

FEDERAL REGISTER

VOLUME 32 • NUMBER 54

Tuesday, March 21, 1967 • Washington, D.C.

Pages 4301-4336

Agencies in this issue—

Agricultural Stabilization and
Conservation Service
Census Bureau
Civil Aeronautics Board
Consumer and Marketing Service
Customs Bureau
Emergency Planning Office
Federal Aviation Agency
Federal Communications Commission
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
General Services Administration
Housing and Urban Development
Department
Interstate Commerce Commission
Land Management Bureau
Mint Bureau
Securities and Exchange Commission
Small Business Administration
Wage and Hour Division

Detailed list of Contents appears inside.



Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1967)

Title 21—Food and Drugs (Parts 120-129)
(Revised) \$1.00

Title 41—Public Contracts and Property Management
(Chapters 5-5D) (Revised) \$0.60

[A cumulative checklist of CFR issuances for 1967 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402



Area Code 202

Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20403), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The Federal Register will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations

- Tobacco, Maryland; results of marketing quota referenda..... 4305
Wheat; processor marketing certificates; interpretation..... 4305

Notices

- Agreement with Mohair Council of America, Inc.; determination of producers' approval in referendum..... 4318

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service.

CENSUS BUREAU

Notices

- Truck inventory and use survey; consideration..... 4319

CIVIL AERONAUTICS BOARD

Notices

- IATA joint conference; agreement regarding specific commodity rates..... 4319

Hearings, etc.:

- Airlift International, Inc., and Slick Corp..... 4320
Linea Aerea Nacional—Chile..... 4320

COMMERCE DEPARTMENT

See Census Bureau.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

- Carcasses of animals slaughtered without antemortem inspection; deletion..... 4306

Proposed Rule Making

- Milk in Tampa Bay and Southeastern Florida marketing area; hearing..... 4313

- Tobacco, type 62 shade-grown cigar-leaf, in Florida and Georgia; expenses and rate of assessment, 1967-68..... 4314

Notices

- Orange juice, frozen concentrated, in Florida; determination..... 4318

CUSTOMS BUREAU

Rules and Regulations

- Free entry of personal and household effects of persons in service of U.S..... 4308

- Lumber, spruce and pine; additional invoice requirements for imports..... 4308

EMERGENCY PLANNING OFFICE

Notices

- West Virginia; major disaster notice..... 4326

FEDERAL AVIATION AGENCY

Rules and Regulations

Airworthiness directives:

- BAC 1-11 400 Series airplanes..... 4307
Brantly B-2 Series helicopters..... 4307
Vickers Viscount Models 744 and 745D Series airplanes..... 4306
Control zone and transition area; alteration..... 4307
Jet route; alteration..... 4307

Proposed Rule Making

- Airworthiness directive: Rolls-Royce Spey Model 506-14 engines..... 4314
Controlled airspace; withdrawal of proposed alteration..... 4315
Federal airways:
Alteration..... 4315
Designation..... 4315
Restricted area; designation..... 4316

FEDERAL COMMUNICATIONS COMMISSION

Notices

Hearings, etc.:

- Associated Telephone Answering Service and Liberty Communications, Inc..... 4320
CATV of Rockford, Inc., et al..... 4320
Columbia Broadcasting System, Inc. (WCAU) and The Plains Broadcasting Co. (KGYN)..... 4321
Fetzer Cable Vision et al..... 4321
KLRA, Inc., et al..... 4321
Kittyhawk Broadcasting Corp. et al. (2 document)..... 4322, 4325
PrairieLand Broadcasters and Richard P. Lamoreaux..... 4325
Stokes County Broadcasting Co. (WKTE)..... 4325

FEDERAL MARITIME COMMISSION

Notices

Agreements filed for approval:

- United States Great Lakes/South and East Africa Rate Agreement..... 4325
United Kingdom/United States Pacific Freight Association..... 4326

FEDERAL POWER COMMISSION

Notices

- Pan American Petroleum Corp. et al.; applications..... 4327

FEDERAL RESERVE SYSTEM

Proposed Rule Making

- Securities of member state banks; form for registration of certain securities..... 4316

Notices

- Dominion Bankshares Corp.; application for approval of acquisition of shares of bank..... 4326

FEDERAL TRADE COMMISSION

Rules and Regulations

- Administrative opinions and rulings; misrepresentation of hand cream..... 4308

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

- Labor; application of Contract Work Hours Standards Act..... 4311

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

- Designation of Acting Assistant Regional Administrators:
Atlanta; Metropolitan Development..... 4319
San Francisco:
Housing Assistance..... 4319
Renewal Assistance..... 4319

INTERIOR DEPARTMENT

See Land Management Bureau.

INTERSTATE COMMERCE COMMISSION

Notices

- Fourth section applications for relief..... 4331
Motor carrier temporary authority applications..... 4332

LABOR DEPARTMENT

See Wage and Hour Division.

LAND MANAGEMENT BUREAU

Notices

- Idaho; proposed withdrawals and reservations of lands (2 documents)..... 4317

MINT BUREAU

Notices

- Assistant Director et al.; order of succession of persons to act as Director..... 4318

SECURITIES AND EXCHANGE COMMISSION

Notices

Hearings, etc.:

- First Atlantic Fund, Inc..... 4329
Glen Alden-Delaware, Inc..... 4329
St. Louis Capital, Inc..... 4330

SMALL BUSINESS ADMINISTRATION

Notices

- Kentucky; declaration of disaster area..... 4331
Loan Officer, Economic Development, New York; authority delegation..... 4331

(Continued on next page)

TREASURY DEPARTMENT

See Customs Bureau; Mint
Bureau.

WAGE AND HOUR DIVISION

Rules and Regulations

Labor standards on projects or
productions assisted by grants
from national endowment for
the arts..... 4309

List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

7 CFR

724..... 4305
777..... 4305

PROPOSED RULES:

1012..... 4313
1013..... 4313
1201..... 4314

9 CFR

312..... 4306

12 CFR

PROPOSED RULES:

206..... 4316

14 CFR

39 (3 documents)..... 4306, 4307
71..... 4307
75..... 4307

PROPOSED RULES:

39..... 4314
71 (3 documents)..... 4315
73..... 4316

16 CFR

15..... 4308

19 CFR

8..... 4308
10..... 4308
54..... 4308

29 CFR

505..... 4309

41 CFR

1-12..... 4311

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

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

Proclamation of the Results of Maryland Tobacco Marketing Quota Referendum

Basis and purpose. The purpose of this proclamation is to add a § 724.36q to announce the results of the Maryland tobacco marketing quota referendum for the three marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary proclaimed national marketing quotas for Maryland tobacco for the 1967-68, 1968-69 and 1969-70 marketing years, and announced the amount of the national marketing quota for Maryland tobacco for the 1967-68 marketing year (32 F.R. 1124). The Secretary announced (32 F.R. 1139) that a referendum by mail ballot would be held during the period February 20 to 24, 1967, each inclusive, to determine whether Maryland tobacco producers were in favor of or opposed to marketing quotas for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969. Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that with respect to this proclamation, compliance with the notice, public procedure, and effective date provisions of 5 U.S.C. 553 is unnecessary.

§ 724.36q Proclamation of the results of the Maryland tobacco marketing quota referendum for the 3-year period beginning October 1, 1967.

In a referendum of farmers engaged in the production of 1966 crop of Maryland tobacco held by mail ballot during the period February 20 to 24, 1967, each inclusive, 6,375 farmers voted. Of those voting, 3,891 or 61 percent, favored quotas for a period of 3 years beginning October 1, 1967; 2,484 or 39 percent were opposed to quotas. Since more than one third of the farmers voting were opposed to quotas, the national marketing quota of 34.6 million pounds proclaimed January 30, 1967 (32 F.R. 1124) for Maryland tobacco for the 1967-68 marketing

year will not be in effect for such year, and marketing quotas on Maryland tobacco will not be in effect for the 3 marketing years beginning October 1, 1967, October 1, 1968, and October 1, 1969, except that Maryland tobacco growers will vote in a referendum to be held in late 1967 or early 1968 on whether they favor or oppose quotas on Maryland tobacco for the 1968-69, 1969-70 and 1970-71 marketing years; if quotas for the 1968-69, 1969-70 and 1970-71 marketing years are disapproved in such referendum, Maryland tobacco growers will not vote in another tobacco marketing quota referendum for Maryland tobacco until they vote in a referendum to be held in late 1970 or early 1971 on whether they favor or oppose quotas for the 1971-72, 1972-73 and 1973-74 marketing years, unless an earlier referendum is petitioned for by growers pursuant to regulations and is announced by the Secretary.

(Secs. 312, 375; 52 Stat. 46, as amended, 66; 7 U.S.C. 1312, 1375)

Done at Washington, D.C. on this 15th day of March 1967.

ROLAND F. BALLOU,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[P.R. Doc. 67-3046; Filed, Mar. 20, 1967; 8:47 a.m.]

SUBCHAPTER C—SPECIAL PROGRAMS

PART 777—PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

Interpretation

The following interpretation of § 777.13(a) and paragraph 13, Appendix II, of the Processor Wheat Marketing Certificate Regulations (31 F.R. 13502) is issued. The question has been raised by a person processing wheat into cereal products as to whether he may make certain deductions in computing his certificate liability under the regulations. The processor is computing his liability on the weight of wheat basis under § 777.13 of the regulations and has requested permission to make deductions for the weight of small kernels which are separated from the wheat used in his processing operation and then removed from the plant for use as animal feed.

The cereal manufacturer has stated that the operation is carried on as follows: After the wheat received in the cereal plant is cleaned, the kernels are sized by use of special screens. The small kernels separated from the remainder of the wheat are weighed and then transferred from the processing plant to another plant where it is used in the manufacture of animal feed. The question is presented whether the

weights so obtained supported by scale tickets or other documentary evidence may be deducted on Form CCC-160, Processing Report—Weight of Wheat Basis, in computing the weight of wheat subject to certificate liability.

It has been concluded that the processor may make a deduction from the weight of wheat subject to certificate liability for the weight of the small kernels obtained in the operation described above and transferred from the plant for use in animal feed. Section 777.13(a) provides:

General. Food processors reporting the quantity of wheat processed into food products on the basis of the weight of wheat processed, shall complete Form CCC-160, Processing Report—Weight of Wheat Basis, for each reporting period in accordance with detailed instructions set forth in Appendix II of this part. Determinations of the weight of wheat processed into food products shall be made in the manner prescribed in Appendix II. No deductions may be made for any byproducts of a food product obtained in the processing of the wheat.

Appendix II provides in paragraph (13) for the processor to enter in Item 5G of Form CCC-160, the weight of all wheat removed from the processing plant (and from any elevator operated by the processor at the processing plant location servicing the plant) for shipment, sale, delivery to the owner, transfer to other plants, or other dispositions as wheat. It further states: "Do not include the weight of any byproducts of food products or the weight of any screenings or other residue from cleaning wheat used or to be used by the food processor for processing into food products."

Our conclusion is based upon the following considerations which apply to the processor's operation: (1) The small kernels comply with the definition of wheat which appears in § 777.3(a), i.e., they are wheat as defined in the Official Grain Standards of the United States; (2) the foreign material, damaged kernels and other defects in the small kernels, are not greater than such defects in the wheat from which such small kernels were removed; and (3) the small kernels can be used commercially in the manufacture of flour and other food products. The small kernels are separated from the wheat used to make cereal because they are not as suitable for the type of cereal product manufactured by the food processor as the remainder of the wheat which was used in the processing operation. Accordingly, from the evidence supplied, it has been determined that the small kernels are not byproducts or screenings or other residues obtained in the cleaning of wheat used in the processing operation. If such kernels were within that category, they would not be eligible to serve as a deduction from the certificate liability of the cereal manufacturer.

Signed at Washington, D.C., on March 15, 1967.

ROLAND F. BALLOU,
Acting Administrator Agricultural Stabilization and Conservation Service.

[P.R. Doc. 67-3074; Filed, Mar. 20, 1967; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Consumer and Marketing Service (Meat Inspection), Department of Agriculture

SUBCHAPTER A—MEAT INSPECTION REGULATIONS

PART 312—CARCASSES OF ANIMALS SLAUGHTERED WITHOUT ANTE-MORTEM INSPECTION

Deletion

On February 8, 1966, a notice of proposed rule making was published in the FEDERAL REGISTER (31 F.R. 2484) stating that the Department of Agriculture pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U.S.C. 71-96), and section 306 of the Tariff Act of 1930, as amended (19 U.S.C. 1306) proposed to amend the Meat Inspection Regulations by deleting Part 312 (9 CFR Part 312) in its entirety.

Interested persons were afforded an opportunity to comment on the proposed amendment.

Statement of considerations. In response to the notice, comments were submitted by numerous individuals and groups. Although Part 312 of the regulations covers all species of animals subject to the Meat Inspection Act and is nationwide in scope, the comments submitted on the proposal to delete it were received almost exclusively from the northeastern United States, and only those people interested in hothouse lamb production showed an interest in the proposal.

The adverse comments received indicated concern as to the economic impact of the amendment on the lamb producers and others involved, and to some extent reflected a misunderstanding as to the effect of the amendment.

This amendment would eliminate provisions (Part 312) under which carcasses of animals slaughtered by a farmer on his farm, without Federal ante-mortem inspection, are allowed to enter federally inspected establishments for preparation as federally inspected articles bearing marks of Federal meat inspection. This amendment would not affect in any way the provisions of the Act and the regulations (21 U.S.C. 91; 9 CFR Part 304) which, in general, permit the distribution in interstate or foreign commerce of wholesome meat and meat food products prepared by any farmer (as defined in the Act) on his farm, from cattle, sheep, swine, or goats slaughtered by him on such farm, without Federal inspection. (Products shipped under the latter pro-

visions do not bear marks of Federal inspection.)

Present livestock husbandry practices can result in drug, pesticide, and other chemical residues in the meat of the livestock which are not easily detectable on post-mortem examination; and central nervous system disorders also could affect the disposition of a carcass with no gross post-mortem lesions present. The continuation in effect of Part 312 could provide an avenue for disposal of animals which died otherwise than by slaughter. For these reasons, this Department believes strongly that all carcasses to be processed at federally inspected establishments into articles bearing Federal inspection marks should be derived from animals that receive Federal ante-mortem inspection at the time of slaughter. At present, only one federally inspected establishment is engaged in receiving from farmers hothouse lambs slaughtered without Federal ante-mortem inspection. It should be noted that Part 312 is not intended to permit the entry into federally inspected plants of carcasses of animals slaughtered off the farm by "fee slaughterers" not actually engaged in the raising of the animals involved, and even if Part 312 were to remain in effect, such carcasses could not enter federally inspected plants.

In order to minimize the impact of the deletion of Part 312 on affected persons, chiefly hothouse lamb producers who have been delivering to a federally inspected plant, hothouse lambs slaughtered without Federal ante-mortem inspection, pursuant to Part 312, the Livestock Slaughter Inspection Division set out to develop procedures that would permit such ante-mortem inspection to be made of the producers' lambs with a minimum of interference with the existing legitimate business of such producers. Livestock Slaughter Inspection Division staff members and Meat Inspection Program field representatives visited lamb producers, "fee slaughterers," State Livestock Extension Specialists in Pennsylvania, Massachusetts, and federally inspected packers. The purpose of such visits was to explain the proposal and problems and seek facilities presently operating under Federal inspection or willing to qualify for this service where hothouse lambs could be given ante-mortem and post-mortem examination. Federal inspection is provided at establishments slaughtering lambs and certain other livestock or preparing products thereof for interstate or foreign commerce, without cost to the establishment operators except for overtime and holiday service.

