pay.

* * * * *

(b) Every person employed in active service shall be taken to have been in sound condition when examined, accepted, and enrolled for service, except as to physical disabilities noted at time of the examination, acceptance, and enrollment, or where medical evidence or principles demonstrate that the disease or injury existed prior to acceptance and enrollment. Only those physical disabilities recorded at the time of the examination are to be considered as noted. A mere history of preservice existence of a physical disability recorded at the time of examination for acceptance does not constitute a notation but will be considered together with all other material evidence in determinations as to the incurrence of such physical disabilities.

* * * * *

2. Section 725.218 is amended by revising paragraph (c)(3) to read as follows:

§ 725.218 Misconduct.

* * * * *

(c) *Special rules.* * * *

(3) Surgical and medical treatment. Continuation of disability after unreasonable refusal to submit to diognostic, medical, dental, or surgical procedure, which a board of medical officers decides is indicated for correction of such disability, shall be considered as due to the individual's own misconduct and not in line of duty from and after the time of the unreasonable refusal in question. Art. 18–12(2) of the Manual of the Medical Department, U.S. Navy, contains applicable provisions.)

* * * * *

3. Sections 725.301 through 725.310 are revised to read as follows (§ 725.311, the last section of Subpart C—Medical Boards, remains unchanged):

§ 725.300 Source.

Chapter 18, section III, Manual of the Medical Department, U.S. Navy (in this part also referred to as MANMED), contains full instructions concerning the medical boards. Sections 725.301 through 725.310 contain information applicable to medical boards as they pertain to the disability separation system.

§ 725.301 Convening authority.

(a) A medical board may be ordered by the commander of a fleet, force, squadron, or flotilla, by commanding generals of Fleet Marine Force units, or by the commandant, commander, or commanding officer of a shore (field) activity of the Department of the Navy, upon any person of the naval service under his command, on the recommendation of the medical officer of the command to which such person is attached. A medical board may also be ordered by the Chief of Naval Personnel, the Commandant of the Marine Corps, and the Chief, Bureau of Medicine and Surgery. (MANMED, art. 18–7.)

(b) Individual cases shall be referred to the board in such manner as the convening authority directs. No member serving on the active list shall be referred to a medical board until he has been admitted to the sicklist. (MANMED, art. 18–10(1).)

§ 725.302 Composition.

A medical board, whenever practicable, shall consist of three medical officers of the Navy; otherwise, the board may consist, in whole or in part, of medical officers of the Army, Navy, Air Force, or of the Public Health Service. In exceptional cases, as determined by the convening authority, medical boards may consist of a lesser number of medical officers. When the board is reporting upon conditions which normally fall under the professional jurisdiction of the dental department, the membership of the board shall include a dental officer when one is available. When the party before the board is a reservist, the membership of the board shall include Reserve representation, if available. In any instance where Reserve members are not available, the convening authority

shall so indicate in his forwarding endorsement to the board's report. (MANMED, art. 18–8.)

§ 725.303 Purpose.

A medical board is constituted to report upon the present state of health of any member of the naval service and serves as an administrative board by which the Department of the Navy obtains a considered clinical opinion regarding the physical fitness of naval personnel. There are no specific statutes or administrative holdings prescribing the procedure to be followed by medical boards. Hence, meetings and proceedings may be conducted informally, and it is not required that the information upon which the findings of the board are based meet standards of admissibility as evidence in a judicial proceeding. However, since information contained in medical board reports may play an important role in determining the rights of an individual to certain benefits (such as pensions, compensation, promotion, retirement, income tax exemption, death gratuity, and civil service preferen e), it is essential to include in the report all available information with adequate documentation concerning the origin, nature, conduct status, and aggravation-by-service of any condition reported upon. (MANMED, art. 18–9.)

§ 725.304 Board procedure.

(a) The board shall meet to consider and report upon the case of a member who is referred to it by competent authority. It shall require and examine such records in the case as are necessary to formulate a considered conclusion regarding the individual's present state of health and the recommendations required. It shall conduct such examination of the member as is considered necessary, and the member shall appear before the board in person, provided he is physically and mentally able to appear, and provided it is considered by competent medical authority that such appearance will not adversely affect his health.

(b) Unless or except as far as it is considered that the information, findings, opinions and recommendation in the report might have an adverse effect on his physical or mental health,

(1) The member shall be allowed to read the board's report or be furnished a copy thereof;

(2) Findings or opinions that a condition was incurred through the member's misconduct, not in line of duty, or not aggravated by service, or that he is unsuitable for retention in the service shall be brought to his attention;

(3) He shall be afforded an opportunity to submit a statement in rebuttal to any portion of the board's report;

(4) NAVMED Form 6100/2 statement concerning the findings and recommendations of the board shall be completed, referred to the member for signature, and witnessed.

In all cases, the board's report shall contain a statement indicating whether and to what extent the foregoing steps in subparagraphs (1) to (4) of this paragraph have been taken. If a member submits a statement in rebuttal, the board shall review its report and make any change which is considered appropriate or prepare a statement in surrebuttal. The member's signed NAVMED 6100/2 statement and/or statement in rebuttal shall accompany the board's report but shall not be incorporated into it. (MANMED, art. 18–19.)

§ 725.305 Report.

(a) The medical board report shall be submitted to the convening authority of the medical board on NAVMED 6100/1 (Medical Board Report Cover Sheet), a multipage interleaf carbon format. The cover sheet shall not be mechanically reproduced. The body of the report should be prepared on plain white bond paper which may, if desired, be mechanically reproduced. The body shall present a summary, in longitudinal form, of all pertinent data concerning each complaint, symptom, disease, injury, or disability presented by the member which causes or is alleged to cause impairment of health, unfitness for duty, or military unsuitability. The facts are to be presented briefly and concisely, and show the reason for admission to the sicklist; the diagnosis and any change thereof shall be substantiated; the board's opinion relative to misconduct, and origin of the condition reported, shall be supported, and the board's recommendation justified.

(b) Where no impairment exists, the report shall so indicate.

(c) Whenever possible, impairment of function should be reported in terms of objective tests or findings rather than as opinion or conjecture.

(d) The report must contain sufficient data to permit a reviewer to conclude whether the member suffers impairment of health; and if so, to determine its nature and the degree of impairment. The discussion of each impairment should be presented in such a manner as to show the limitation of activity imposed by the disability and the significance of subjective symptoms alleged to cause impairment. Such evidence is intended for use in rating disability in the event the member is later determined to be unfit to perform the duties of his grade or rate.

(e) Any disability rating, which will be based in part on the data presented, is governed by the ability of the body as a whole, or of the psyche, or of a system or organ of the body, according to the general or localized effects of disease or injury, to function under the circumstances of ordinary activity in daily life including employment. The Manual for Medical Examiners of the Veterans' Administration indicates the scope of the report required for rating purposes.

(f) If a previous report of medical survey or medical board has been submitted, it is not necessary to repeat the detailed information contained therein. In such cases, attention may be invited to the previous report and the description of the present illness restricted to the interval history and currently pertinent data. Any facts which are not a matter of record or of personal knowledge to a member of the board, but which are based on the individual's own statement, should be recorded as "according to the member's own statement." Medical-social reports must be held in the strictest confidence, should not be shown to the individual, and information derived therefrom shall not be entered in reports of medical boards. Such data are obtained primarily for the benefit of the patient in diagnosis and treatment, and may be utilized for the purpose of further interrogation of the patient if pertinent. Any additional history so obtained from the patient or from other direct sources contacted as a result of "lead information" may be incorporated as a part of the history of the case.

(g) The examining facility and date of the entrance physical examination shall be reported in the case of members recommended for discharge who have less than 1 year of active service.

(h) In the following instances the report shall contain a statement concerning member's capability of managing his own affairs in accordance with Part 726 of this chapter:

(1) All psychoses.

(2) Organic brain disorders when the board report indicates impairment of judgment.

(3) Psychoneuroses, severe, where possible impairment of judgment is indicated.

(4) Any case in which a member has previously been declared incapable of managing his own affairs.

(5) All psychiatric cases of sufficient severity to require further hospitalization.

(MANMED, art. 18–20(1) (a) thru (g).)

§ 725.306 Disposition of report.

The report of the medical board shall be signed by all the members of the board and transmitted to the convening authority.

§ 725.307 Action by convening authority.

(a) If the indicated disposition is appearance before a physical evaluation board and the convening authority of the medical board concurs and is the commanding officer of a U.S. naval hospital or the Commandant, 14th Naval District, he shall endorse and forward the medical board report, together with a copy (photostatic, quick-copy, typed, etc.) of only the history, physical examination, doctor's progress notes, all laboratory, X-ray, operative, pathological and consultation reports of the clinical record, and the member's current Health Record to the nearest physicial evaluation board. Orders shall not be issued for personal appearance before a physical evaluation board until, and unless, the physical evaluation board advises the convening authority that the member has requested personal appearance before the board. Also, orders for personal appearance shall not be issued in the case of mentally incompetent members. Mentally incompetent members shall be rep-

resented by qualified counsel before the physical evaluation board and shall not be processed under the modified procedure prescribed in § 725.418. (MANMED, art. 18–21, Item 23(1)(a).)

(b) When the convening authority of the medical board is an officer other than one of those referred to in paragraph (a) of this section and appearance before a physical evaluation board is the indicated disposition, the medical-board report shall be forwarded to the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, via the Chief, Bureau of Medicine and Surgery, for appropriate action. (MANMED, art. 18–21, Item 23(1)(b).)

(c) When the indicated disposition is appearance before a physical evaluation board and the convening authority of the medical board does not concur, the convening authority shall advise the member concerned of his nonconcurrence and afford the member an opportunity to submit a statement in rebuttal. The convening authority shall then forward the medical-board report, the member's signed statement, and a full statement setting forth his reasons for nonconcurrence to the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate, via the Chief, Bureau of Medicine and Surgery, for determination as to disposition to be effected. (MANMED, art. 18–21, Item 23(1)(c).)

(d) If and when the senior member of the physical evaluation board advises the convening authority of the medical board of a member retained on the sicklist pending physical evaluation board proceedings, that the member has requested personal appearance before the physical evaluation board, the convening authority shall issue orders without delay directing the member to appear before the board. When such orders involve entitlement to travel and transporation allowance, they shall be issued in accordance with current instructions relating thereto. (MANMED, art. 18–21, Item 23(1)(d).)

(e) Members whose cases have been referred to a physical evaluation board shall not be retained on the sicklist solely for the purpose of awaiting action by or appearance before a physical evaluation board. If further hospitalization is not indicated, the member shall be discharged from the sicklist and transferred to an appropriate administrative command in accordance with existing instructions. If a physical evaluation board is advised that such a released-from-sicklist member requests personal appearance before the physical evaluation board, the senior member of the physical evaluation board shall so inform the member's administrative command and that command shall issue the necessary orders for the member's personal appearance before the physical evaluation board. When such orders involve entitlement to travel and transportation allowance, they shall be issued in accordance with current instructions relating thereto. (MANMED, art. 18–21, Item 23(1)(e).)

(f) For good and sufficient reason, and with the consent of the member concerned, the convening authority of a medical board may withdraw any case he has referred to a physical evaluation board, so long as the case is still before the physical evaluation board and recommended findings have not yet been made. If recommended findings have been made by the physical evaluation board and the convening authority considers that good and sufficient reasons exist for withdrawal of the case from the disability retirement system, the convening authority may, with the consent of the member concerned, request the Chief of Naval Personnel, or the Commandant of the Marine Corps, as appropriate, or the Chief, Bureau of Medicine and Surgery, to withdraw the case under the provisions of Subpart G of this part.

§ 725.308 Cases involving discipline.

(a) When court-martial proceedings or investigative proceedings which might lead to court-martial are pending, indicated, or have been completed; in cases of uncompleted sentences of court-martial involving confinement or punitive discharge; and in cases of homosexual behavior existing concurrently with a seriously incapacitating physical disability other than a psychosis, requiring processing in accordance with current SECNAV Instruction in the 1900.9 series, the report of the medical board, together with all pertinent facts relative to the disciplinary aspects of the case, shall be forwarded by the convening authority in accordance with article 18–12(1), Manual of the Medical Department, U.S. Navy, with copy to the Judge Advocate General, for such administrative action as is deemed warranted, and no orders directing or authorizing the appearance of the member before a physical evaluation board shall be issued by the convening authority.

(b) The Chief of Naval Personnel or Commandant of the Marine Corps, as appropriate, may either direct disciplinary processing, or direct disability processing, or direct concurrent disciplinary and disability processing of the member's case.

§ 725.309 Requests for medical records.

When the indicated disposition of the board is appearance before a physical evaluation board and the convening authority of the medical board concurs and is the commanding officer of a U.S. naval hospital or the Commandant of the 14th Naval District, he shall advise the Chief, Bureau of Medicine and Surgery (Code 33), and request that the member's medical records be forwarded to the cognizant physical evaluation board. In all other cases, where the indicated disposition of the board is appearance before a physical evaluation board, the cognizant physical evaluation board shall take such action as may be necessary to obtain the medical records. When orders for appearance before a physical evaluation board are issued, by the convening authority of the medical board or other authority, copies of such orders shall be distributed as follows:

	Navy		Marine Corps	
	Officer	Enlisted	Officer	Enlisted
Bupers (Pers-B1541)	1			
Bupers (Pers-E3)		1		
Marcorps			1	1
Bumed (Code 33)	1	1	1	1
Peb	2	2	2	2

§ 725.310 Requests for statements of service.

The command responsible for making the determination that a member is to appear before a physical evaluation board (generally the convening authority of the medical board, the Chief of Naval Personnel, or the Commandant of the Marine Corps) shall initiate a request to the Chief of Naval Personnel or Commandant of the Marine Corps, as appropriate, for a statement of service for the member. Requests addressed to the Chief of Naval Personnel shall be sent to Pers–E. Requests on a Navy enlisted man shall include the member's Navy Enlisted Classification (NEC) code as part of the identification of the member.

4. Section 725.402 is revised to read as follows:

§ 725.402 Convening authorities.

(a) The Secretary of the Navy and such officers as he may designate may convene physical evaluation boards. The following officers are hereby designated as empowered to convene such boards:

Chief of Naval Personnel.
Commandant of the Marine Corps.
Commandants of the 1st, 3d, 4th, 5th, 6th, 8th, 9th, 11th, 12th, and 13th Naval Districts.
Commandant, Naval District, Washington, D.C.
Commandant, Marine Corps Schools, Quantico, Va.
Commanding Generals of Marine Corps Bases, Camp Lejune, N.C., and Camp Pendleton, Oceanside, Calif.
Commanding General, Marine Corps Recruit Depot, Parris Island, S.C.

(b) No officer may appear as the party whose case is to be evaluated before a physical evaluation board which has been convened by him or any one temporarily succeeding to his office or by any one under him in the chain of command (as distinguished from one under his direction for specified purposes only).

5. Section 725.408 is revised to read as follows:

§ 725.408 Counsel for the physical evaluation board.

(a) The counsel for the physical evaluation board shall be a competent, mature officer of sound judgment, who is familiar with procedures, regulations, and instructions relating to such board. When reasonably available, an officer who is a member of the bar of a Federal court or the highest court of a State should be designated as counsel for the board when the party is represented by an officer or civilian counsel with similar qualifications.

(b) Notwithstanding the provisions of paragraph (a) of this section, the con-

vening authority may appoint an employee who is a member of the bar of a Federal court or the highest court of a State to serve as counsel for the board when the party is represented by an officer or civilian counsel with similar qualifications.

6. Section 725.436 is revised to read as follows:

§ 725.436 Forwarding of record of proceedings.

(a) The complete record of proceedings of the physical evaluation board, together with all documents which were before the board, shall be submitted to the Physical Review Council. A copy of the record of proceedings shall be furnished the party or his counsel by registered mail, return receipt requested, except for the following restrictions:

(1) Copies of medical records or reports received from sources other than the Armed Forces of the United States shall not be furnished parties with mental disorders or to parties imprisoned or confined to correctional institutions.

(2) Copies of medical records shall not be furnished parties when such records contain information which may be deleterious to the party's physical or mental health.

The foregoing provisions of this paragraph, however, shall not preclude the review of these records by the counsel for the party as provided in § 725.420. The recipient of such copy of the record of proceedings shall give a dated receipt therefor. The record of proceedings forwarded to the Physical Review Council shall include party's signed and dated statement of intention, his statement in rebuttal if one was filed, and/or a properly executed registered mail return receipt for party's copy of the proceedings. The physical evaluation board shall indicate when a party has not been provided a copy of the proceedings or, where only part of the proceedings was provided the party, indicate what part of the record was not provided. The physical evaluation board shall request the party to indicate a mailing address where he can be most expeditiously reached. If these documents are not received by the physical evaluation board within ten (10) working days after transmittal of party's copy of the proceedings, the proceedings shall be forwarded to the Physical Review Council with notification concerning nonreceipt.

(b) A copy of the record of proceedings having been furnished to party or his counsel, a charge of $0.25 per page will be made for any subsequent copy requested.

(c) The physical evaluation board shall prepare a Standard Form 600 which will be filed in the party's Health Record, setting forth its recommended findings as prescribed in §§ 725.424 through 725.431, as appropriate. Overprint of SF 600 is permissible.

7. Section 725.502 is revised to read as follows:

§ 725.502 Composition.

The Physical Review Council shall consist of the Chief of Naval Personnel or his designated representative acting for him, or, when acting in cases involving personnel of the Marine Corps, the Director of Personnel, Marine Corps, or his designated representative acting for him, the Chief, Bureau of Medicine and Surgery or his designated representative acting for him, and the Judge Advocate General or his designated representative acting for him, as members, and a recorder. The designated representative of the Chief of Naval Personnel shall be Chairman and the designated representative of the Commandant of the Marine Corps shall be Vice Chairman of the Physical Review Council.

8. Section 725.511 is revised to read as follows:

§ 725.511 Action when party fails to report for scheduled periodic physical examination.

(a) Notice by registered mail shall be mailed to a party on the Temporary Disability Retired List who has failed to report for his periodic physical examination scheduled pursuant to subpart I of this part. This notice shall inform the party that failure to report for the scheduled physical examination, or otherwise arrange for a current medical examination acceptable to the Secretary of the Navy, unless he gives just cause for such failure, may result in loss of benefits. If the party fails to report for the physical or otherwise arrange for an acceptable current medical examination, the Physical Review Council shall consider all available records pertaining to the physical condition of the party concerned and, on the basis thereof, recommend to the Secretary that one of the following actions be taken:

(1) That in accordance with accepted medical principles party is presumed to have undergone maximum improvement consonant with those principles and is considered to be fit for duty.

(2) That based on the available evidence, considered together with accepted medical principles, party is unfit for duty because of physical disability ratable at (____) percent.

(3) In the case of a party who has failed to report for a periodic physical examination, after receipt of proper notification by registered mail, the Council may recommend to the Secretary that party's name be removed from the Temporary Disability Retired List. The foregoing does not affect any statutory rights if it is subsequently shown that proper notification was not received or that there was just cause for his failure to report (10 U.S.C. 1210(a)).

(b) Action under this section shall be prepared by the Council in such form as it may desire and shall be signed by each member acting in the case and by the Recorder. It shall be transmitted to the Secretary prior to the end of the 5-year period during which the name of the party is carried on the Temporary Disability Retired List.

9. Section 725.703 is amended by revising paragraph (a)(4) and adding paragraph (a)(6) to read as follows:

§ 725.703 Delegation of authority to act for the Secretary.

(a) * * *

(4) The Physical Review Council makes findings or concurs in findings which result in the temporary retirement of a party in terminal cases.

* * * * *

(6) The Naval Physical Disability Review Board (or a majority thereof) concurs in unanimous or majority findings of the physical evaluation board which are acceptable to the party.

* * * * *

10. Section 725.704 is revised to read as follows:

§ 725.704 Effective date of retirement.

(a) Unless the final disposition directed in a case specifies an effective date of retirement pursuant to the authority contained in 10 U.S.C. 1221, the effective date of retirement because of physical disability (either temporary or permanent) shall be specified by the Chief of Naval Personnel or the Commandant of the Marine Corps, as appropriate. The date specified by the Chief of Naval Personnel or the Commandant of the Marine Corps shall be the date upon which all administrative procedures incident to retirement are completed, but shall be no later than the first day of the month following the month during which final disposition was directed.

(b) The Judge Advocate General, Deputy Judge Advocate General, or any Assistant Judge Advocate General is hereby authorized, except as the Secretary of the Navy may otherwise direct, to take action for the Secretary under the provisions of § 725.311 to specify an effective date for the retirement for permanent physical disability or placement on the Temporary Disability Retired List of parties of the naval service, earlier than the date otherwise provided, as recommended by the Physical Review Council pursuant to the provisions of this part.

11. Section 725.801 is amended by revising paragraph (c) and adding paragraph (d) to read as follows:

§ 725.801 General considerations.

* * * * *

(c) The representative of the Chief, Bureau of Medicine and Surgery, on the Physical Review Council shall advise whether duty in a limited assignment status will or will not jeopardize the member's health or that of other members of the service. Further, the representative of the Chief of Naval Personnel or the Director of Personnel, Marine Corps, on the Physical Review Council shall certify whether the member's services can or cannot be utilized in a limited assignment status and, if so, whether his services can or cannot be considered to contribute to the effectiveness of the service. The Physical Review Council, acting as a body, shall recommend to the

Secretary whether to retain the member in a limited duty assignment.

(d) Consideration similar to that given members on active duty shall be afforded members of the Naval and Marine Corps Reserve on inactive duty, except that the certification of the representative of the Chief of Naval Personnel or the Director of Personnel, Marine Corps, as appropriate, shall refer to the utilization of the member in an effective limited assignment under mobilization conditions.

12. Section 725.901 is amended by revising paragraphs (c) and (h), deleting paragraph (i), and revising paragraph (k) to read as follows:

§ 725.901 Periodic physical examination.

* * * * *

(c) First endorsement to report for a scheduled periodic physical examination may be by regular mail. However, when the party fails to report as directed and a second notification must be forwarded, certified or registered mail with return receipt shall be used, putting the party on notice that failure to report may prejudice his disability payments and may later be considered as manifesting an intent to abandon benefits, resulting in removal from the Temporary Disability Retired List.

* * * * *

(h) The report of periodic physical examination shall be prepared in letter form. It should contain an accurate interval history and a report of all clinical evaluations and laboratory studies done.

(i) [Deleted]

* * * * *

(k) The report of periodic physical examination requires only signature by the medical officer designated to conduct the examination and, unless the orders for the examination otherwise direct, should be transmitted to the Physical Review Council via the commanding officer.

13. Sections 725.902 through 725.907 are renumbered §§ 725.903 through 725.908 and new § 725.902 is added to read as follows:

§ 725.902 Reevaluation of members detained by civil authorities.

The procedures contained in this part are subject to modification whenever the party is undergoing confinement by civil authorities or is hospitalized in an institution under state or local control. The following procedures may be utilized whenever the circumstances of the party's confinement or hospitalization indicate that he will be unable to respond to the orders calling for his appearance for physical examination or physical evaluation board hearing:

(a) The report of the medical officer or medical assistant serving the confinement facility or institution in which the party is hospitalized may be submitted for the periodic physical examination.

(b) The party will be informed by a notice in writing that his case will be considered by a physical evaluation board 30 days from the date of said notice, that unless he waives his right to a full and fair hearing he will be afforded such hearing on that date but, in the event he fails or is unable to appear on that date, such hearing will be held in his absence with representation by counsel; i.e., by the appointed counsel named in the notice or by civilian counsel of his choice provided at his own expense. In the case of a party who is found to be mentally incompetent, the provisions of §§ 725.409 and 725.421 apply.

14. Subpart J, consisting of § 725.951, is added to read as follows:

Subpart J—List of Forms

§ 725.951 Forms used by physical evaluation boards.

The following is a list of forms to be used by physical evaluation boards in preparing records of proceedings:

NAVSO 6100/9—Cover and Processing Time Sheet.
NAVSO 6100/9a—Cover and Processing Time Sheet—Reevaluation.
NAVSO 6100/10—Summary Sheet.
NAVSO 6100/10a—Summary Sheet—Adversely Affect.
NAVSO 6100/11—Findings.
NAVSO 6100/12—Case Work Sheet.
NAVSO 6100/13—Statement of Intention by Individual Having Appeared Before a Physical Evaluation Board With Regard to Submitting a Rebuttal.
NAVSO 6100/14—Statement of Rights of Individual Appearing Before a Physical Evaluation Board.
Standard Form 600—Chronological Record of Medical Care.

(Sec. 1216, 70A Stat. 100, sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 1216)

By direction of the Secretary of the Navy.

[SEAL] WILFRED HEARN,
Rear Admiral, U.S. Navy, Judge Advocate General of the Navy.

NOVEMBER 16, 1966.

[F.R. Doc. 66-12624; Filed, Nov. 22, 1966; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 43—MAIL DEPOSIT AND COLLECTION

Specification for Construction of Mail Chutes

A notice of a proposed revision in § 43.6(c)(2)(i) of Title 39, Code of Federal Regulations was published in the FEDERAL REGISTER of October 15, 1966 (31 F.R. 13394) concerning the construction of mail chutes with slip-joints to reduce manpower costs due to maintenance. Interested persons were given 30 days in which to submit comments regarding the proposal.

After consideration of the comments received, the Department has reached the conclusion to adopt the proposal. The amendment to be effective upon publication in the FEDERAL REGISTER reads as follows:

§ 43.6 Mail chutes and receiving boxes.

* * * * *

(c) *Specification for construction of chutes.* * * *

(2) *Material.* (i) Every mailing chute must be made entirely of metal and glass. The metal parts of the chute must be of such form, weight, and character as to insure rigidity, safety, and durability. Panel moldings must be of metal of suitable strength and resilience to insure a constant grip on the glass. At least three-fourths of the front of the chute in each story must be of tempered glass not less than three-sixteenths of an inch in thickness or heavy sheet or plate glass not less than one-fourth inch in thickness. All joints in the chute must be tight so that mail matter cannot catch or lodge therein. Slip-joint construction shall be utilized whereby the upper section will fit into the end of the lower section providing an overlap of not less than 2 inches.