A federally inspected plant in north-central Connecticut has indicated willingness to slaughter hothouse lambs for approximately the same price charged by the "fee slaughterers." Two of the "fee slaughterers," one in northeastern Pennsylvania, the other in southeastern Pennsylvania, agreed to provide lamb slaughtering facilities which would qualify for Federal inspection and will be completed in the summer of 1967. These three facilities are located conveniently to most of the lamb producers

in the northeastern United States with the possible exception of a few farmers in New York State. If sufficient interest is shown by New York State producers, the Livestock Slaughter Inspection Division will assist in finding a suitable federally inspected facility in that area.

Therefore it appears that acceptable procedures will be available under which the hothouse lambs can be slaughtered, with ante-mortem as well as post-mortem inspection, at a reasonable cost to the producers concerned and without seriously interfering with the marketing of such animals. Accordingly, in consideration of the foregoing, Part 312 is deleted effectively July 1, 1967.

(34 Stat. 1264, 21 U.S.C. 89, sec. 306, 46 Stat. 689, as amended, 19 U.S.C. 1306; 29 F.R. 16210, as amended; 31 F.R. 13249)

Done at Washington, D.C., this 15th day of March 1967.

R. K. SOMERS,
Deputy Administrator, Consumer Protection, Consumer and Marketing Service.

[P.R. Doc. 67-3075; Filed, Mar. 20, 1967; 8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7841; Amdt. 39-371]

PART 39—AIRWORTHINESS DIRECTIVES

Vickers Viscount Models 744 and 745D Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive to require the inspection of the horizontal stabilizer top spar root joint fittings for cracks on Vickers Viscount Models 744 and 745D Series airplanes that have completed 11,500 landings was published in 32 F.R. 55.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

VICKERS. Applies to Viscount Models 744 and 745D Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent fatigue damage to the horizontal stabilizer top spar root joint fittings, accomplish the following:

(a) Within the next 500 landings after the effective date of this AD, on airplanes which have completed 11,500 landings, inspect the horizontal stabilizer top spar root joint fittings for cracks in accordance with British Aircraft Corp. (BAC) Preliminary Technical Leaflet No. 264 Issue 1 (700 Series), Addendum No. 1 to Issue 1, and Corrigendum No. 1

to Issue 1, or later ARB-approved issue, or an FAA-approved equivalent.

(b) Before further flight, replace all cracked fittings with new parts.

(c) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

This amendment becomes effective April 20, 1967.

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

Issued in Washington, D.C., on March 14, 1967.

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

[F.R. Doc. 67-3026; Filed, Mar. 20, 1967; 8:45 a.m.]

[Docket No. 7810; Amdt. 39-372]

PART 39—AIRWORTHINESS DIRECTIVES

BAC 1-11 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive to require inspection of BAC 1-11 400 Series airplanes for interference between the nut stop on the flap jack screw and the lower rollers on the aft flap carriage was published in 31 F.R. 16368.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

BRITISH AIRCRAFT. Applies to Model BAC 1-11 400 Series airplanes.

Compliance required as indicated. To prevent interference between the flap jack screw and flap carriage assembly, accomplish the following:

(a) Within the next 500 hours' time in service after the effective date of this AD, unless already accomplished, and thereafter at intervals not to exceed 1,000 hours' time in service, measure the clearance between the head of the nut stop on flap screwjack P/N CH526-010 and the inside faces of the lower rollers on the aft flap carriages P/N AK09 A1263 and AK09 A1265 and AK09 A1266 at all eight screwjack positions in accordance with BAC Alert Service Bulletin 27-A-PM2469 or later ARB-approved issue. If clearance is less than 0.025 inch, rework the nut stop head radius in accordance with BAC Service Bulletin No. 27-A-PM2469 or later ARB-approved issue.

(b) The repetitive inspections required in paragraph (a) may be discontinued if the airplanes are modified in accordance with BAC Service Bulletin 27-A-PM2469 paragraph (a) or (b) and PM2469 paragraph (c) and PM2469 paragraph (d) or (e) and PM2469 paragraph (f) or (g) or later ARB-approved issue.

This amendment becomes effective April 20, 1967.

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

Issued in Washington, D.C., on March 14, 1967.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-3027; Filed, Mar. 20, 1967; 8:45 a.m.]

[Docket No. 7818; Amdt. 39-373]

PART 39—AIRWORTHINESS DIRECTIVES

Brantly B-2 Series Helicopters

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the open upper main rotor mast bearing by a prepacked and sealed bearing on Brantly B-2 Series helicopters was published in 31 F.R. 16469.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

BRANTLY. Applies to Model B-2, B-2A, and B-2B Model helicopters with P/N B2-324 transmission serial numbers prior to S/N 307.

Compliance required as indicated. To improve the service life and reliability of the upper main rotor mast bearing, within the next 100 hours' time in service after the effective date of this AD, remove the Fafnir P/N 212K bearing presently installed and replace it with an Indiana Gear Works P/N 4524A56, Revision E, sealed bearing. This substitution is to be accomplished as prescribed by Brantly Helicopter Co. Service Bulletin No. 21 and applicable sections of the Model B-2 series helicopter maintenance manuals.

This amendment becomes effective April 20, 1967.

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

Issued in Washington, D.C., on March 14, 1967.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-3028; Filed, Mar. 20, 1967; 8:45 a.m.]

[Airspace Docket No. 67-SO-26]

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

Alteration of Control Zone and Transition Area

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

The Savannah control zone is described in § 71.171 (32 F.R. 2071).

The Savannah transition area is described in § 71.181 (32 F.R. 2148).

A portion of the control zone is predicated upon Hunter AFB and the Hunter AFB TACAN 264° radial and a portion of the transition area with a floor of 700 feet is designated within an 8-mile radius of Hunter AFB.

Because of the decommissioning of the Hunter AFB TACAN, the U.S. Army extending its training activities into Hunter AFB, a change in the classification of the airport from Category III to Category II, and a change in the name of the airport from Hunter AFB to Hunter AAF, it is necessary to alter the control zone and transition area accordingly.

Since these amendments are editorial in nature or lessen the burden on the public by reducing the controlled airspace for the Savannah terminal area, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., April 1, 1967, as hereinafter set forth.

In § 71.171 (32 F.R. 2071) the Savannah, Ga., control zone is amended by deleting " * * * within 2 miles each side of the Hunter AFB TACAN 264° radial, extending from the 5-mile radius zone to 7 miles W of the TACAN * * * " and deleting " * * * AFB * * * " wherever it appears and substituting " * * * AAF * * * " thereafter.

In § 71.181 (32 F.R. 2148) the Savannah, Ga., transition area is amended by deleting " * * * within an 8-mile radius of Hunter AFB * * * " and substituting " * * * within a 6-mile radius of Hunter AAF * * * " thereafter.

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

Issued in East Point, Ga., on March 10, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-3029; Filed, Mar. 20, 1967; 8:45 a.m.]

[Airspace Docket No. 67-WA-9]

PART 75—ESTABLISHMENT OF JET ROUTES

Alteration of Jet Route

Jet Route No. J-82 is presently designated in part from Fort Dodge, Iowa, via the INT of Fort Dodge 096° and Northbrook, Ill., 274° radials; INT of Northbrook 274° and Joliet, Ill., 316° radials; to Joliet. It was intended that the portion of this segment extending northwestward from Joliet would coincide with a direct line extending between Joliet, and Nodine, Minn. Precise cartographic measurements attendant to the production of aeronautical charts have revealed that to accomplish this purpose the Joliet 317° radial instead of the 316° radial should have been used. Such action is taken herein.

Since this alteration is minor in nature in that the 1 degree correction involves only a small amount of airspace lying entirely within the continental control area, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., April 27, 1967, as hereinafter set forth.

Section 75.100 (32 F.R. 2341) is amended as follows: In Jet Route No. 82 "Joliet, Ill., 316" radials" is deleted and "Joliet, Ill., 317" radials" is substituted therefor.

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

Issued in Washington, D.C., on March 14, 1967.

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

[F.R. Doc. 67-3031; Filed, Mar. 20, 1967;
8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Misrepresentation of Hand Cream

§ 15.117 Misrepresentation of hand cream.

(a) The Federal Trade Commission advised a marketer of hand cream that it would be improper and a violation of Commission administered law to represent, contrary to fact, that the product had been "medically prescribed."

(b) There are many precedents for the proposition that it is an unfair trade practice to misrepresent approval or endorsement of products by medical associations, doctors, dentists, and related professional groups.

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

Issued: March 20, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-3037; Filed, Mar. 20, 1967;
8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, De- partment of the Treasury

[T.D. 67-78]

PART 8—LIABILITY FOR DUTIES; EN- TRY OF IMPORTED MERCHANDISE

Additional Invoice Requirements of Spruce and Pine Lumber

For the purpose of eliminating difficulties in identification and classification of shipments of commingled spruce and

pine lumber provided for under items 202.03 and 202.09, Tariff Schedules of the United States (19 U.S.C. 1202 (items 202.03, 202.09)), it has been determined to require under the authority of section 481(a) (10) of the Tariff Act of 1930, as amended (19 U.S.C. 1481(a) (10)) that invoices for such shipments contain, in addition to all the other information required by law or regulations, a declaration by the shipper or other person having actual knowledge of the facts, as to the amount of each species of the lumber.

Accordingly, § 8.13(h) of the Customs Regulations is amended by inserting in the listing of classes of merchandise, in proper alphabetic order, the following:

Lumber, spruce (also termed Western white spruce) (Picea) and pine classifiable respectively under item 202.03 and item 202.09, Tariff Schedules of the United States.

(1) A declaration in the following form signed by the shipper or other person having actual knowledge of the pertinent facts:

I hereby declare that to the best of my knowledge and belief the composition of the lumber in _____ is _____

(describe shipment)
board feet, spruce (item 202.03) and _____
board feet, pine (item 202.09).

(Secs. 481, 624, 46 Stat. 719, 759; 19 U.S.C. 1481, 1624)

Notice of the proposal to require additional information on invoices for shipments of commingled spruce and pine lumber entered under items 202.03 and 202.09, Tariff Schedules of the United States, was published in the FEDERAL REGISTER of November 22, 1966 (31 F.R. 14787). All data, views, and arguments which were received in response thereto have been considered.

This amendment shall be effective with respect to shipments of commingled spruce and pine lumber arriving in the United States 60 days after publication in the FEDERAL REGISTER.

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

Approved: March 13, 1967.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 67-3070; Filed, Mar. 20, 1967;
8:49 a.m.]

[T.D. 67-79]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PART 54—CERTAIN IMPORTATIONS TEMPORARILY FREE OF DUTY

Free Entry of Personal and Household Effects of Persons in Service of United States

Public Law 89-436, approved May 31, 1966, effective July 1, 1966, struck out headnote 2 and Item 915.20 of subpart B, part 1, appendix to the Tariff Schedules of the United States, and amended subpart B, part 2, of schedule 8, Tariff Schedules of the United States, to include as permanent legislation Item

817.00 which is identical with the lapsed Item 915.20.

In view of the change of the law to permanent legislation, it is necessary to delete § 54.2 of the Customs Regulations and to add a new § 10.26a, including changes to reflect the change of law and the elimination of the positions of collectors of customs. At the same time it is deemed advisable to include explicit language concerning the need for a claimant to have had personal possession of an article while abroad in order for it to be a "personal" or "household" effect, and to be returning upon the termination of an assignment to extended duty at a post or station outside the customs territory of the United States.

To give effect to the foregoing, the Customs Regulations are amended as follows:

Part 10 is amended by adding a new § 10.26a and footnote 31a to read as follows:

§ 10.26a Free entry of personal and household effects of certain classes of persons in the service of the United States, or of their families, and of evacuees.

(a) Under Item 817.00 of the Tariff Schedules of the United States,^{21a} free entry may be accorded to the personal and household effects (with the limitation on alcoholic beverages and tobacco products prescribed by paragraph (c) of this section), entered or withdrawn from warehouse for consumption, of any person in the service of the United States who returns to the United States upon the termination of assignment to extended duty at a post or station outside the customs territory of the United States, or of returning members of his family who have resided with him at such post or station, or of any person evacuated to the United States under Government orders or instructions.

(b) The privilege does not apply to articles imported for sale, or for the account of any person not specified in Item 817.00, but the term "personal effects" as used therein is not confined to that class of articles described in Item 812.10, Tariff Schedules of the United States; nor is any period of use, such as is prescribed by Item 810.10, Tariff Schedules of the United States, applicable to household effects entered under Item 817.00.

^{21a} The personal and household effects (with such limitation on the importation of alcoholic beverages and tobacco products as the Secretary of the Treasury may prescribe) of any person in the service of the United States who returns to the United States upon the termination of assignment to extended duty (as defined in regulations issued in connection with this provision) at a post or station outside the customs territory of the United States, or of returning members of his family who have resided with him at such post or station, or of any person evacuated to the United States under Government orders or instructions . . . (Item 817.00, Tariff Schedules of the United States.)

Any article exempted under this part from the payment of duty shall be exempt also from the payment of any internal-revenue tax imposed upon or by reason of importation. (Schedule 8, part 2, headnote 1, Tariff Schedules of the United States.)

Further the privilege does not apply to articles which have not been in the direct personal possession of the claimant (or a member of his household) while abroad.

(c) A total of not more than 1 wine gallon of alcoholic beverages and not more than 100 cigars shall be accorded free entry under Item 817.00 subject to the limitations that:

(1) The articles accompany the person making the claim for free entry upon his arrival in the United States;

(2) Not more than 1 quart of any such alcoholic beverages shall have been distilled or otherwise manufactured and bottled in any place other than the United States or its possessions;

(3) Such individual has not concurrently claimed exemption as a returning resident under Items 813.30 and 813.31, Tariff Schedules of the United States, and

(4) Such person, if other than one in the service of the United States, shall have attained the age of 21.

(d) District directors of customs shall be satisfied in all cases that the effects imported free of duty under Item 817.00 are the personal and household effects of the importer, particularly in those cases where the quantity of effects imported may appear to be an unreasonable quantity for personal or household use.

(e) Except as it may otherwise be deemed proper in accordance with the provisions of paragraph (f) or (g) of this section, no person, or member of his family, shall be allowed free entry of personal or household effects under Item 817.00 where the person returns to the United States pursuant to Government orders or instructions which authorized him initially to proceed to a foreign post or station and return to the United States upon termination of temporary duty.

(f) (1) The requirement of Item 817.00 that the person "returns to the United States upon the termination of assignment to extended duty" shall be considered met upon the necessary proof being submitted that any one of the following cases is applicable:

(i) The person is returning upon the termination of a tour of duty outside the customs territory of the United States of at least 140 days' duration.

(ii) The person is returning after the termination of an assignment under permanent change of station orders to duty at a post or station outside the customs territory of the United States, regardless of the duration of the duty.

(iii) The person returns to the United States upon the termination of a tour of duty at any time after leaving the United States for duty of not less than 140 days outside the customs territory of the United States.

(iv) The person, although not returning to the United States, is ordered by the Government agency involved from duty at a post or station outside the customs territory of the United States to duty at another post or station outside the customs territory of the United States necessitating the return to the

United States of his personal and household effects.

(2) A person returning on leave or otherwise returning before the termination of an assignment to extended duty outside the customs territory of the United States, with or without orders covering the return, is not eligible for an exemption under Item 817.00, Tariff Schedules of the United States. An individual returning to the United States under orders on a temporary duty assignment at the termination of which he is returned to his duty station abroad to resume his regular duties is not regarded as returning to the United States at the termination of an assignment to extended duty outside the customs territory of the United States. However, a person returning on reemployment leave at the termination of assignment to extended duty as defined in subparagraph (1) of this paragraph, is eligible for an exemption under Item 817.00, Tariff Schedules of the United States.

(g) In any case where the limitation on the quantity of alcoholic beverages and tobacco products which may be exempted from duty and tax under paragraph (c) of this section, or the failure of the person to meet the requirement that he be returning upon the termination of assignment to "extended duty," as explained in paragraph (f) of this section will cause undue hardship to the person through no fault of his own, but rather because of the nature of his assignment or other hardship circumstances, the Commissioner of Customs, upon receipt of a request from the Government agency involved, may waive the limitation or the requirement, as the case may be, if he deems such waiver warranted by the facts.