* * * * *

NOTE: The corresponding Postal Manual section is 153.632a.

(5 U.S.C. 301, 39 U.S.C. 501, 6001, 6003)

TIMOTHY J. MAY,
General Counsel.

NOVEMBER 18, 1966.

[F.R. Doc. 66-12640; Filed, Nov. 22, 1966; 8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 50—Division of Public Contracts, Department of Labor

PART 50-202—MINIMUM WAGE DETERMINATIONS

Revocation of Machine Tools Industry

On May 13, 1963, the Secretary of Labor, pursuant to the provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq., 49 Stat. 2036, 66 Stat. 308), determined that the prevailing minimum wages for persons employed in the Machine Tools Industry were $1.65 an hour for blueprint machine operators and draftsmen, and $1.80 an hour for those employees engaged in other occupations (28 F.R. 4898). The effectiveness of this wage determination was postponed by court orders, and the matter is now before me on remand from the U.S. District Court for the District of Columbia, pursuant to orders entered in accordance with the directions of the Court of Appeals in Industrial Union Department v. Barber-Colman Co., and Wirtz v. Barber-Colman Co., 348 F. 2d 787 (C.A.D.C.).

After careful consideration, I have concluded that the minimum wage determination for the Machine Tools Industry should be revoked, and that no new determination should be issued, based on the present administrative record. Although I am satisfied that the administrative record amply supports the dual-rate determination, and that appropriate findings could be made, the

record is so obsolete that a meaningful wage determination is not possible without beginning anew.

The $1.65 and $1.80 rates established by the postponed determination were based on evidence of minimum wages paid in April 1960, and April 1961 (see the tentative decision in this matter, 27 F.R. 898 at 901). Since that time, wages have increased so substantially that the previously determined rates no longer prevail. Monthly wage statistics regularly published by the Bureau of Labor Statistics show that straight-time average hourly earnings for the most important segment of this Industry had increased 4.2 percent from April 1961, to May 1963, and an additional 9.6 percent from May 1963, to August 1966—or a total of 14.2 percent over the 5-year period. "Employment and Earnings," June 1964, p. 38, January 1966, p. 38, October 1966, p. 64.

Accordingly, 29 CFR 50–202.28 is hereby revoked, effective immediately.

Signed at Washington, D.C., this 18th day of November 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66–12688; Filed, Nov. 22, 1966; 8:50 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 177—FEDERAL, STATE, AND PRIVATE PROGRAMS OF LOW-INTEREST LOANS TO STUDENTS IN INSTITUTIONS OF HIGHER EDUCATION

Miscellaneous Amendments

The issuance of Part 178 of this chapter, governing programs of low-interest loans to vocational students under the National Vocational Student Loan Insurance Act of 1965, makes appropriate certain conforming amendments to Part 177, governing programs of low-interest loans to higher education students under Title IV, Part B, of the Higher Education Act of 1965. The amendment to § 177.12(a)(1)(i) provides for the taking into account by guarantee agencies loans covered by the higher education as well as the vocational student loan program; likewise the amendment to § 177.2(b)(4) requires the applicant student borrower to disclose to the lender information concerning loans under both the higher education and the vocational student loan programs. The other amendments set forth below are intended to make corrections and clarifying changes of a technical nature.

For the reasons stated above, Part 177 of Chapter I of Title 45 of the Code of Federal Regulations is amended as follows:

1. In § 177.2, paragraphs (a) and (b)(4) are revised respectively, to read as follows:

§ 177.2 Student eligibility for interest benefits.

(a) A student (1) who has received a loan from an eligible lender under a student loan insurance program meeting the requirements of § 177.12 or § 177.13, under a direct State student loan program meeting the requirements of § 177.14, or under the Federal loan insurance program, (2) who is enrolled or has been accepted for enrollment as at least a half-time student in an eligible institution, (3) whose adjusted family income is less than $15,000, and (4) who is a national of the United States or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof, is eligible for payment on his behalf of a portion of the interest determined under § 177.15(a).

(b) * * *

(4) Information concerning other loans made to him which are covered under this part or 45 CFR Part 178.

* * * * *

2. In § 177.12, subdivision (i) of paragraph (a)(1) is revised to read as follows:

§ 177.12 Agreements for Federal payments to reduce student interest for insured loans.

(a) (1) * * *

(i) Authorizes the insurance of loans in amounts up to least $1,000, but not exceeding $1,500, to any individual student in any academic year or its equivalent after taking into account other loans covered by this part and 45 CFR Part 178 which the student has received in the same academic year or its equivalent;

* * * * *

3. Section 177.15 is revised to read as follows:

§ 177.15 Amount of interest benefits and procedures for payment.

(a) After a loan is made to a student meeting the requirements of § 177.2 (or an application is received from such student for Federal interest payments), a report shall be submitted to the Commissioner in such form as the Commissioner may require. On the basis of such report, the Commissioner shall periodically inquire of the guarantee agency (or State loan agency) or of the institution, or of both, as to the enrollment status of the student borrower. On the basis of such reports and inquiries, the Commissioner will compute the interest to be paid at the applicable rate to each holder on behalf of each student. Upon certification of the computation, the Commissioner will pay the amount so determined at least every 6 months.

(b) The payment shall be limited to:

(1) The total amount of the interest on the unpaid principal balance of each loan which accrued prior to the beginning of the repayment period of such loan; and

(2) Three percent per year of the unpaid principal balance of any such loan thereafter.

(c) In no event shall payments under subparagraphs (1) or (2) of paragraph (b) of this section include any interest on interest added to principal or exceed the interest payable by the student, after taking into consideration the amount of any interest on that loan which the student is entitled to have paid on his behalf for that period under any insured loan program.

(d) The Commissioner's obligation to pay interest shall terminate upon default by the borrower, or upon endorsement of the note in favor of the guarantee agency, whichever occurs first.

Dated: November 1, 1966.

[SEAL] HAROLD HOWE II,
U.S. Commissioner of Education.

Approved: November 15, 1966.

WILBUR J. COHEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 66–12680; Filed, Nov. 22, 1966; 8:48 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15852; FCC 66–1018]

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

Replacement of Equipment by Station Licensees

Report and order. 1. A notice of proposed rule making in the above-captioned matter was released February 19, 1965, and was published in the FEDERAL REGISTER, 30 F.R. 2471 (Feb. 25, 1965). The dates for filing comments and replies have passed.

2. This proceeding was instituted by the Commission to provide a more efficient and expeditious procedure in certain instances for the replacement of transmitters in the Domestic Public Radio Services. At present, § 21.121 requires that if a replacement transmitter does not conform exactly to the specifications on the licensee's current instrument of authorization, formal application procedures must be utilized to replace an authorized transmitter. With improvements in the efficiencies of transmitters in recent years, it has become increasingly difficult to find replacement transmitters having the same specifications for input and output power as the authorized transmitter. To resolve this situation, the Commission proposed a rule which would lessen the need for formal application procedures by permitting licensees to replace transmitters without regard to make, type, or power input: *Provided*, That the replacement transmitter is type-accepted for use under Part 21 of the Commission's rules with a rated power equal to the authorized power output of the transmitter being replaced: *And provided*, That the replacement transmitter otherwise conforms to the frequency, class of station and emission specified in the cur-

rent instrument of authorization and all other applicable rules and regulations. At the time of installation of a replacement transmitter meeting these criteria a notification disclosing certain particulars would then be given to the Commission at Washington, D.C., and the Engineer in Charge of the radio district wherein operation is to be conducted. It appears that such a notification would satisfy the administrative necessities and minimize the filing of formal applications.

3. The only comments received in this proceeding were submitted by the American Telephone and Telegraph Co. which supports the Commission's proposal.

4. By reason of the foregoing, the Commission finds that the public interest, convenience, and necessity will be served by the amendment ordered herein and pursuant to the authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

5. *It is ordered*, That effective December 27, 1966, § 21.121 of the Commission's rules is amended as set forth below.

6. *It is further ordered*, That this proceeding is hereby terminated.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: November 16, 1966.

Released: November 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

Section 21.121 is amended to read as follows:

§ 21.121 Replacement of equipment.

(a) The licensee of a station in this service may replace a transmitter without specific authorization by notifying the Commission at Washington, D.C. 20554, and its Engineer in Charge of the radio district wherein operation is to be conducted, at the time of the installation of the transmitter, if the replacement transmitter complies with the following conditions:

(1) Appears on Commission's current type-acceptance list for use under this Part 21 (see § 21.120) and is installed without modification.

(2) Its type-accepted output power is equal to the authorized output power for the transmitter being replaced.

(3) Conforms to the frequency, class of station and emission specified in the current instrument of authorization and all other applicable rules and regulations.

(b) For all transmitter replacements made pursuant to paragraph (a) of this section, any changes in input power, make and type of transmitting equipment must also be indicated on the next application for renewal of license or in the next application for modification of license, whichever is filed first. Requests for authority to make other changes in equipment shall be submitted to the Commission in appropriate applications and replacements which require applications may not be made until an authorization has been issued by the Commission. Notification is not required for a replacement which conforms in all respects to the authorized transmitter.

(c) The notification required by paragraph (a) of this section shall include:

(1) Radio service and station call sign.

(2) Location of replacement transmitter as shown on current license.

(3) Name of the manufacturer and type number of transmitter installed, as it appears on the current type-acceptance list.

(4) Rated output power of such transmitter.

(5) Identification of the transmitter being replaced (and where applicable, point(s) of communication) and the frequency on which such transmitter operates.

(6) Date of replacement.

[F.R. Doc. 66-12666; Filed, Nov. 22, 1966; 8:48 a.m.]

[1] Chairman Hyde absent.

[Docket No. 16833; FCC 66-1031]

PART 73—RADIO BROADCAST SERVICES

Educational UHF Television Broadcast Channel; Norfolk, Nebr.

Report and order. In the matter of amendment of § 73.606 of the Commission rules and regulations to assign and reserve for educational use, a UHF television broadcast channel at Norfolk, Nebr.; Docket No. 16833, RM-998.

1. The Commission has before it for consideration the proposal to assign Channel 16 to Norfolk, Nebr., for educational noncommercial use.

2. The notice of proposed rule making, adopted August 24, 1966 (FCC 66-771), sets for the reasons for such assignment. The Nebraska Educational Television Commission (NETC), an instrumentality of the State of Nebraska charged by law with the responsibility for inaugurating a statewide educational television network, petitioned for a Norfolk channel so as to provide adequate coverage for northeastern Nebraska. Prompt action was requested because of the desire to implement plans for operation of a station by the beginning of the 1967 Fall term. The petition was supported by NAEB.

3. In its comments filed in this proceeding, the petitioner (NETC) refers to its original request for Channel 19 and urges that it be assigned instead of Channel 16 as proposed by the Commission. It notes the Commission's statement that Channel 16 has been found to be the most efficient assignment for Norfolk based upon the criteria used in developing the overall UHF assignment plan but argues that its engineering consultant also employed an electronic computer and found that there was no meaningful distinction between the two channels so far as concerns efficiency and that in fact, Channel 19 has less impact on available assignments at Norfolk than Channel 16. It argues further that the use of Channel 16 at a site some 15 miles north-northeast of Norfolk would barely meet the minimum separation requirement of 175 miles to the Channel 16 assignment at Fairmont, Minn. This, it is alleged, would restrict the choice of a transmitter site for the Fairmont assignment.

4. We are unable to confirm petitioner's claim that there is no meaningful difference in efficiency between Channel 16 and Channel 19 assigned to Norfolk. The table below shows that Channel 19 at Norfolk would affect 14 potential assignments in 9 cities while a Channel 16 affects only 9 potential assignments in 5 cities:

POTENTIAL ASSIGNMENTS LOST

CHANNEL 16	
1. Bassett, Nebr.	16
2. Lexington, Nebr.	16
3. Norfolk, Nebr.	16
4. North Platte, Nebr.	16
5. Norfolk, Nebr.	19
6. Norfolk, Nebr.	24
7. Norfolk, Nebr.	30
8. Albion, Nebr.	30
9. Norfolk, Nebr.	31

CHANNEL 19	
1. Norfolk, Nebr.	16
2. Bassett, Nebr.	19
3. Kearney, Nebr.	19
4. Lexington, Nebr.	19
5. Norfolk, Nebr.	19
6. North Platte, Nebr.	19
7. Superior, Nebr.	19
8. Vermillion, S. Dak.	19
9. Norfolk, Nebr.	24
10. Sioux City, Iowa	33
11. Albion, Nebr.	33
12. Norfolk, Nebr.	33
13. Vermillion, Nebr.	33
14. Albion, Nebr.	34

It is not sufficient to consider only the impact on available assignments at Norfolk as the NETC's engineering consultant apparently has done. A meaningful measure of efficiency must consider the total impact of a contemplated assignment.

5. The argument about the loss of flexibility in the choice of a transmitter site for Channel 16 at Fairmont, Minn., is largely speculative. In the petition, NETC did not indicate that it contemplated the use of a site 15 miles north-northeast of Norfolk and its comments merely state that this "site which NETC has tentatively determined would provide the most efficient coverage to the northeastern portion of the State" would be at the minimum required separation from the standard reference point in Fairmont. It is, of course, not known where a potential applicant for Fairmont would locate its transmitter; however, if a separation problem should arise there would appear to be no problem with respect to finding a substitute channel, since ample unassigned channels to meet any foreseeable need in Fairmont are available. Thus, there is no persuasive reason for assigning the less efficient Channel 19 to Norfolk.

6. It appears that the public interest, convenience and necessity will be best served by assigning Channel *16 to Norfolk. Authority for the amendment adopted herein is contained in sections

4(i) and (j), 303, and 307(b) of the Communications Act of 1934, as amended.

7. In view of the foregoing: *It is ordered,* That, effective December 27, 1966, the Television Table of Assignments (§ 73.606(b)) of the Commission's rules and regulations is amended to read as follows:

City	*Channel No.*
Norfolk, Nebr	*16

8. *It is further ordered,* That this proceeding is terminated.

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

Adopted: November 16, 1966.

Released: November 18, 1966.

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

[F.R. Doc. 66-12667; Filed, Nov. 22, 1966; 8:48 a.m.]

[1] Chairman Hyde absent.

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Shiawassee National Wildlife Refuge, Mich.

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MICHIGAN

SHIAWASSEE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Shiawassee National Wildlife Refuge is permitted from 6 a.m. to 7 p.m. each day from November 19, 1966, through December 4, 1966, only on the area designated by signs as open to hunting. This open area, comprising 6,000 acres, is delineated on a map available at the refuge headquarters, Saginaw, Mich., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting or deer subject to the following conditions:

(1) All hunters must exhibit their hunting license, deer tag, game and vehicle contents to Federal and State officers upon request.

(2) The use of rifles for hunting deer is prohibited on the refuge.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 4, 1966.

JOHN R. FRYE,
Refuge Manager, Shiawassee National Wildlife Refuge, Saginaw, Mich.

NOVEMBER 15, 1966.

[F.R. Doc. 66-12621; Filed, Nov. 22, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Bureau of Customs

[211.12]

[19 CFR Parts 2, 3]

PLEASURE VESSELS

Optional Simplified Admeasurement

Public Law 89–476, approved June 29, 1966 (80 Stat. 229), permits the assignment of gross and net tonnages to vessels intended to be used exclusively as pleasure vessels, without the necessity of formal admeasurement, by the application of appropriate coefficients to the product of length, breadth, and depth, so defined that the owner can take the measurements himself. If an owner does not elect to have tonnages assigned in this way, or if the vessel is subsequently sought to be documented for use other than exclusively as a pleasure vessel, the vessel will be required to be measured under the previously existing provisions which have been preserved.

Notice is hereby given that under authority of section 4148 of the Revised Statutes, as amended (46 U.S.C. 71), it is proposed to amend Parts 2 and 3 of the regulations as set forth in tentative form below.

The citation of authority for Part 2 is amended to read:

AUTHORITY: The provisions of this Part 2 issued under R.S. 161, as amended, secs 2, 3, 23 Stat. 118, as amended, 119, as amended, R.S. 4148, as amended, 4149, as amended, 4150 as amended, 4151, as amended, 4153, as amended; 5 U.S.C. 22, 46 U.S.C. 2, 3, 71, 72, 74, 75, 77.

1. Section 2.2 is amended to read:

§ 2.2 What vessels are to be admeasured.

(a) Before any vessel is registered, enrolled, and licensed, or licensed, or issued a certificate of record, her tonnages shall be ascertained by an officer of the customs as provided in these regulations.

(b) In the discretion of the Commissioner of Customs, a vessel not required by law to be admeasured may nevertheless be admeasured upon his own motion or upon application by the owner, a Federal or State agency, or a foreign government.

2. Section 2.5 is amended as follows:

The text in paragraph (b) preceding subparagraph (1) is amended to read:

(b) Except in the case of a vessel which is measured under the provisions of sections 2.80 through 2.100, or under the provisions of sections 2.101 through 2.104, the gross register tonnage of a vessel shall consist of the following items:

A paragraph is added as follows:

(d) The gross tonnage of a vessel measured under the provisions of §§ 2.101 through 2.104 shall be determined as provided by § 2.103.

3. Section 2.6 is amended by adding a paragraph as follows:

(c) The net tonnage of a vessel measured under the provisions of §§ 2.101 through 2.104 shall be determined as provided by § 2.104.

4. Section 2.7 is amended as follows: The existing text is designated paragraph (a); the first clause thereof is amended by inserting after the words "every vessel" the words "except one admeasured under the provisions of §§ 2.101 through 2.104"; and a paragraph (b) is added, as follows:

§ 2.7 The marine document.

(a) The marine document of every vessel except one admeasured under the provisions of §§ 2.101 through 2.104 shall show the date and place of build, the register length, breadth, depth, and the height of the upper deck to the hull above the tonnage deck; * * *.

(b) The marine document of every vessel admeasured under the provisions of §§ 2.101 through 2.104 shall show the date and place of build, the register length, breadth, and depth, and the gross and net tonnages.

5. Section 2.8 is amended to read:

§ 2.8 Application for measurement.

The builder of a new vessel which is to be admeasured, the person having supervision of changes and/or alterations affecting a vessel's register tonnage, and the owner of a vessel who elects to have her admeasured under the provisions of §§ 2.101 through 2.104 or who, having had the vessel so admeasured, elects or is required to have her admeasured under the appropriate provisions of §§ 2.11 through 2.100, shall apply in writing for admeasurement or tonnage adjustment, as the case may be, to the director of customs in the district in which the vessel is located. Except in the case of admeasurement under §§ 2.101 through 2.104, application should be made in time to permit admeasurement before cargo or ballast is taken on, and in case of a new vessel, before boilers or engine are installed or compartments partitioned off. The application shall state the name and the official number of the vessel, if any, the name, address, and telephone number of the owner, the exact location of the vessel, the date and place of build and the builder's name, the rig, and model or other identifying numbers.

6. Section 2.11 is amended by adding a paragraph as follows:

(c) These directions do not apply to admeasurement under the provisions of §§ 2.101 through 2.104.

7. Part 2 is amended to add a centerhead and new §§ 2.101 through 2.105 as follows:

OPTIONAL SIMPLIFIED ADMEASUREMENT METHOD FOR PLEASURE VESSELS

§ 2.101 Application for simplified admeasurement.

Upon application by the owner for simplified admeasurement, filed with and approved by the director of the district where the vessel is located, a vessel which is intended to be used exclusively for pleasure shall, whether or not it has been previously admeasured, be admeasured in accordance with the provisions of §§ 2.103 and 2.104. Such application shall state the vessel's overall length, breadth, and depth, as defined in § 2.102, the name of the builder, and the vessel's model and serial numbers, if any. Where the vessel appears to be subject to admeasurement under the provisions of § 2.103 (b) and/or (c), the application shall be accompanied by rough dimensioned sketches, not necessarily to scale, of the arrangement, profile, and cross-section of the vessel, indicating thereon the points to which the dimensions were taken.

§ 2.102 Definition of terms used in §§ 2.101 through 2.105.

(a) "Overall length" means the horizontal distance between the foremost part of the stem and the aftermost part of the stern, excluding bowsprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments.

(b) "Overall breadth" is the horizontal distance from the outside of the skin (outside planking or plating) on one side to the outside of the skin on the other, taken at the widest part of the hull, and excluding rub rails.

(c) "Overall depth" is the vertical distance taken at or near midships from a line drawn horizontally through the uppermost edges of the skin at the sides of the hull (excluding trunks, cabins, or deckhouses) to the outboard face of the bottom skin of the hull. This excludes the keel unless the keel is covered by the skin.

(d) Overall length and depth are measured in the vertical plane of the centerline; overall breadth, in a line at right angles to the vertical plane of the centerline.

(e) The overall length, breadth, and depth, as defined in this section, of a vessel measured under the provisions §§ 2.101 through 2.104 of this Part 2 shall be deemed to be the vessel's register length, breadth, and depth.

(f) "Vessel designed for sailing" means a vessel, whether or not equipped with an auxiliary motor, which has the fine lines of a sailing craft and is in fact propelled by sail.

§ 2.103 Calculation of gross tonnage.

(a) Except as provided in paragraphs (b) and (c) of this section, the gross tonnage of a vessel designed for sailing

shall be one-half (LBD/100), and the gross tonnage of a vessel not designed for sailing shall be two-thirds (LBD/100), LBD being the product of overall length, breadth, and depth.

(b) Where a vessel's hull approximates in shape a regular geometric solid, the gross tonnage of the hull shall be her volume as calculated by the use of appropriate geometric formulae and expressed in tons of 100 cubic feet.

(c) Where the volume of the deckhouse is disproportionate to the volume of the hull, as in the case of certain houseboats, the volume of the deckhouse, calculated by the use of appropriate geometric formulae and expressed in tons of 100 cubic feet, shall be added to the gross tonnage of the hull as previously calculated.

(d) The gross tonnage of a catamaran shall be arrived at by adding the gross tonnages of her hulls as calculated under this section.

§ 2.104 Calculation of net tonnages.

(a) Except as provided in paragraph (b) of this section, the net tonnage of a vessel designed for sailing shall be nine-tenths of her gross tonnage, and the net tonnage of a vessel not designed for sailing shall be eight-tenths of her gross tonnage.

(b) The net tonnage of a vessel which has no propelling machinery in the hull shall be the same as her gross tonnage.

§ 2.105 Readmeasurement of vessels admeasured under §§ 2.101 through 2.104.

(a) A vessel admeasured under the provisions of §§ 2.101 through 2.104 may at the owner's option be readmeasured under the appropriate provisions of §§ 2.11 through 2.100.

(b) A vessel admeasured under the provisions of §§ 2.101 through 2.104 which is thereafter to be documented for use other than exclusively as a pleasure vessel shall be readmeasured under the appropriate provisions of §§ 2.11 through 2.100.

8. Section 3.9 is amended to read:

§ 3.9 Marine documents to include dimensions and tonnage.

(a) The marine document of every vessel except one admeasured under the provisions of §§ 2.101 through 2.104 shall express her length, breadth, and depth; if applicable, the depth (D_s) and the length (L_t) used with the tonnage mark table and the distances to the tonnage mark from the line of the upper deck and from the molded line or equivalent of the second deck; the number of decks and masts; capacity under the tonnage deck, that of the between decks, and also separately, permanently enclosed spaces on or above the upper deck to the hull required to be included in the gross tonnage, and the omitted spaces, whether open or closed-in, on, above, or below the upper deck; the gross tonnage or tonnages; items of deduction; and the net tonnage or tonnages. In appropriate cases it shall also show the height of the upper deck to the hull above the tonnage deck.

(b) The marine document of every vessel admeasured under the provisions of §§ 2.101 through 2.104 shall express her length, breadth, depth, and gross and net tonnages.

9. Part 3 is amended to add a new § 3.15 as follows:

§ 3.15 Verification of overall dimensions.

(a) A vessel document issued upon admeasurement under the provisions of §§ 2.101 through 2.104 may, in the discretion of the customs officer concerned, not be renewed, nor another document issued for a vessel documented upon such admeasurement, until a customs officer has verified the overall dimensions stated in the application for such admeasurement.

(b) Any correction of the stated overall dimensions of a vessel as the result of the verification provided for in paragraph (a) of this section shall be deemed a change in the description of the vessel within the meaning of § 3.6(c).

(R.S. 4149, as amended, 4150, as amended, 4153, as amended; 46 U.S.C. 72, 74, 77.)

Prior to final action on the proposal consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Washington, D.C., and received within a period of 20 days from the date of the publication of this notice in the FEDERAL REGISTER. No hearings will be held.

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

Approved: November 14, 1966.

TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 66-12649; Filed, Nov. 22, 1966; 8:47 a.m.]

DEPARTMENT OF LABOR

Bureau of Employment Security

[20 CFR Part 602]

ALIENS PERFORMING TEMPORARY LABOR

Minimum Standards Regarding Wages and Working Conditions

Pursuant to section 214(c) of the Immigration and Nationality Act (8 U.S.C. 1184(c)), as implemented by 8 CFR 214.2(h), regulations have been established (20 CFR 602.10) setting forth the policies that will be followed in the certification and use of temporary foreign labor for agricultural employment in the United States. These policies establish minimum standards with regard to wages and working conditions which must be offered to United States workers before certification to permit the admission of foreign workers will be made and which must be afforded foreign workers upon admission.

As most of these policies have not been reviewed for almost 2 years, I have decided to and do hereby commence public proceedings to determine whether any revisions are now appropriate.

Accordingly, all interested persons are invited to submit data, views, or argument either orally or in writing concerning this subject to a duly assigned hearing examiner appointed under section 11 of the Administrative Procedure Act (5 U.S.C. 1010) on December 5, 1966, at the U.S. Department of Labor Building, Room 216, 14th Street and Constitution Avenue NW., Washington, D.C., or on December 7, 1966, at the Bay Front Auditorium, Miami, Fla., or on December 9, 1966, at the John F. Kennedy Federal Building, Boston, Mass., Room 2003 A, or on December 12, 1966, at Nourse Auditorium, 275 Hayes Street, San Francisco, Calif. All of these proceedings will commence at 10 a.m.

The proceedings shall be stenographically reported. Transcripts will be made available to interested persons on such terms as the hearing examiner shall prescribe. The hearing examiner shall regulate the proceedings, dispose of procedural requests, objections, and related matters and confine the proceedings to the matters pertinent to those hereinbefore stated. After the record has been closed, the hearing examiner shall certify it to me for determination of what changes, if any, should be made in 29 CFR 602.10.

Persons who do not attend the oral proceeding may submit written comments by mailing them on or before December 12, 1966, to the Secretary of Labor, U.S. Department of Labor, Washington, D.C. 20210.

Signed at Washington, D.C., this 18th day of November 1966.

W. WILLARD WIRTZ,
Secretary of Labor.

[F.R. Doc. 66-12689; Filed, Nov. 22, 1966; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 1, 3]

CERTAIN DRUG-LABELING EXEMPTIONS

Proposed Termination

In the FEDERAL RESISTER of September 6, 1961 (26 F.R. 8389), § 1.106 of the regulations for the enforcement of the Federal Food, Drug, and Cosmetic Act was amended to require that labeling for human and veterinary prescription drugs and devices bear adequate information for their safe and effective use; however, it was provided that for those prescription drugs and devices for which directions, hazards, warnings, and use information are commonly known to licensed practitioners, the full disclosure information required by paragraphs (b)(3)

and (c)(3) of that section could be omitted from the dispensing package.

Pursuant to these provisos, § 3.515 was published in the FEDERAL REGISTER of December 28, 1961 (26 F.R. 12563), and amended in the FEDERAL REGISTER of June 8, 1962 (27 F.R. 5428), listing certain prescription drug preparations for which the Commissioner of Food and Drugs offered the opinion that, when intended for those uses for which they were generally employed by the medical profession, they should be exempt from the requirements of § 1.106 (b)(3) or (c)(3) within specified conditions.

Recent experience, and other evidence not available at the time § 1.106 was amended (Sept. 6, 1961), indicate that new information on directions, hazards, warnings, and use has been acquired and is continually being acquired in the use of all drugs including those listed in § 3.515; that such new information is not commonly known to physicians or veterinarians; and that prompt dissemination of such new information is necessary to assure safe and effective use of all drugs for the purpose for which they are intended, including all purposes for which they are advertised or represented.

Accordingly, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 502(f), 701(a), 52 Stat. 1051, 1055; 21 U.S.C. 352(f), 371(a)) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120; 31 F.R. 3008), it is proposed that Parts 1 and 3 be amended:

1. To delete the subject provisos by revising § 1.106 (b)(3)(ii) and (c)(3)(ii) to read as follows:

§ 1.106 Drugs and devices; directions for use.

* * * * *

(b) *Exemption for prescription drugs.* * * *

(3) * * *

(ii) If the article is subject to section 505, 506, or 507 of the act, the labeling bearing such information is the labeling authorized by the approved new-drug application or required as a condition for the certification or the exemption from certification requirements applicable to preparations of insulin or antibiotic drugs.

* * * * *

(c) *Exemption for veterinary drugs.* * * *

(3) * * *

(ii) If the article is subject to section 505 or 507 of the act, the labeling bearing such information is the labeling authorized by the approved new-drug application or required as a condition for the certification or the exemption from certification requirements applicable to preparations of antibiotic drugs.

* * * * *

§ 3.515 [Revoked]

2. By revoking § 3.515 *Exemption from certain drug-labeling requirements.*

Any interested person may, within 60 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: November 15, 1966.

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

[F.R. Doc. 66-12681; Filed, Nov. 22, 1966; 8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 71, 73]

[Airspace Docket No. 66-SO-57]

RESTRICTED AREA AND CONTROL AREA EXTENSION

Proposed Alteration

The Federal Aviation Agency is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations that would change the time of designation of R-7103 Salinas, P.R., redesignate the area as joint use, and eliminate the exclusion of R-7103 within the San Juan control area extension.

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, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, Post Office Box 20636, Atlanta, Ga. 30320. 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 proposals 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: Rule 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 Department of the Army has informed the Agency that the present time of designation of R-7103 is too restrictive for it to accomplish its required training. In order that sufficient time might be provided, the Army has requested that the time of designation of R-7103 be changed. In addition, to allow maximum use of the area by other airspace users, the Army has requested that the area be redesignated as joint use.

In conjunction with the alteration of R-7103, the San Juan control area extension would be redescribed to provide the required controlled airspace for joint use of R-7103.

If the aforementioned proposals are adopted, Restricted Area R-7103, Salinas, P.R., would be redescribed to change the time of designation to "continuous June 1 through August 31, other times as activated by NOTAM at least 24 hours in advance" and the area would be established as a joint-use restricted area.

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 November 16, 1966.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-12629; Filed, Nov. 22, 1966; 8:45 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 66-EA-65]

RESTRICTED AREA

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 73 of the Federal Aviation Regulations which would raise the ceiling of Restricted Area R-6501 Underhill, Vt., and establish the area as a joint use restricted 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 U.S. Army has requested that the ceiling of Restricted Area R-6501 be raised to accommodate the firing of the Vulcan Anti-Aircraft Defense System. The Army informs us that the altitude increase is necessitated by engineering and production firing tests on the Vulcan Anti-Aircraft Defense System which require firing 20 mm. projectiles to 13,500 feet MSL.

Because the higher altitudes will not be required at all times the Army has agreed to the establishment of R-6501 as a joint use restricted area. Such designation would meet Army requirements and, at the same time, preclude the restriction of airspace not required.

In view of the foregoing, it is proposed that the designated altitudes of R-6501 be changed from "Surface to 4,000 feet MSL" to "Surface to 13,600 feet MSL"

and the area be established as a joint use restricted area.

This amendment is 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 November 16, 1966.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 66-12630; Filed, Nov. 22, 1966; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 16988 (RM-976); FCC 66-1030]

TV BROADCAST STATIONS

Table of Assignments; Oneonta and Elmira, N.Y.

1. Susquehanna Broadcasting, Inc. filed a petition, dated June 6, 1966, requesting a first commercial UHF channel assignment to Oneonta, N.Y.

2. Oneonta, population 13,412,[1] is the county seat of Otsego County which has a population of 51,942 persons. Because of Oneonta's importance as the economic hub of the area, petitioner believes that Oneonta needs and deserves a commercial television outlet for self-expression. Oneonta's only assignment, Channel 42, is reserved for educational use. Petitioner plans to file an application for a construction permit when a channel becomes available.

3. Elmira (90 miles to the west) is currently assigned Channels 18 and 36. WSYE-TV operates on Channel 18 with an effective radiated power of 113 kw from an antenna 1,220 feet above average terrain. Channel 36 is unused, and there are no pending applications therefor. The petitioner requests that Channel 36 be shifted from Elmira to Oneonta, and that it be replaced with Channel 65 in Elmira. These changes may be accomplished without affecting any other assignments in the Table, and Channel 36 at Oneonta will meet all the required minimum geographic separations both at the standard reference point in Oneonta and at the site contemplated for use by the petitioner. The overall efficiency of the assignment plan will not be adversely affected.

4. Oneonta is located approximately 65 miles from Albany, N.Y., 50 miles from Binghamton, N.Y., 70 miles from Syracuse, N.Y., and 45 miles from Utica, N.Y. With respect to predicted service contours of television stations in the above cities, Oneonta lies well within the Grade B contour of Stations WNBF-TV, Channel 12, Binghamton and WKTV, Channel 2, Utica; just inside the Grade B contour of Station WSYR-TV, Channel 3, Syracuse; just outside the Grade B of Stations WHEN-TV, Channel 5, and WNYS-TV, Channel 9, Syracuse; and outside the Grade B contour of all the Albany stations. According to the 1966 edition of the TV Factbook, Oneonta Video, Inc. operates a CATV system which has 3,975 subscribers with a potential of 4,100 subscribers expected within 5 years and carries Stations WPIX, WNDT, WNEW-TV, and WOR-TV, New York City; WNBF-TV, WINR-TV, and WBJA-TV, Binghamton; WKTV, Utica; WRGB, Schenectady; and WHEN-TV and WNYS-TV, Syracuse. It is apparent that Oneonta depends on distant television broadcast stations and CATV for service. The requested channel change will provide both Oneonta and Elmira with commercial television channels.

5. Accordingly, pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended, it is proposed to amend the Table of Assignments in § 73.606(b) of the Commission's rules, insofar as the cities listed below are concerned, to read as follows:

City	*Channel No.*
Oneonta, N.Y.	36, *42
Elmira, N.Y.	18, 65

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before December 27, 1966, and reply comments on or before January 6, 1967. All submissions by parties to the proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all written comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

Adopted: November 16, 1966.

Released: November 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12670; Filed, Nov. 22, 1966; 8:48 a.m.]

[1] Population figures are from the 1960 U.S. Census.

[2] Chairman Hyde absent.

[47 CFR Part 73]

[Docket No. 16989; FCC 66-1032]

FM BROADCAST STATIONS

Table of Assignments; Thomson, Ga., etc.

In the matter of amendment of § 73.202, *Table of assignments*, FM broadcast stations (Thomson, Ga., New Richmond, Wis., Chippewa Falls, Wis., Rochester, Ind., Shell Lake, Wis., Hardinsburg, Ky., Oneonta, Ala., Prince Frederick and Pocomoke City, Md., Magnolia, Ark., York and Grand Island, Nebr., Lima, Ohio, Hudson and Amsterdam, N.Y., and Tucson, Ariz.); Docket No. 16989, RM-1026, RM-1028, RM-1040, RM-1046, RM-1052, RM-1055, RM-1057, RM-1037, RM-1042, RM-1045, RM-1049.

1. Notice is hereby given of proposed rule making in the above-entitled matters, concerning amendments of the FM Table of Assignments in § 73.202 of the rules. All proposed assignments are alleged and appear to meet the minimum separation requirements of the rules. All proposed assignments which are within 250 miles of the United States-Canadian border require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as noted, all channels proposed for shift or deletion are unoccupied and not applied for, and all population figures are from the 1960 U.S. Census.

2. RM-1026; Thomson, Ga. (Walter J. Brown). RM-1028; New Richmond, Wis. (Smith Broadcasting Co., Inc.). RM-1040; Chippewa Falls, Wis. (Bushland Radio Specialties). RM-1046; Rochester, Ind. (C. Edward Swain). RM-1052; Shell Lake, Wis. (Erwin Gladdenbegk and Charles Lutz). RM-1055; Hardinsburg, Ky. (Blancett Broadcasting Co.). RM-1057; Oneonta, Ala. (Blount County Broadcasting Service). In these seven cases, interested parties have sought the assignment of a first Class A channel in a community, without requiring any other changes in the Table. The communities are of substantial size and appear to warrant the proposed assignments. Comments are therefore invited on the following additions to the FM Table:

City	*Channel No.*
Thomson, Ga.	269A
Rochester, Ind.	[3] 221A
Hardinsburg, Ky.	[1] 232A
Chippewa Falls, Wis.	288A
New Richmond, Wis.	[2] 296A
Shell Lake, Wis.	237A
Oneonta, Ala.	249A

[1] A site about 2 miles out of the community will have to be selected to meet the spacing requirements.

[2] This assignment would require the selection of a site about 3 miles east or northeast of the city.

[3] Attention is invited to the notice of inquiry adopted on November 9, 1966, in Docket No. 14185, FCC 66-1007, inviting comments on a table of assignments for the educational FM band, adjacent to Channel 221A. Comments are invited on the possible impact that the proposed assignment will have on the availability of educational Channels 218, 219, and 220 in the general area. Proponents of this use of Channel 221A may wish to file comments in Docket 14185, on or before Dec. 30, 1966.

3. *RM-1037; Prince Frederick, Md.* In a petition filed on September 21, 1966, Richard A. Myers, prospective applicant for a new FM station in Prince Frederick, Md., requests the assignment of Channel 224A to Prince Frederick by substituting Channel 221A for 224A in Pocomoke City, Md., as follows:

City	Channel No.	
	Present	Proposed
Prince Frederick, Md.	----------	224A
Pocomoke City, Md.	224A	[4] 221A

[4] See footnote 3, above.

Prince Frederick is a small unincorporated community of 500 persons but is the county seat of Calvert County, which has a population of 15,826. There are no radio stations in the county. Petitioner states that Prince Frederick serves as the political, educational, and economic center for the county and that he will file an application for the channel in the event it is assigned.

4. Comments are invited on petitioner's request in order that all interested parties may submit their views and relevant data.

5. *RM–1042; Magnolia, Ark.* On October 3, 1966, William Bigley, a stockholder of Magnolia Broadcasting Co., licensee of Station KVMA (AM), Magnolia, Ark., filed a petition for rule making requesting the substitution of Channel 300 for 224A at Magnolia, Ark., as follows:

City	Channel No.	
	Present	Proposed
Magnolia, Ark.	224A	300

Magnolia, the county seat and largest community in Columbia County (population 26,400), has a population of 10,651 persons. It is located in the southwestern portion of the State approximately 50 miles from Texarkana, Ark., and 60 miles from Shreveport, La. Daytime-only station KVMA, licensed to petitioner is the only station in the community and no applications have been filed for the sole Class A FM channel assigned. Mr. Bigley submits that there are no other broadcast stations or FM assignments in Columbia County and in the adjoining county of Lafayette, which has a population of 11,030. He urges that since Magnolia is the center of activities for a substantial area the coverage of a Class C channel is required to serve its regional educational and cultural needs.

6. While Magnolia is the type of community to which we would normally assign a Class A channel, it may warrant a departure of our policy of assigning Class B/C channels to the large cities and metropolitan areas, in view of petitioner's claims regarding the need for a regional radio service in the area and the distance to large population centers. We are therefore inviting comments on petitioner's proposal to assign Channel 300 to Magnolia in lieu of Channel 224A.

7. *RM–1045; York, Nebr.* On October 12, 1966, The Prairie States Broadcasting Co., licensee of station KAWL (AM), York, Nebr., filed a petition requesting rule making looking toward the addition of a Class C channel to York, Nebr., by substituting a Class A for a Class C assignment at Grand Island, Nebr., as follows:

City	Channel No.	
	Present	Proposed
York, Nebr.	285A	243, 285A
Grand Island, Nebr.	239, 243	239, 276A

York is a community of 6,173 persons. It is the county seat and largest community in York County, which has a population of 13,724. KAWL, licensed to petitioner, is a daytime-only operation. There are two competing applications for the sole FM assignment at York, that of petitioner (BPH–5548) and that of Capital Broadcasting, Inc. (BPH–5357) for use at Aurora, Nebr. Grand Island has a population of 25,742 and is the county seat and largest community in Hall County (population 35,757). It has two unlimited time AM stations but no applications have been filed for the two Class C channels assigned to it.

8. Prairie urges that a Class C assignment is needed in York since it would make the comparative hearing unnecessary, would provide a large portion of east-central Nebraska with a first FM service, and make possible an additional FM service to east-central Nebraska. With respect to Grand Island, Prairie contends that the considerable difference in the cost of a Class C station as against a Class A could be a deterrent to bringing FM service to this community whereas a choice of class of station could be more attractive to a wider range of potential applicants and thus would serve the interests of the Grand Island citizens.[5]

9. We have carefully considered the contentions made by Prairie for a first Class C assignment and a second FM assignment in York by substituting a Class A for the second Class C assignment in Grand Island, and find that there are not sufficient public interest considerations to merit the requested amendments. Grand Island is a much larger community than York, the community having four times the population, and the county in which it is located having over two and one-half times the population of York's county. Normally, York is the type of community which has been assigned Class A channels. While Prairie submits that a Class C assignment would provide a portion of the State with a first FM service, no showing is made to support this. There are a number of Class C assignments in communities surrounding York (Grand Island, Lincoln, Beatrice, Columbus, Kearney, and Omaha) which would provide FM service to the area in which a Class C assignment would provide service if located at York. Neither are we sure that the proposed addition of a Class C assignment would eliminate the need for a comparative hearing since the present applicant for Aurora or another party may file for the wide-area channel requested. Further, the proposal would mix Class A and C channels in both York and Grand Island, a situation we have tried to avoid wherever possible in order to retain equivalent technical facilities in the same market. For the above reasons, we are denying the Prairie request. Since however, there are two applicants for the sole Class A channel in York (one for the community of Aurora, under the "25 mile-rule") it may be appropriate to assign a Class A channel to Aurora. Since Channel 276A is available for assignment there, thus eliminating the need for a comparative hearing between the two applicants for different communities, comments are invited on the following:

City	Channel No.	
	Present	Proposed
Aurora, Nebr.		276A

10. *RM–1049; Lima, Ohio.* In a petition filed on October 18, 1966, Citizen Broadcasting Corp., licensee of Station WCIT (AM), Lima, Ohio, requests the addition of a third FM assignment to Lima as follows:

City	Channel No.	
	Present	Proposed
Lima, Ohio	249A, 271	249A, 271, 285A

Lima has a population of 51,037 and its county (Allen) has a population of 103,691. It has one unlimited time AM station (WIMA) and one daytime-only AM station, WCIT, licensed to petitioner. Station WIMA–FM operates on Channel 271 and Station WTGN operates on Channel 249A.

11. Petitioner submits that Lima is the largest inland city in northwestern Ohio within a radius of 60 miles and that it is an important industrial, cultural, and market center for the surrounding area. It states that it is eager to maximize its service to the public but is handicapped as a daytime-only station. Petitioner states that WTGN offers a sustaining program service oriented almost exclusively to religion and religious matters, and that WIMA–FM duplicates its AM programs exclusively except during the baseball season. Finally, petitioner notes that the area in which this channel can be assigned is small in view of the nearby cochannel and adjacent channel assignments in the general area.

12. We invite comments on the petitioner's proposal as outlined above in order that all interested parties may submit their views and relevant data.

13. *Hudson and Amsterdam, N.Y., and Tucson, Ariz.* The Commission wishes to make additional changes in the Table, on its own motion, with respect to the assignments in Hudson and Amsterdam, N.Y. Channel 244A is presently assigned to Hudson, N.Y., but due to the location of an adjacent channel station in Hartford some miles west of the city, a site for the assigned channel would have to be located close to 6 miles out of town. Since such a location may be a hardship

[5] On Nov. 14, 1966, Cornhusker Television Corp., licensee of Station KOLN–TV, Channel 10, Lincoln, Nebr., filed an opposition to the Prairie petition, on the grounds that Channel 243 at York would cause second harmonic interference to the reception of Channel 10 in that city. In view of the action taken herein, no further consideration will be given to the Cornhusker opposition.

on prospective applicants (a pending application requests a waiver of the separation rules) we are proposing to assign Channel 228A to Hudson, which can be located in the city itself, by substituting Channel 249A for 228A at Amsterdam as follows:

City	Channel No.	
	Present	Proposed
Amsterdam, N.Y. Hudson, N.Y.	228A, 285A 244A	249A, 285A 228A

Station KSOM previously operated on Channel 221A at Tucson, Ariz., but it has since ceased operations and its call letters have been deleted. Since Tucson has been assigned five Class C channels, it is proposed to delete Channel 221A in order to remove the mixture of Class A and C channels in this city as follows:

City	Channel No.	
	Present	Proposed
Tucson, Ariz.	221A, 225, 229, 235, 241, 258.	225, 229, 235, 241, 258.

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

15. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before December 19, 1966, and reply comments on or before December 30, 1966. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

16. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Attention is directed to the provisions of paragraph (c) of § 1.419 which require that any person desiring to file identical documents in more than one docketed rule making proceeding shall furnish the Commission two additional copies of any such document for each additional docket unless the proceedings have been consolidated.

Adopted: November 16, 1966.

Released: November 18, 1966.

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

[F.R. Doc. 66-12671; Filed, Nov. 22, 1966; 8:49 a.m.]

* Chairman Hyde absent.

[47 CFR Part 73]

[Docket No. 16991; FCC 66-1051]

FM BROADCAST STATIONS

Table of Assignments; Harrisonburg, Va., etc.

In the matter of amendment of § 73.202, *Table of assignments*, FM broadcast stations (Harrisonburg, Staunton, and Waynesboro, Va., Buckhannon, Elkins, Richwood, and Weston, W. Va.); Docket No. 16991.

1. The Commission has under consideration the FM assignments contained in § 73.202(b) for the above-named communities and § 73.215, outlining the area known as the "quiet zone". The FM assignments in the communities named are as follows:

City	*Channel No.*
Harrisonburg, Va.	264, 288A
Staunton, Va.	228A, 272A
Waynesboro, Va.	224A
Buckhannon, W. Va.	237A
Elkins, W. Va.	232A
Richwood, W. Va.	244A
Weston, W. Va.	228A

Stations are in operation on Channel 264 at Harrisonburg and on Channel 228A at Staunton. An educational FM station is also in operation on Channel 219 at Harrisonburg. Two competing applications are on file for Channel 224A at Waynesboro, Docket Nos. 15967 and 15968, and no applications are on file for the remaining assignments.

2. It is proposed to remove all the unused FM assignments in the quiet zone as we have done in the TV Table of Assignments (§ 73.606(b)). See fourth report and order issued in Docket 14229 et al. on June 8, 1965, 30 F.R. 7711. Consideration will be given to future petitions for assignments in this area filed by parties contemplating the construction and operation of new FM stations. Such requests will, however, be judged as to the impact they will have on the quiet zone. Our proposal includes deletion of the Channel 224A assignment at Waynesboro, Va., but we will not do this if, within a period of 120 days from the date of issuance of this notice, the two applicants for this channel can work out an agreement on facilities to be proposed, acceptable to the National Radio Astronomy Observatory at Green Bank, W. Va., and to the Naval Radio Research Observatory at Sugar Grove, W. Va.

3. In view of the foregoing, comments are invited on the following:

(a) Delete the following entries in the Table of Assignments:

Buckhannon (237A), Elkins (232A), Richwood (244A) and Weston, W. Va. (228A).

(b) Amend the following entries in Virginia to read:

City	*Channel No.*
Harrisonburg	264
Staunton	228A

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

5. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before December 19, 1966, and reply comments on or before December 30, 1966. All submissions by parties to this proceeding or by persons acting on behalf of such parties, must be made in written comments, reply comments, or other appropriate pleadings.

6. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents, shall be furnished the Commission.

Adopted: November 16, 1966.

Released: November 18, 1966.

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

[F.R. Doc. 66-12672; Filed, Nov. 22, 1966; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 16992; FCC 66-1052]

FM BROADCAST STATIONS

Minimum Power Requirements

1. Class C FM stations are those which operate on a Class C channel (Zone II) and which are designed to serve a community, city, or town, and a large surrounding area. Normally, Class C assignments are made to large cities and metropolitan areas on the theory that applicants in such population centers can and will construct facilities with close to the maximum permitted power and antenna height, thereby obtaining the full capability of these channels in serving the public in the surrounding area. These stations are permitted a maximum power of 100 kw and an antenna height of 2,000 feet above average terrain. These facilities, even when the station is surrounded by similar stations at the minimum spacings, provide "interference-free" service to about 65 miles.

2. The Commission has in a number of cases made exceptions to the general policy by permitting Class C assignments in small communities, where the community was the center of a large rural area and where it was far removed from large cities and metropolitan areas. However, in a number of cases applicants requesting such Class C assignments have filed for the minimum power permitted by § 73.211(a) (25 kw) and often for very low antenna heights. Some of these have requested permission to use the AM tower for the supporting structure of the FM antenna with the result that the antenna height for the FM station is in the order of 100 to 200 feet or less above average terrain. Thus, the

[1] Chairman Hyde absent; concurring and dissenting statement of Commissioner Cox filed as part of original document.

objective of the Class C type of station, and the reasons advanced for the assignment of such a channel to a small community, are largely defeated by use of such small facilities. We are of the view that the overall public interest may best be served by increasing the minimum power for a Class C station from the present 25 kw to 50 kw. While it may be desirable to specify a minimum antenna height also, we realize that many potential FM applicants are also AM station licensees who would prefer to utilize the AM tower for the FM antenna, and so we are not at this time proposing any minimum antenna height.

3. Section 73.211(d) provides that stations which were in existence prior to the adoption of the FM Table of Assignments and the new technical rules as of September 10, 1962, may continue to operate as authorized even though they utilize facilities different from those specified in the new rules. It further provides that such stations may make changes under certain conditions without having to comply with the new minimum powers. A number of existing stations have filed applications for major changes in facilities, such as changes in station location, and have requested powers below the minimums under the provision of the subject rule. We are of the view that such operation represents an inefficient use of the available frequency and should not be continued, unless the changes requested by the station are very minor and inconsequential.

4. We are not proposing a similar increase in the minimum power for Class B stations since there are very few such assignments available for application and since most applicants have filed for powers close to the maximum permitted by the rules. Similarly, there has not been any problem of this nature with the Class A assignments and stations.

5. With respect to those stations which presently operate on Class C assignments with powers below the proposed minimum of 50 kilowatts, we are of the view that such inefficient operations should not be permitted indefinitely. We therefore propose to limit such operations to a period of 5 years, after which the new proposed minimum requirement will apply.

6. In view of the foregoing, it is proposed to amend § 73.211(a) to specify that the minimum effective radiated power for a Class C FM station be 50 kw. Stations which are presently authorized to operate with less than this power will be permitted to continue to operate with their present power for a period of 5 years. It is also proposed to delete the last sentence of § 73.211(d) which now reads as follows: "The provisions of this section shall not apply to applications to increase facilities for those stations operating with powers less than the minimum powers specified in paragraph (a) of this section."