(h) All articles for which free entry is claimed under Item 817.00 shall be entered or withdrawn in accordance with the requirements prescribed by the Tariff Act of 1930, as amended. District directors of customs shall accord free entry under Item 817.00 upon the production of satisfactory proof that the articles are entitled to the benefits thereof. Customs Form 6061 may be used as a declaration and entry for articles granted exemption from duty and tax under Item 817.00 when entry is made in the name of the person who is entitled to the benefits of the statute. Such declaration and entry shall be verified by the customs officer by an inspection of the owner's travel orders, unless other evidence is furnished which satisfies the director that the effects were brought into the United States in connection with the person's return to the United States upon the termination of assignment to extended duty, as explained in paragraph (f) of this section, or in connection with the return of members of his family who have resided with him at such post or station, or in connection with the evacuation of a person to the United States under Government orders or instructions. If the director accepts an inspection of the owner's travel orders as evidence that the effects were brought into the United States within the requirements of Item 817.00,

the owner's travel orders shall be identified on the entry, which shall be handled like a free baggage declaration. The date of the person's last departure from the United States shall be indicated on the declaration and entry. The inward foreign manifest covering a shipment entered on customs Form 6061 shall be liquidated by noting thereon "Free on c.F. 6061, C.R. 10.26a."

(i) No invoice shall be required for articles accorded free entry under Item 817.00, Tariff Schedules of the United States.

(80 Stat. 189, secs. 481, 484, 498, 46 Stat. 719, 722, as amended, 728, as amended; 19 U.S.C. 1202 (Item 817.00), 1484, 1498)

(R.S. 251, 77A Stat. 14, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1202 (Gen. Hdnote 11), 1624)

§ 54.2 [Deleted]

Section 54.2 is deleted.

(77A Stat. 14, sec. 624, 46 Stat. 759; 19 U.S.C. 1202 (Gen. Hdnote 11), 1624)

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

Approved: March 14, 1967.

TRUE DAVIS,
Assistant Secretary
of the Treasury.

[F.R. Doc. 67-3071; Filed, Mar. 20, 1967;
8:49 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 505—LABOR STANDARDS ON PROJECTS OR PRODUCTIONS AS- SISTED BY GRANTS FROM NA- TIONAL ENDOWMENT FOR THE ARTS

On November 5, 1966, a notice was published in the FEDERAL REGISTER (31 F.R. 14314) proposing to amend Chapter V of Title 29 of the Code of Federal Regulations by adding a new Part 505. After consideration of all such relevant matter as was presented by interested persons, the amendment as so proposed is hereby adopted, subject to the following changes:

1. Paragraph (e) of § 505.2 is changed by adding two sentences at the end.

2. All references to "USDL Form No. 1" are changed to read "USDL Form No. 1-297."

3. In the first sentence of paragraph (a) of § 505.5, the clause "his initial assurances shall be filled out and executed, in the same manner as the application for the grant is executed, on USDL Form No. 1" is changed to read "execution of USDL Form No. 1-297 will constitute his initial assurances."

4. The first sentence of § 505.7 is changed by inserting the words "to comply" after the word "failure", and by changing the word "is" to the word "are".

5. Statutory citations have been corrected.

This part shall become effective upon publication in the FEDERAL REGISTER.

The delayed effective date provided in section 4 of the Administrative Procedure Act does not apply because 29 CFR Part 505 relates only to public grants. I do not believe such delay serves a useful purpose here.

Signed at Washington, D.C., this 15th day of March 1967.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour
and Public Contracts Divisions.

NELSON M. BORTZ,
Director,
Bureau of Labor Standards.

- Sec.
505.1 Purpose and scope.
505.2 Definitions.
505.3 Prevailing minimum compensation.
505.4 Receipt of grant funds.
505.5 Adequate assurances.
505.6 Safety and health standards.
505.7 Failure to comply.

AUTHORITY: The provisions of this Part 505 issued under sec. 5(j), 79 Stat. 848; 20 U.S.C. 954(j), and Secretary's Order 1-66 (31 F.R. 1274) and Secretary's Order 12-66 (31 F.R. 12620).

§ 505.1 Purpose and scope.

(a) The regulations contained in this part set forth the procedures which are deemed necessary and appropriate to carry out the provisions of section 5(j) of the National Foundation on the Arts and Humanities Act of 1965, 79 Stat. 848; 20 U.S.C. 954(j); relating to labor standards requirements on projects or productions assisted by grants from the National Endowment for the Arts.

(b) Regulations and procedures relating to wages on construction projects as provided in section 5(k) of the National Foundation on the Arts and Humanities Act of 1965 may be found in Parts 3 and 5 of this title.

(c) Standards of overtime compensation for laborers or mechanics may be found in the Contract Work Hours Standards Act, 76 Stat. 357, 40 U.S.C. 327.

§ 505.2 Definitions.

(a) The term "Act", means the National Foundation on the Arts and the Humanities Act of 1965, 79 Stat. 848, 20 U.S.C. 954(j).

(b) The term "Secretary" means the Secretary of Labor.

(c) The term "Administrator" means the Administrator of the Wage and Hour and Public Contracts Divisions, who exercises responsibilities for the Secretary over the requirements pertaining to wages.

(d) The term "Director" means the Director of the Bureau of Labor Standards, U.S. Department of Labor, who exercises responsibilities for the Secretary over the requirements pertaining to safety and health.

(e) "Professional" in the phrase "professional performer and related or supporting professional personnel" shall include all those who work for compensation on a project or production which is assisted by a grant from the National Endowment for the Arts regardless of whether paid out of grant funds. It

shall not include those whose status is "amateur" because their engagement for performance or supporting work contemplates no compensation. The words "related or supporting * * * personnel" in the same phrase shall include all those whose work is related to the particular project or production such as musicians, stage hands, scenery designers, technicians, electricians and moving picture machine operators, as distinguished from those who operate a place for receiving an audience without reference to the particular project or production being exhibited, such as ushers, janitors, and those who sell and collect tickets. The phrase shall not include laborers and mechanics employed by contractors or subcontractors on construction projects, but their compensation is regulated under section 5(k) of the Act. The phrase "professional performers and related or supporting professional personnel" shall not include persons employed as regular faculty or staff of an educational institution performing primary duties commonly associated with the teaching process. It shall include persons employed by educational institutions primarily to engage in activities customarily performed by the performing artist or by those who assist in the presentation of the performing arts.

§ 505.3 Prevailing minimum compensation.

(a) *Generally.* Investigation has revealed that nearly all of the persons employed in activities similar to those which will be performed by professional performers and related or supporting professional personnel do so pursuant to contracts between their employers and the following national or international labor organizations or local labor organizations which are affiliated with one of them:

Actors' Equity Association.
Screen Actors Guild, Inc.
Screen Extras Guild, Inc.
American Guild of Musical Artists, Inc.
International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators.
American Federation of Musicians.
National Association of Broadcast Employees and Technicians.
American Federation of Television and Radio Artists.
International Brotherhood of Electrical Workers.
American Guild of Variety Artists.

These contracts provide the minimum compensation (including fringe benefits) to be paid such professional performers and related or supporting professional personnel. The compensation provided in each of these contracts is hereby determined to be the prevailing minimum compensation for each of the professional performers and related or supporting professional personnel to which it applies or would apply if he were a member of the appropriate one of the above-mentioned labor organizations. Such determination shall be subject to variation, however, on behalf of any adversely affected professional worker or grantee

as provided in paragraph (b) of this section.

(b) *Variations*—(1) *On behalf of professional workers.* Any professional performer or related or supporting professional personnel desiring employment on any such project or production and any labor organization representing any one of them may protest the determination made in paragraph (a) of this section. Such protest shall be in writing, shall be directed to the Administrator, shall identify the locality or localities and the class or classes of professional performers and related or supporting professional personnel to whom it relates, shall specify the minimum compensation which actually prevails in each such locality for each such class and shall present all of the evidence available touching on the issue. The Administrator will make a determination concerning each such protest to the extent necessary to resolve the issue for any approved grant application.

(2) *On behalf of grantees.* Any grant applicant who proposes to compensate any professional performer or related or supporting professional personnel in an amount less than the prevailing minimum compensation determined in paragraph (a) of this section shall specify the lower minimum compensation he proposes to pay and present such evidence as he may have that the prevailing minimum compensation is not more than he proposes to pay. If such grant application is otherwise approved, such issue will be resolved by the Administrator.

§ 505.4 Receipt of grant funds.

(a) The grantee shall not receive funds authorized by section 5 of the Act until adequate initial assurances pursuant to section 5(j) (1) and (2) of the Act as provided in §§ 505.5(a) and 505.6 have been filed with the Chairman of the National Endowment of the Arts. Neither shall he receive any such funds if and after the Chairman of the National Endowment of the Arts is advised by the Secretary that continuing assurances as provided in § 505.5(b) are inadequate or that labor standards contemplated by section 5(j) (1) and (2) of the Act have not been observed.

(b) In order to facilitate such assurance so that the grantee may receive the grant funds promptly, the Chairman of the National Endowment of the Arts will transmit to each grantee of a grant under section 5 of the National Foundation on the Arts and Humanities Act of 1965 with the grant letter a copy of these regulations together with two copies of USDL Form No. 1-297. He will advise the grantee that before the grant may be received, the grantee must give assurances that all professional performers and related or supporting professional personnel (other than laborers or mechanics with respect to whom labor standards are prescribed in subsection 5(k) of the Act), will be paid, without subsequent deduction or rebate on any account, not less than the minimum compensation determined in § 505.3(a) unless a variation is obtained under § 505.3

(b) and that the safety and health requirements under § 505.6 are met. The Chairman will furnish the Secretary the original signed Form USDL No. 1-297 and two copies of the grant letter together with any supplementary documents needed to give a description of the project or production to be financed in whole or part under the grant.

§ 505.5 Adequate assurances.

(a) *Initial assurances.* Unless the grantee seeks variation of the determination of prevailing minimum compensation contained in § 505.3, or variation of the safety and health standards contained in § 505.6, execution of USDL Form No. 1-297 will constitute his initial assurances. If variation of the prevailing minimum compensation provided in § 505.3(a) is sought under § 505.3(b) the information called for by § 505.3(b) shall be furnished in lieu of assurances on USDL Form No. 1-297 and appropriate assurances will be drafted by the Administrator for the grantee upon resolution of the application for variation.

(b) *Continuing assurances.* (1) The grantee shall maintain and preserve sufficient records as an assurance of compliance with section 5(j) (1) and (2) of the Act and shall make such reports therefrom to the Secretary as necessary or appropriate to assure the adequacy of the assurances given. These records shall include the following information relating to each performer and related or supporting personnel for whom a prevailing minimum compensation determination has been made pursuant to § 505.3. In addition the record required in subdivision (vii) of this subparagraph shall be kept for all employees engaged in the project or production assisted by the grant.

- (i) Name,
- (ii) Home address,
- (iii) Occupation,
- (iv) Basic unit of compensation (such as the amount of a weekly or monthly salary, talent or performance fee, hourly rate or other basis on which compensation is computed), including fringe benefits or amounts paid in lieu thereof,
- (v) Work performed for each pay period expressed in terms of the total units of compensation fully and partially completed,
- (vi) Total compensation paid each pay period, deductions made, and date of payment, including amounts paid for fringe benefits and the person to whom they were paid, and
- (vii) Brief description of any injury incurred while performing under the grant and the dates and duration of disability.

Such records shall be kept for a period of 2 years after completion of the project or production to which they pertain.

(2) The grantee shall permit the Administrator and the Director or their representatives to investigate and gather data regarding the wages, hours, safety, health, and other conditions and practices of employment related to the project or production, and to enter and in-

spect such project or production and such records (and make such transcriptions thereof), question such employees and investigate such facts, conditions, practices, or matters as he may deem necessary or appropriate to determine whether the grantee has violated the labor standards contemplated by section 5(j) of the Act, or which may aid in the enforcement of such standards.

(c) *Determination of adequacy.* The Administrator and Director shall determine the adequacy of assurances within each of their respective areas of responsibilities, given pursuant to paragraphs (a) and (b) of this section and may revise their determination at any time.

§ 505.6 Safety and health standards.

(a) *Standards.* (1) In order to avoid any undue hardship on the part of the grantee and until such time that the Secretary has the opportunity to study in depth the production of the arts and related projects in light of the safety and hazards related thereto, and subsequently identify the need to develop more definitive regulations, compliance with applicable standards, specifications and codes of the U.S. Government and those standards and codes, developed, utilized, referred to, or adopted by nationally recognized professional engineering, scientific and technical societies will be accepted by the Secretary as prima facie evidence of compliance with the safety and health requirements pursuant to subsection 5(j) (2) of the Act.

(2) The National Bureau of Standards, United States of America Standards Institute, National Fire Protection Association, American Society of Mechanical Engineers, and the American Society for Testing and Materials are among those referred to above as nationally recognized.

(b) *Amendments.* The Secretary shall, as the need dictates, expand, contract or withdraw any of the standards or codes referred to in paragraph (a) of this section and develop more definitive criteria in standards and code areas requiring clarification and/or interpretation. When such changes are made and proposed, interested parties shall be advised by public notice or public hearing and shall be afforded the opportunity to respond with their views and comments in the manner prescribed under the administrative procedures.

(c) *Assurances.* Unless the grantee seeks variation from complying with the prescribed standards and procedures set forth in this Part 505 and specifically those safety and health standards set forth in this section, initial assurances of compliance shall be executed on USDL Form No. 1-297.

(d) *Variations.* (1) If variations from prescribed safety and health standards are sought because of practical difficulties or unnecessary hardships, the Secretary in his discretion may make variations from the requirements of this section and permit the use of other or alternate means if the safety and health of performers and those related to the production will be equally secure thereby.

(2) Any person or organization affected by the requirements of this section may request the Secretary to grant such variation, stating in writing the grounds on which his request is based. He must also identify the specific standard. It is incumbent upon the person or organization to present valid, technical and competent proof that his alternate proposal will meet the criteria and intent of the standard sought to be varied. Any requests for safety variation shall be sent to the Director, Bureau of Labor Standards, U.S. Department of Labor, Washington, D.C. 20210.

(3) Any authorization by the Secretary of the variation shall be in writing and shall describe the conditions under which the variation shall be permitted. An index record of all variations shall be kept in the Office of the Director and shall be open to public inspection.

§ 505.7 Failure to comply.

The Secretary's representatives shall maintain a list of those grantees who are considered to be responsible for instances of failure to comply with the obligation of the grantees specified in section 5(j) (1) and (2) of the Act, which are considered to have been willful or of such nature as to cast doubt on the reliability of formal assurances subsequently given and there shall be maintained a similar list where adjustment of the violations satisfactory to the Secretary was not properly made. Assurances from persons or organizations on either such list or any organization in which they have a substantial interest shall be considered inadequate until such time as they may, by appropriate application to the Secretary, achieve their removal from such lists.

[F.R. Doc. 67-3056; Filed, Mar. 20, 1967; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-12—LABOR

Application of Contract Work Hours Standards Act

This amendment changes Subparts 1-12.3 and 1-12.4 of the Federal Procurement Regulations. It reflects the revision of 29 CFR 5.14 by the Department of Labor (see 32 F.R. 1087, Jan. 31, 1967), which provides for the inclusion of Eniwetok Atoll, Kwajalein Atoll, and Johnston Island within the geographic areas subject to the Contract Work Hours Standards Act (40 U.S.C. 327 et seq.), prescribes a tolerance granted by the Department for use in administering the overtime provisions of the Act within those areas, and provides specifically that the Act applies to construction contracts with States and political subdivisions thereof.

Subpart 1-12.3—Contract Work Hours Standards Act (Other Than Construction Contracts)

1. Section 1-12.302 is amended to prescribe a revision of paragraph (d) which reads as follows:

§ 1-12.302 Applicability.