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

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before December 19, 1966, and reply comments on or before December 30, 1966. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

9. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished to the Commission.

Adopted: November 16, 1966.

Released: November 18, 1966.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12673; Filed, Nov. 22, 1966; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 239]

[Release No. 33-4849]

SHORT FORM FOR REGISTRATION

Notice of Proposed Form

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposed short form for registration under the Securities Act of 1933 of equity securities (including convertible debt) and subordinated debt securities of certain issuers which are to be offered to the public for cash. Use of the form, which would be designated Form S-7 (17 CFR 239.26), would be limited to domestic and Canadian companies which meet certain sales volume and earnings tests, which have a class of equity securities listed on a national securities exchange and registered under section 12(b) of the Securities Exchange Act of 1934 and which have filed reports under section 13 or 15(d) of the Act for a period of at least 5 years.

The proposed form has been limited to reporting companies having securities listed on a national securities exchange, submitting to their shareholders proxy material or equivalent information, having long records of earnings and having stability of management and business.

Briefly stated, the form would require that a prospectus for securities registered thereon need contain only the following information: The price and underwriting data; information as to the use of the proceeds; information with respect to the business and any material changes therein; earnings statements; a description of the securities to be registered; and balance sheets of the registrant and its subsidiaries. The only exhibits required would be those pertinent to the proposed offering, including any material contracts referred to in the prospectus.

The Commission anticipates that prospectuses and registration statements on this form would be substantially shorter than heretofore and would, therefore, be substantially easier both for the issuer to prepare and for the Commission to process. For this reason, bearing in mind the information about the issuer publicly available, the Commission hopes to be in a position to consider favorably, in such cases, requests to shorten substantially the waiting period between filing and effectiveness of statements on the new form. The success of this program depends, of course, on the cooperation of issuers and underwriters in preparing the registration statement so that Commission review and comment can be held to a minimum.

The proposed form represents a closer integration of the requirements of the Securities Act of 1933 and the Securities Exchange Act of 1934 within the present statutory framework. In this connection, the Commission and its staff is engaged in a careful review of the existing reporting and disclosure requirements under the Securities Exchange Act of 1934 with a view to modifying these requirements to improve both the information contained in, and the timeliness of the reports filed under that Act.

A copy of the proposed form appears below.

It is also proposed to amend paragraph (a) of Rule 174 under the Securities Act (17 CFR 230.174) so that securities registered on the proposed form would be exempt from the prospectus delivery requirements of section 4(3) of the Act. Under this amendment a dealer would not be required to deliver a prospectus to his customer if he is no longer acting as an underwriter of the offering or is not engaged in a transaction involving his participation in the offering.

All interested persons are invited to submit their views and comments on the proposed form and rule amendment, in writing, to the Securities and Exchange Commission, Washington, D.C. 20549, on or before December 16, 1966. Except where it is requested that such communications not be disclosed, they will be considered available for public inspection.

By the Commission, November 16, 1966.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

§ 239.26 Form S-7, for registration under the Securities Act of 1933 of securities of certain issuers to be offered for cash.

(a) *General instructions.*

A. *Rule as to use of Form S-7.*

Any issuer which meets the following conditions may use this form for registration under the Securities Act of 1933 of equity securities (including convertible debt securities) and subordinated debt securities to be offered for cash:

[1] Chairman Hyde absent.

(a) The registrant is organized under the laws of the United States or any State or Territory or the District of Columbia, or under the laws of Canada or any political subdivision thereof, and has its principal business operations in the United States, its Territories or Canada.

(b) The registrant has a class of equity securities registered pursuant to section 12(b) of the Securities Exchange Act of 1934 and has filed reports pursuant to section 13 or 15(d) of that Act for a period of at least 5 years.

(c) The issuer has been engaged in business of substantially the same general character for at least the last 10 years.

(d) A majority of the existing board of directors of the registrant have been directors of the registrant during each of the last 3 fiscal years.

(e) The registrant and its subsidiaries have not during the past 10 years defaulted in the payment of any dividend or sinking fund installment on preferred stock, or in the payment of any principal, interest, or sinking fund installment on any indebtedness for borrowed money, or in the payment of rentals under long-term leases.

(f) The registrant and its consolidated subsidiaries had sales or gross revenues of at least $100 million for the last fiscal year, and a net income (after taxes but before any special items) of at least $5 million for the last fiscal year and of at least $1 million for each of the preceding 4 fiscal years.

(g) If convertible debt or subordinated debt securities are to be registered, the conditions set forth in paragraphs (a) (4) and (5) of the rule as to the use of Form S–9 (17 CFR 239.22) shall be met. Paragraphs (b), (c), and (d) of that rule shall apply in determining whether such conditions are met. Debt securities being registered shall amount to not less than $1 million principal amount.

(h) If the securities to be registered are common stock, or securities convertible into common stock, the registrant shall have paid cash dividends on its common stock in each of the last 5 fiscal years and shall have earned in each such year the cash dividends paid in that year on all classes of securities.

B. *Application of General Rules and Regulations.*

Attention is directed to the general rules and regulations under the Act, particularly those comprising Regulation C (17 CFR 230.400 *et seq.*). That regulation contains general requirements regarding the preparation and filing of the registration statement. The definitions contained in Rule 405 (17 CFR 230.405) should be especially noted.

C. *Documents Comprising Registration Statement.*

The registration statement shall consist of the facing sheet of the form, the prospectus containing the information specified in Part I, the information called for by Part II, the required signatures, consents of experts, financial statements and exhibits and any other prospectus, information, undertaking, or documents which are required or which the registrant may file as a part of the registration statement.

D. *Form and Content of Prospectus.*

(a) The information set forth in the prospectus should be presented in clear, concise, understandable fashion. Avoid unnecessary and irrelevant details, repetition or the use of unnecessary technical language. The prospectus shall contain the information called for by all of the items of Part I of the form, except that no reference need be made to inapplicable items, and negative answers to any item may be omitted.

(b) Unless clearly indicated otherwise, information set forth in any part of the prospectus need not be duplicated elsewhere in the prospectus. Where it is deemed necessary or desirable to call attention to such information in more than one part of the prospectus, this may be accomplished by appropriate cross reference. In lieu of restating information in the form of notes to the financial statements, references should be made to other parts of the prospectus where such information is set forth.

E. *Foreign Subsidiaries.*

Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the registrant, provided a statement is made that such information has been omitted. In such case, a statement of the names of the subsidiaries omitted shall be separately furnished. The Commission may, in its discretion, call for justification that the required disclosure would be detrimental.

F. *Filing of Other Financial Statements in Certain Cases.*

The Commission may, upon the informal written request of the registrant, and where consistent with the protection of investors, permit the omission of one or more of the financial statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Commission may also by informal written notice require the filing of other financial statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

G. *Preparation of Part II.*

Part II of the registration statement shall contain the numbers and captions of the items in Part II of the form, but the text of the items may be omitted provided the answers are so prepared as to indicate to the reader the coverage of the items without the necessity of referring to the text of the items or the instructions thereto. If the information required by any item of Part II is completely disclosed in the prospectus, reference may be made to the specific page or caption of the prospectus which contains such information.

(b) *Facing page.*

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

Form S–7

REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

(Exact name of registrant as specified in its charter)

(State or other jurisdiction of incorporation or organization)

(I.R.S. employer identification No.)

(Address of principal executive offices)

(ZIP Code)

(Name and address of agent for service)

(Approximate date of commencement of proposed sale to the public)

Title of each class of securities to be registered	Amount to be registered	Proposed maximum offering price per unit	Proposed maximum aggregate offering price	Amount of registration fee

(c) *Part I. Information Required in Prospectus.*

Item 1. Distribution spread. The information called for by the following table shall be given in substantially the tabular form indicated, on the outside front cover page of the prospectus as to all securities to be registered (estimated, if necessary).

	Price to public	Underwriting discounts and commissions	Proceeds to registrant or other persons
Per unit			
Total			

Instructions. 1. Only commissions paid by the registrant or selling security holders in cash are to be included in the table. Commissions paid by other persons, and other considerations to the underwriters, shall be set forth following the table with a reference thereto in the second column of the table. Any finder's fee or similar payments shall be appropriately disclosed.

2. If it is impracticable to state the price to the public, the method by which it is to be determined shall be explained. In addition, if the securities are to be offered at the market, or if the offering price is to be determined by a formula related to market prices, indicate the market involved and the market price as of the latest practicable date.

3. If any of the securities being registered are to be offered for the account of security holders, refer on the first page of the prospectus to the information called for by Item 4.

Item 2. Plan of Distribution. (a) If the securities to be registered are to be offered through underwriters, give the names of the principal underwriters, and state the respective amounts underwritten. Identify each such underwriter having a material relationship to the registrant and state the nature of the relationship. State briefly the nature of the underwriters' obligation to take the securities.

Instruction. All that is required as to the nature of the underwriters' obligation is whether the underwriters are or will be committed to take and to pay for all of the securities if any are taken, or whether it is merely an agency or "best efforts" arrangement under which the underwriters are required to take and pay for only such securities as they may sell to the public. Conditions precedent to the underwriters' taking the securities, including "market outs", need not be described except in the case of an agency or "best efforts" arrangement.

(b) State briefly the discounts and commissions to be allowed or paid to dealers, including all cash, securities, contracts, or other consideration to be received by any dealer in connection with the sale of the securities.

Instruction. If any dealers are to act in the capacity of subunderwriters and are to be allowed or paid any additional discounts or commissions for acting in such capacity, a general statement to that effect will suffice without giving the additional amounts to be so paid.

(c) Outline briefly the plan of distribution of any securities to be registered which are to be offered otherwise than through underwriters.

Item 3. Use of proceeds to registrant. State the principal purposes for which the net proceeds to the registrant from the securities to be offered are intended to be used, and the approximate amount intended to be used for each such purpose.

Instruction. Details of proposed expenditures are not to be given; for example, there need be furnished only a brief outline of any program of construction or addition of equipment. If any material amount of other funds is to be used in conjunction with the proceeds, state the amount and sources of such other funds. If any material amount of the proceeds is to be used to acquire assets, otherwise than in the ordinary course of business, briefly describe the assets and give the names of the persons from whom they are to be acquired. State the cost of the assets to the registrant and the principle followed in determining such cost.

Item 4. Selling security holders. If any of the securities to be registered are to be offered for the account of security holders, name each such security holder and state the amount of securities of the class owned by him, the amount to be offered for his account and the percentage of the class (if 1 percent or more) to be owned by him after completion of the offering.

Item 5. Business. (a) Identify the business done and intended to be done by the registrant and its subsidiaries and indicate the products or services which constitute the principal sources of sales or revenues, or both. In the case of an extractive enterprise, give appropriate information as to reserves.

(b) Include information of material significance to investors in appraising (i) the results shown in the statements of income and surplus and (ii) the financial condition of the company as reflected by the latest balance sheet of the registrant and the latest consolidated balance sheet of the registrant and its subsidiaries.

(c) Briefly describe any pending legal proceedings to which the registrant or its subsidiaries is a party which could have a substantial effect upon the earnings or financial condition of the registrant.

Item 6. Statements of income and earned surplus. Furnish in comparative columnar form a statement of income for the registrant, or for the registrant and its subsidiaries consolidated, or both, as appropriate, for each of at least the last 5 fiscal years of the registrant and for any interim period between the end of the latest of such fiscal years and the date of the latest balance sheet furnished pursuant to Item 9(a), and for the corresponding interim period of the preceding fiscal year. Include comparable data for any additional fiscal years necessary to keep the statement from being misleading. An analysis of earned surplus shall be furnished for each period covered by an income statement, as a continuation thereof or elsewhere in the prospectus.

Instructions. 1. The statements required shall be prepared in compliance with the applicable profit and loss and surplus requirements of Regulation S–X (17 CFR Part 210) and shall be certified to the date of the respective certified balance sheets included in the prospectus. The statement shall reflect the retroactive adjustment of any material items affecting the comparability of the results.

2. If the registrant is engaged primarily (i) in the generation, transmission, or distribution of electricity, the manufacture mixing, transmission, or distribution of gas, the supplying or distribution of water or the furnishing of telephone or telegraph service, or (ii) in holding securities of companies engaged in such business, it may at its option include a statement of income for the 12 months period prior to the date of the latest balance sheet furnished, in lieu of the statements for the interim periods specified.

3. If common stock is to be registered, the statements shall be prepared to present earnings applicable to common stock. Per share earnings and dividends declared for each period of the statement shall also be included and the basis of computation stated.

4. If preferred stock is to be registered, there shall be shown the annual dividend requirements on such preferred stock. To the extent that an issue represents refinancing, only the additional dividend requirements shall be stated.

5. If long-term debt is to be registered, the registrant shall show in tabular form for each fiscal year or other period, the ratio of earnings (computed in accordance with generally accepted accounting principles after all operating and income deductions, except fixed charges and taxes based on income or profits) to fixed charges. The term "fixed charges" shall mean (i) interest and amortization of debt discount and expenses and premium on all indebtedness; (ii) one-third of all rental reported in Schedule XVI, or such portion as can be demonstrated to be representative of the interest factor in the particular case; and (iii) in case consolidated figures are used, preferred stock dividend requirements of consolidated subsidiaries, excluding in all cases, items eliminated in consolidation. In the case of utilities, interest credits charged to construction shall be added to gross income and not deducted from interest. A pro forma ratio of earnings to fixed charges adjusted to give effect to the issuance of securities to be registered and to any presently proposed issuance, retirement, or redemption of securities shall be shown. The registrant shall file as an exhibit a statement setting forth in reasonable detail the computations of such ratios. For the purpose of this exhibit and the pro forma ratio referred to above, an assumed maximum interest rate may be used on securities as to which the interest rate has not yet been fixed, which assumed rate shall be shown.

6. In connection with any unaudited statement for an interim period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period have been included. If all such adjustments are of a normal recurring nature, a statement to that effect shall be made; otherwise, there shall be furnished as supplemental information but not as a part of the registration statement, a letter describing in detail the nature and amount of any adjustments, other than normal recurring adjustments, entering into the determination of the results shown.

7. Statements of income and earned surplus conforming to the foregoing shall be furnished, here or elsewhere in the prospectus, for each subsidiary or group of subsidiaries or 50-percent owned persons for which a balance sheet is furnished pursuant to Item 9(b).

Item 7. Capital stock to be registered. If capital stock is to be registered, state the title of the class and furnish the following information:

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment by the registrant.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the registrant while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

2. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights of any other class of securities, include such information regarding such other securities as will enable investors to understand the rights evidenced by the securities to be registered. No information need be given, however, as to any class of securities all of which will be redeemed and retired, provided appropriate steps to assure such redemption and retirement will be taken prior to or upon delivery by the registrant of the securities to be registered.

3. If the securities described are to be offered pursuant to warrants or rights, state the amount of securities called for by such warrants or rights, the period during which the price at which the warrants or rights are exercisable.

Item 8. Debt securities to be registered. If debt securities are to be registered, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions with respect to the kind and priority of any lien securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) The nature and effect of provisions with respect to the subordination of the rights of holders of the securities registered to other security holders or creditors of the registrant.

(d) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(e) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instructions. 1. In the case of secured debt, there should be stated (i) the approximate amount of unbonded bondable property available for use against the issuance of bonds, as of the most recent practicable date, and (ii) whether the securities being registered are to be issued against such property, against the deposit of cash, or otherwise.

2. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(f) The name of the trustee and the nature of any material relationship with the registrant or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(g) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction. The instructions to Item 7 shall also apply to this item. Section 305(a)(2) of the Trust Indenture Act of 1939 shall not be deemed to require the inclusion in the registration statement or in the prospectus of any information not required by this form.

Item 9. Other securities being registered. If securities other than capital stock or debt are being registered, outline briefly the rights evidenced thereby. If subscription warrants or rights are being registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 7 shall also apply to this item.

Item 10. Other financial statements and schedules. (a) There shall be furnished a balance sheet of the registrant and a consolidated balance sheet of the registrant and its subsidiaries as of a date within 6 months prior to the date of filing the registration statement. These balance sheets need not be certified but if they are not certified, there shall be furnished in addition certified balance sheets as of a date within 1 year, unless the fiscal year of the registrant has ended within 90 days prior to the date of filing, in which case the certified balance sheets may be as of the end of the preceding fiscal year. These balance sheets shall be prepared in compliance with the applicable balance sheet requirements of Regulation S–X.

Instructions. The individual balance sheets of the registrant may be omitted if (i) consolidated balance sheets of the registrant and one or more of its subsidiaries are furnished, (ii) either one of the following conditions is met, and (iii) the Commission is advised as to the reasons for such omission:

(1) The registrant is primarily an operating company and all subsidiaries included in the consolidated balance sheets furnished are totally held subsidiaries; or

(2) The registrant's total assets, exclusive of investments in and advance to the consolidated subsidiaries, constitute 85 percent or more of the total assets shown by the consolidated balance sheets furnished.

(b) (1) Subject to Rule 4–03 of Regulation S–X (17 CFR 210.4–03), regarding group statements of unconsolidated subsidiaries, there shall be furnished for each majority-owned subsidiary of the registrant not included in the consolidated statements, the balance sheets which would be required if the subsidiary were itself a registrant.

(2) If the registrant owns, directly or indirectly, approximately 50 percent of the voting securities of any person and approximately 50 percent of the voting securities of such person is owned, directly or indirectly, by another single interest, there shall be filed for each such person the balance sheets which would be required if it were a registrant. The statements filed for each such person shall identify the other single interest.

Instructions. 1. Insofar as practicable, these balance sheets shall be as of the same dates as those of the registrant.

2. There may be omitted all balance sheets of any one or more unconsolidated subsidiaries or 50 percent owned persons if all such subsidiaries and person whose balance sheets are so omitted, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

(c) (1) There shall be filed for any business directly or indirectly acquired by the registrant after the date of the latest balance sheet filed pursuant to (a) above and for any business to be directly or indirectly acquired by the registrant, the financial statements which would be required if such business were a registrant.

(2) The acquisition of securities shall be deemed to be the acquisition of a business if such securities give control of the business or combined with securities already held give such control.

(3) No financial statements need be filed, however, for any business acquired or to be acquired from a totally held subsidiary. In addition, the statements of any one or more business may be omitted if such businesses, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

(d) Notwithstanding the provision of Regulation S–X, no schedules other than those prepared in accordance with Rules 12–16, 12–27, and 12–32 (17 CFR 210.12–16, 210.12–27, 210.12–32) of that regulation need be furnished.

Item 11. Statement of available information. A statement shall be included in the prospectus to the effect that the registrant is subject to the continuous reporting requirements of the Securities Exchange Act of 1934 and in accordance therewith files reports and information which can be inspected without charge at the principal office of the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549. The statement shall also indicate that copies of such reports and information can be obtained from the Commission at prescribed rates. In addition, the national securities exchanges on which the registrant's securities are listed and where reports and information concerning the registrant can be inspected, should be named.

(d) *Part II. Information Not Required in Prospectus.*

Item 12. Marketing arrangements. Briefly describe any arrangement known to the registrant, any person named in answer to Item 4 or to any principal underwriter of the securities being registered which is not contained in an exhibit filed with the registration statement and has been made for any of the following purposes:

(a) To limit or restrict the sale of other securities of the same class as those to be offered for the period of distribution.

(b) To stabilize the market for any of the securities to be offered.

(c) For withholding commissions, or otherwise to hold each underwriter or dealer responsible for the distribution of his participation.

Item 13. Other expenses of issuance and distribution. Furnish a reasonably itemized statement of all expenses in connection with the issuance and distribution of the securities being registered, other than underwriting discounts and commissions.

Instruction. Insofar as practicable, registration fees, Federal taxes, State taxes and fees, trustees' and transfer agents' fees, cost of printing and engraving, and legal, accounting, and engineering fees shall be separately itemized. The information may be given as subject to future contingencies. If the amounts of any items are not known, estimates designated as such shall be given.

Item 14. Relationship with registrant of experts named in registration statement. If any expert named in the registration statement as having prepared or certified any part thereof was employed for such purpose on a contingent basis or, at the time of such preparation or certification or at any time thereafter, had a substantial interest in the registrant or any of its parents or subsidiaries or was connected with the registrant or any of its subsidiaries as a promoter, underwriter, voting trustee, director, officer, or employee, furnish a brief statement of the nature of such contingent basis, interest, or connection.

Instruction. In the case of an accountant, any direct financial interest or any material indirect financial interest held during the period covered by the financial statements prepared or certified shall be deemed a "substantial interest" for the purpose of this item.

Item 15. Indemnification of directors and officers. State the general effect of any charter provisions, bylaws, contract, arrangement, or statute under which any director or officer of the registrant is insured or indemnified in any manner against any liability which he may incur in his capacity as such.

Item 16. Treatment of proceeds from stock to be registered. If capital stock is to be registered hereunder and any portion of the consideration to be received by the registrant for such stock is to be credited to an account other than the appropriate capital stock account, state to what other account such portion is to be credited and the estimated amount per share. If the consideration from the sale of par value shares is less than par value, state the amount per share involved and its treatment in the accounts.

Item 17. Exhibits. List all exhibits filed as a part of the registration statement.

(e) *Undertakings.*

A. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities being registered are to be offered in a continuous offering over an extended period of time:

"The registrant undertakes (a) to file any prospectuses required by section 10(a)(3) as posteffective amendments to the registration statement, (b) that for the purpose of determining any liability under the Act each such posteffective amendment may be deemed to be a new registration statement relating to the securities offered therein and the offering of such securities at that time may be deemed to be the initial bona fide offering thereof, and (c) that all posteffective amendments will comply with the applicable forms, rules, and regulations of the Commission in effect at the time such posteffective amendments are filed, (d) to remove from registration by means of a posteffective amendment any of the securities being registered which remain unsold at the termination of the offering and (e) to furnish the Division of Corporation Finance a letter informing said Division when all of the securities registered have been sold."

B. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities being registered are to be offered to existing security holders pursuant to warrants or rights and any securities not taken by security holders are to be reoffered to the public:

"The undersigned registrant hereby undertakes to supplement the prospectus, after the expiration of the subscription period, to set forth the results of the subscription offer, the transactions by the underwriters during the subscription period, the amount of unsubscribed securities to be purchased by the underwriters and the terms of any subsequent reoffering thereof. If any public offering by the underwriters is to be made on terms differing from those set forth on the cover page of the prospectus, a posteffective amendment will be filed to set forth the terms of such offering."

C. The following undertaking, with appropriate modifications to suit the particular case, shall be included in the registration statement if the securities being registered are to be offered at competitive bidding:

"The undersigned registrant hereby undertakes to file an amendment to the registration statement reflecting the results of bidding, the terms of the reoffering and related matters to the extent required by the appli-

cable form, not later than the first use, authorized by the registrant after the opening of bids, of a prospectus relating to the securities offered at competitive bidding, unless no further public offering of such securities by the registrant and no reoffering of such securities by the purchasers is proposed to be made."

(f) *Signatures.*

Pursuant to the requirements of the Securities Act of 1933, the registrant has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized, in the City of _____, and State of _____, on the _____ day of _____, 19_____.

_____
(Registrant)

By _____
(Signature and title)

Pursuant to the requirements of the Securities Act of 1933, this registration statement has been signed below by the following persons in the capacities and on the dates indicated.

(Signature)	(Title)	(Date)

Instructions. 1. The registration statement shall be signed by the registrant, its principal executive officer or officers, its principal financial officer, its controller or principal accounting officer and by at least the majority of the board of directors or persons performing similar functions. If the registrant is a foreign person, the registration statement shall also be signed by its authorized representative in the United States.

2. The name of each person who signs the registration statement shall be typed or printed beneath his signature. Any person who occupies more than one of the specified positions shall indicate each capacity in which he signs the registration statement.

(g) *Instructions as to exhibits.*

Subject to the rules regarding incorporation by reference, the following exhibits shall be filed as a part of the registration statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits called for by Item 15.

1. Copies of each underwriting contract with a principal underwriter, each syndicate agreement and each purchase, subunderwriting, or selling group agreement or letter pursuant to which the securities being registered are to be distributed or, if the terms of such documents are not determined, the proposed forms thereof.

2. (a) Specimens or copies of all securities to be registered hereunder.

(b) If any of the securities to be registered are, or are to be, issued under an indenture to be qualified under the Trust Indenture Act of 1939, the copy of such indenture which is filed as an exhibit shall include or be accompanied by (1) a reasonably itemized and informative table of contents, and (2) a cross-reference sheet showing the location in the indenture of the provisions inserted pursuant to sections 310 through 318(a) inclusive of the Trust Indenture Act of 1939.

3. An opinion of counsel, as to the legality of the securities to be registered, indicating whether they will when sold be legally issued, fully paid and nonassessable, and, if debt securities, whether they will be binding obligations of the registrant.

4. Copies of all indemnification contracts or arrangements described in answer to Item 13.

5. Copies of every material contract not made in the ordinary course of business which is referred to in the prospectus. Only contracts need be filed as to which the registrant or a subsidiary of the registrant is a party or has succeeded to a party by assumption or assignment, or in which the registrant or such subsidiary has a beneficial interest.

(Secs. 6, 7, 10, and 19; 48 Stat. 78, 81, and 85, as amended; 15 U.S.C. 77f, 77g, 77j, and 77s)

[F.R. Doc. 66-12641; Filed, Nov. 22, 1966; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[361.2]

IMPORTED CIGARETTE PACKAGES

Health Hazard Warning Labeling; Unlabeled Articles Permitted Entry

NOVEMBER 14, 1966.

There is published below Bureau of Customs Circular MAR–2–RM x RES–36–RM, November 14, 1966, instructing customs officers at ports of entry that certain cigarette importations additional to those specified in its circular of July 1, 1966 (31 F.R. 9468), are not required to display the health hazard warning labeling required under Public Law 89–92 of July 27, 1965, 79 Stat. 282 (15 U.S.C. 1331–9).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

TREASURY DEPARTMENT

BUREAU OF CUSTOMS

WASHINGTON

Circular: MAR–2–RM
x RES–36–RM
Date: November 14, 1966.

Subject: MARKING, LABELING, PACKING, and STAMPING; Health hazard warning labeling on imported cigarette packages.

References: Public Law 89–92 of July 27, 1965, 79 Stat. 282 (15 U.S.C. 1331–9), cited as "Federal Cigarette Labeling and Advertising Act;" Bureau Circular MAR–2–RM x RES–36–RM dated July 1, 1966.

1. *Purpose.* To inform customs officers of additional classes of cigarette importations which are not considered to be among those for which labeling is required by the Act referenced and to extend the exception in the referenced circular to permit unlabeled importations for all personal uses.

2. *Background.* The Bureau has received further inquiries as to whether certain cigarette importations may be treated as outside the scope of the health hazard labeling required under Public Law 89–92:

1. Importations of test samples which are declared to be for use solely in quality control tests conducted by members of the tobacco industry and not for sale commercially.

2. Importations for any personal use and not for resale.

3. *Action.* Customs officers are advised that the types of cigarette importations additionally specified above are deemed not to come within the scope of Public Law 89–92 requiring that the health hazard caution statement appear on the packages. Such importations, unlabeled, will be admitted to entry in all cases where the normal customs procedures incident to entry have been fully complied with. Customs officers shall exercise local discretion as to whether, from the particular circumstances of the transaction, the quantity imported is not excessive for release unlabeled for any personal use. Where doubt remains unresolved at the district or region, the quantity shall be held and the matter referred to the Bureau for review with full report of the factual circumstances.

The action paragraph of the referenced circular is modified accordingly.

EDWIN F. RAINS,
Acting Commissioner of Customs.

File: RM 361.2 W
Distribution: L

[F.R. Doc. 66–12648; Filed, Nov. 22, 1966; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. A–415]

NED FRANK

Notice of Loan Application

Ned Frank, Box 27, Yakutat, Alaska 99689, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of one new wood gillnet boat and one used skiff to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89–85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised Aug. 11, 1965), that the above entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. L. MCHUGH,
Acting Director,
Bureau of Commercial Fisheries.

NOVEMBER 18, 1966.

[F.R. Doc. 66–12650; Filed, Nov. 22, 1966; 8:47 a.m.]

Bureau of Land Management

NEVADA

Notice of Classification of Public Land

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal in satisfaction of valid scrip rights pursuant to section 3 of the act of August 31, 1964 (78 Stat. 751).

For satisfaction of valid Valentine, Sioux Halfbreed, Wyandotte, Porterfield, Gerard, McKee, and Railroad Lieu Selection Claims:

MOUNT DIABLO MERIDIAN, NEVADA

T. 18 N., R. 19 E.,
Sec. 26, W½SE¼SW¼SE¼, N½NE¼SE¼SE¼.

T. 15 N., R. 20 E.,
Sec. 23, SW¼NE¼NE¼NE¼, SE¼NW¼NE¼NE¼, SE¼NE¼NE¼, SW¼NE¼NW¼NE¼, NE¼NE¼SE¼NE¼, E½NW¼SE¼NE¼, NE¼SW¼SE¼NE¼, N½SE¼SE¼NE¼, E½NE¼NW¼SE¼, E½SE¼NW¼SE¼, SW¼SE¼SW¼SE¼, E½SE¼SW¼SE¼.

T. 17 N., R. 20 E.,
Sec. 18, W½NW¼NE¼SW¼, NE¼NW¼SW¼, E½NW¼NW¼SW¼, SW¼NW¼SW¼, W½SE¼NW¼SW¼.

T. 18 N., R. 20 E.,
Sec. 34, E½NW¼SE¼NE¼, W½SW¼SE¼NE¼, NW¼SW¼NE¼SE¼, N½NW¼SE¼SE¼, SE¼NW¼SE¼SE¼, NE¼SW¼SE¼SE¼, SW¼SE¼SE¼SE¼.

The areas described aggregate approximately 120 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 722, Washington, D.C. 20240 (43 CFR 2411.12 (d)).

JOHN O. CROW,
Associate Director.

NOVEMBER 16, 1966.

[F.R. Doc. 66–12634; Filed, Nov. 22, 1966; 8:46 a.m.]

NEVADA

Proposed Classification of Public Lands

Notice is hereby given that it is proposed to classify, pursuant to section 3 of the act of August 31, 1964 (78 Stat. 751; 43 U.S.C. 254), the public lands described below for disposal in satisfaction of valid scrip rights. This publication is made pursuant to section 2 of the act of September 19, 1964 (78 Stat. 986; 43 U.S.C. 1412). For a period of 60 days from the date of this publication, interested parties may submit comments to the Director, Bureau of Land Management, Washington, D.C. 20240.

Regulations (43 CFR 2221.0—2221.2–4) governing selection of classified lands were published August 24, 1966 (31 F.R. 11178, 11179). As stated therein, scrip claimants may submit recommendations of areas to be classified for satisfaction of claims, specifying the type of claim for which the land should be classified. Recommendations should be sent to the State Director, Bureau of Land Management, of the State in which the recommended lands are located (see 43 CFR 1821.2–1).

The lands affected by this proposal are described as follows:

For satisfaction of Valid Valentine, Sioux Halfbreed, Wyandotte, Porterfield, Gerard, McKee, and Railroad Lieu Selection Claims:

MOUNT DIABLO MERIDIAN

T. 15 N., R. 20 E.,
Sec. 23, NE¼NE¼NE¼NE¼.

The areas described aggregate approximately 2.5 acres.

For satisfaction of Valid Soldiers Additional Homestead, Isaac Crow, Merritt W. Blair, and Forest Lieu Claims:

MOUNT DIABLO MERIDIAN

T. 12 N., R. 21 E.,
Sec. 5, S½S½, NW¼SW¼;
Sec. 8, N½N½, SE¼NE¼, NE¼SE¼;
Sec. 9, NW¼, N½SW¼, SW¼NE¼, NW¼SE¼.
T. 13 N., R. 21 E.,
Sec. 16, W½;
Sec. 17, W½W½, SE¼SW¼, S½SE¼;
Sec. 18, E½E½, E½W½E½;
Sec. 19, N½NE¼;
Sec. 20, E½, E½W½, NW¼NW¼;
Sec. 21, W½;
Sec. 28, NW¼NW¼;
Sec. 29, N½NE¼, SE¼NE¼, NE¼NW¼;
Sec. 32, E½, N½NW¼;
Sec. 33, E½;
Sec. 34, NW¼.

The areas described aggregate approximately 3,600 acres.

JOHN O. CROW,
Associate Director.

NOVEMBER 16, 1966.

[F.R. Doc. 66-12635; Filed, Nov. 22, 1966; 8:46 a.m.]

National Park Service

GUNNISON NATIONAL MONUMENT

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Curecanti Recreation Area, Colorado and Black Canyon of the Gunnison National Monuments, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1967, through December 31, 1971, the concession permit under which Kathleen Koch provides concession facilities and services for the public in Black Canyon of the Gunnison National Monument.

The foregoing concessioner has performed obligations under a prior permit to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above is entitled to be given preference in the renewal of the permit and in the negotiation of a new permit. However, under the act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

Dated: November 2, 1966.

HENRY R. DURING,
Superintendent of Curecanti Recreation Area, Colorado and Black Canyon of the Gunnison National Monuments.

[F.R. Doc. 66-12636; Filed, Nov. 22, 1966; 8:46 a.m.]

ISLE ROYALE NATIONAL PARK

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Isle Royale National Park, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1967, through December 31, 1971, the concession permit under which Ward L. Grosnick provides boat transportation of passengers and freight between Copper Harbor, Mich., and Isle Royale National Park for the public, and to use certain Government-owned boat docks located in Isle Royale National Park.

The foregoing concessioner has performed his obligations under prior special use permits to the satisfaction of the National Park Service and, therefore, pursuant to the act cited above is entitled to be given preference in the negotiation of a new concession permit.

However, under the act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

Dated: November 2, 1966.

CARLOCK E. JOHNSON,
Superintendent, Isle Royale National Park.

[F.R. Doc. 66-12637; Filed, Nov. 22, 1966; 8:46 a.m.]

ISLE ROYALE NATIONAL PARK

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5, Public Law 89-249, public notice is hereby given that the Department of the Interior, through the Superintendent of Isle Royale National Park, National Park Service, proposes, thirty (30) days after the date of publication of this notice, to issue for the period January 1, 1967, through December 31, 1971, the concession permit under which Sivertson Bros. Fisheries provides boat transportation of passengers and freight between Grand Portage, Minn. and Isle Royale National Park for the public, and to use certain Government-owned boat docks located in Isle Royale National Park.

The foregoing concessioner has performed its obligations under prior special use permits to the satisfaction of the National Park Service, and, therefore, pursuant to the act cited above is entitled to be given preference in the negotiation of a concession permit.

However, under the act cited above the Service is also required to consider and evaluate all proposals received as a result of this notice.

Dated: November 2, 1966.

CARLOCK E. JOHNSON,
Superintendent, Isle Royale National Park.

[F.R. Doc. 66-12638; Filed, Nov. 22, 1966; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

REPORTS OF INFORMATION FOR ANTIBIOTIC DRUG EFFECTIVENESS

Extension of Time for Submitting

A notice was published in the FEDERAL REGISTER of October 6, 1966 (31 F.R. 13014), announcing that each person engaged in manufacturing, compounding, processing, packing, or labeling any antibiotic drug in dosage form (other than distributors whose labeling is identical, except for such information as distributors' trade names and addresses, to that under which such antibiotic drug is marketed by its supplier), which antibiotic drug is certified, released, or exempted from certification under the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act on any basis other than approval of a form "5" after October 9, 1962, or an investigational exemption, shall submit certain information on drug effectiveness by November 6, 1966.

The phrase "antibiotic drug in dosage form" includes, in the case of veterinary drugs, antibiotic premixes intended for use in the manufacture of medicated feed. The subject reports of information are not desired from feed manufacturers who make finished medicated feeds that contain an antibiotic premix which has been the basis of an approved antibiotic form 5.

The Commissioner of Food and Drugs has received requests for an extension of time for submitting the subject reports. Good reasons therefor appearing, the time for submitting such reports of information is extended to January 4, 1967. This applies whether the antibiotic drug is intended for human or veterinary use.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507(g), 59 Stat. 463, as amended 76 Stat. 787; 21 U.S.C. 357(g)) and under authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120; 31 F.R. 3008).

Dated: November 14, 1966.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 66-12682; Filed, Nov. 22, 1966; 8:48 a.m.]

2-AMINOBUTANE

Notice of Extension of Temporary Tolerance

A temporary tolerance of 20 parts per million for residues of the fungicide 2-aminobutane in or on apples, lemons, and oranges, which was established at the request of Elanco Products Co., a division of Eli Lilly and Co., Indianapolis, Ind. 46206, expired November 9, 1966, and the company has requested an extension to permit additional tests in accordance with the experimental permit issued by the U.S. Department of Agriculture.

The Commissioner of Food and Drugs has determined that extension of this

temporary tolerance will protect the public health; therefore, an extension has been granted that will expire November 9, 1967.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a (j)) and delegated by him to the Commissioner (21 CFR 2.120; 31 F.R. 3008).

Dated: November 14, 1966.

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

[F.R. Doc. 66-12683; Filed, Nov. 22, 1966; 8:50 a.m.]

CHEMAGRO CORP.

Notice of Filing of Petitions for Pesticide and Food Additive O,O-Dimethyl S-[2-(Ethylsulfinyl)Ethyl] Phosphorothioate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 408(d)(1), 409(b)(5), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(1), 348 (b)(5)), notice is given that a petition (PP 7F0540) has been filed by Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, proposing the establishment of pesticide tolerances for residues of the insecticide *O,O*-dimethyl *S*-[2-(ethylsulfinyl)ethyl] phosphorothioate in or on raw agricultural commodities as follows:

5 parts per million in or on blackberries, peaches, plums (fresh prunes), raspberries, turnip tops.

2 parts per million in or on cucumbers, eggplants.

0.75 part per million in or on apples, cabbage, citrus fruits, peppers.

0.1 part per million in or on broccoli, brussels sprouts, cauliflower, corn (including field corn, sweet corn, and popcorn), corn fodder and forage (including field corn, sweet corn, and popcorn), cottonseed, melons (including cantaloups, muskmelons, watermelons, and other melons), pears, potatoes, pumpkins, sugarbeets, sugarbeet tops, summer squash, turnip roots, walnuts, winter squash.

Notice is also given that Chemagro Corp. has filed a related petition (FAP 7H2120) proposing the establishment of a food additive tolerance of 5 parts per million for residues of the insecticide in dried citrus pulp for livestock feed resulting from carryover and concentration of residues after application of the insecticide to growing citrus fruits.

The analytical method proposed for determining residues of the insecticide is a total phosphorus method based upon the procedure described by Martin & Doty, Analytical Chemistry, volume 21, page 965 (1949).

Dated: November 14, 1966.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 66-12684; Filed, Nov. 22, 1966; 8:50 a.m.]

MILES LABORATORIES, INC.

Notice of Filing of Petition for Food Additives

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 7J2103) has been filed by Miles Laboratories, Inc., 1127 Myrtle Street, Elkhart, Ind. 46514, proposing the issuance of a regulation to provide for the safe use in cheese production of a milk-clotting enzyme derived from *Bacillus cereus* by a pure-culture fermentation process.

Dated: November 14, 1966.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 66-12685; Filed, Nov. 22, 1966; 8:50 a.m.]

PAINT SPECIALTIES CO.

Notice of Filing of Petition for Food Additives

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 6B1901) has been filed by Paint Specialties Co., 1336 16th Street, Oakland, Calif. 94607, proposing an amendment to § 121.2548 *Zinc-silicon dioxide matrix coatings* to provide for the safe use of polyvinyl butral as a component of zinc-silicon dioxide matrix coatings for food-contact use.

Dated: November 15, 1966.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 66-12686; Filed, Nov. 22, 1966; 8:50 a.m.]

W. R. GRACE & CO.

Notice of Filing of Petition for Food Additives

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 7B2119) has been filed by W. R. Grace & Co., Dewey & Almy Chemical Division, 62 Whittemore Avenue, Cambridge, Mass. 02140, proposing an amendment to § 121.2550 *Closures with sealing gaskets for food containers* to provide for the safe use of polyethoxylated (20 moles) oleyl alcohol in the manufacture of closure-sealing gaskets for food containers when used at levels not to exceed 1 percent by weight of the gasket composition.

Dated: November 15, 1966.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 66-12687; Filed, Nov. 22, 1966; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16236]

IATA JOINT CONFERENCES

Agreements Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of November 1966.

Agreement adopted by Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association relating to specific commodity rates; Agreement CAB 18934, R-43 through R-47.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated November 1, 1966,[1] as set forth in the attachment hereto,[2] names rates under a new commodity description. The new rates reflect reductions of 57.1 and 66.5 percent, respectively, and are consistent with the present level of specific commodity rates within the applicable area.

Additionally, the agreement (1) cancels the expiry date of December 31, 1966, from all rates listed under commodity Item 9521—Buttons, (2) cancels the expiry date of November 30, 1966, for those rates from Budapest to New York under commodity Item 9995—Personal Effects, consisting of Wearing Apparel, Cosmetics, Toilet Articles, and Articles Used By An Individual, not for resale, (3) cancels the expiry date of December 31, 1966, for the rate from Vienna to New York under commodity Item 1296—Manicure Cases, Fitted or Unfitted, and (4) amends the commodity description for Item 2196 by the inclusion of Curtains.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act: *Provided that*, approval thereof is conditioned as hereinafter ordered.

Accordingly, It is ordered, That:

Agreement CAB 18934, R-43 through R-47, be approved: *Provided*, that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the

[1] Received in the Board Nov. 7, 1966.
[2] Attachment filed as part of original document.

statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 66-12658; Filed, Nov. 22, 1966; 8:48 a.m.]

[Docket No. 16236]

IATA TRAFFIC CONFERENCE

Agreement Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of November 1966.

Agreement adopted by Traffic Conference 1 of the International Air Transport Association relating to specific commodity rates, Agreement CAB 19054, R-5.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated November 1, 1966,[1] names rates under an existing commodity description as set forth below. The new rates reflect reductions ranging from 36.4 to 43.5 percent and are consistent with the present level of specific commodity rates within the applicable area.

Commodity Item 1204—Leather, tanned, dyed, finished, or unfinished, or cut to shape, n.e.s., 35 cents per kg., minimum weight 1000 kgs. Rio de Janeiro/Sao Paulo/Buenos Aires/Montevideo to New York.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act: *Provided*, That, approval thereof is conditioned as hereinafter ordered.

Accordingly, It is ordered,

That Agreement CAB 19054, R-5, be approved: *Provided*, That, approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

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

[F.R. Doc. 66-12659; Filed, Nov. 22, 1966; 8:48 a.m.]

[1] Received in the Board Nov. 7, 1966.

[Docket No. 17952]

VARANAIR-SIAM AIR CO., LTD.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held before an examiner of the Board on November 25, 1966, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., November 18, 1966.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F.R. Doc. 66-12660; Filed, Nov. 22, 1966; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16944, 16945; FCC 66M-1547]

PRAIRIELAND BROADCASTERS AND RICHARD P. LAMOREAUX

Order Regarding Procedural Dates

In re applications of Stephen P. Bellinger, Joel W. Townsend, Ben H. Townsend, Morris E. Kemper and James A. Mudd, doing business as Prairieland Broadcasters, Monmouth, Ill., Docket No. 16944, File No. BPH-5296; Richard P. Lamoreaux, Monmouth, Ill., Docket No. 16945, File No. BPH-5441; for construction permits.

To formalize the agreements and rulings made on the record at a prehearing conference held on November 16, 1966, in the above-entitled matter concerning the future conduct of this proceeding:

It is ordered, This 16th day of November 1966 that:

Exchange of exhibits is scheduled for January 17, 1967;

Further prehearing conference is scheduled for January 25, 1967;

Notification of witnesses is scheduled for January 27, 1967; and

Hearing presently scheduled for December 5, 1966, is continued to February 7, 1967.

Released: November 17, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 66-12668; Filed, Nov. 22, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[8485-C-3]

AMERICAN MAIL LINE ET AL.

Operational Economies

Agreement 8485, approved August 11, 1960, establishes a coordinating committee comprised of representatives of American Mail Line, American President Lines, and Pacific Far East Line to determine what operational economies may be effected through such means as consolidation of office space, joint use of terminal facilities, coordination of sailings and joint purchasing of services and supplies.

The Commission has approved six supplements to the agreement and a seventh modification has been submitted for section 15 consideration. The approved modifications cover a joint purchasing program, a joint insurance program, and the conduct of joint husbanding and terminal facilities by a wholly owned corporation, Consolidated Marine, Inc. The pending modification enlarges the functions of Consolidated Marine, Inc. to include the joint purchasing program, the institution of a joint data processing service for the member lines, and the performance by Consolidated Marine of husbanding services at Southern California ports.

Matson Navigation Co. has entered a protest requesting a hearing not only on the pending modification (8485-C-3), but also on the entire agreement, as approved to date on the ground that any steps taken by the three companies toward an amalgamation or merger, are equally repugnant to the Shipping Act, 1916, whether done pursuant to Agreement 9551, now under consideration in Docket 66-45, Agreement 8485, as it now stands approved, or pending Agreement 8485-C-3, further modifying Agreement 8485. The protestant further suggests that the proceeding in Docket 66-45 be enlarged to cover all these agreements.

Upon review, the Commission at this time finds no basis in Matson's protest of Agreement 8485 as it now stands approved. It is further found that on the basis of the information now before us, effectuation of Agreement 8485-C-3 will probably result in substantial cost savings to the parties to the agreement and would not be unjustly discriminatory, operate to the detriment of the commerce of the United States, be contrary to the public interest, or in violation of the Shipping Act. Moreover, it does not appear that approval of Agreement 8485-C-3 will have any immediate detrimental effect on any presently existing service of Matson. Matson's primary concern is apparently with such future impact as the agreement may have on its planned Far East operations. In order to afford Matson an opportunity to present evidence and argument in support of its assertions concerning the future impact of Agreement 8485-C-3, we will amend the order of investigation in Docket 66-45 to include this issue. Accordingly:

It is ordered, That Agreement 8485–C–3 be approved.

It is further ordered, That this order be published in the FEDERAL REGISTER and a copy served upon all parties to Docket 66–45.

By the Commission November 17, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–12674; Filed, Nov. 22, 1966; 8:49 a.m.]

GREAT LAKES-UNITED KINGDOM WESTBOUND CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreement at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. J. J. Johanns, Chairman, Great Lakes-United Kingdom Westbound Conference, Veerkade 1, Rotterdam, Holland.

Agreement 8140–3 modifies the basic agreement (1) to provide for the extension of its geographic scope to include ports of Eire as origin ports; (2) to change the second paragraph of Article 16 to provide that rates and other costs pertaining to ocean transportation shall be established and altered by agreement of two-thirds of the members, and continues to provide that all other matters pertaining to this Agreement or to the Conference shall be adopted or altered only on unanimous agreement of the members, and (3) to add paragraph (h) to Article 17 which provides that any carrier who fails to have a sailing for 3 consecutive months during the period from March 1st to November 30th shall have no vote on Conference matters until its service is resumed.

By order of the Federal Maritime Commission.

Dated: November 17, 1966.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–12675; Filed, Nov. 22, 1966; 8:49 a.m.]

PORTUGAL/UNITED STATES NORTH ATLANTIC RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

The Secretariat, Portugal/United States North Atlantic Rate Agreement, c/o Gremio dos Agentes de Navegacao do Centro de Portugal, Rua do Alecrim 19, Lisbon 2, Portugal.

Agreement 9349–1 modifies the basic agreement to provide for the employment by the parties thereto of a common tariff issuing agent who shall be responsible for its filing with the Government Agency charged with the administration of section 18(b) of the Shipping Act, 1916, and of all supplements, changes, and reissues thereof to the extent required by law.

Dated: November 17, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66–12676; Filed, Nov. 22, 1966; 8:49 a.m.]

FEDERAL RESERVE SYSTEM

ALLIED BANKSHARES CORP.

Notice of Application for Approval of Acquisition of Shares of Banks

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956, as amended by Public Law 89–485, by Allied Bankshares Corp., Norfolk, Va., for prior approval of the Board of action whereby Applicant would become a bank holding company through the acquisition of 50 percent or more of the voting shares of each of the following banks: Virginia National Bank, Norfolk, Va., and the Central National Bank of Richmond, Richmond, Va.

Section 3(c) of the Act, as amended, provides that the Board shall not approve (1) any acquisition or merger or consolidation under this section which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States, or (2) any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless it finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(c) further provides that in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

Dated at Washington, D.C., this 15th day of November 1966.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66–12632; Filed, Nov. 22, 1966; 8:45 a.m.]

OTTO BREMER FOUNDATION AND OTTO BREMER CO.

Order Approving Applications Under Bank Holding Company Act

In the matter of the applications of Otto Bremer Foundation and Otto Bremer Co. for approval of the acquisition of additional voting stock of the Citizens State Bank, Rugby, N. Dak.

There have come before the Board of Governors, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a), as amended by Public Law 89–485), and section 222.4(a) of Federal Reserve Regulation Y (12 CFR 222.4(a)), applications on behalf of Otto Bremer Foundation and Otto Bremer Co., both bank holding companies located in St. Paul, Minn., for the Board's approval of the acquisition, directly or indirectly, of an additional 50 percent of the voting shares of the Citizens State Bank, Rugby, N. Dak., a subsidiary bank of Applicants.

As required by section 3(b) of the Act, the Board notified the State Examiner for North Dakota of receipt of the applications and requested his views and recommendation. The Acting State Examiner recommended approval of the applications.

Notice of receipt of the applications was published in the FEDERAL REGISTER on September 30, 1966 (31 F.R. 12814), which provided an opportunity for submission of comments and views regarding the proposed acquisition. Time for filing such comments and views has expired and all those filed with the Board have been considered by it.

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said applications be and hereby are approved, provided that the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after said date.

Dated at Washington, D.C., this 16th day of November 1966.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 66-12633; Filed, Nov. 22, 1966; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

NOVEMBER 17, 1966.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 18, 1966, through November 27, 1966, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 66-12642; Filed, Nov. 22, 1966; 8:46 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Minneapolis. Dissenting Statement of Governor Mitchell also filed as part of the original document and available upon request.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Shepardson, Maisel, and Brimmer. Voting against this action: Governor Mitchell. Absent and not voting: Governor Daane.

[812-2004]

TOTAL AMERICAN, INC.

Notice of Filing of Application for Order Exempting Company From All Provisions of Act

NOVEMBER 17, 1966.

Notice is hereby given that Total American, Inc., 610 Fifth Avenue, New York, N.Y. ("applicant"), a Delaware corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting applicant from all provisions 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.

The applicant was organized by Compagnie Francaise des Petroles ("CFP") on February 15, 1966. All of the outstanding securities of applicant, except a note issued to a bank in the United States, are owned by CFP or an affiliate of CFP.

CFP is a French corporation, which with its subsidiaries and affiliates, comprises a leading international integrated oil enterprise engaged in all phases of the oil business. Applicant was organized by CFP to serve as a vehicle for carrying out CFP's intention to commence petroleum operations in the United States. Applicant states that it will conduct such operations either directly or through other corporations in which applicant will own a significant interest.