(d) Contracts under which work is to be performed solely within a foreign country or within a territory under the jurisdiction of the United States other than a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Outer Continental Shelf Lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331), American Samoa, Guam, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, and the Canal Zone. (See § 1-12.304(b) for applicable tolerances.)

2. Section 1-12.303 is amended as follows:

§ 1-12.303 Contract clause.

The contract clause set forth in this § 1-12.303 shall be included in contracts in accordance with the provisions of §§ 1-12.301 and 1-12.302. The clause may be modified as necessary in order to comply with the provisions of § 1-12.304(b).

3. Section 1-12.304 is revised to read as follows:

§ 1-12.304 Variations and tolerances.

(a) *General.* Variations and tolerances from the provisions of this subpart which are granted under section 105 of the Contract Work Hours Standards Act by the Secretary of Labor in the case of any contract work for which such variations and tolerances have been provided (29 CFR 5.14) shall be deemed to satisfy the requirements of § 1-1.009 of this chapter.

(b) *Overtime compensation on Eniwetok Atoll, Kwajalein Atoll, and Johnston Island.* Beginning February 1, 1967, and ending January 31, 1969, the employment in excess of 40 hours per week of laborers and mechanics engaged in work on contracts subject to the Contract Work Hours Standards Act on Eniwetok Atoll, Kwajalein Atoll, and Johnston Island shall not be deemed to result in any liability for unpaid overtime wages or liquidated damages under the Contract Work Hours Standards Act on the part of any contractor or subcontractor employing such employees, so long as such employees at work in such locations are paid overtime wages at the required rates for all hours worked on such contracts in any workweek in excess of 8 in any workday or in excess of 44 in the workweek during the period from February 1, 1967, through January 31, 1968, inclusive, and in excess of 8 in any workday or in excess of 42 in any workweek during the period beginning

February 1, 1968, and ending January 31, 1969, and provided such employees are paid overtime compensation as may be required by any other applicable law or collective bargaining agreement.

Subpart 1-12.4—Labor Standards in Construction Contracts

Section 1-12.403-3 is revised to read as follows:

§ 1-12.403-3 Contracts with a State or political subdivision.

In the case of construction contracts in excess of \$2,000 with a State or political subdivision thereof, the contract clauses required by § 1-12.403-1 shall be inserted therein but shall be prefaced by the following provision:

The Contractor agrees to comply with the requirements of the following clauses regarding the Contract Work Hours Standards Act, to provide for similar compliance in subcontracts with States or political subdivisions thereof, and to insert the following clauses in all subcontracts hereunder with private persons or firms.

(Sec. 205(c), 63 Stat. 380; 40 U.S.C. 486(c))

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

Dated: March 15, 1967.

LAWSON B. KNOTT, JR.,
Administrator of General Services.

(F.R. Doc. 67-3057; Filed, Mar. 20, 1967; 8:48 a.m.)

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Parts 1012, 1013]

[Docket Nos. AO 347-A6, AO 286-A13]

MILK IN TAMPA BAY AND SOUTH-EASTERN FLORIDA MARKETING AREAS

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held on April 6, 1967, at the International Inn, Corner of West Shore and Kennedy Boulevard, Tampa, Fla., beginning at 10 a.m., and on April 7, 1967, at the Everglades Hotel, 244 Biscayne Boulevard, Miami, Fla., beginning at 9 a.m., with respect to proposed amendments to the tentative marketing agreements and to the orders, regulating the handling of milk in the Tampa Bay and South-eastern Florida marketing areas.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Independent Dairy Farmers' Association, Inc.:

Proposal No. 1. Delete the last sentence of § 1013.50 which defines the basic formula price and substitute the following: "However, for the purpose of computing the Class I price for the month of July 1967, the basic formula price shall not be less than \$4.05."

Proposal No. 2. Amend § 1013.51(a) to read as follows:

§ 1013.51 Class price.

(a) **Class I Price.** Subject to the provisions of subparagraphs (1) and (2) of this paragraph, the Class I price for the months of July 1967 through June 1968 shall be the basic formula price for the preceding month plus \$3.20.

(1) Adjust the price computed in accordance with this paragraph (a) to reflect supply-demand conditions, by the following procedure:

(i) From the percentage representing the ratio of producer receipts to gross Class I disposition during each of the

three months ended with the second preceding month, as reported by the market administrator, for Southeastern Florida, Tampa Bay, and Upper Florida, respectively, subtract the seasonal adjustment factors listed below:

Month	Seasonal adjustment factor
January	-1.8
February	-5.4
March	-1.7
April	1.8
May	6.3
June	10.2
July	4.6
August	-4
September	-5.5
October	-3.6
November	-2.5
December	-2.4

(ii) Compute a simple average of the adjusted supply-demand ratios for each of the three markets for the 3 months ended with the second preceding month.

(iii) Combine the 3-month average ratios determined in accordance with subdivision (ii) of this subparagraph into a weighted average for the three markets, giving the ratio for Southeastern Florida a weight of two and the ratios for Tampa Bay and Upper Florida each a weight of one. The result is the supply-demand adjustment ratio for the month.

(iv) In accordance with the supply-demand adjustment schedule given below, determine the amount of adjustment to be applied to the Class I formula price as computed under this paragraph.

SUPPLY-DEMAND ADJUSTMENT SCHEDULE

Supply-demand adjustment ratio	Class I price adjustment (cents)
Less than 108.5	Plus 30.
108.5-110.4	Plus 20.
110.5-112.4	Plus 10.
112.5-115.4	None.
115.5-117.4	Minus 10.
117.5-119.4	Minus 20.
119.5 and over	Minus 30.

(2) The price calculated by adding or subtracting the amount determined in accordance with subparagraph (1) of this paragraph, shall be further adjusted, whenever necessary, to conform to the following restrictions:

(i) The prices for April, May, and June shall not be higher than the average of the prices effective for the preceding months of January, February, and March.

(ii) The prices for August, September, October, and November shall not be lower than the average of the prices effective for the preceding months of May, June, and July.

Proposal No. 3. Amend § 1013.41(c) (5) to read as follows:

(5) Skim milk and butterfat, respectively, in shrinkage at each pool plant

(except in milk diverted to a nonpool plant pursuant to § 1013.16) but not in excess of:

(i) 2 percent of producer milk purchased on the basis of farm weights;
(ii) Plus 1.5 percent of producer milk purchased on other than farm weights including producer milk received from a handler pursuant to § 1013.13(d): *Provided*, That if the handler receiving milk from a handler pursuant to § 1013.13(d) files notice with the market administrator that he is purchasing such milk on the basis of farm weights, the applicable percentage pursuant to this subdivision shall be 2 percent;

(iii) Plus 1.5 percent of bulk fluid milk products received from other pool plants;

(iv) Plus 1.5 percent of bulk fluid milk products received from other order plants exclusive of the quantity for which Class II or Class III utilization was requested by the operators of both plants;

(v) Plus 1.5 percent of bulk fluid milk products from unregulated supply plants exclusive of the quantity for which Class II or Class III utilization was requested by the handler; and

(vi) Less 1.5 percent of bulk fluid milk products transferred to other plants; and **Proposal No. 4.** Amend § 1013.44(c) (1) to read as follows:

(1) The transferring or diverting handler claims classification in Class II, Class III, or Class IV in his report submitted to the market administrator pursuant to § 1013.30.

Proposal No. 5. Amend § 1013.44(c) (3) (iv) to read as follows:

(iv) To the extent that Class I utilization is not so assigned to it, the skim milk and butterfat in fluid milk products so transferred shall be classified, to the extent available, as Class IV milk, then Class III milk, and any remainder as Class II milk.

Proposal No. 6. Amend § 1012.50 by deleting the last sentence and substituting the following:

For the purpose of computing the Class I price for July 1967 the basic formula price shall not be less than \$4.05.

Proposal No. 7. Amend § 1012.51(a) to read as follows:

§ 1012.51 Class prices.

(a) **Class I Price.** Subject to the provisions of subparagraphs (1) and (2) of this paragraph, the Class I price for the months of July 1967 through June 1968 shall be the basic formula price plus \$3.

(1) Adjust the price computed in accordance with this paragraph (a) to reflect supply-demand conditions, by the following procedure:

(i) From the percentage representing the ratio of producer receipts to gross Class I disposition during each of the 3 months ended with the second preceding

month, as reported by the market administrator, for Southeastern Florida, Tampa Bay and Upper Florida, respectively, subtract the seasonal adjustment factors listed below:

Month	Seasonal adjustment factors
January	-1.8
February	-5.4
March	-1.7
April	1.8
May	6.3
June	10.2
July	4.6
August	4
September	-5.5
October	-3.6
November	-2.5
December	-2.4

(ii) Compute a simple average of the adjusted supply-demand ratios for each of the three markets for the 3 months ended with the second preceding month.

(iii) Combine the 3-month average ratios determined in accordance with subdivision (ii) of this subparagraph into a weighted average for the three markets, giving the ratio for Tampa Bay a weight of two and the ratios for Southeastern Florida and Upper Florida each a weight of one. The result is the supply-demand adjustment ratio for the month.

(iv) In accordance with the supply-demand adjustment schedule given below, determine the amount of adjustment to be applied to the Class I formula price as computed under this paragraph (a).

SUPPLY-DEMAND ADJUSTMENT SCHEDULE

Supply-demand adjustment ratio	Class I price Adjustment (cents)
Less than 108.5	Plus 30.
108.5-110.4	Plus 20.
110.5-112.4	Plus 10.
112.5-115.4	None.
115.5-117.4	Minus 10.
117.5-119.4	Minus 20.
119.5 and over	Minus 30.

(2) The price calculated by adding or subtracting the amount determined in accordance with subparagraph (1) of this paragraph, shall be further adjusted, whenever necessary, to conform to the following restrictions:

(i) The prices for April, May, and June shall not be higher than the average of the prices effective for the preceding months of January, February, and March.

(ii) The prices for August, September, October, and November shall not be lower than the average of the prices effective for the preceding months of May, June, and July.

Proposal No. 8. Amend § 1012.41(c) (5) to read as follows:

(5) Skim milk and butterfat, respectively, in shrinkage at each pool plant (except in milk diverted to a nonpool plant pursuant to § 1012.16) but not in excess of:

(i) 2 percent of producer milk purchased on the basis of farm weights;

(ii) Plus 1.5 percent of producer milk purchased on other than farm weights including producer milk received from a handler pursuant to § 1012.13(d): *Provided*, That if the handler receiving milk

from a handler pursuant to § 1012.13(d) files notice with the market administrator that he is purchasing such milk on the basis of farm weights, the applicable percentage pursuant to this subdivision shall be 2 percent;

(iii) Plus 1.5 percent of bulk fluid milk products received from other pool plants;

(iv) Plus 1.5 percent of bulk fluid milk products received from other order plants exclusive of the quantity for which Class II or Class III utilization was requested by the operators of both plants;

(v) Plus 1.5 percent of bulk fluid milk products from unregulated supply plants exclusive of the quantity for which Class II and Class III utilization was requested by the handler; and

(vi) Less 1.5 percent of bulk fluid milk products transferred to other plants; and

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 9. Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the orders may be procured from the Market Administrator, John D. Nord, Post Office Box 4886, Room 113, Professional Building, Sunrise Center, Fort Lauderdale, Fla. 33304; or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on March 15, 1967.

CLARENCE H. GIRARD,
Deputy Administrator
Regulatory Programs.

[P.R. Doc. 67-3048; Filed, Mar. 20, 1967; 8:47 a.m.]

[7 CFR Part 1201]

HANDLING OF TYPE 62 SHADE-GROWN CIGAR-LEAF TOBACCO GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA AND GEORGIA

Expenses and Fixing of Rate of Assessment for 1967-68

Consideration is being given to the following proposals submitted by the Control Committee, established under the amended marketing agreement and Amended Order No. 195 (7 CFR Part 1201), regulating the handling of type 62 shade-grown cigar-leaf tobacco grown in designated production area of Florida and Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof:

(a) Expenses in the amount of \$8,500 are reasonable and likely to be incurred by the Control Committee for its maintenance and functioning during the fiscal period ending January 31, 1968.

(b) The following rate of assessment which each handler who first handles tobacco shall pay, in accordance with the applicable provisions of the said amended marketing agreement and amended order, is hereby fixed as such handler's pro rata share of the aforesaid expenses: \$1.25 per 1,000 pounds of tobacco handled by such handler as the first handler thereof during the fiscal period ending January 31, 1968.

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

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals should file the same, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 15th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to the notice will be made available for public inspection at the office of the Hearing Clerk during official hours of business.

Done at Washington, D.C., this 9th day of March 1967.

STEPHEN E. WRATHER,
Director, Tobacco Division,
Consumer and Marketing
Service.

[P.R. Doc. 67-3049; Filed, Mar. 20, 1967; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 39]

[Docket No. 8035]

AIRWORTHINESS DIRECTIVES

Rolls-Royce Spey Model 506-14 Engines

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Rolls-Royce Spey Model 506-14 engines. There have been instances of failure of the C.A.S.C. 105 Lucas fuel flow control due to wear of the splines on the input drive assembly. Since this condition is likely to exist or develop in other engines of the same design, the proposed AD would require inspections of the input drive assembly at intervals not to exceed 800 hours' time in service and, if an inspection discloses wear, the incorporation of Rolls-Royce Modification 3258.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20553. All communications received on or before April 20, 1967, will be considered by the Administrator before taking action upon

the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

Rolls Royce. Applies to Spey Model 506-14 engines.

Compliance required as indicated, unless already accomplished.

To prevent failure of the C.A.S.C. 105 Lucas fuel flow control installed on Spey Model 506-14 engines due to wear of the splines on the input drive assembly, accomplish the following:

(a) For fuel flow controls with 700 or more hours' total time in service on the effective date of this AD and that have not been overhauled, comply with paragraph (e) within the next 100 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(b) For fuel flow controls with less than 700 hours' total time in service on the effective date of this AD and that have not been overhauled, comply with paragraph (e) before the accumulation of 800 hours' total time in service, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(c) For fuel flow controls that have been overhauled and that on the effective date of this AD, have 700 or more hours' time in service since overhaul, comply with paragraph (e) within the next 100 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(d) For fuel flow controls that have been overhauled and that on the effective date of this AD have less than 700 hours' time in service since overhaul, comply with paragraph (e) before the accumulation of 800 hours' time in service since overhaul, and thereafter at intervals not to exceed 800 hours' time in service from the last inspection.

(e) Inspect the input drive assembly, in accordance with Rolls-Royce Service Bulletin Number SP 73-A109 dated February 2, 1967, or later ARB-approved issue. If wear is found, incorporate Rolls-Royce Modification 3258 before further flight.

(f) The repetitive inspection required by paragraphs (a) through (d) may be discontinued upon incorporation of Modification 3258.

Issued in Washington, D.C., on March 14, 1967.

JAMES F. RUDOLPH,
Acting Director,
Flight Standards Service.

[P.R. Doc. 67-3025; Filed, Mar. 20, 1967; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-EA-17]

FEDERAL AIRWAY

Proposed Alteration

The Federal Aviation Agency is considering an amendment to Part 71 of the

Federal Aviation Regulations that would realign V-210 from Carrolltown, Pa., via the intersection of Carrolltown 091° True (097° Mag.) and Harrisburg, Pa., 292° True (300° Mag.) radials, to Harrisburg. This segment of V-210 is presently designated from Carrolltown via the intersection of Carrolltown 114° True and Harrisburg 274° True radials to Harrisburg.

This action would provide lateral separation from V-12 west of Harrisburg for westbound departures from Harrisburg-York State Airport and Olmsted Air Force Base.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communication 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.

This action is proposed in accordance with section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 14, 1967.

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

[P.R. Doc. 67-3032; Filed, Mar. 20, 1967; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-WE-5]

FEDERAL AIRWAY

Proposed Designation

The Federal Aviation Agency is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a west alternate to VOR Federal airway No. 187.