The application indicates that the principal assets of applicant consist of (1) 403,638 shares (approximately 32 percent) of the outstanding common stock of Leonard Refineries, Inc. ("Leonard"); (2) an investment in applicant's wholly owned subsidiary Total Trading Qatar, Inc. ("Trading"); and (3) an interest in the crude oil arrangements described below. Leonard is primarily engaged directly and indirectly through subsidiaries, in the business of gathering and refining crude oil and marketing the refined products. Trading was organized by applicant on July 13, 1966, under the laws of Delaware for the purpose of acquiring from CFP the right to receive until after 1986 a portion of certain crude oil which CFP is entitled to receive under agreements with Qatar Petroleum Co., Ltd. Such rights will be acquired by Trading in exchange for the issuance to CFP of shares of applicant's stock and the agreement of applicant to pay royalties to CFP on the crude oil so received by Trading.

Applicant states that in the future it may, among other things, acquire additional securities of Leonard as well as securities of other companies.

Of applicant's holdings of Leonard stock, 398,838 shares were acquired on March 8, 1966, at a cost of $6,840,071 and the balance of 4,800 shares was purchased subsequently at an aggregate cost of $62,450, exclusive of brokerage commissions. Applicant expects to derive about $500,000 of net income annually from the oil arrangements mentioned hereinabove.

Applicant obtained the funds used in acquiring assets throught the sale of common stock to CFP, the making of a short-term loan of $4 million from a United States bank and by making a short-term loan of $2 million (of which $1,750,000 has been drawn) from an affiliate of CFP.

Applicant proposes to borrow $6 million from Aetna Life Insurance Co. to be evidenced by applicant's 6½ percent Guaranteed Notes due October 1, 1986 ("Notes"). CFP will unconditionally guarantee the notes, which will be secured by the pledge of 398,838 shares of Leonard stock.

Proceeds of the borrowing after deduction of expenses will be used by applicant to retire the existing bank loan and the loan from the CFP affiliate referred to hereinabove. Applicant represents that it will not issue any securities (other than debt securities) to any person other than CFP or a corporation all of the outstanding securities of which (other than directors' qualifying shares) are owned, directly or indirectly, by CFP (which corporation is sometimes hereinafter referred to as "fully-owned" subsidiary); and it is also represented that CFP will not dispose of any securities issued by applicant now or hereafter owned by it, except to applicant or to one or more fully-owned subsidiaries of CFP.

It appears that applicant is an "investment company" as defined in section 3(a)(3) of the Act. Section 3(b)(3) of the Act, generally speaking, excepts from the definition of investment company any issuer all of the outstanding securities of which (other than short-term paper and directors' qualifying shares) are owned by a company primarily engaged in a business other than that of investing, reinvesting, owning, holding or trading in securities. As stated hereinabove, all of the outstanding securities of applicant are now owned by CFP except for the short-term bank loan and the affiliate loan, both of which are to be paid following the borrowing by applicant on its notes. Also as noted hereinabove, applicant has stated that it will not issue any securities (other than debt securities) to any person other than CFP or a fully-owned subsidiary of CFP and that CFP will not dispose of any securities of applicant except to applicant or to a fully-owned subsidiary of CFP. Therefore, it appears that applicant would be entitled to an exception under section 3(b)(3) of the Act except for the fact that its long-term debt to be outstanding will be owned by an institution rather than by CFP.

Section 6(c) of the Act provides that the Commission may, conditionally or unconditionally, exempt any persons, securities or transactions from any provision of the Act or of any rule thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant has agreed, in the event that the Commission grants the application, that the Commission's order may be issued subject to the following conditions:

1. Applicant will—

(a) File with the Commission, within 90 days after the close of each fiscal year of the Company, the data required by Items 1.08 (except with respect to information relating to persons under common control with applicant), 1.09, 1.10, and 1.11(a) (with respect only to directors and officers of the applicant) of Form N–1R adopted by the Commission pursuant to section 30 of the Investment Company Act of 1940;

(b) File with the Commission, within 120 days after the close of each fiscal year of the applicant, a balance sheet as of the close of such fiscal year, a statement of income and expense for such fiscal year, and a statement of surplus and a schedule of investments as of the close of such fiscal year; and

(c) File with the Commission, within 30 days after the happening of any of the following events, information as to (1) any request to exchange any of the notes for notes of smaller denominations, and (2) any transfer of notes and the name and address of each transferee, to the extent that such information shall be available to, or can reasonably be obtained by, the applicant.

2. Applicant will—

(a) Not issue any additional debt securities (other than evidences of its subordinated indebtedness to CFP or one or more corporations all of the outstanding securities of which, other than directors' qualifying shares, are owned, directly or indirectly, by CFP and other than short-term paper, as defined in the Act), following the issuance of the $6 million aggregate principal amount of notes, unless the applicant shall have first given written notice to the Commission describing the proposed issuance of such additional debt securities not less than 45 days prior to the date of such proposed issuance; subject, however, to the right of the Commission, upon request of the applicant, to decrease such number of days. The applicant further agrees that if the Commission shall, after receipt of said written notice, determine that a substantial question shall exist as to whether or not the exemption granted by the order hereby requested should continue and shall mail or otherwise give notice to that effect to the applicant at its offices at 610 Fifth Avenue, New York, N.Y. (or at such other address as the applicant may have previously specified in writing to the Commission), within 15 days after the receipt by the Commission of said written notice from the applicant, the applicant will not issue such additional debt securities unless after receipt by the applicant of such notice from the Commission and not less than 15 days prior to the issuance of such additional debt securities, the applicant shall mail or otherwise give written notice to the Commission stating its intention to issue such additional securities and upon the giving of such notice by the applicant the exemption granted by the order hereby requested shall be deemed to have been terminated as of the date the applicant shall have mailed or otherwise given such notice to the Commission.

Notice is further given that any interested person may, not later than November 30, 1966, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F.R. Doc. 66-12643; Filed, Nov. 22, 1966; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 993]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 18, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 105413 (Sub-No. 23), filed October 28, 1966. Applicant: PETROLEUM TRANSPORT SERVICE, INC., Highway 275, Council Bluffs, Iowa 51501. Applicant's representative: Einar Viren, 904 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia, fertilizers, fertilizer solutions, acids, and chemicals*, from points in Woodbury County, Iowa, and points in the Sioux City, Iowa, commerical zone, including the South Sioux City, Nebr., commercial zone, to points in Iowa, South Dakota, North Dakota, Minnesota, and Nebraska.

HEARING: January 23, 1967, at the Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Parks M. Low.

No. MC 45626 (Sub-No. 60) (Republication), filed July 21, 1966, published FEDERAL REGISTER issue of August 11, 1966, and republished, this issue. Applicant: VERMONT TRANSIT CO., INC., 135 St. Paul Street, Burlington, Vt. 05402. Applicant's representative: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington, D.C. 20036. By application filed July 21, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, in special operations, (1) between junction U.S. Highway 5 and Vermont Highway 25 south of Bradford, Vt., and Wentworth, N.H.: From junction U.S. Highway 5 and Vermont Highway 25, over Vermont Highway 25 to the Vermont-New Hampshire State line, thence over New Hampshire Highway 25 to Piermont, N.H., thence over New Hampshire Highway 25C to Warren, N.H., thence over New Hampshire Highway 25 to Wentworth, and return over the same route, serving all intermediate points, and including the right of joinder at Warren, N.H., and Wentworth, N.H., with carrier's certificated routes; (2) between Fairlee, Vt., and Piermont, N.H.: From Fairlee, over the Connecticut River Bridge to Orford, N.H., thence over New Hampshire Highway 10 to Piermont, and return over the same route, serving all intermediate points, and including the right of joinder at Orford, N.H., with carrier's certificated routes; and (3) between junction U.S. Highway 2 and unnumbered highway at Bolton, Vt., and Bolton Valley ski area on Ricker Mountain, over unnumbered highway, serving all intermediate points. An order of the Commission, Operating Rights Board No. 1, dated October 19, 1966, and served November 8, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over regular routes, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers.

(1) Between junction U.S. Highway 5 and Vermont Highway 25 at or near Bradford, Vt., and Wentworth, N.H., from junction U.S. Highway 5 and Vermont Highway 25, over Vermont Highway 25 to the Vermont-New Hampshire

State line, thence over New Hampshire Highway 25 to Piermont, N.H., thence over New Hampshire Highway 25C to Warren, N.H., thence over New Hampshire Highway 25 to Wentworth, and return over the same route, serving all intermediate points, (2) between Fairlee, Vt., and Piermont, N.H., from Fairlee, over the Connecticut River Bridge to Orford, N.H., thence over New Hampshire Highway 10 to Piermont, and return over the same route, serving all intermediate points, and (3) between junction U.S. Highway 2 and unnumbered highway at Bolton, Vt., and Bolton Valley ski area on Ricker Mountain, over unnumbered highway, serving all intermediate points; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 94265 (Sub-No. 182) (Republication), filed May 18, 1966; published FEDERAL REGISTER issue of June 9, 1966, and republished, this issue. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's representative: E. Stephen Heisley, Transportation Building, Washington, D.C. 20006. By application filed May 18, 1966, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of meats, meat products, meat byproducts, packinghouse products, and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Madison, Wis., to Charleston, W. Va. Restriction: The above authority is restricted to shipments which are stopped in Charleston, W. Va., for partial unloading with final deliveries being made in Virginia and/or North Carolina. An order of the Commission, Operating Rights Board No. 1, dated October 31, 1966, and served November 15, 1966, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Madison, Wis., to Charleston, W. Va.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

No. MC 112750 (Sub-No. 162) (Republication), filed September 23, 1963, published FEDERAL REGISTER issue of June 17, 1964, and republished, this issue. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. (retitled), AMERICAN COURIER CORPORATION, 222–17 Northern Boulevard, Bayside, N.Y. Applicant's representative: Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006. By application filed September 23, 1963, applicant seeks a permit authorizing operations in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) bank checks, drafts, and other bank stationery, from Riverside, R.I., to points in Connecticut, Maine, Massachusetts, and New Hampshire, under a continuing contract or contracts with C. Parker Loring, (2) checks, business papers, records, and audit and accounting media of all kinds (except plant removals), (a) between Cambridge, Mass., on the one hand, and, on the other, points in Rhode Island, New Hampshire, and Maine, under a continuing contract or contracts with Star Market Co., (b) between Boston, Mass., on the one hand, and, on the other, Manchester, Torrington, and Waterbury, Conn., Bangor, Maine, and Manchester, N.H., under a continuing contract or contracts with Gorin Stores, Inc., of Boston, Mass., (c) between Boston and Worcester, Mass., on the one hand, and, on the other, points in Berkshire and Hampden Counties, Mass., over routes in Connecticut for operating convenience only, (3) commercial papers, documents, and written instruments (except coin, currency, bullion, and negotiable securities) as are used in the conduct of the business of banks and banking institutions, between Boston, Mass., on the one hand, and, on the other, Washington, D.C., under a continuing contract or contracts with banks and banking institutions.

(4) Ophthalmic goods and commercial papers (excluding supplies and plant removals) between Boston and Southbridge, Mass., on the one hand, and, on the other, points in Berkshire and Hampden Counties, Mass., over routes in Connecticut for operating convenience only. An order of the Commission, Operating Rights Board No. 1, dated November 7, 1966, and served November 16, 1966, as amended, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of *such commercial papers, documents, and written instruments* (except currency and negotiable securities), as are used in the business of banks and banking institutions, between Boston, Mass., on the one hand, and, on the other, Washington, D.C., under a continuing contract or contracts with banks or banking institutions, will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that an appropriate permit should be issued. That the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of *checks, business papers, business records, and audit and accounting media* (except cash letters), (a) between Cambridge, Mass., on the one hand, and, on the other, points in Rhode Island, New Hampshire, and Maine, and

(b) Between Boston, Mass., on the one hand, and, on the other, Manchester, Torrington, and Waterbury, Conn., Bangor, Maine, and Manchester, N.H.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; and that notice of this finding should be published in the FEDERAL REGISTER; but that this portion of the proceeding should be held open for further consideration of this dual operations problem following the final determination of applicant's conversion proceedings Nos. MC 111729 (Sub-Nos. 169, 170, and 171), MC 126745 (Sub-No. 19), MC 127431 (Sub-No. 8), filed in accordance with the requirements set forth in the Commission's report in *Armored Carrier Corp. Extension—Vermont*, 102 M.C.C. 411. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the common carrier authority for which a need is found in this order will be published in the FEDERAL REGISTER, and for a period of 30 days from the date of such publication, any proper party in interest may file an appropriate protest or other pleading.

No. MC 124569 (Sub-No. 9) (Republication), filed April 4, 1966, published FEDERAL REGISTER issue of April 28, 1966, and republished, this issue. Applicant: JOHN HUSZAR, JR., doing business as HUSZAR'S VEGETABLE FARM, Route 1, Box 204, Holden, La. 70744. By application filed April 4, 1966, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of (1) root beer, in bottles, in boxes, from Ponchatoula, La., to points in Alabama, Mississippi, Texas, and Georgia; and empty root beer bot-

tles, on return, and (2) root beer concentrate, from Chicago, Ill., to Ponchatoula, La.; for the account of Dad's Bottling Co. An order of the Commission, Operating Rights Board No. 1, dated October 25, 1966, and served November 8, 1966, as amended, finds that operation by applicant, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of (1) *root beer*, in bottles, from Ponchatoula, La., to points in Alabama, Georgia, and Mississippi, (2) *new root beer bottles* from Atlanta, Ga., to Ponchatoula, La., and (3) *root beer concentrate*, from Chicago, Ill., to Ponchatoula, La., under a continuing contract with Dad's Bottling Co., of Ponchatoula, La., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file an appropriate protest or other pleading.

NOTICE OF FILING OF PETITION

No. MC 1367 (Sub-No. 2) (Notice of filing of petition for modification of certificate), filed October 24, 1966. Petitioner: OWL TRANSFER & STORAGE CO., INC., 616 Sixth Avenue South, Seattle 4, Wash. Petitioner's representative: Joseph O. Earp (same address as above). Petitioner states that it holds authority to conduct operations as a motor common carrier, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), over a regular route, *when moving to territories and possessions of the United States*, from Seattle, Wash., to Tacoma, Wash.: From Seattle over U.S. Highway 99 to Tacoma, and return over the same route, with no transportation for compensation on the return. Service is not authorized to or from intermediate points. By the instant petition, petitioner prays that its certificate be modified so that the portion now reading: "when moving to Territories and Possessions of the United States" will be changed to read: "when moving between the Continental United States, on the one hand, and, on the other, Alaska, Hawaii and Territories and Possessions of the United States." Any interested person desiring to participate, may file an original and six copies of his written representations, views or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 60325 (Sub-No. 6) filed November 7, 1966. Applicant: JEFFERSON TRANSPORTATION COMPANY, a corporation, 1114 Currie Avenue, Minneapolis, Minn. 55403. Applicant's representative: D. C. Nolan, 405 Iowa State Bank Building, Iowa City, Iowa 52240. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers* in the same vehicle with passengers, (1) between Rochester, Minn., and junction U.S. Highway 63 and Interstate Highway 90, over U.S. Highway 63, serving the intermediate point of Rochester Airport, and (2) between Mason City, Iowa, and junction U.S. Highways 18 and 69, over U.S. Highway 69, serving no intermediate points. NOTE: Applicant states the purpose of this application is the retention of the segments named herein, so as to continue its service to points beyond on the routes involved in presently held authorized authority. This application is to be handled concurrently with MC-F-9475, published FEDERAL REGISTER issue of July 27, 1966.

No. MC 125533 (Sub-No. 3), filed November 9, 1966. Applicant: GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Post Office Box 6064, Ellet Station, Akron, Ohio 44312. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay products*, from Pottstown, Pa., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Rhode Island, Virginia, District of Columbia, Maine, Hew Hampshire, Vermont, Illinois, Indiana, Michigan, North Carolina, South Carolina, Tennessee, Wisconsin, and West Virginia, (2) *rejected and returned clay products and materials and supplies* used in the manufacture of clay products, on return, in connection with (1) above, (3) *refractory materials, refractory products and materials* used in the installation of refractory materials and refractory products from Pottstown, Pa., to points in Connecticut, Delaware, Maine, Massachusetts, Maryland, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Virginia, Vermont, and the District of Columbia, (4) *refractory materials, refractory products and materials* used in the installation of refractory materials and refractory products which had a prior origination at Pottstown, Pa., from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, to Pottstown, Pa., (5) *fiber pipe, plastic pipe, cast iron pipe, manhole covers, gratings and castings, and attachments, parts and fittings therefor* (a) from the plantsites and warehouses of the Robinson Clay Products Co. at Pottstown, Pa., to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Rhode Island, Tennessee, Vermont, and Wisconsin, and (b) *returned shipments* of the commodities specified on return, in connection with 5(a) above.

(6) *Clay products*, (a) from Clearfield, Pa., to points in Delaware, Maryland, New York, New Jersey, Virginia, West Virginia, District of Columbia, Illinois, Indiana, Michigan, North Carolina, South Carolina, Tennessee, and Wisconsin, and (b) from the plantsite of the Robinson Clay Products Co. at Clearfield, Pa., to points in Connecticut, Maine, Massachusetts, New Hampshire, Ohio, Rhode Island, and Vermont, (7) *rejected and returned clay products and materials and supplies* used in the manufacture of clay products, on return in connection with 6 (a) and (b) above, (8) *refractory materials, refractory products, and materials* used in the installation of refractory materials and refractory products (a) from Clearfield, Pa., to points in Delaware, Maryland, New York, New Jersey, Virginia, West Virginia, District of Columbia, and (b) from the plantsite of the Robinson Clay Products Co. at Clearfield, Pa., to points in Connecticut, Ohio, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont, (9) *refractory materials, refractory products, and materials* used in the installation of refractory materials and refractory products which had a prior origination at Clearfield, Pa., from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia to Clearfield, Pa., (10) *clay products* (a) from Mogadore, Ohio, to points in Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin, and (b) from the site of the United States Concrete Pipe Co. plant at Mogadore, Ohio, to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, Massachusetts, New Jersey, Delaware, and the District of Columbia,

(11) *Rejected and returned clay products and materials and supplies* used in the manufacture of clay products, on return in connection with 10 (a) and (b) above, (12) *refractory materials, refractory products and materials* used in the installation of refractory materials and refractory products from the plantsite of the United States Concrete Pipe Co. at Mogadore, Ohio, to points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, Vermont, Delaware, New Jersey, and the District of Columbia, (13) *refractory materials, refractory products, and materials* used in the installation of refractory materials and re-

fractory products which had a prior origination at Mogadore, Ohio, from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, to Mogadore, Ohio, (14) *fiber pipe, plastic pipe, cast iron pipe, manhole covers, gratings and castings, and attachments, parts and fittings therefor* (a) from the plantsites and warehouses of the United States Concrete Pipe Co. at Mogadore, Ohio, to points in Connecticut, Delaware, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Illinois, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (b) *returned shipment*, on return in connection with 14(a) above, (15) *clay products* (a) from Parrell, Ohio, to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, New Jersey, New York, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, and (b) from the site of the Robinson Clay Products Co. plant at Parrell, Ohio, to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, and Massachusetts.

(16) *Rejected and returned clay products and materials and supplies* used in the manufacture of clay products, on return in connection with 15 (a) and (b) above, (17) *refractory materials, refractory products, and materials* used in the installation of refractory materials and refractory products from the plantsite of the Robinson Clay Products Co. at Parrell, Ohio, to points in Connecticut, Rhode Island, Massachusetts, New Hampshire, Maine, and Vermont, (18) *refractory materials, refractory products and materials* used in the installation of refractory materials and refractory products which had a prior origination at Parrell, Ohio, from points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia to Parrell, Ohio, (19) *clay products*, from Strasburg, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia, (20) *rejected and returned clay products, and materials, and supplies* used in the manufacture of clay products, on return in connection with (19) above, (21) *clay products*, from the site of the Robinson Clay Products Co. plant at Midvale, Ohio, to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, and Massachusetts.

(22) *Rejected and returned clay products, and materials, and supplies* used in the manufacture of clay products, on return in connection with 21 above, (23) *fiber pipe and attachments, parts and fittings therefor* (a) from Berlin, N.H., to points in Delaware, Maine, Maryland, New Jersey, New York, North Carolina, Tennessee, and Virginia, and (b) *returned shipments* on return, in connection with 23(a) above, (24) *fiber pipe and attachments, parts and fittings therefor* (a) from points in Lumberton Township, N.J., to points in Delaware, Kentucky, Maine, New York, North Carolina, Tennessee, Vermont, and Pennsylvania, and (b) returned shipments, on return, in connection with 24(a) above, (25) *manhole covers, gratings, castings and attachments, parts and fittings therefor* (a) from Brillion, Wis., to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, and (b) *returned shipments*, on return, in connection with 25(a) above, (26) *plastic pipe and attachments, parts and fittings therefor* (a) from Kenilworth, N.J., to points in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Vermont, and Wisconsin, and (b) *returned shipments*, on return, in connection with 26(a) above.

(27) *Cast iron pipe and attachments, parts and fittings therefor* (a) from Williamstown, N.J., to point in Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Michigan, Minnesota, Missouri, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, and Wisconsin, and (b) *returned shipments*, on return, in connection with 27(a) above, (28) *such commodities as are manufactured, processed or dealt in by rubber manufacturers and steel product manufacturers, and equipment, materials, and supplies* used in the conduct of such businesses, from Akron, Ohio, to points in Rhode Island, Massachusetts, Connecticut, those in that part of New York east of a line beginning at Port Jervis, N.Y., and extending along U.S. Highway 209 to Kingston, N.Y., thence along U.S. Highway 9W to Albany, N.Y., thence along U.S. Highway 20 to Fayette, N.Y., thence along U.S. Highway 11 to Watertown, N.Y., and thence along New York Highway 12 to Clayton, N.Y., including the points named and including New York, N.Y., points on Long Island, N.Y., those on the indicated portions of the highways specified, and those in New Jersey on and north of New Jersey Highway 33, (29) *tire fabric* from Fall River and New Bedford, Mass., to Akron, Ohio, (30) *chemicals*, from Naugatuck, Conn., to Akron, Ohio, (31) *scrap tires and tubes* from Boston, Cambridge, New Bedford, Pittsfield, Fall River, and Springfield, Mass., Hartford, Conn., Newark, N.J., and Albany and New York, N.Y., and points on Long Island, N.Y., to Akron, Ohio.

NOTE: The application is directly related to No. MC-F-9583, published in the FEDERAL REGISTER issue of November 23, 1966. If a hearing is deemed necessary, applicant requests it be held at Columbus or Cleveland, Ohio, or Washington, D.C.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

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

MOTOR CARRIERS OF PROPERTY

No. MC-F-9472 (Amendment) (BERNARD A. BROWN—Control—SERVICE TRUCKING CO., INC.), published in the July 27, 1966, issue of the FEDERAL REGISTER, on page 10164. By amendment filed November 1, 1966, applicant seeks additional authority to include purchase of the operating rights and certain operating equipment of SERVICE TRUCKING CO., INC., and also a petition seeking change in form of temporary control was filed. By petition filed November 3, 1966, SATELLITE EXPRESS, INC., Post Office Box 792, Somerville, N.J., seeks to be substituted as applicant, in lieu of BERNARD A. BROWN. NOTE: Per action by the Commission, Division 3, November 16, 1966, the amended temporary authority was denied.

No. MC-F-9572 (Correction) (TRANSAMERICAN FREIGHT LINES, INC. — PURCHASE — FOWSER FAST FREIGHT, INC.), published in the November 9, 1966, issue of the FEDERAL REGISTER, on page 14431. The operating rights sought to be transferred should have also included the following: *Glass products*, as a *common carrier*, over irregular routes, from Millville, N.J., to Hudson, N.Y., Hoboken, Jersey City, and Newark, N.J., Wilmington and Seaford, Del., Washington, D.C., certain specified points in Maryland and Pennsylvania, and points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665; *closures* for glass containers, between Salem and Millville, N.J., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia; *pallets, platforms*, and *skids*, and *damaged and returned glassware*, from points in Connecticut, Delaware, Maryland, Massachusetts, New York, Pennsylvania, Rhode Island, Virginia, and the District of Columbia, to Salem and Millville, N.J.; and *empty glass containers, battery jars, carboys*, and *insulators*, from Salem, N.J., to points in Maryland, except Baltimore and Relay, Md.

No. MC-F-9583. Authority sought for purchase by GEORGE W. KUGLER, INC., 2800 East Waterloo Road, Akron, Ohio 44312, of the operating rights and property of PHILIP R. GRIMM, 1994 Krumroy Road, Akron, Ohio 44312, and for acquisition by GEORGE W. KUGLER, 2800 East Waterloo Road, Akron, Ohio 44312, of control of such rights and

property through the purchase. Applicants' attorney: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Operating rights sought to be transferred: *Such commodities as are manufactured, processed or dealt in by rubber manufacturers and steel product manufacturers, and equipment, materials, and supplies used in the conduct of such businesses, as a contract carrier*, over irregular routes, from Akron, Ohio, to points in Rhode Island, Massachusetts, Connecticut, and certain specified points in New York and New Jersey; *tire fabric*, from Fall River and New Bedford, Mass., to Akron, Ohio; *chemicals*, from Naugatuck, Conn., to Akron, Ohio; and *scrap tires* and *tubes*, from certain specified points in Massachusetts, Hartford, Conn., Newark, N.J., and certain specified points in New York, to Akron, Ohio. Vendee is authorized to operate as a *contract carrier* in Pennsylvania, Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Rhode Island, Virginia, Ohio, Minnesota, Missouri, West Virginia, Kentucky, Maine, New Hampshire, Vermont, Michigan, North Carolina, South Carolina, Tennessee, Wisconsin, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: MC–125533, Sub-No. 3, is a matter directly related.