On June 22, 1967, a VOR will be commissioned in the vicinity of Cody, Wyo., at approximately latitude 44°37'15" N., longitude 108°57'53" W. It is proposed to designate a W alternate to V-187 from Boysen Reservoir, Wyo., 9 miles, 1,200 feet AGL, 56 miles, 9,100 feet MSL, 1,200 feet AGL via Cody, 1,200 feet AGL to Billings, Mont. The airspace between the main and this W alternate would be excluded.

Designation of the proposed W alternate airway would provide controlled airspace within which air traffic control

service can be provided to scheduled air carrier aircraft operating between Boysen Reservoir, Cody, and Billings. The 1,200 feet AGL floors are required for climb from the surface to minimum en route altitudes and for aeronautical chart legibility.

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, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. 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.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 14, 1967.

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

[P.R. Doc. 67-3033; Filed, Mar. 20, 1967; 8:45 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-SW-57]

CONTROL ZONE

Withdrawal of Notice of Proposed Rule Making

On January 19, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 615) stating that the Federal Aviation Agency was considering an amendment to Part 71 of the Federal Aviation Regulations which would alter controlled airspace in the Houston, Tex., terminal area.

Subsequent to the publication of the notice, an analysis was made of the two instrument approach procedures which prompted the proposed alteration of controlled airspace, i.e., AL-198-VOR/DME-2, and AL-198-VOR/DME-3. It was found that by specifying a minimum crossing altitude over the final approach fix in these two instrument approach procedures, the proposed control zone extensions would be unnecessary. This action was taken accordingly to eliminate the need for additional controlled airspace.

In consideration of the foregoing, Airspace Docket No. 66-SW-57 and the proposal set forth therein are hereby withdrawn.

This withdrawal of notice of proposed rule making is made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Fort Worth, Tex., on March 9, 1967.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 67-3030; Filed, Mar. 20, 1967;
8:45 a.m.]

[14 CFR Part 73]

[Airspace Docket No. 67-EA-11]

RESTRICTED AREA

Proposed Designation

The Federal Aviation Agency (FAA) is considering an amendment to Part 73 of the Federal Aviation Regulations which would establish a restricted area near Cedar Point, Ohio.

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 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: 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 Department of the Navy has submitted a request for the designation of restricted airspace at Cedar Point, Ohio, to contain bombing and rocket firing exercises. These exercises are conducted by naval aircraft out of the U.S. Naval Air Station Grosse Ile, Mich., in maintaining combat readiness. These

Navy activities are now conducted in Restricted Area R-5502 Lacarne, Ohio. R-5502 is an Army restricted area and at the request of the Army this area is being reduced in size. The modified R-5502 will no longer meet Navy requirements. A portion of the proposed Navy restricted area is in airspace previously included in R-5502. The FAA has determined that the requested airspace would not interfere with any airways.

If this proposal is adopted, the following would be added to Part 73 of the Federal Aviation Regulations.

R-5505 CEDAR POINT, OHIO

Boundaries: A circle with a 5-nautical-mile radius centered at latitude 41°46'40" N., longitude 83°13'00" W.

Designated altitudes: Surface to 3,000 feet.
Time of designation: Saturdays and Sundays, May through November, sunrise to sunset; other dates and times during these months by NOTAM 48 hours in advance.

Controlling agency: Federal Aviation Agency, Toledo CS/T.

Using agency: Commanding Officer, U.S. Naval Air Station, Grosse Ile, Mich.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on March 13, 1967.

H. B. HELSTROM,
Chief, Airspace and Air
Traffic Rules Division.

[F.R. Doc. 67-3034; Filed, Mar. 20, 1967;
8:46 a.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 206]

[Reg. F]

SECURITIES OF MEMBER STATE BANKS

Proposed Form for Registration of Certain Securities

The Board of Governors is considering the adoption of a new form F-10¹ for

¹Filed as part of the original document. Copies are available on request to the Board of Governors of the Federal Reserve System.

use by a member State bank in registering additional classes of securities under the Securities Exchange Act of 1934. The proposed form would be used either (a) for registration pursuant to section 12(g) of the Act of any class of securities of a bank which has one or more other classes of securities registered pursuant to either section 12(b) or (g) of the Act, or (b) for registration on a national securities exchange pursuant to section 12(b) of the Act of any class of securities of a bank which has one or more other classes of securities so registered on the same securities exchange. Since in these situations information concerning the member State banks is already publicly available, the proposed registration form would require less information than would be required to be contained in an original registration statement filed on Federal Reserve Form F-1.

This notice is published pursuant to section 553(b) of Title 5, United States Code, and section 1(b) of the rules of procedure of the Board of Governors of the Federal Reserve System (12 CFR 262.1(b)).

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than 15 days from publication of this notice in the FEDERAL REGISTER.

Dated at Washington, D.C., this 14th day of March 1967.

By order of the Board of Governors.

[SEAL]

MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-3036; Filed, Mar. 20, 1967;
8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[I-841]

IDAHO

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

MARCH 14, 1967.

Notice of an application Serial No. I-841, for withdrawal and reservation of lands was published as F.R. Doc. No. 67-1770 on page 2979 of the issue for February 16, 1967. The Bureau of Reclamation has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Subpart 2311, such lands will be at 10 a.m., on March 29, 1967, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

BOISE MERIDIAN, IDAHO

- T. 11 S., R. 16 E.
 Sec. 22, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 12 S., R. 17 E.
 Sec. 1, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Sec. 7, lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 Sec. 10, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
 Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$.
 T. 12 S., R. 18 E.
 Sec. 6, E $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 T. 11 S., R. 19 E.
 Sec. 6, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 1,787.72 acres.

ORVAL G. HADLEY,
 Manager, Land Office.

[F.R. Doc. 67-3038; Filed, Mar. 20, 1967;
 8:46 a.m.]

[I-833]

IDAHO

Notice of Proposed Withdrawal and Reservation of Lands

MARCH 14, 1967.

The Department of Agriculture has filed an application, Serial Number I-833, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for public purposes for five administrative sites, eight recreation sites, a seed orchard,

one historical trail and three historical trail sites in the Payette and Salmon National Forests.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box 2237, Boise, Idaho 83701.

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

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

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

PAYETTE NATIONAL FOREST

Cougar Basin Recreation Area

- T. 14 N., R. 2 E.
 Sec. 5, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.
 Totaling 20 acres.

Boulder Creek Seed Orchard

- T. 21 N., R. 1 E.
 Sec. 17, S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Totaling 60 acres.

Nelson Point Lookout Administrative Site

- T. 23 N., R. 7 E., unsurveyed.
 Sec. 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as beginning at a point which is N. 56° E., 3.5 chains from northeast corner of the lookout tower; thence S., 6 chains; thence W., 8 chains; thence N., 6 chains; thence E., 8 chains to the point of beginning.
 Totaling 4.8 acres.

Pilot Peak Lookout Administrative Site

- T. 21 N., R. 8 E., unsurveyed.
 Sec. 7, NE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as beginning at a point which is N. 67° W., 3.62 chains from the northwest corner of the lookout tower; thence E., 8 chains; thence S., 6 chains; thence W., 8 chains; thence N., 6 chains to the point of beginning.
 Totaling 4.8 acres.

Hays Station Administrative Site

- T. 22 N., R. 7 E., unsurveyed.
 Sec. 26, SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as beginning at a point where the Hettinger Ranch Road crosses China Creek; thence E., 9.5 chains; thence S., 17 chains; thence W., 23 chains; thence N., 17 chains; thence E., 13.5 chains to the place of beginning.
 Totaling 39.1 acres.

War Eagle Lookout Administrative Site

- T. 23 N., R. 5 E.
 Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.
 Totaling 5 acres.

Pine Flat Recreation Area

- T. 24 N., R. 4 E.
 Sec. 9, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, located at the mouth of a small unnamed creek which enters the south side of Salmon River about one-half mile upstream from Fall Creek, more particularly described as: Beginning where the unnamed creek enters Salmon River; thence southerly along the high water line 330 feet; thence E., 495 feet; thence N., approximately 495 feet to the south bank of Salmon River; thence southwesterly along the high water line of the river approximately 462 feet to the point of beginning.
 Totaling 4.2 acres, more or less.

SALMON NATIONAL FOREST

Twelve Mile Creek Recreation Area

- T. 20 N., R. 22 E.
 Sec. 31, S $\frac{1}{2}$ of lot 6.
 T. 19 N., R. 22 E.
 Sec. 6, N $\frac{1}{2}$ of lot 1 and N $\frac{1}{2}$ of lot 2.
 Totaling 40.73 acres.

Sheephorn Lookout Administrative Site

- T. 18 N., R. 20 E.
 Sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.
 Totaling 20 acres.

Wallace Lake Recreation Area

- T. 22 N., R. 21 E.
 Sec. 8, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$.
 Totaling 40 acres.

Lake Creek Recreation Area

- T. 20 N., R. 21 E.
 Sec. 33, NW $\frac{1}{4}$ SW $\frac{1}{4}$.
 Totaling 40 acres.

U.P. Lake Recreation Area

- T. 22 N., R. 21 E.
 Sec. 17, W $\frac{1}{2}$ of lot 6.
 Totaling 21.69 acres, more or less.

Horse Creek Hot Springs Recreation Area

- T. 25 N., R. 17 E., unsurveyed, which will probably be when surveyed:
 Sec. 3, NW $\frac{1}{4}$ more particularly described as:

Beginning at a Forest Service Monument, being a brass cap 3 inches in diameter marked U.S. Department of Agriculture, Forest Service, H-1, 1965, set in a granite boulder 5' x 11' x 3 1/2' above ground, said point bearing S. 65° E., 41.7 feet from a 12-inch d.b.h. lodgepole pine blazed and scribed on SE face H1.

W. brass cap bearing N. 28° E., 160 feet from point where Hot Springs enter Horse Creek; thence N. 49° E., 1,157.6 feet along the slope crossing the Horse Creek Road at 562.8 feet; thence S. 49° E., 550.8 feet parallel to Horse Creek crossing mouth of small stream entering Horse Creek at 51 feet; thence S. 69° E., 412.2 feet along stream; thence S. 21° W., 310.8 feet across stream and up steep slope to ridgetop crossing Horse Creek at 28 feet; thence S. 85° W., 695.2 feet down small ridge to flat, crossing small stream at 521.5 feet; thence S. 49° W., 705.8 feet along toe of slope to spruce bog; thence S. 80° W., 477 feet across spruce bog to wet meadow; thence N. 3° W., 317 feet across wet meadow crossing Horse Creek at 221 feet to large rock outcrop crossing road at 300 feet; thence N. 58° E., 133 feet to point of beginning.

Totaling approximately 23.8 acres.

Spring Creek Recreation Area

T. 24 N., R. 19 E., unsurveyed, which probably will be when surveyed:
Sec. 20, NE 1/4, more particularly described as:

Beginning at a point being corner No. 1 of HES No. 280, an iron pipe 2 inches in diameter set in the ground and in a pile of rock, said point bearing S. 57° E., 265 feet from a brass cap 3" in diameter marked U.S. with S1
BR in center and dated 1965, set in a granite rock outcrop 7' x 11' x 10' above ground (lower face) on north side of Salmon River Road; thence S. 15° E., 300.5 feet across wet meadow, crossing slough at 200 feet, to north bank of Salmon River; thence N. 89° E., 203.7 feet along north bank of Salmon River; thence N. 68° E., 276.75 feet; thence N. 70° E., 474.7 feet; thence N. 21° E., 362.3 feet along edge of pine trees and willows; thence N. 41° W., 264 feet across flat to shoulder of the Salmon River Road; thence S. 39° W., 304 feet along edge of road; thence S. 46° W., 402.2 feet along road edge; thence S. 81° W., 199 feet; thence S. 83° W., 286.5 feet to point of beginning.

Totaling approximately 7.9 acres.

Lewis and Clark Historical Trail

T. 19 N., R. 25 E.,
Sec. 9, NW 1/4 SW 1/4 NW 1/4 and S 1/2 SW 1/4 NW 1/4;
Sec. 10, S 1/2 SW 1/4 SE 1/4;
Sec. 14, S 1/2 of lot 2, Lots 3 and 8, NW 1/4 SW 1/4 NE 1/4, S 1/2 SW 1/4 NE 1/4, N 1/2 SW 1/4 NW 1/4, N 1/2 SE 1/4 NW 1/4, N 1/2 NW 1/4 SE 1/4;
Sec. 15, N 1/2 NW 1/4 NE 1/4, SE 1/4 NW 1/4 NE 1/4, NE 1/4 SW 1/4 NE 1/4, N 1/2 SE 1/4 NE 1/4, NE 1/4 NW 1/4.
Totaling 284.95 acres.

Chief Joseph Historical Trail Sites

Area No. 1

T. 17 N., R. 27 E.,
Sec. 8, Lot 4.
Totaling 43.51 acres.

Area No. 2

T. 16 N., R. 27 E.,
Sec. 5, SW 1/4 SW 1/4 SW 1/4;
Sec. 6, SE 1/4 SE 1/4 SE 1/4;
Sec. 7, E 1/2 NE 1/4 NE 1/4, NE 1/4 SE 1/4 NE 1/4;
Sec. 8, W 1/2 NW 1/4 NW 1/4.
Totaling 70 acres.

Area No. 3

T. 14 N., R. 26 E.,
Sec. 22, S 1/2 SW 1/4 SW 1/4.
Totaling 20 acres.

The areas described aggregate 750.48 acres, more or less, in Adams, Idaho, Lemhi, and Valley Counties, Idaho.

ORVAL G. HADLEY,
Manager, Land Office.

[F.R. Doc. 67-3039; Filed, Mar. 20, 1967;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

AGREEMENT WITH MOHAIR COUNCIL OF AMERICA, INC.

Determination of Producers' Approval in Referendum

Pursuant to section 708 of the National Wool Act of 1954, as amended (68 Stat. 912; 7 U.S.C. 1787), a referendum was held among producers of mohair in the United States to determine whether they approved a proposed agreement by the Secretary of Agriculture with the Mohair Council of America, Inc., for developing and conducting mohair advertising and sales promotion programs and for deductions from payments to such producers to be made pursuant to the Act for the marketing years 1966, 1967, 1968, and 1969. Notice of the referendum (32 F.R. 152) published January 7, 1967, included the text of the proposed agreement.

In the referendum held pursuant to the notice, 80.3 percent of the voting producers who were engaged in the production of mohair for market (i.e., anyone who owned Angora goats, 6 months of age or older, located in the United States, continuously during a single period of at least 30 days during the calendar year 1966) voted in favor of the agreement, and the producers voting in favor owned 78.9 percent of the Angora goats owned by all the voting producers. The 1966 calendar year is a representative period of production.

Accordingly, I hereby determine that the agreement has the approval of the number of producers required by the National Wool Act of 1954 since, in the referendum, more than two-thirds of the total number of producers, and producers of more than two-thirds of the total volume of production, represented in the referendum, indicated approval of the agreement.

I have this day signed the agreement and it became effective upon my signature.

(Sec. 708, 68 Stat. 912; 7 U.S.C. 1787)

Signed at Washington, D.C., on March 15, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-3047; Filed, Mar. 20, 1967;
8:47 a.m.]

Consumer and Marketing Service

[Docket No. AO 362]

FROZEN CONCENTRATED ORANGE JUICE IN FLORIDA

Determination Relative to Proposed Marketing Agreement

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held in Lakeland, Fla., on December 19-20, 1966, after notice thereof published in the FEDERAL REGISTER (31 F.R. 15594) upon a proposed marketing agreement regulating the handling of frozen concentrated orange juice in Florida. The decision of the Assistant Secretary setting forth the proposed marketing agreement was published in the FEDERAL REGISTER on January 20, 1967 (32 F.R. 680); and handlers were afforded opportunity to enter into this agreement.

It is hereby determined that the issuance of the proposed marketing agreement regulating the handling of frozen concentrated orange juice in Florida has not been executed by handlers of the requisite quantity of concentrate produced in Florida during the 1965-66 season.