No. MC–F–9584. Authority sought for purchase by BULK CARRIERS, INC., 2247 Country Squire Lane, Toledo, Ohio 43615, of the operating rights of ROBERT DIBBLE, 1109 South 24th Street, Saginaw, Mich. 48601, and for acquisition by ROBERT N. DERDERIAN, 1300 Sandringham, Birmingham, Mich, ROBERT WALLACE, also of Toledo, Ohio, FRANK SALUCCI, 37619 Summers, Livonia, Mich., and H. S. DERDERIAN, 960 Trailwood Path, Birmingham, Mich., of control of such rights through the purchase. Applicants' attorney: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Operating rights sought to be transferred: *Pickles, sauerkraut*, and *peppers*, in glass containers, as a *contract carrier*, over irregular routes, from Bridgeport, Mich., to points in Illinois, Indiana, Kentucky, and Ohio, points in Iowa, on and east of U.S. Highway 63, points in New York on and west of U.S. Highway 11, points in Pennsylvania on and west of U.S. Highway 219, points in West Virginia on and west of U.S. Highway 119, Roanoke and Salem, Va., and Atlanta, Ga.; *empty glass containers*, from Streator, Ill., Dunkirk and Winchester, Ind., Lancaster, N.Y., Washington, Pa., and Hunting, W. Va., to Bridgeport, Mich., with restriction; and *pickled vegetables*, in cans and containers, from certain specified points in Michigan, to points in Illinois, Indiana, Kentucky, Ohio, New York, points in Iowa on and east of U.S. Highway 63, points in Pennsylvania on and west of U.S. Highway 219, points in West Virginia on and west of U.S. Highway 119, Roanoke and Salem, Va., Atlanta, Ga., and Landover, Md., with restriction. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Illinois, Kentucky, Maryland, Michigan, Missouri, New York, Pennsylvania, and West Virginia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–9585. Authority sought for merger into EASTERN EXPRESS, INC., 1450 Wabash Avenue, Terre Haute, Ind., of the operating rights and property of WHEELOCK BROS., INC., 720 East Third Street, Kansas City, Mo., and for acquisition by WILSON M. HOUSE, also of Terre Haute, Ind., of control of such rights and property through the transaction. Applicants' attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis, 8, Ind. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Chicago, Ill., and Denver, Colo., serving certain intermediate and off-route points with restrictions, between Russell, Kans., and Great Bend, Kans., serving no intermediate points, between Topeka, Kans., and junction U.S. Highway 54 and Kansas Highway 99, serving certain intermediate points, between McPherson, Kans., and Hutchinson, Kans., serving no intermediate points, between Kansas City, Kans., and Wichita, Kans., serving certain intermediate and off-route points, between the junction of U.S. Highway 40 and Missouri Highway 7, and Lake City, Mo., between Kansas City, Mo., and Lake City, Mo., serving intermediate and off-route points within 2 miles of Lake City; several alternate routes for operating convenience only; *packinghouse products and supplies, poultry*, and *eggs*, between Kansas City, Mo., and Chicago, Ill., serving certain intermediate points with restriction, and the off-route point of Kansas City, Kans.; *sugar*, between Sugar City, Colo., and Rocky Ford, Colo., serving no intermediate points; *general commodities*, over irregular routes, between Denver, Colo., and points within 6 miles of Denver, with restriction; *canned goods, beans, pickles*, and *seed*, from certain points in Colorado, to certain points in Missouri and Kansas; and *soap* and *soap products*, from Kansas City, Kansas., and Kansas City, Mo., to points in Kansas and certain points in Colorado. EASTERN EXPRESS, INC., is authorized to operate as a *common carrier* in Pennsylvania, Michigan, Missouri, New Jersey, Indiana, Illinois, Wisconsin, Connecticut, New York, Massachusetts, Rhode Island, Ohio, Maryland, West Virginia, Iowa, Kentucky, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: F.D. No. 24377 filed simultaneously. EASTERN EXPRESS, INC., controls WHEELOCK BROS., INC., pursuant to authority granted April 21, 1966, in docket No. MC–F–9240, by the Commission, Finance Board No. 1. Protest must be filed within 15 days from date notice is published in the FEDERAL REGISTER of this section 5 application.

No. MC–F–9586. Authority sought for purchase by UNITED STATES TRUCKING CORPORATION, 66 Murray Street, New York, N.Y., of the operating rights and property of MANNIE HURWITZ, doing business as DISTRICT DELIVERIES, 1162 42 South Sharp Street, Baltimore, Md., and for acquisition by THE PITTSTON COMPANY, 250 Park Avenue, New York, N.Y., of control of such rights and property through the purchase. Applicants' attorney and representative: Herbert Burstein, 160 Broadway, New York, N.Y., and Louis Epstein, 5320 Park Heights Avenue, Baltimore, Md. Operating rights sought to be transferred: *General commodities*, except those of unusual value, livestock, classes A and B explosives, uncrated furniture, automobiles, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier*, over a regular route, between Baltimore, Md., and Washington, D.C., serving all intermediate points and off-route points in the Washington, D.C., commercial zone, as defined by the Commission. Vendee is authorized to operate as a *common carrier* in New York, New Jersey, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, and Vermont. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–12652; Filed, Nov. 22, 1966; 8:47 a.m.]

[Notice 422]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 18, 1966.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 43421 (Deviation No. 13) DOHRN TRANSFER COMPANY, Post Office Box 1237, Rock Island, Ill. 61202, filed November 10, 1966. Carrier's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Car-

rier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 30 and U.S. Highway 67, at Eighth Avenue South and Fourth Street, in Clinton, Iowa, over U.S. Highway 67 to junction Interstate Highway 80, near Le Claire, Iowa, thence over Interstate Highway 80 to junction Illinois Highway 84 (formerly Illinois Highway 80), near Rapids City, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Chicago, Ill., over Alternate U.S. Highway 30 via Sterling, Ill., to junction unnumbered highway, thence over unnumbered highway via Emerson, Ill., to junction U.S. Highway 30, thence over U.S. Highway 30 to Clinton, Iowa, and (2) from junction U.S. Highway 30 and Illinois Highway 84 (formerly Illinois Highway 80) over Illinois Highway 84 to Moline, Ill., thence across the Mississippi River to Davenport, Iowa, and return over the same routes.

No. MC 87786 (Deviation No. 1) LIGHTNING EXPRESS, INC., 2701 Railroad Street, Pittsburgh, Pa. 15222, filed November 10, 1966. Carrier's representative: John A. Vuono, 1515 Park Building, Pittsburgh, Pa. 15222. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highway 19 and Interstate Highway 79, near the Borough of Zelienople, Pa., over Interstate Highway 79 to junction U.S. Highway 422 thence over U.S. Highway 422 to New Castle, Pa., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Pittsburgh, Pa., over U.S. Highway 19 to Zelienople, Pa., thence over Pennsylvania Highway 288 to Ellwood City, Pa., thence over Pennsylvania Highway 88 to New Castle, Pa., and return over the same route.

By the Commission.

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-12653; Filed, Nov. 22, 1966; 8:47 a.m.]

[Notice 995]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 18, 1966.

The following publications are governed by Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER issue of April 20, 1966, which became effective May 20, 1966.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 124774 (Sub-No. 63), filed November 8, 1966. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. 68701. Applicant's representative: David D. Tews, 605 South 14th Street, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except liquids in bulk, in tank vehicles), from points in Nebraska (except Omaha and West Point), to points in Illinois, Indiana, Michigan, and Ohio.

HEARING: December 1, 1966, at the New Federal Building, 215 North 17th Street, Omaha, Nebr., before Examiner Frank R. Saltzman.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-12654; Filed, Nov. 22, 1966; 8:47 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

NOVEMBER 18, 1966.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State docket No. 8678-CCT, filed September 14, 1966. Applicant: SCARLET TRUCK SERVICE, INC., Post Office Box 6665, West Palm Beach, Fla. 33405. Applicant's representative: Richard J. Brooks, Post Office Box 1531, Tallahassee, Fla. 33202. Certificate of public convenience and necessity sought to operate a freight service as follows: Transporting *raw sugar*, in bulk, over irregular routes and on irregular schedules, in intrastate, interstate, and foreign commerce between points and places in Glades, Hendry, and Palm Beach Counties, Fla.; or in the alternative an extension of certificate No. 705 to include the above. Both intrastate and interstate authority sought.

HEARING: Friday, December 9, 1966, at 901 Evernia Street, West Palm Beach, Fla., at 9:30 a.m.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla., and should not be directed to the Interstate Commerce Commission.

State docket No. 15844, filed October 31, 1966. Applicant: HILLER TRUCK LINES, INC., Post Office Box 1012, Jasper, Ala. Applicant's representative: Maurice F. Bishop, 327 Frank Nelson Building, Birmingham, Ala. 35203. Certificate of public convenience and necessity sought to operate a freight service as follows: General commodities, serving Brown's Ferry (site of the TVA installation) approximately 10 miles northwest of Decatur, Ala., and unincorporated points within 5 miles thereof as off-route points in connection with operations of applicant under Alabama Public Service Commission certificate Nos. 678 and 684 registered with the Interstate Commerce Commission under section 206(a)(b) of the Interstate Commerce Act, as amnded, under certificate of registration No. MC-97629. Both intrastate and interstate authority is sought.

HEARING: Not set. Contact the Secretary, Alabama Public Service Commission, 702 State Office Building, Post Office Box 991, Montgomery, Ala.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

State docket No. 15851, filed November 14, 1966. Applicant: ROBERT F. COATES, doing business as COATES MOTOR EXPRESS, 2118 Holmes Avenue, Huntsville, Ala. 35805. Applicant's representative: Morring, Giles, Watson & Willisson, Huntsville, Ala. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *commodities generally* as authorized in applicant's APSC certificate No. 1482, certificate of registration MC 96951, Sub 1, seeking terminal or commercial zone authority (Alabama Rule 60) surrounding applicant's presently authorized Alabama points of Athens, Decatur, Florence, Huntsville, Muscle Shoals, Sheffield, Tuscumbia, and Wilson Dam. Commercial zones under Alabama Rule 60 are similar to commercial zones under Part 170 issued by the Interstate Commerce Commission. Both intrastate and interstate authority sought.

HEARING: Interested persons should contact Secretary, Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

State Docket No. 15852, filed November 14, 1966. Applicant: ROBERT F. COATES, doing business as COATES MOTOR EXPRESS, 2118 Holmes Avenue, Huntsville, Ala. 35805. Applicant's representative: Morring, Giles, Watson, and Willisson, Huntsville, Ala. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *commodities generally* as authorized in applicant's APSC certificate No. 1482 over an alternate route for operating convenience between Tuscumbia, Ala., and Huntsville, Ala. From Tuscumbia over Alabama Highway No. 133 to Junction of U.S. Highway No. 72A; thence over U.S. 72A to Huntsville, Ala. Return over the same route. Applicant proposes to serve all of its presently authorized routes in connection with the alternate route. Applicant's service route and other authority is described in Alabama certificate No. 1482 and certificate of registration MC 96951, Sub 1. Both intrastate and interstate authority sought.

HEARING: Interested persons should contact Secretary, Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Montgomery, Ala. 36102, and should not be directed to the Interstate Commerce Commission.

State Docket No. 19754, filed November 3, 1966. Applicant: ROCKET FREIGHT LINES COMPANY, 2921 Dawson Road, Tulsa, Okla. Applicant's representative: Charles D. Dudley, 419 Northwest Sixth Street, Oklahoma City, Okla. 73102. Certificate of public convenience and necessity sought to operate a freight service as follows: Freight, from and between Oklahoma City and the Oklahoma-Kansas State line, and intermediate points, over U.S. Highway No. 66, excepting and excluding therefrom intrastate freight originating at Oklahoma City destined to Edmond, and like freight originating at Edmond destined to Oklahoma City. Freight, to, from and between any and all points between a point on U.S. Highway 66 at the Oklahoma-Kansas State line and Tulsa, Okla., via U.S. Highway 66, serving all intermediate points and the termini; between the junction of U.S. Highway 66 and U.S. Highway 69, west of Vinita, Okla., and Muskogee, Okla., via U.S. Highway 69, serving all intermediate points and the termini, including the off-route points of Tullahassee, Porter, Redbird, and Coweta, Okla., on State Highway 51–B; between Muskogee, Okla., and the Oklahoma-Texas State line south of Colbert, Okla., via U.S. Highway 69, serving Muskogee, McAlester, Atoka, Durant and Colbert, Okla.; between the junction of State Highway 39 and U.S. Highway 69 south of Chouteau, Okla., and Tulsa, Okla., via State Highway 33, serving all intermediate points and the termini. Freight between Pryor, Okla., via State Highway No. 20 to Salina, thence county road to Strang, and State Highway No. 28 to Spavinaw, thence via U.S. Highway 59 and county highway to Cleora, Ketchum, Grand River Dam Site, Pensacola, and Big Cabin; thence via U.S. Highway 69 to Adair and Pryor; and to serve the off-route points of Disney and the Mossman Construction Co. camp; the loop route northeast of Pryor to be served in either or both directions: *Provided, however,* That no freight shall be transported originating at Chouteau or Pryor and thereupon destined to Pryor or Chouteau; and that no intrastate freight shall be transported originating at Chouteau and thereupon destined to Big Cabin or Adair.

Freight from Tulsa, Okla., to Ponca City, Okla., and Blackwell, Okla., and return over the following Highways: State Highway 11 from Tulsa, Okla., to Pawhuska, Okla.; thence over U.S. Highway 60 to Ponca City, Okla.; thence west to the junction of U.S. Highway 177; thence North to Blackwell, Okla., and return. Restrictions as follows: No service authorized between Tulsa and Pawhuska, and the intermediate points between Tulsa and Pawhuska. And, for the transportation of freight over the following alternate routes for operating convenience only: Between Oklahoma City, Okla., and Miami, Okla., via Interstate Highway 44. Between Oklahoma City, Okla., and Muskogee, Okla., via Interstate Highway 40 to Checotah, thence U.S. Highway 69 to Muskogee, and return over the same route. Between Tulsa, Okla., and McAlester, Okla., via U.S. Highway 75 and the Indian Nation Turnpike. Between Blackwell, Okla., and Tulsa, Okla., via State Highway 11 from Blackwell to junction with Interstate Highway 35, thence via Interstate Highway 35 to junction with U.S. Highway 64 west of Perry, thence via U.S. Highway 64 to Tulsa and return over the same route. Between Ponca City, Okla., and Tulsa, Okla., from Ponca City via U.S. Highway 177 to junction with U.S. Highway 64, thence via U.S. Highway 64 to Tulsa, and return over the same route. Between junction of U.S. Highway 60 and State Highway 20 and junction State Highway 11 and State Highway 20, via State Highway 20. Both intrastate and interstate authority is sought.

HEARING: Not set. Contact Secretary, Oklahoma Corporation Commission, Jim Thorpe Building, Oklahoma City, Okla. 73105. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Oklahoma Corporation Commission, Jim Thorpe Building, Oklahoma City, Okla. 73105, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–12655; Filed, Nov. 22, 1966; 8:47 a.m.]

[Notice 289]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 18, 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 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 protest must be served on the applicant, or its authorized representative, if any, and the protest 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 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 13651 (Sub-No. 7 TA), filed November 14, 1966. Applicant: PEOPLE'S TRANSFER, INC., 701 North 22d Avenue, Phoenix, Ariz. 85009. Applicant's representative: A. Michael Bernstein, 1327 Guaranty Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Dry animal and poultry feed and feed supplements*, in bulk, from points in Maricopa, Pinal, and Pima Counties, Ariz., to points in Los Angeles, Orange, Riverside, San Bernadino and San Diego Counties, Calif., for 180 days. Supporting shipper: Phoenix Tallow Co., Post Office Box 12005, Phoenix, Ariz. 85034. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 4006 Federal Building, Phoenix, Ariz. 85025.

No. MC 25798 (Sub-No. 147 TA), filed November 14, 1966. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburndale, Fla. 33823. Applicant's representative: George W. Clapp (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Animal food and feed* (except in bulk), from the plantsites of Usen Products Co., at or near Golden Meadow, La., and from storage facilities of Usen Products Co. at or near Lockport, La., to points in Florida, Georgia, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Carolina, South Carolina, and Wisconsin, for 180 days. Supporting shipper: Director of Traffic, P. Lorillard Co., 200 East 42d Street, New York, N.Y. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 41255 (Sub-No. 65 TA), filed November 14, 1966. Applicant: GLOSSON MOTOR LINES, INC., Hargrave Road, Lexington, N.C. 27292. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Animal food and animal feed* (except in bulk), from plantsites and/or storage facilities of Usen Products Co. at or near Golden Meadow and Lockport, La., to points in Florida, Georgia, North Carolina, South Carolina, Kentucky, West Virginia, Maryland, Pennsylvania, Massachusetts, and the District of Columbia, and Virginia, for 180 days. Supporting shipper: Usen Products Co. (a subsidiary of P. Lorillard Co.), 200 East 42d Street, New York, N.Y., Attention: Frank Krause, Jr. 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 43012 (Sub-No. 6 TA), filed November 14, 1966. Applicant: ROCKET TRANSPORTATION COMPANY, Box 310, Old York Road, New Cumberland, Pa. 17070. Applicant's representative: John W. Frame, Post Office Box 626, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *General commodities* (except articles of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), restricted to the transportation of shipments having a prior or subsequent movement by air, (1) between Chambersburg, Pa., and Philadelphia, Pa., from Chambersburg over U.S. Highway 11 to junction Harrisburg Expressway, thence over said expressway to New Cumberland, Pa., thence over city streets and access roads to junction Pennsylvania Turnpike, thence over said turnpike, to junction Pennsylvania Highway 42 (Schuylkill Expressway), thence over Pennsylvania Highway 43 to Philadelphia, Pa., and return over the same route, serving all intermediate and off-route points in Cumberland, Dauphin, Perry, and York Counties, Pa., and (2) between Lancaster, Pa., and Philadelphia, Pa., over U.S. Highway 30, serving all intermediate points and off-route points in Lebanon and Lancaster, Pa., for 180 days. Supporting shippers: Carlisle Tire & Rubber Corp., Carlisle, Pa.; General Grinding Wheel Corp., Carlisle, Pa.; Lambert Hudnut Pharmaceutical Corp., Lititz, Pa.; I.T.T. Terryphone Corp., Harrisburg, Pa.; American Machine & Foundry Co., York, Pa.; Capitol Products Corp., Mechanicsburg, Pa.; C. H. Masland & Sons, Carlisle, Pa., Inclinator Co. of America, Harrisburg, Pa.; and Trailer Co. of Lancaster, Lancaster, Pa. Send protests to: Robert W. Ritenour, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 218 Central Industrial Building, 100 North Cameron Street, Harrisburg, Pa. 17101.

No. MC 52751 (Sub-No. 68 TA), filed November 15, 1966. Applicant: AVE LINES, INC., 4143 East 43d Street, Post Office Box 1351, Des Moines, Iowa, 50305. Applicant's representative: William A. Landau, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Agricultural chemicals*, other than in bulk, from plantsite of Monsanto Co. near Muscatine, Iowa, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 64112 (Sub-No. 35 TA), filed November 14, 1966. Applicant: NORTHEASTERN TRUCKING COMPANY, 2508 Starita Road, Post Office Box 1493, Charlotte, N.C. 28201. Applicant's representative: Harry Ross, 848 Warner Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Animal food and animal feed* (except in bulk), from plantsites and/or storage facilities of Usen Products Co. at or near Golden Meadow and Lockport, La., to points in Georgia, Florida, North Carolina, South Carolina, Virginia, Kentucky, Ohio, Indiana, West Virginia, Maryland, Pennsylvania, and the District of Columbia, for 180 days. Supporting shipper: Usen Products Co. (a subsidiary of P. Lorillard Co.), 200 East 42d Street, New York, N.Y., Attention: Frank Krause, Jr. 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 66562 (Sub-No. 2201 TA), filed November 14, 1966. Applicant: Railway Express Agency, Incorporated, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: Robert C. Boozer, 80 Broad Street, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, as follows: *General commodities* moving in express service, in interstate or foreign commerce, over regular routes and serving specified points as follows: (1) Between Jacksonville, Fla., and New Orleans, La., serving the intermediate and/or off-route points of Baldwin, Macclenny, Glen St. Mary, Lake City, Live Oak, Lee, Madison, Greenville, Monticello, Lloyd, Tallahassee, Quincy, Chattahoochee, Sneads, Marianna, Cottondale, Chipley, Bonifay, Ponce de Leon, De Funiak Springs, Crestview, Milton, Pensacola, and Cantonment, Fla., Mobile, Ala., Pascagoula, Biloxi, Gulfport, Pass Christian, and Bay St. Louis, Miss., from Jacksonville, over U.S. Highway 90/Interstate Highway 10 to New Orleans, and return over the same route. (2) Between Pensacola, Fla., and Atmore, Ala., serving the intermediate point of Cantonment, Fla., from Pensacola over U.S. Highway 29 to junction Florida Highway 97, thence over Florida Highway 97 to junction Alabama Highway 21 at Atmore, and return over the same route. (3) Between Valdosta, Ga., and Madison, Fla., serving no intermediate points, from Valdosta over Interstate Highway 75 to junction Georgia Highway 31, thence over Georgia Highway 31 to junction Florida Highway 145, thence over Florida Highway 145 to Madison, and return over the same route. (4) Serving Cottondale, Fla., as an intermediate point on applicant's authorized regular route operations between Dothan, Ala., and Panama City, Fla., over U.S. Highway 231, under certificate No. 66562 Sub 1307, for 150 days. Restrictions: The service to be performed shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency. Shipments transported by applicant shall be limited to those moving on through bills of lading or express receipts. Supporting shippers: The application is supported by statements from 41 shippers which may be examined here at the Interstate Commerce Commission in Washington, D.C.

Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 89693 (Sub-No. 42 TA), filed November 14, 1966. Applicant: HARMS PACIFIC TRANSPORT, INC., 1430 130th Avenue NE., Post Office Box 66, Bellevue, Wash. 98004. Applicant's representative: H. E. Barker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Edible lard*, in bulk, in tank vehicles, from Tacoma, Wash., to the port of entry on the international boundary line between the United States and Canada at Sumas, Wash., and *rejected or contaminated shipments* on return, for 150 days. Supporting shipper: H. Cleveland Co., Ltd., 633 East Hastings Street, Vancouver, British Columbia, Canada. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations and Compliance, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 106760 (Sub-No. 68 TA), filed November 14, 1966. Applicant: WHITEHOUSE TRUCKING, INC., 2905 Airport Highway, Toledo, Ohio 43609. Applicant's representative: C. J. Leopold (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Building board insulation board, fiberboard, pulpboard, and wall board*, and *parts, materials, and accessories* incidental to the transportation and installation thereof, from Trenton, N.J., to points in Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia, for 180 days. Supporting shipper: Hamasote Co., Trenton, N.J. 08603. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 107403 (Sub-No. 697 TA), filed November 14, 1966. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Silica gel catalyst*, dry in bulk, in tank vehicles, from Paulsboro, N.J., to Alma, Mich., for 150 days. Supporting shipper: Mobile Oil Corp., 150 East 42d Street, New York, N.Y. 10017. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, 900 U.S. Customhouse, Philadelphia, Pa. 19106.

No. MC 109435 (Sub-No. 43 TA), filed November 16, 1966. Applicant: ELLSWORTH BROS. TRUCK LINE, INC., Post Office Drawer J, 116 North Allied Road., Stroud, Okla. 74079. Applicant's representative: K. C. Elliott (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in packages, from Ada, Okla., to points in Texas. Supporting shipper: Ideal Cement Co., Paul S. Barnett, General Traffic Manager, 821 17th Street, Denver, Colo. 80202. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 111103 (Sub-No. 21 TA), filed November 14, 1966. Applicant: PROTECTIVE MOTOR SERVICE COMPANY, INC., 725–29 South Broad Street, Philadelphia, Pa. 19147. Applicant's representative: Morris Cheston, Jr., Land Title Building, Philadelphia, Pa. 19110. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: (1) For the account of Philadelphia National Bank, Philadelphia, Pa., *checks, coupons, and bank accounting papers*, between the Data Center of the Philadelphia National Bank on Pennsylvania Traffic Highway No. 641 near its intersection with Interstate Highway 81 in Cumberland County, Pa., on the one hand, and, on the other, points in Anne Arundel, Caroline, Kent, Prince Georges, and Talbot Counties, Md.; Broome, Chemung, Tioga, and Steuben Counties, N.Y.; the city and county of Arlington, Va.; the city of Alexandria, Va.; Augusta, Fauquier, Loudoun, Prince William, Rockingham, Shenandoah, and Warren Counties, Va.; and Hampshire and Morgan Counties, W. Va., and (2) for the account of Dauphin Deposit Trust Co., Harrisburg, Pa., *check transit letters, checks, and items relating thereto*, between points in Dauphin, Cumberland, and York Counties, Pa., and Baltimore City, Md., for 180 days. Supporting shippers: The Philadelphia National Bank, Philadelphia, Pa., Dauphin Deposit Trust Co., 213 Market Street, Harrisburg, Pa. Send protests to: Peter R. Guman, District Supervisor, 900 U.S. Customhouse, 2d and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 114789 (Sub-No. 17 TA), filed November 16, 1966. Applicant: NATIONWIDE CARRIERS, INC., 719 Second Street SE., Minneapolis, Minn. 55414. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: (1) *Floor coverings, stair treads, rubber base and vinyl base, adhesives, floorstone, ceramic tile, rubber tile, plastic tile, asphalt tile, vinyl tile, vinyl asbestos tile, rubber matting, counter top material, and metal mouldings*, and (2) *tools, materials, and supplies* used in installation, maintenance and repair of the above-named commodities, from points in Maine, Massachusetts, Connecticut, New York, New Jersey, Ohio, and Chicago, Ill., to points in Iowa, North Dakota, South Dakota, Wisconsin, and Minnesota, for 180 days. Supporting shipper: General Floor Coverings Co., 1900–1910 Washington Avenue North, Minneapolis, Minn. 55411. Send protests to: District Supervisor C. H. Bergquist, Interstate Commerce Commission, Bureau of Operations and Compliance, 448 Federal Office Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 119349 (Sub-No. 3 TA), filed November 16, 1966. Applicant: C. R. STEVENSON, Ninth and East Plant Streets, Post Office Box 1108, Winter Gardens, Fla. 32787. Applicant's representative: Richard J. Brooks, Post Office Box 1531, Title Building, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Petroleum products*, in containers or packages, from Emlenton, Pa., to points in Florida, in and south of Levy, Marion, Lake, and Volusia Counties, Fla., for 150 days. Supporting shipper: Quaker State Oil Refining Corp., Oil City, Pa. Send protests to: District Supervisor George H. Fauss, Jr., Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Box 4969, Jacksonville, Fla. 32201.