It is hereby further determined that the proposed marketing agreement as set forth in the Assistant Secretary's decision of January 18, 1967 (32 F.R. 680), will not be entered into.

Done at Washington, D.C., this 16th day of March 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-3076; Filed, Mar. 20, 1967;
8:49 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of the Mint

ASSISTANT DIRECTOR ET AL.

Order of Succession of Persons To Act as Director

MARCH 9, 1967.

Under the authority conferred upon me by Treasury Department Order No. 129, Revision No. 2, dated April 22, 1955, it is hereby ordered that the following officers in the Bureau of the Mint, in the order of succession listed, shall act as Director during the absence or disability of that officer:

Assistant Director.
Management Analysis Officer.
Chief Accountant.
Chief, Coin Management, and Public Relations.
Technical Consultant.
Superintendent, Philadelphia Mint.

In the event of an enemy attack on the continental United States and in the

absence of the Director of the Mint, the senior officer present at the site at which the Director's operations are performed, in descending order in the following line of succession, shall act as Director.

Assistant Director.
Management Analysis Officer.
Chief Accountant.
Chief, Coin Management, and Public Relations.
Technical Consultant.
Superintendent, Philadelphia Mint.

In the event of an enemy attack on the continental United States and in the occurrence of a vacancy in the office of the Director of the Mint, the Director's functions shall be deemed to have been transferred, pursuant to the above-mentioned Treasury Department Order, to the senior officer present at the site at which the Director's operations are performed, in the descending order in the line of succession listed in paragraph 2 above.

This order of succession modifies all previous delegations.

[SEAL]

EVA ADAMS,
Director of the Mint.

[F.R. Doc. 67-3072; Filed, Mar. 20, 1967;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

TRUCK INVENTORY AND USE SURVEY

Notice of Consideration

Notice is hereby given that the Bureau of the Census is considering a proposal to conduct a Truck Inventory and Use Survey in advance of the 1967 Census of Transportation. A similar survey was conducted in advance of the 1963 Census of Transportation. Authority for the Survey is contained in Title 13, U.S.C. 131, 181, 224, and 225, as amended.

The Survey will be based on a sample of about 100,000 trucks drawn on a probability basis from State truck license registrations. The information will be obtained by mail questionnaire to owners of the trucks drawn in the sample.

Data will be obtained on the inventory and use of private and for-hire trucks, such as on the number of trucks by body type, number of axles, type of fuel, area of use, major occupational use, annual vehicle miles, driver man-hours per week, and size of operating fleet, as of a specified inventory date. The inventory date for each State will be either April 1 or July 1, depending on reregistration requirements. On the basis of information and recommendations received by the Bureau of the Census, these data will have significant application to the needs of the public and governmental agencies and are not publicly available from other governmental or nongovernmental sources.

Information from the Survey will help to implement a comprehensive public policy on transportation, fill voids in data on highway freight vehicles and their use, and provide data for an inventory of transportation resources needed

for preparedness in event of a civil defense emergency. Copies of the proposed forms and a description of the collection methods are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

The Survey, if conducted, shall begin not earlier than 30 days after the date of this publication in the *FEDERAL REGISTER*.

Any suggestions or recommendations concerning the subject matter of the Survey submitted in writing to the Director within 30 days after this publication will receive consideration.

Dated: March 10, 1967.

A. ROSS ECKLER,
Director, Bureau of the Census.

[F.R. Doc. 67-3021; Filed, Mar. 20, 1967;
8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR METROPOLITAN DEVELOPMENT, REGION III (ATLANTA)

Designation

The officers appointed to the following listed positions in Region III (Atlanta) are hereby designated to serve as Acting Assistant Regional Administrator for Metropolitan Development, Region III, during the absence of the Assistant Regional Administrator for Metropolitan Development, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Metropolitan Development: *Provided*, That no officer is authorized to serve as Acting Assistant Regional Administrator for Metropolitan Development unless all other officers whose titles precede his in this designation are unable to serve by reason of absence:

1. Deputy Assistant Regional Administrator.
2. Director, Program Field Service Division.
3. Chief, Finance Branch.
4. Chief, Engineering Branch.

(Authority delegated effective May 4, 1962 (27 F.R. 4319, May 4, 1962).)

Effective as of the 21st day of March 1967.

EDWARD H. BAXTER,
Regional Administrator, Region III.

[F.R. Doc. 67-3067; Filed, Mar. 20, 1967;
8:49 a.m.]

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR HOUSING ASSISTANCE, REGION VI (SAN FRANCISCO)

Designation

The officers appointed to the following listed positions in Region VI (San Francisco) are hereby designated to serve as Acting Assistant Regional Administrator for Housing Assistance, Region VI (San

Francisco), during the absence of the Assistant Regional Administrator for Housing Assistance, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Housing Assistance, provided that no officer is authorized to serve as Acting Assistant Regional Administrator for Housing Assistance unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Regional Administrator for Housing Assistance.
2. Director, Housing Management Division.
3. Director, Housing Development Division.

Effective as of the 25th day of January 1967.

ROBERT B. PITTS,
Regional Administrator, Region VI.

[F.R. Doc. 67-3068; Filed, Mar. 20, 1967;
8:49 a.m.]

ACTING ASSISTANT REGIONAL ADMINISTRATOR FOR RENEWAL ASSISTANCE, REGION VI (SAN FRANCISCO)

Designation

The officers appointed to the following listed positions in Region VI (San Francisco) are hereby designated to serve as Acting Assistant Regional Administrator for Renewal Assistance, Region VI (San Francisco), during the absence of the Assistant Regional Administrator for Renewal Assistance, with all the powers, functions, and duties redelegated or assigned to the Assistant Regional Administrator for Renewal Assistance: *Provided*, That no officer is authorized to serve as Acting Assistant Regional Administrator for Renewal Assistance unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Regional Administrator for Renewal Assistance.
2. Director, Field Service Division.
3. Chief, Project Planning and Engineering Branch.

The designation effective August 23, 1962 (27 F.R. 8466, Aug. 23, 1962), is hereby revoked.

Effective as of the 25th day of January 1967.

ROBERT B. PITTS,
Regional Administrator, Region VI.

[F.R. Doc. 67-3069; Filed, Mar. 20, 1967;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16236; Order E-24855]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of March 1967.

Agreement adopted by Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association relating to specific commodity rates; Docket 16236, Agreement CAB 19276, R-11 through R-16.

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 IATA letters dated February 17, and March 1, 1967,¹ as set forth in the attachment hereto,² (1) names rates under new commodity descriptions, and (2) names additional rates under existing commodity descriptions. Additionally, the agreement amends the description for Commodity Item 1208, applicable via the North Atlantic, to read: "Hides and Skins N.E.S.—Excluding Furs, Astrakhan and Pelts".³ The new rates reflect reductions ranging from 10.1 to 74.5 percent and are consistent with the present level of specific commodity rates within the applicable areas.

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 19276, R-11 through R-16, be approved provided approval shall not constitute approval of the specific commodity description contained there 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. 67-3053; Filed, Mar. 20, 1967;
8:47 a.m.]

¹ Received in the Board Feb. 20, and Mar. 3, 1967, respectively.

² Attachment filed as part of original document.

³ R-16.

[Docket No. 18248]

LINEA AEREA NACIONAL—CHILE (LAN)

Notice of Prehearing Conference

Application for amendment of foreign air carrier permit to designate Jamaica, West Indies as an intermediate point on the following route: "Between a point or points in Chile, the intermediate points Lima, Peru, Guayaquil, Ecuador, and Panama City, Panama, and the co-terminal points Miami, Fla., and New York, N.Y."

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 29, 1967, at 10 a.m., e.s.t., in Room 701, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., March 15, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-3054; Filed, Mar. 20, 1967;
8:47 a.m.]

[Docket No. 17622]

AIRLIFT INTERNATIONAL, INC., AND SLICK CORP.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on April 11, 1967, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Ross L. Newmann.

In order to facilitate the conduct of the conference, interested parties are instructed to submit on or before April 5, 1967, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., March 16, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-3077; Filed, Mar. 20, 1967;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17231-17233; FCC 67M-437]

ASSOCIATED TELEPHONE ANSWERING SERVICE AND LIBERTY COMMUNICATIONS, INC.

Order Scheduling Hearing

In re applications of John R. Hagan, doing business as Associated Telephone Answering Service, Docket No. 17231, File No. 4885-C2-P-65; for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio

Service at Bridgeport, Conn.; Liberty Communications, Inc., for renewal of licenses for Stations KCC485 and KCC796 in the Domestic Public Land Mobile Radio Service at Trumbull and Devon, Conn.; Docket No. 17232, File No. 2979-C2-R-66, File No. 1065-C2-R-66; for a construction permit to modify the facilities of Station KCC485 in the Domestic Public Land Mobile Radio Service at Trumbull, Conn., Docket No. 17233, File No. 6893-C2-P-65.

It is ordered, This 7th day of March 1967 that Charles J. Frederick shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on May 15, 1967, at 10 a.m.; and that a prehearing conference shall be held on April 4, 1967, commencing at 9 a.m.; *And, it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-3058; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket Nos. 17234-17241; FCC 67M-434]

CATV OF ROCKFORD, INC., ET AL.

Order Scheduling Hearing

In re petitions by CATV of Rockford, Inc., Rockford, Ill., Docket No. 17234, File Nos. CATV 100-23, 100-39; Rockford Community Television, Inc., Loves Park, Ill., Docket No. 17235, File No. CATV 100-68; TV Cable Company of Stephenson County, Freeport, Ill., Docket No. 17236, File No. CATV 100-105; Beloit Community Television Services, Inc., Beloit, Wis., Docket No. 17237, File No. CATV 100-92; Television Wisconsin, Inc., Whitewater, Wis., Docket No. 17238, File No. CATV 100-26; Whitewater Cable Corp., Whitewater, Wis., Docket No. 17239, File No. CATV 100-37; Jefferson Cable Corp., Jefferson, Wis., Docket No. 17240, File No. CATV 100-51; Total TV, Inc., Janesville, Wis., Docket No. 17241, File No. CATV 100-13; for authority pursuant to § 74.1107 to serve and operate CATV systems in the Milwaukee, Wis., Market (24), Madison, Wis., Market (80), and Rockford, Ill., Market (99).

It is ordered, This 7th day of March 1967, that Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on April 24, 1967, at 10 a.m.; and that a prehearing conference shall be held on March 28, 1967, commencing at 9 a.m.; *And, it is further ordered*, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-3059; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket Nos. 16589, 16848; FCC 67M-431]

COLUMBIA BROADCASTING SYSTEM, INC. (WCAU) AND PLAINS BROADCASTING CO. (KGYN)**Order Continuing Hearing**

In re applications Columbia Broadcasting System, Inc. (WCAU), Philadelphia, Pa., Docket No. 16589, File No. BP-15446; The Plains Broadcasting Co. (KGYN), Guymon, Okla., Docket No. 16848, File No. BP-17192; for construction permits.

It is ordered, This 15th day of March 1967, that the consent motion for extension of time filed by counsel for Columbia Broadcasting System, Inc. (WCAU) on March 15, 1967, is granted, and (a) the time for the preliminary exchange of applicants' exhibits is extended from March 15, to March 31, 1967, and (b) the hearing is rescheduled from March 27, to April 12, 1967, at 10 a.m.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] BEN F. WAPLE,
Secretary.[P.R. Doc. 67-3060; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket Nos. 17200-17208; FCC 67M-444]

FETZER CABLE VISION ET AL.**Order Continuing Hearing**

In re petitions by Fetzer Cable Vision, Kalamazoo, Mich., Docket No. 17200, File No. CATV 100-12; Booth American Co., North Muskegon, Muskegon, Muskegon Township, Muskegon Heights, Norton Township, and Roosevelt Park, Mich., Docket No. 17201, File No. CATV 100-45; Allegan Tele-Caption, Inc., Allegan, Mich., Docket No. 17202, File No. CATV 100-116; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Gand Rapids-Kalamazoo Market (ARB-36); and in re petitions by Jackson TV Cable Co., Jackson and Blackman Township, Mich., Docket No. 17203, File No. CATV 100-83; Coldwater Cablevision, Inc., Coldwater, Mich., Docket No. 17204, File No. CATV 100-111; Calhoun Telephone Cable Television Co., Homer, Mich., Docket No. 17205, File No. CATV 100-126; Gross Telecasting, Inc., Lansing, Mich., Docket No. 17206, File No. CATV 100-131; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Lansing Television Market (ARB-48); and in re petitions by Triad Cablevision, Inc., Albion, Marshall, Battle Creek, Battle Creek Township, Emmett Township, Bedford Township, Pennfield Township, and Springfield, Mich., Docket No. 17207, File No. CATV 100-14; Wolverine Cable Vision, Inc., Albion, Marshall, Battle Creek, Battle Creek Township, and Springfield Mich., Docket No. 17208, File No. CATV 100-49; for authority pursuant to § 74.1107 of the rules to operate CATV systems in the Grand Rapids-Kalamazoo and Lansing Television Markets.

Pursuant to a hearing conference as of this date: It is ordered, This 15th day of

March 1967, that the hearing herein now scheduled for April 25, 1967, be and the same is continued without date: And, it is further ordered, That there will be a further hearing conference on April 25, 1967, 9 a.m., in the Commission's offices, Washington, D.C.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] BEN F. WAPLE,
Secretary.[P.R. Doc. 67-3061; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket Nos. 17070-17072; FCC 67R-90]

KLRA, INC. ET AL.**Memorandum Opinion and Order
Enlarging Issues**

In re applications of KLRA, Inc., Little Rock, Ark., Docket No. 17070, File No. BPH-4707; KAAAY, Inc., Little Rock, Ark., Docket No. 17071, File No. BPH-5250; The Valley Corp., Little Rock, Ark., Docket No. 17072, File No. BPH-5403; for construction permits.

1. Each of the above listed applicants seeks authority to construct a new FM station utilizing 98.5 mc/s, Ch. 253, at Little Rock, Ark. KLRA, Inc. (KLRA), and KAAAY, Inc. (KAAAY), are each the licensee of a standard broadcast station in Little Rock, and The Valley Corp. (Valley) is the licensee of KMAG FM at Fort Smith, Ark. The above described mutually exclusive applications were designated for hearing by Commission Order, FCC 66-1193, on a financial qualifications issue as to Valley and a standard comparative issue. KAAAY, Inc. (KAAAY), has now petitioned the Board to add a staffing and financial issues as to KLRA and a 1 mv/m overlap issue as to Valley.¹

2. To support its request for the added issues as to KLRA, KAAAY points out that the original KLRA FM proposal would be 100 percent duplication of the standard broadcast station programming. KLRA subsequently amended its application to indicate that only 40 percent of its FM programming would duplicate the AM programming. KAAAY contends that there is uncertainty whether the seven employees listed in response to question 31 of section IV A of the application, as amended, were for the FM station or the combined AM-FM operation. Furthermore, KAAAY points out that the balance sheet relied upon by KLRA shows liquid assets of only \$5,899 more than cash outlay for equipment the first year. This, KAAAY argues, is not sufficient to pay the pre-air and installation cost plus the added first year's operational costs which will inevitably result from originating 76 hours of programming each week. KAAAY therefore urges that issues concerning KLRA staffing proposal and its financial qualifications be included in the hearing.

¹The following pleadings are before the Board for consideration: Petition for Addition of Issues, filed Jan. 23, 1967, by KAAAY, Inc.; Broadcast Bureau's Comments on Petition to Enlarge Issues, filed Feb. 7, 1967.

3. The Board does not find any ambiguity or uncertainty as to KLRA's staffing proposal. KLRA noted in the amendment to its application that it would staff its proposed FM station with seven employees. This is quite clear to the Board.² The staffing issue will therefore be denied. There are however a number of uncertainties and ambiguities with respect to the KLRA financial proposal which warrant the inclusion of issues concerning that aspect of the proposal. The Balance Sheet relied upon by KLRA was not current as of the date the application was filed and it is now 4 years old. In these circumstances we cannot ascertain with sufficient certainty the current financial condition of KLRA.³ Furthermore, KLRA made no estimate as to annual operating costs for its proposed FM station, stating " * * * since the service to be provided by applicant's new FM station will be a duplicated operation with KLRA". Nor did it include such an estimate at the time it amended its application to reflect its changed programming proposal. As amended the proposed station would originate 76 hours of programming each week. It is inevitable that such an operation will result in substantial costs. In view of these circumstances appropriate issues concerning KLRA's financial proposal will be included in this proceeding.

4. KAAAY has also pointed out that Valley is the licensee of KMAG FM, Fort Smith, Ark., and that the 1 mv/m contour of Valley's proposed FM station at Little Rock would overlap the 1 mv/m contour of KMAG FM, Fort Smith. These allegations are supported by an engineering study attached to the KAAAY petition. Since such overlap is prohibited by the Commission's rules (see § 73.240 (a)(1)), an issue concerning the overlap will be included.

It is ordered, This 15th day of March 1967, That the Petition for Addition of Issues, filed January 23, 1967, by KAAAY, Inc., is granted to the extent indicated herein and denied in all other respects.

It is further ordered, That the issues in the above captioned proceeding are enlarged as follows:

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

(b) To determine whether KLRA, Inc., has available to it funds in the amount necessary to construct and operate the proposed station for a period of 1 year; and

(c) In the event that the applicant, KLRA, Inc., will depend upon operating revenues during the first year of opera-

²The Bureau in its comments states that KLRA's latest renewal application listed a staff of 14 for its AM operation.

³KLRA in a letter dated Sept. 27, 1965, stated: "Our audited financial statement at the close of business Dec. 31, 1964, shows we had \$57,374.44 cash on hand. The application was not, however, amended to reflect KLRA's current financial data nor was the financial statement submitted."

tion to meet fixed costs and expenses, to determine the basis of such applicant's estimated revenues for the first year of operation.

(d) To determine whether, in light of the evidence adduced, the applicant, KILRA, Inc., has demonstrated a reasonable likelihood of construction and continued operation of its proposed station in the public interest.

(e) To determine the extent to which the 1 mv/m contour of The Valley Corp.'s proposed FM station at Little Rock will overlap the 1 mv/m contour of KMAC FM, Fort Smith, and in view of such determination, whether The Valley Corp. is technically qualified, with particular reference to § 73.240(a) (1) of the Commission's rules.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION
(SEAL) BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-3062; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket 17243-17250; FCC 67-256]

KITTYHAWK BROADCASTING CORP. ET AL.

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

In re applications of Kittyhawk Broadcasting Corp., Kettering, Ohio, Docket No. 17243, File No. BP-16603; Requests: 1140 kc, 1 kw, DA-Day; The Gem City Broadcasting Co., Kettering, Ohio, Docket No. 17244, File No. BP-16877; Requests: 1140 kc, 5 kw 1 kw(CH), DA-2, Day; Western Ohio Broadcasting Service, Inc., Eaton, Ohio, Docket No. 17245, File No. BP-16816; Requests: 1130 kc, 250 w, DA, Day; Treaty City Radio, Inc., Greenville, Ohio, Docket No. 17246, File No. BP-16881; Requests: 1130, 250 w, DA, Day; James L. Schmalz, Phyllis Ann Schmalz, James I. Toy, Jr., and Thomas A. Gallmeyer doing business as Bloomington Broadcasting Co., Bloomington, Ind., Docket No. 17247, File No. BP-16876; Requests: 1130 kc, 1 kw, Day; Voice of the Ohio Valley, Inc., Louisville, Ky., Docket No. 17248, File No. BP-16878; Requests: 1130 kc, 10 kw, DA-Day; W. V. Ramsey and Lewis Young doing business as Shively Broadcasting Co., Shively, Ky., Docket No. 17249, File No. BP-16738; Requests: 1130 kc, 500 w, Day; Albert S. Tedesco (WWCM), Brazil, Ind., Docket No. 17250, File No. BP-16669; Has: 1380 kc, 500 w, DA-Day, Requests: 1130 kc, 500 w, Day; Cook, Inc., Ellettsville, Ind.; Requests: 1110 kc, 250 w, Day; for construction permits.

1. The Commission has before it for consideration (a) the above-captioned applications; (b) a motion to dismiss the application of Cook, Inc., filed by Bloomington Broadcasting Co. (BP-16876) on October 4, 1965; and (c) pleadings in opposition and reply thereto.

¹ Board member Kessler absent.

2. In its motion to dismiss, Bloomington Broadcasting Co. requests dismissal of the proposal of Cook, Inc., on the grounds that its application was not timely filed pursuant to section 1.571(e) of the Commission's rules (the "cut-off" rule) and is thus not entitled to consolidation with the applications in this group. Bloomington points out that the lead application (Kittyhawk Broadcasting Corp., BP-16603) was listed on the Commission's public notice of July 8, 1965 (FCC 65-610). The notice stated that, in order to be considered with any listed application or with any other application conflicting with one on the list, an application had to be filed by the close of business on August 17, 1965. Prior to that date, there were no applications on file which would have conflicted, directly or indirectly, with the Cook proposal. However, on August 17, 1965, Bloomington filed its application and, because of an interlinking chain of interference, became joined in engineering conflict with Kittyhawk. For that reason, under the terms of the public notice of July 8, 1965, Bloomington's effective "cut-off" date became August 17, 1965, and no applications conflicting with Bloomington could be timely tendered after that date. On September 9, 1965, Cook tendered its application for filing. This proposal and that of Bloomington involve mutually destructive interference.

3. Cook, in opposing the motion to dismiss, states that preparation of its application began during the first week in August of 1965; that it was physically impossible to complete the application by August 17; that, until Bloomington filed, it had no reason to believe that it (Cook) would be bound by the August 17 "cut-off" date; and that since Bloomington did not file until August 17, it (Cook) did not receive adequate notice of the "cut-off" date. Cook cites Ridge Radio Corp. v. F.C.C., 110 U.S. App. D.C. 277 (1961) in support of its position. Alternatively, in the event of an adverse finding as to timeliness, Cook asserts that the above sequence constitutes good grounds for a waiver of the rule.

4. The Commission finds that Cook's reliance on Ridge Radio, supra, is misplaced. In that case the court found that the Commission's public notice "as phrased . . . was not fair warning . . ." Following Ridge Radio, however, the Commission reworded its notice in such a fashion as to afford specific warning to prospective applicants that they could be "cut-off" by the filing of unlisted applications which involved conflict with listed proposals.¹ However, even prior to Ridge Radio, supra, the Commission refused consolidation to late-filed applications which involved, through unlisted applications, indirect interlinking con-

¹ The words added were " . . . or with any other application on file by the close of business on (a given date) which involves a conflict of necessitating a hearing with an application on this list"

lict with proposals appearing on "cut-off" lists.² The Commission's interpretation of the "cut-off" rule has remained constant since its inception. The only thing that has changed has been the wording of the public notices. For these reasons we believe that Cook knew or should have known that an intervening proposal filed on the last possible day could act to deny him consolidation. To illustrate: If proposals A and B conflict and A has a published "cut-off" date, a prospective applicant, D, knows or should know that he must be ready to file by A's "cut-off" date even though his proposal does not involve direct conflict with A or B because an unlisted applicant (C) might file—perhaps for tactical reasons—on the last day allowed. D knows that if C should file in this fashion and conflicts with either A or B that he (D) will not be entitled to file an application in conflict with C. Any other interpretation of the rule would result in its destruction because if D were accepted for filing, any applications filed subsequent thereto and in conflict with D would be entitled to consolidation in the ABCD group. In theory at least, the chain might never end, and any attempt to establish "cut-off" dates would be nugatory. In the case at hand, the fact that no later-filed application conflicts with the Cook proposal is purely fortuitous and that fact cannot be relied upon by Cook as grounds for waiver. Since Cook has not set forth any compelling reasons to warrant extraordinary action,³ by the Commission, its request for waiver will be denied and the application returned as untimely pursuant to § 1.227(b).

5. The Commission, after examination of the above-captioned applications, finds that the following deficiencies exist:

(a) In re application of Kittyhawk Broadcasting Corporation:

(1) The proposed 5 mv/m contour would penetrate the geographic boundaries of Dayton, Ohio. Since the population of Dayton (population 262,332) exceeds 50,000, and is more than twice that of Kettering, Ohio (population 54,462) a rebuttable presumption that the applicant realistically proposes to serve the larger community arises under the Commission's Policy Statement on Section 307(b) Considerations For Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901, adopted December 22, 1965. By amendment of November 21, 1966, the applicant submitted data in attempting to rebut the presumption that it realistically proposes to serve Dayton. However, after examination of this material, the Commission finds that the applicant has failed to rebut the presumption and that an evidentiary hearing must be held to explore that matter further.

(2) The proposed towers have not yet obtained clearance from the Federal

² Fredericksburg Broadcasting Corp., 19 RR 900 (1960); Mid-American Broadcasting System, Inc., 19 RR 920 (1960).

³ Mid-America Broadcasting System, Inc., supra.

Aviation Agency. Thus, an air menace issue will be specified.

(b) In re application of The Gem City Broadcasting Co.:

(1) The proposed 5 mv/m contour would penetrate the geographic boundaries of Dayton, Ohio (population 262,332). Since the population of Dayton exceeds 50,000 and is more than twice that of Kettering, Ohio (population 54,462) a rebuttable presumption that the applicant realistically proposes to serve the larger community arises under the Commission's December 22, 1965 Policy Statement Involving Suburban Communities, *supra*. By amendment of November 28, 1966, the applicant submitted data in an attempt to rebut the aforementioned presumption. However, after examination of this material, the Commission finds that the applicant has failed to rebut the presumption and an issue with respect thereto will be included.

(c) In re application of Western Ohio Broadcasting Service, Inc.:

(1) It appears, from the applicant's data, that the antenna parameters specified in the application do not accurately depict the proposed radiation pattern. Accordingly, an issue will be designated to determine whether the proposed antenna parameters accurately depict the proposed directional antenna radiation pattern.

(d) In re application of Treaty City Radio, Inc.:

(1) Based on applicant's data it appears that cash in the amount of approximately \$75,000 (construction cost, \$25,000; working capital, \$50,000) will be required for the construction and operation of the proposed station for 1 year. To meet these requirements, the applicant relies upon \$10,000 cash in a bank account, a bank loan of \$25,000, new capital of \$5,000 and \$60,000 in projected revenues for the first year. However, the applicant has failed to submit data in support of his predicted revenues. Furthermore no balance sheets have been submitted purporting to establish the ability of the potential stockholders to meet their financial obligations. In addition, the letter submitted pledging the bank loan is more than a year old and as such is unacceptable. Assuming, arguendo, the aforesaid bank letter is acceptable, the applicant would still require \$40,000 to meet its capital requirements. Accordingly, a financial issue will be included.

(2) The site photographs do not show sufficient detail within the immediate vicinity of the proposed antenna site. Accordingly, an issue will be designated to determine if the antenna site is suitable for the proposed operation.

(e) In re application of Bloomington Broadcasting Co.:

(1) It appears from the applicant's data that \$169,386 (downpayment on equipment, \$6,386; land, \$30,000; building, \$30,000; miscellaneous, \$19,000; operation expenses for first year, \$84,000) will be required to construct and operate the proposal for one year. To meet this expense the applicant has available

a \$150,000 loan from James I. Toy, a minority partner and \$6,000 in capital contributed by Toy and Thomas A. Gallmeyer (the remaining minority partner). In addition, James and Phyllis Schmalz (majority partners—76 percent ownership) are committed to contribute \$19,000 to capital, however, their balance sheet indicates that they lack sufficient liquid assets to meet this obligation. Furthermore, Bloomington relies on predicted revenue of \$90,000 to help defray its initial expenses, but the applicant has failed to establish that this revenue is available.

(2) In view of the Schmalz's inability to meet their commitment and the lack of evidence showing the availability of revenue, the Commission finds that the applicant requires \$13,386, in addition to the \$156,000 available, to meet their first year expenses. Accordingly, a financial issue will be included.

(3) Since the applicant has not obtained clearance from the Federal Aviation Agency, an issue will be included to determine whether the proposed antenna would constitute a menace to air navigation.

(f) In re application of Voice of the Ohio Valley, Inc.:

(1) Based on the applicant's data, \$113,697 (downpayment on equipment, \$20,505, first year payments on equipment, with interest, \$24,192; building, \$10,000; miscellaneous, \$4,000; working capital for 1 year, \$55,000) will be required to meet the cost of construction and operation for the first year. To defray these expenditures the applicant relies on stock subscriptions of \$110,000 by John O. Bland, Jr. (\$99,000) and Jack Gibson (\$11,000) and predicted revenue of \$20,000. Examination of the subscribers' balance sheets indicate that neither has sufficient liquid assets to meet his stock purchase commitments. In addition, the applicant has failed to submit data which would indicate the availability of the predicted revenue. Accordingly, a financial issue will be specified.

(2) It further appears that the applicant proposes to operate daytime with 10 kilowatts of power utilizing a six element directional antenna system to suppress that radiation over a wide arc; that the theoretical calculated radiation pattern exhibits essentially zero radiation in the null areas and maximum expected operating values (MEOV's) as low as 16 mv/m are proposed; that the site photographs submitted are inadequate and in fact, it appears that the proposed site is located in an area where man-made structures may exist, and as a result problems of reradiation may occur; and in view of these considerations an issue will be included to determine whether the applicant will be able to adjust and maintain the proposed directional antenna system within the maximum expected operating values of radiation, as proposed.

(g) In re application of Shively Broadcasting Co.:

(1) Applicant's data indicate that \$63,242 will be required to construct (\$23,370) and operate (\$39,872) the pro-

posed station for 1 year. The partnership agreement provides that the partners will contribute sufficient funds to meet the cost of construction and operation. The applicant has not submitted an acceptable manufacturer's letter of credit and furthermore it has submitted no evidence to support its prediction of revenue.

(2) It appears from the partner's individual balance sheets that neither has sufficient liquid assets to meet his commitment. Thus, a financial issue will be specified.

(3) The proposed 5 mv/m contour would penetrate the geographic boundaries of Louisville, Ky. Since the population of Louisville (population 390,639) exceeds 50,000, and is more than twice that of Shively, Ky. (population 15,155), a rebuttal presumption that the applicant realistically proposes to serve the larger community arises under the Commission's aforementioned policy statement of December 22, 1965, on suburban communities. By amendment the applicant submitted data in an attempt to rebut the presumption that it is realistically proposing to serve Louisville. However, after examination of this material, the Commission finds that the applicant has failed to effectively rebut the aforesaid presumption and an issue will be designated with respect thereto.

6. Except as indicated by the issues specified below, each of the applicants is qualified to construct, own and operate as proposed, but since the applications are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications with the exception of Cook, Incorporated are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the above-captioned applications, with the exception of the WWCM application, and the availability of other primary service to such areas and populations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WWCM, and the availability of other primary service to such areas and populations.

3. To determine whether the proposal of Kittyhawk Broadcasting Corp. will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programming needs;

(b) The extent to which the needs of the specified station location are being met by existing standard broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programming needs of its specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

4. To determine, in the event that it is concluded pursuant to the foregoing issue (a) that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service, namely Dayton, Ohio.

5. To determine whether the proposal of The Gem City Broadcasting Co. will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programming needs;

(b) The extent to which the needs of the specified station location are being met by existing standard broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programming needs of its specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

6. To determine, in the event that it is concluded pursuant to the foregoing issue (a) that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service, namely Dayton, Ohio.

7. To determine whether the antenna parameters proposed by Western Ohio Broadcasting Service, Inc., accurately depicts the proposed directional antenna radiation pattern.