No. MC 119632 (Sub-No. 28 TA), filed November 14, 1966. Applicant: REED LINES, INC., 634 Ralston Avenue, Defiance, Ohio 43512. Applicant's representative: A. Charles Tell, Columbus Center, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Food, foodstuffs, and food preparations, cooking oils, shortening, and matches*, from the plantsite of Hunt-Wesson Foods, Inc., at or near Rossford, Ohio, to points in Ohio, West Virginia, Pennsylvania, and Kentucky, for 180 days. Supporting shipper: Hunts Foods and Industries, Inc., 1645 West Valencia Drive, Fullerton, Calif. Send protests to: District Supervisor Keith D. Warner, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio 43604.

No. MC 120634 (Sub-No. 12 TA), filed November 14, 1966. Applicant: JOE HODGES TRANSPORTATION CORPORATION, Post Office Box 82397, 107 South West Seventh Street, Oklahoma City, Okla. 73125. Applicant's representative: John E. Maupin (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, as follows: *General commodities* (except those of unusual value, classes A and B explosives, household goods, as defined by the Commission, Commodities in bulk, and those requiring special equipment), (1) serving the sites of the shipping and receiving facilities (a) of Continental Oil Co., about 4 miles west of Agawam, Okla., (b) of Magnolia Petroleum Co. (Chitwood Plant) about 12 miles east and north of Rush Springs, Okla., and (c) of Cameron Oil Co., about 8 miles west of Marlow, Okla., as intermediate or off-route points in connection with the six regular routes described immediately below, and also in connection with carrier's regular route operations over U.S. Highway 81 between

Comanche and Agawam, Okla., authorized herein. (2) Between Duncan, Okla., and junction Oklahoma Highways 53 and 76, about 4 miles south of Fox, Okla., serving all intermediate points, and off-route points within 8 miles of Velma, Okla., within 5 miles of County Line, Okla., within 3 miles of Ratliff City, Okla., and within 4 miles of Fox, Okla.: From Duncan over Oklahoma Highway 7 to junction Oklahoma Highway 76, at Ratliff City, Okla., and thence over Oklahoma Highway 76 to junction Oklahoma Highway 53, about 4 miles south of Fox, Okla., and return over the same route. (3) Between Springer, Okla., and junction Oklahoma Highway 53 and Oklahoma Highway 76, about 1 mile south of Fox, Okla., over Oklahoma Highway 53, and return over the same route.

(4) Between Comanche and Ardmore, Okla., serving all intermediate points. (5) Between Comanche, Okla., and the junction of Oklahoma Highways 53 and 76, including said junction and serving off-route points within 5 miles of Oklahoma 53 between Comanche and Loco, Okla.: From Comanche over Oklahoma Highway 53 to junction Oklahoma Highway 76, about 4 miles south of Fox, Okla., thence over Oklahoma Highway 76 to junction U.S. Highway 70 about 4 miles west of Wilson, Okla., and thence over U.S. Highway 70 to Ardmore, and return over the same route. (6) Between Comanche, Okla., and the Oklahoma-Texas State line, about 2 miles south of Terral, Okla., serving all intermediate points, and serving the off-route points of the site of the shipping and receiving facilities of Oscar, Okla., oilfields about 13 miles east and south of Ryan, Okla.: From Comanche, over U.S. Highway 81 to the Oklahoma-Texas State line, and return over the same route. (7) Between Walters and Waurika, Okla., serving all intermediate points: From Walters over Oklahoma Highway 5 to Waurika, and return over the same route. (8) Between Temple, Okla., and the junction Oklahome Highways 53 and 65, about 6 miles north of Temple, Okla., serving all intermediate points: From Temple over Oklahoma Highway 65 to junction Oklahoma Highway 53, and return over the same route. Restriction: The service authorized above is subject to the following conditions: The carrier's service at Springer and Ardmore, Okla., is restricted to traffic (1) interchanged or interlined with connecting carriers at those points, or (2) tacked to operating authority otherwise held by the above-named carrier at those points. The carrier's service is restricted to preclude the transportation of any traffic moving between Wichita Falls, on the one hand, and, on the other, other points in Texas, via Springer or Ardmore, Okla.

(9) Between Oklahoma City and Frederick, Okla., serving all intermediate points: From Oklahoma City over U.S. Highway 277 to junction Oklahoma Highway 37, thence over Oklahoma Highway 37 to Tuttle, Okla., thence over unnumbered highway to Chickasha, Okla., thence over U.S. Highway 53 to Walters, Okla., and thence over Oklahoma Highway 5 to Frederick, and return over the same route. (10) Between Frederick and Hobart, Okla., serving all intermediate points: From Frederick over U.S. Highway 183 to junction Oklahoma Highway 9, thence over Oklahoma Highway 9 to Hobart, and return over the same route. (11) Between Frederick, Okla., and junction Oklahoma Highway 36 and U.S. Highway 277, serving all intermediate points: From Frederick over Oklahoma Highway 5 to junction U.S. Highway 36, thence over Oklahoma Highway 36 to junction U.S. Highway 277, and return over the same route. (12) Between Hollis, Okla., and junction Oklahoma Highway 7 and U.S. Highway 81, serving all intermediate points: From Hollis over U.S. Highway 62 to junction U.S. Highway 277, thence over U.S. Highway 277 to Lawton, Okla., and thence over Oklahoma Highway 7 to junction U.S. Highway 81, and return over the same route. (13) Between Altus and Grandfield, Okla., serving all intermediate points: From Altus over U.S. Highway 283 to junction Oklahoma Highway 5, thence over Oklahoma Highway 5 to Frederick, Okla., thence over unnumbered highway via Hollister and Loveland, Okla., to junction Oklahoma Highway 36, and thence over Highway 36 to Grandfield, and return over the same route. (14) Between Davidson, Okla., and junction unnumbered highway, and U.S. Highway 277, serving all intermediate points: From Davidson over U.S. Highway 70 to junction unnumbered highway (west of Randlett, Okla.), thence south over unnumbered highway to junction U.S. Highway 277, and return over the same route. (15) Between Hinton and Geary, Okla., serving all intermediate points. From Hinton over U.S. Highway 281 to Geary and return over the same route. (16) Between Taloga and Clinton, Okla., serving all intermediate points: From Taloga over U.S. Highway 183 to Clinton, and return over the same route.

(17) Between Rocky, Okla., and junction U.S. Highway 183 and Oklahoma Highway 9, serving all intermediate points: From Rocky over U.S. Highway 183 to junction Oklahoma Highway 9 and return over the same route. (18) Between Elk City, Okla., and junction Oklahoma Highway 47 and U.S. Highway 183, serving all intermediate points: From Elk City over Oklahoma Highway 34 to Leedey and thence over Oklahoma Highway 47 to junction U.S. Highway 183, and return over the same route. (19) Between Altus, Okla., and junction Oklahoma Highway 44 and U.S. Highway 66, serving all intermediate points: From Altus over Oklahoma Highway 44 to junction U.S. Highway 66 and return over the same route. (20) Between Sentinel and Rocky, Okla., serving all intermediate points: From Sentinel over Oklahoma Highway 55 to Rocky and return over the same route. (21) Between Granite and Hobart Okla., serving all intermediate points: From Granite over Oklahoma Highway 9 to Hobart and return over the same route. (22) Between Roosevelt and Cooperton, Okla., serving all intermediate points: From Roosevelt over Oklahoma Highway 19 (formerly unnumbered highway) to Cooperton and return over the same route. (23) Between Chickasha and Hobart, Okla., serving all intermediate points: From Chickasha over all intermediate points: From Chickasha over U.S. Highway 62 to junction Oklahoma Highway 9, thence over Oklahoma 9 to Hobart, and return over the same route. (24) Between Granite and Mangum, Okla., serving all intermediate points: From Granite over Oklahoma Highway 9 to Mangum, and return over the same route. *General commodities* (except explosives). (25) Between Lawton and Chickasha, Okla., serving all intermediate points: From Lawton over U.S. Highway 62 to Chickasha, and return over the same route. *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment. (26) Between Oklahoma City and Sayre, Okla., serving all intermediate points: From Oklahoma City over Oklahoma Highway 152 (formerly Oklahoma Highway 31) to Sayre, and return over the same route.

(27) Between Hinton and Gracemont, Okla., serving all intermediate points: From Hinton over U.S. Highway 281 to Gracemont, and return over the same route. (28) Between Clinton and Rocky, Okla., serving all intermediate points: From Clinton over U.S. Highway 183 to Rocky and return over the same route. (29) Between Carter, Okla., and junction Oklahoma Highway 34 and U.S. Highway 66, near Merritt, Okla., serving all intermediate points: From Carter over Oklahoma Highway 34 to junction U.S. Highway 66, and return over the same route. Serving the off-route points of Delhi, Minco, Albert, Alfalfa, Swan Lake, Lake Valley, Cloud Chief, Cowden, Colony, Corn, Sentinel, Dill, and Retrop, Okla., in connection with the routes in the four paragraphs next above. (30) Between Oklahoma City, Okla., over U.S. Highway 66 and the Texas-Oklahoma State line approximately 1 mile west of Texola over U.S. Highway 66 (I–40), serving all intermediate points. (31) Between Clinton and Cheyenne, Okla., via Butler and Hammon over Highways 14, 33, and 283, serving all intermediate points. (32) Between Clinton and Thomas, Okla., serving all intermediate points over Highways 183 and 33. (33) Between Weatherford and Thomas, Okla., over Highways 54 and 33, serving all intermediate points. (34) Between Sayre and Cheyenne, Okla., serving all intermediate points and the off-route points of Strong City and Sweetwater via Highways 283, 33, 152, and 6. (35) Between Waurika over Highway 70 to the junction of 70 and 277, serving all intermediate points. (36) Between Lawton and Walters, Okla., serving all intermediate points, over Highways 277 and 5. (37) Between Hammon and Elk City, Okla., over Oklahoma Highway 34, serving all intermediate points.

(38) Especially including service from, to, and/or between the following cities and towns in Oklahoma: Aledo, Altus, Anadarko, Apache, Arapaho, Bessie, Bethany, Binger, Blanchard, Bridgeport,

Burns Flat, Butler, Cache, Canute, Carter, Carpenter, Cement, Chattanooga, Cheyenne, Chickasha, Clinton, Cloud Chief, Comanche, Cordell, Corn, Cowden, Custer City, Cyril, Davidson, Dill City, Duke, Duncan, Eakly, Elgin, Elk City, El Reno, Fort Sill, Faxon, Fay, Fletcher, Foss, Frederick, Geary, Gould, Gracemont, Granite, Grandfield, Greenfield, Hammon, Headrick, Hobart, Hollis, Hollister, Hinton, Hydro, Indiahoma, Lawton, Leedey, Lonewolf, Lookeba, Loveland, Lugert, Mangum, Marlow, McQueen, Middleburg, Minco, Moorehead, Mountain Park, Mustang, Ninnekah, Oklahoma City, Putnam, Randlett, Rhea, Rocky, Roosevelt, Rush Springs, Sayre, Sentinel, Snyder, Strong City, Tabler, Tipton, Thomas, Union, Verden, Walters, Wheatland, Weatherford. Alternate routes: (a) Between Elk City and Granite, Okla., serving no intermediate points, and serving junction Oklahoma Highways 6 and 152 for purposes of joinder only: From Elk City over Oklahoma Highway 6 to Granite, and return over the same route. (b) Between junction U.S. Highways 81 and 66 south of El Reno, 152 east of Union City, Okla., serving no intermediate points and serving junction U.S. Highways 81 and 66 and junction U.S. Highway 81 and Oklahoma Highway 152 for purposes of joinder only: From junction U.S. Highways 81 and 66 over U.S. Highway 81 to junction Oklahoma Highway 152, and return over the same route. (c) Between junction U.S. Highway 81 and Oklahoma Highway 152, 2 miles north of Minco, Okla., and junction U.S. Highways 81 and 62, serving no intermediate points: From junction U.S. Highway 81 and Oklahoma Highway 152 over U.S. Highway 81 to junction U.S. Highway 62, and return over the same route. (d) Between junction Oklahoma Highways 54 and 152, 8 miles east of Cordell and Gotebo, Okla., serving no intermediate points and serving junction Oklahoma Highways 54 and 152 for purposes of joinder only: From junction Oklahoma Highways 54 and 152 over Oklahoma Highway 54 to Gotebo, and return over the same route.

(e) Between Gotebo, Okla., and junction Oklahoma Highway 54 and U.S. Highway 62, serving no intermediate points and serving junction Oklahoma Highway 54 and U.S. Highway 62 for purposes of joinder only: From Gotebo over Oklahoma Highway 54 to junction U.S. Highway 62 and return over the same route. (f) Between Blair, Okla., and junction Oklahoma Highway 19 and U.S. Highway 183 north of Roosevelt, Okla., serving no intermediate points and serving junction Oklahoma 19 and U.S. Highway 183 for purposes of joinder only: From Blair over Oklahoma Highway 19 to junction U.S. Highway 183, and return over the same route. (g) Between Mangum, Okla., and junction Oklahoma Highway 34 and U.S. Highway 62 east of Duke, Okla., serving no intermediate points and serving junction Oklahoma Highway 34 and U.S. Highway 62 for purposes of joinder only: From Mangum over Oklahoma Highway 34 to junction U.S. Highway 62, and return over the same route. (h) Between Carter, Okla., and junction U.S. Highway 283 and Oklahoma Highway 9, 6 miles north of Mangum, Okla., serving no intermediate points and serving junction U.S. Highway 283 and Oklahoma Highway 9 for purposes of joinder only: From Carter over Oklahoma Highway 34 to junction U.S. Highway 283, thence over U.S. Highway 283 to junction Oklahoma Highway 9, and return over the same route. (i) Between junction U.S. Highway 283 and Oklahoma Highway 34, serving no intermediate points and serving junction U.S. Highways 66 and 283 and junction U.S. Highway 283 and Oklahoma Highway 34 for purposes of joinder only: From junction U.S. Highways 66 and 283 over U.S. Highway 283 to junction Oklahoma Highway 34, and return over the same route, for 180 days. Supporting shippers: There are approximately 75 supporting statements from shippers which may be examined here at the Interstate Commerce Commission, in Washington, D.C. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla.

No. MC 124813 (Sub-No. 32 TA), filed November 15, 1966. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa 50533. Applicant's representative: William A. Landau, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Agricultural chemicals*, other than in bulk, from plantsite of Monsanto Co. near Muscatine, Iowa, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 125254 (Sub-No. 5 TA), filed November 15, 1966. Applicant: DONALD L. MORGAN, doing business as MORGAN TRUCKING CO., 1807 Oneida Avenue, Muscatine, Iowa 52761. Applicant's representative: William A. Landau, 1307 East Walnut Street, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Agricultural chemicals*, other than in bulk, from plantsite of Monsanto Co., near Muscatine, Iowa, to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindberg Boulevard, St. Louis, Mo. 63166. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 332 Federal Building, Davenport, Iowa 52801.

No. MC 126867 (Sub-No. 4 TA), filed November 16, 1966. Applicant: CONTRACT TRANSPORTATION, INC., 914 North Cedar Ridge Drive, Post Office Box 233, Cedarburg, Wis. 53012. Applicant's representative: William C. Dineen, 412 Empire Building, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cheese*, from the plantsite of Passini Cheese Co. located in the town of Mitchell, Sheboygan County, Wis., to points in Michigan, Massachusetts, Rhode Island, New York, Pennsylvania, New Jersey, Ohio, and Connecticut, for 180 days. Supporting shipper: Passini Cheese Co., Inc., Plymouth, Wis. 53073 (Attilio Passini, president). Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 108 West Wells Street, Room 511, Milwaukee, Wis. 53203.

No. MC 128356 (Sub-No. 1 TA), filed November 15, 1966. Applicant: DOWNINGTOWN TRAILER CARRIER'S, INC., 410 South Brandywine Avenue, Downingtown, Pa. 19335. Applicant's representative: John H. Derby, 2122 Cross Road, Glenside, Pa. 19038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *New trailers*, except house trailers, from plantsites of the Gindy Manufacturing Corp., in Lebanon, Honeybrook, Downingtown, Philadelphia, and the village of Eagle, Upper Uwchland Township, Chester County, Pa., and Pennsauken Township, N.J., to points in Ohio, West Virginia, Virginia, North Carolina, Maryland, Delaware, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, and *used trailers*, from points in those States named above, to named plantsites in Pennsylvania, and New Jersey, for 180 days. Supporting shipper: Gindy Manufacturing Corp., Downingtown, Pa. Send protests to: Peter R. Guman, District Supervisor, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 128557 (Sub-No. 2 TA), filed November 14, 1966. Applicant: LINCOLN LUMBER SALES, INC., Yaquina Bay Road East, Post Office Box 126, Newport, Oreg. 97365. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Lumber, and forest products* (such as veneer, plywood, hardboard, liner board, particle board, chip board and wood pulp), from points in Linn, Lane, Benton, Polk, Tillamook, Yamhill, and Marion Counties, Oreg., to points in Lincoln County, Oreg., and from points in Lincoln County, Oreg., to the harbor situated at Newport, Oreg., and from the harbor in Newport, Oreg., to points in Lane, Linn, Benton, and Lincoln Counties, Oreg., for 180 days. Supporting shippers: Cascadia Lumber Co., Toledo, Oreg.; Guy Roberts Lumber Co., Toledo, Oreg.; Lundy Bros., Inc., Waldport, Oreg.; W. W. W. Lumber Co., Eddyville, Oreg.; Morgan-Staley Lumber Co., Grand

Ronde, Oreg.; Sheridan Pressure Treated Lumber, Inc., Beaverton, Oreg.; Larson Lumber Co., Philomath, Oreg.; Yaquina Bay Dock & Dredge Co., Newport, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 128643 (Sub-No. 1 TA), filed November 16, 1966. Applicant: WARREN BALL, doing business as THE ARNEL COMPANY, 1709 Kemper Avenue, Muscatine, Iowa. Applicant's representative: William L. Fairbank, 610 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Agricultural chemicals* (other than in bulk), from the plantsite and warehouse facility of Monsanto Co., near Muscatine, Iowa (approximately 3½ miles south of the Muscatine City limits), to points in Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis Mo. 63166. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 332 Federal Building, Davenport, Iowa 52801.

No. MC 128690 TA, filed November 14, 1966. Applicant: JANET RAE BARNES, doing business as JAN PAM'S WESTVIEW BOARDING FARM, R.F.D No. 1, Frederick, Md. 21701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Horses*, between points in Frederick County, Md., and Charles Town, W. Va., and points in Maryland, West Virginia, Virginia, Pennsylvania, New Jersey, and Delaware, for 180 days. Supporting shippers: Marvin H. Everhart, R.F.D. Cool Spring Farm, Charles Town, W. Va. 25414; Robt. L. Gheen, 307 Jefferson Avenue, Charles Town, W. Va.; Glade Valley Farms, Inc., Route 1, Frederick, Md. 21701; O'Sullivan Farms, Charles Town, W. Va.; C. R. Archer, Pine Ridge Farm, Box 250, Charles Town, W. Va.; Glenn E. Price, Hagerstown, Md.; Robt. R. Hilton, Charles Town, W. Va. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Room 1220, 12th and Constitution NW., Washington, D.C. 20423.

No. MC 128695 TA, filed November 15, 1966. Applicant: JORDARO TRANSPORTATION CO., INC., 15 Jean Place, Syosset, N.Y. 11791. Applicant's representative: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Such commodities* as are used or dealt in by manufacturers of chemicals, pharmaceuticals, drugs, paint, rubber, cosmetics, plastics, and cement products (except commodities in bulk) under continuing contract with Smith Chemicals & Color Co., Inc., from New York, N.Y., and points in the port of New York Harbor, as defined by the Commission, to points in New York City, Westchester, Nassau, and Suffolk Counties, N.Y., and points in New Jersey, for 180 days. Supporting shipper: Smith Chemical & Color Co., Inc., 124 Commerce Street, Brooklyn, N.Y. 11231. 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 128697 TA, filed November 16, 1966. Applicant: B & M MOVING & STORAGE, North Farmers Market Road, Post Office Box 3745, Fort Pierce, Fla. 33450. Applicant's representative: Bernard W. Varley (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, as follows: *Telephone equipment, materials, and supplies*, having a prior or subsequent movement in interstate commerce, between Fort Pierce, Fla., and points in Indian River, Okeechobee, Martin, and St. Lucie Counties, Fla., for 180 days. Supporting shippers: Western Electric Co., Inc., 3300 Lexington Road, Winston-Salem, N.C. Send protests to: Joseph B. Teichert, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 66–12656; Filed, Nov. 22, 1966; 8:47 a.m.]

[Notice 1443]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 18, 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–69125. By order of November 10, 1966, the Transfer Board approved the transfer to Thompson Enterprises, Inc., 4066 South Four Mile Run Drive, Arlington, Va., of certificate No. MC–109427, issued October 21, 1955, to Northern Vanlines, Inc., 3315 Joy Road, Detroit, Mich., authorizing the transportation of household goods, as defined by the Commission, over irregular routes, between points in southeastern Michigan, on the one hand, and, on the other, points in Michigan, Illinois, Indiana, Ohio, Pennsylvania, New York, and New Jersey; between points in the Washington, D.C., commercial zone, on the one hand, and, on the other, points in 35 States; between New York, N.Y., and points in New Jersey, on the one hand, and, on the other, points in 11 Eastern States and the District of Columbia; and household goods, between Washington, D.C., on the one hand, and, on the other, points in Maryland and Virginia within 50 miles of Washington, D.C., and between points in Fayette County, Pa., on the one hand, and, on the other, points in Maryland and West Virginia.

No. MC–FC–69165. By order of November 10, 1966, the Transfer Board approved the transfer to Eureka Van & Storage Co., Inc., 2926 Prosperity Avenue, Falls Church, Va., of certificate No. MC–20337, issued March 28, 1958, to Thompson Transfer & Storage, Inc., 4066 South Four Mile Run Drive, Arlington, Va., authorizing the transportation of household goods, as defined by the Commission (with exceptions), between Washington, D.C., on the one hand, and, on the other, points in Maryland and Virginia, and between Washington, D.C., on the one hand, and, on the other, points in Virginia, North Carolina, South Carolina, Maryland, Pennsylvania, Delaware, New Jersey, and New York.

No. MC–FC–69170. By order of November 10, 1966, the Transfer Board approved the transfer to W. I. Sones, doing business as Arrow Bus Lines, 1111 South Broadway, McComb, Miss., of certificate No. MC–113928, issued October 9, 1953, to Karey Andrews and W. I. Sones, a partnership, doing business as Arrow Bus Lines, 1111 South Broadway, McComb, Miss., and authorizing, after partial revocation pursuant to order entered September 28, 1966, the transportation of passengers and their baggage, and, express, mail and newspapers in the same vehicle with passengers over regular routes, between McComb, Miss., and Hattiesburg, Miss., serving all intermediate points.

No. MC–FC–68998. By order of November 14, 1966, the Transfer Board approved the transfer to Lottie E. Greggs, doing business as Greggs Motor Lines, 2409 Amelia Avenue, Scranton, Pa. 18509, of the operating rights of William R. Greggs, 2409 Amelia Avenue, Scranton, Pa. 18509, in certificates Nos. MC–82667 (Sub-No. 5) and MC–82667 (Sub-No. 6), issued April 27, 1948, and November 28, 1950, respectively, authorizing the transportation, over a regular route, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Scranton, Pa., and Hawley, Pa., and, over irregular routes, of household goods, as defined, and machinery, between Scranton, Pa., on the one hand, and, on the other, points in New York and New Jersey.

No. MC–FC–69206. By order of November 14, 1966, the Transfer Board approved the transfer to Weiss Trucking, Inc., Rangeley, Colo., of the operating rights of Arnold A. Weiss, doing business as Weiss Trucking Co., Rangeley Colo., in certificates Nos. MC–115092 and MC–

115092 (Sub-No. 2), issued by the Commission, August 29, 1955, and January 2, 1958, respectively, authorizing the transportation, over irregular routes, of machinery, equipment, materials, and supplies, with certain specified exceptions, between points in Garfield, Mesa, Moffat, and Rio Blanco Counties, Colo., on the one hand, and, on the other, points in Utah, crude oil and road oil, in bulk, in tank trucks, between points in Colorado on and west of U.S. Highway 85, on the one hand, and, on the other, points in Utah, oil-based drilling mud, in bulk, in tank vehicles, between points in Colorado, on the one hand, and, on the other, points in Wyoming, oil-based drilling mud, in bulk, in tank trucks, between points in Colorado, and machinery, materials, supplies, and equipment, incidental to, or used in, the construction, development, operation and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Moffat, Rio Blanco, Mesa, and Garfield Counties, Colo., and between points in the counties named just above, on the one hand, and, on the other, points in Colorado. John H. Lewis, the 1650 Grant Street Building, Denver, Colo. 80203, attorney for applicants.

[SEAL] N. NEIL GARSON,
Secretary.

[F.R. Doc. 66-12657; Filed, Nov. 22, 1966; 8:47 a.m.]

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