8. To determine with respect to the application of Treaty City Radio, Inc.:

(a) The availability to the applicant of a \$25,000 bank loan from The Citizens State Bank of Greenville, Ohio.

(b) To determine the financial ability of Clarence E., Anna Lou, and Craig E. Plessinger to meet their commitments to purchase stock of the Treaty City Radio, Inc.

(c) To determine the basis for the applicant's estimate of revenue in its first year of operation, whether such estimate is reasonable, and the extent to which

revenues may be relied upon to yield necessary funds for the operation of the proposed station for the first year.

(d) In light of the evidence adduced pursuant to the above issues whether Treaty City Radio, Inc., is financially qualified to construct and operate its proposed station.

9. To determine whether the transmitter site proposed by Treaty City Radio, Inc. is satisfactory with particular regard to any conditions that may exist in the vicinity of the antenna system which would preclude adjustment and maintenance of the proposed directional antenna system.

10. To determine, with respect to the application of Bloomington Broadcasting Co.:

(a) The ability of James and Phyllis Schmalz to meet their commitments to contribute \$19,000 in capital to the partnership.

(b) The basis for the applicant's basis of revenue in its first year of operation, whether such estimate is reasonable, and the extent to which such revenues may be relied upon to yield necessary funds for the operation of the proposed station for the first year.

(c) Whether, in light of the evidence adduced pursuant to the above issues, whether the applicant is financially qualified to construct and operate its proposed station.

11. To determine whether there is a reasonable possibility that the tower height and location proposed by Bloomington would constitute a menace to air navigation.

12. To determine whether there is a reasonable possibility that the tower height and location proposed by Kittyhawk Broadcasting Corp. would constitute a menace to air navigation.

13. To determine, with respect to the application of Voice of the Ohio Valley, Inc.:

(a) The ability of Jack L. Gibson and John O. Bland, Jr. to meet their commitments to purchase stock in the Voice of Ohio Valley, Inc.

(b) The basis for the applicant's estimate of revenue in its first year of operation, whether such estimate is reasonable and the extent to which revenues may be relied upon to yield necessary funds for the operation of the proposed station for the first year.

(c) To determine, in the light of the evidence adduced pursuant to the foregoing issue, whether the applicant is financially qualified to construct and operate its proposed station.

14. To determine whether Voice of the Ohio Valley, Inc. will be able to adjust and maintain the proposed directional antenna system within the maximum expected operating values of radiation, as proposed.

15. To determine, with respect to the application of Shively Broadcasting Co.:

(a) The ability of W. V. Ramsey and Louis Young to meet their financial commitments to contribute sufficient capital which would enable them to construct and operate a standard station, as proposed.

(b) The basis for the applicant's estimate of revenue in its first year of operation, whether such estimate is reasonable and the extent to which revenues may be relied upon to yield necessary funds for the operation of the proposed station for the first year.

(c) Whether the deferred credit of Collins Radio Co. is available.

(d) Whether, in light of the evidence adduced pursuant to the foregoing issue, whether the applicant is financially qualified to construct and operate its proposed station.

16. Whether the proposal of Shively Broadcasting Co. will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all relevant evidence, including, but not necessarily limited to, the showing with respect to:

(a) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programming needs;

(b) The extent to which the needs of the specified station location are being met by existing standard broadcast stations;

(c) The extent to which the applicant's program proposal will meet the specific unsatisfied programming needs of its specified station location; and

(d) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

17. To determine, in the event that it is concluded pursuant to the foregoing issue (a) that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules, for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service, namely Louisville, Ky.

18. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would best provide a fair, efficient, and equitable distribution of radio service.

19. To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest.

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

It is further ordered, That in view of the engineering showings contained in BP-16878, BP-16877, BP-16876, BP-16881, and BP-16816, the provisions of § 1.569(b)(2) are waived with respect to these applications.

It is further ordered, That Bloomington Broadcasting Co.'s motion to dismiss the application of Cook, Inc., is granted, and the Cook application is returned as unacceptable for filing.

It is further ordered, That the Federal Aviation Agency is made a party to this proceeding.

It is further ordered, That in the event of a grant of any of the above-captioned applications, the construction permit shall contain the following condition:

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

It is further ordered, That, in the event of a grant of the application of Voice of the Ohio Valley, Inc., the permittee shall assume responsibility for the elimination of interference due to external cross-modulation and for the installation and adjustment of filter circuits or other equipment in the antenna system of the proposed operation and of Station WXVW, or any other stations which may be necessary to prevent adverse effects due to reradiation. In addition, field observations shall be made to determine whether spurious emissions exist, and any objectionable interference problems resulting therefrom shall be eliminated.

It is further ordered, That, in the event of a grant of the application of Albert S. Tedesco, the construction permit shall contain a condition that, prior to program tests being authorized the permittee shall dismantle the unused antenna towers located on the WWCM antenna site or, in the alternative, submit satisfactory evidence that they have been detuned in a manner which would eliminate any problems of reradiation.

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

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

Adopted: March 1, 1967.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-3063; Filed, Mar. 20, 1967;
8:48 a.m.]

* Commissioner Wadsworth absent.

[Docket Nos. 17243-17250; FCC 67M-438]

KITTYHAWK BROADCASTING CORP. ET AL.

Order Scheduling Hearing

In re applications of Kittyhawk Broadcasting Corp., Kettering, Ohio, Docket No. 17243, File No. BP-16603; The Gem City Broadcasting Co., Kettering, Ohio, Docket No. 17244, File No. BP-16877; Western Ohio Broadcasting Service, Inc., Eaton, Ohio, Docket No. 17245, File No. BP-16816; Treaty City Radio, Inc., Greenville, Ohio, Docket No. 17246, File No. BP-16881; James L. Schmalz, Phyllis Ann Schmalz, James I. Toy, Jr., and Thomas A. Gallmeyer doing business as Bloomington Broadcasting Co., Bloomington, Ind., Docket No. 17247, File No. BP-16878; Voice of the Ohio Valley, Inc., Louisville, Ky., Docket No. 17248, File No. BP-16878; W. V. Ramsey and Lewis Young doing business as Shively Broadcasting Co., Shively, Ky., Docket No. 17249, File No. BP-16738; Albert S. Tedesco (WWCM), Brazil, Ind., Docket No. 17250, File No. BP-16669; for construction permits.

It is ordered, This 7th day of March 1967, that H. Gifford Irion shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on May 15, 1967, at 10 a.m.; and that a prehearing conference shall be held on March 24, 1967, commencing at 10 a.m.; And, it is further ordered, That all proceedings shall be held in the offices of the Commission, Washington, D.C.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-3064; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket Nos. 16944, 16945; FCC 67M-442]

PRAIRIELAND BROADCASTERS AND RICHARD P. LAMOREAUX

Order Scheduling Further Prehearing Conference

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 a ruling made on the record at a prehearing conference in the above-entitled matter held on March 15, 1967: It is ordered, This 15th day of March 1967, that the hearing presently scheduled for March 20, 1967, be, and the same is, hereby canceled; and that a further prehearing conference is here-

by scheduled for April 18, 1967, at 9:30 a.m.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-3065; Filed, Mar. 20, 1967;
8:48 a.m.]

[Docket No. 17143; FCC 67M-445]

STOKES COUNTY BROADCASTING CO. (WKTE)

Memorandum Opinion and Order Rescheduling Hearing Conference

In re application of Stokes County Broadcasting Co. (WKTE), King, N.C., Docket No. 17143, File No. BP-16610; for construction permit.

1. The applicant on March 6, 1967, filed with the Commission a petition for reconsideration. In said petition the applicant, inter alia, urged the Commission to grant its application without holding a hearing.

2. A further conference in this matter is scheduled for March 28, 1967. In view, however, of the instant petition for reconsideration it is deemed appropriate that the further hearing conference should be rescheduled.

Accordingly, it is ordered, This 16th day of March 1967, that the hearing conference now scheduled for March 28, 1967, be and the same is hereby rescheduled for April 28, 1967, 9 a.m., in the offices of the Commission, Washington, D.C.

Released: March 16, 1967.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 67-3066; Filed, Mar. 20, 1967;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

UNITED STATES GREAT LAKES/ SOUTH AND EAST AFRICA 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 offices 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. James C. Pendleton, Secretary, United States Great Lakes/South and East Africa Rate Agreement, 25 Broadway, New York, N.Y. 10004.

Agreement 9509-3, among the member lines to the United States Great Lakes/South and East Africa Rate Agreement, amends Article 3 of the basic agreement by providing that any member line may alter for itself any rate, charge, classification, or related tariff matter previously agreed upon or in force which would result in a decreased cost to a shipper upon first giving the other members at least 48 hours advance notice thereof. Any such altered rate, etc. shall not become effective prior to publication and filing with the Federal Maritime Commission.

Dated: March 16, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-3051; Filed, Mar. 20, 1967; 8:47 a.m.]

UNITED KINGDOM/UNITED STATES PACIFIC FREIGHT ASSOCIATION

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(s) at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices 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. S. Collins, Secretary, United Kingdom/United States Pacific Freight Association, 56 Leadenhall Street, London, E.C. 3, England.

Agreement 3357-5, between the members of the United Kingdom/United States Pacific Freight Association, (1) revises Article 9 of the basic agreement relating to the admission, withdrawal and expulsion of members; (2) requests deletion of Articles 11 and 13, and (3) requests that Articles 12, 14, 15, 16, and 17 be renumbered 11, 12, 13, 14, and 15 respectively.

Dated: March 15, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-3052; Filed, Mar. 20, 1967; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

DOMINION 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 Dominion Bankshares Corp., Roanoke, 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: The First National Exchange Bank of Virginia, Roanoke, Va., and Metropolitan National Bank, 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 14th day of March 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-3035; Filed, Mar. 20, 1967; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

WEST VIRGINIA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, and Public Law 87-296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated March 13, 1967, reading in part as follows:

I have determined that the damage in various areas of the State of West Virginia, adversely affected by flooding beginning on or about March 6, 1967, is of sufficient severity and magnitude to warrant assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of West Virginia to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of March 13, 1967:

The counties of:

Barbour.	Marion.
Boone.	Mason.
Braxton.	Mercer.
Cabell.	Mineral.
Calhoun.	Mingo.
Doddridge.	Monroe.
Gilmer.	Pocahontas.
Greenbrier.	Putnam.
Hampshire.	Summers.
Hardy.	Upshur.
Harrison.	Wayne.
Jackson.	Wirt.
Lewis.	Wood.
Lincoln.	Wyoming.
Logan.	

Dated: March 14, 1967.

FARRIS BRYANT,
Director.

Office of Emergency Planning.

[F.R. Doc. 67-3024; Filed, Mar. 20, 1967; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-4831, etc.]

PAN AMERICAN PETROLEUM CORP.
ET AL.Notice of Applications for Certifi-
cates, Abandonment of Service and
Petitions To Amend Certificates¹

MARCH 9, 1967.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 31, 1967.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however,* That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after April 15, 1965, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed herein for the filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such

condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-4831 (G-11743) C 2-28-67 ¹	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Natural Gas Pipeline Co. of America, Old Ocean Field, Brazoria and Matagorda Counties, Tex.	11.48836	14.65
G-18142 D 6-7-68 G-19253 E 2-28-67	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102. Horizon Oil & Gas Co. of Texas, (successor to Andrew A. Bradford et al.), 1216 Hartford Bldg., Dallas, Tex. 75201.	Transwestern Pipeline Co., acreage in Beaver County, Okla. Panhandle Eastern Pipe Line Co., acreage in Hansford County, Tex.	(7)	14.65
CI69-153 C 2-27-67 CI61-1711 D 2-27-67	Cabot Corp. (SW), Post Office Box 1161, Pampa, Tex. 79065. Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	Cities Service Gas Co., Hugoton Field, Seward County, Kans. Oklahoma Natural Gas Gathering Corp., Ringwood Field, Major County, Okla.	17.0 (7)	14.65
CI63-215 C 3-1-67	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Arkansas Louisiana Gas Co., Arkansas Area, Latimer County, Okla.	15.0	14.65
CI63-826 E 2-16-67	J. Lee Youngblood (successor to L. S. Youngblood (Operator) et al.), Post Office Box 1865, Dallas, Tex. 75221.	Cities Service Gas Co., Eureka Field, Grant County, Okla.	14.0	14.65
CI65-333 C 2-27-67	Lubell Oil Co., 1033 Mayo Bldg., Tulsa, Okla. 74103.	Arkansas Louisiana Gas Co., Arpela Area (South Pine Hollow), Pittsburg County, Okla.	15.0	14.65
CI66-939 C 2-20-67	D. R. Lauck Oil Co., Inc., (Operator) et al., 301 South Broadway, Wichita, Kans. 67202.	Northern Natural Gas Co., WH Field, Edwards County, Kans.	16.0	14.65
CI67-1000 B 2-6-67	William K. Davis (Operator) et al., 469 Texas National Bank Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., Southeast Rhode Ranch Field, McMullen County, Tex.	(7)	14.65
CI67-1023 A 2-10-67	Paul E. Shaffer Co., c/o R. B. Robertson, partner, New Bethlehem, Pa. 16242.	The Manufacturers Light & Heat Co., acreage in Clarion and Armstrong Counties, Pa.	25.0	15.325
CI67-1024 (CI66-565) F 2-6-67 CI67-1025 B 2-10-67	Lyons Petroleum (successor to Shell Oil Co.), 1500 Beck Bldg., Shreveport, La. 71101. Trigood Oil Co., Post Office Box 1089, Casper, Wyo. 82901.	Michigan Wisconsin Pipe Line Co., Southwest Lake Arthur Field, Cameron Parish, La. Colorado-Wyoming Gas Co., Berthoud Field, Larimer County, Colo.	20.625 (7)	15.025
CI67-1063 A 2-16-67	Mrs. Martha Fordyce, Rural Delivery No. 4, Washington, Pa. 15301.	The Manufacturers Light & Heat Co., South Franklin Township, Washington County, Pa.	22.5	15.325
CI67-1065 A 2-16-67	Helen M. Perry, agent, 246 North Ave., Washington, Pa. 15301.	The Manufacturers Light & Heat Co., North Strabane Township, Washington County, Pa.	20.0	15.325
CI67-1066 A 2-16-67	Dunn-Mar Oil & Gas Co., 27 South College St., Washington, Pa. 15301.	The Manufacturers Light & Heat Co., Center Township, Greene County, Pa.	21.5	15.325
CI67-1067 A 2-16-67	do.	The Manufacturers Light & Heat Co., Cumberland Township, Greene County, Pa.	25.0	15.325
CI67-1068 A 2-16-67	do.	The Manufacturers Light & Heat Co., Morris Township, Greene County, Pa.	21.5	15.325
CI67-1069 A 2-16-67	do.	The Manufacturers Light & Heat Co., Grey Township, Greene County, Pa.	21.5	15.325
CI67-1070 A 2-16-67	do.	The Manufacturers Light & Heat Co., Aleppo and Richhill Townships, Greene County, Pa. and Cameron District, Marshall County, W. Va.	21.5	15.325
CI67-1072 A 2-16-67	Sydney Spofforth, Oil, 339 West Jefferson St., Joliet, Ill. 60435.	Equitable Gas Co., West Union District, Doddridge County, W. Va.	25.0	15.325
CI67-1078 A 2-17-67	A. C. Renner, 411 Bryn Mawr Island, Bayshore Gardens, Bradenton, Fla. 33505.	The Manufacturers Light & Heat Co., acreage in Washington County, Pa.	21.5	15.325
CI67-1087 A 2-8-67	Louden Production Co., Post Office Box 110, Kittanning, Pa. 16201.	The Manufacturers Light & Heat Co., Red Bank Field, Armstrong County, Pa.	22.5	15.325
CI67-1089 A 2-16-67	General Petroleum Corp., 1700 Broadway, Denver, Colo. 80202.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI67-1092 A 2-30-67	Lyle K. Baker, agent, 213 Chevovant Ave., West Union, W. Va. 26456.	Equitable Gas Co., acreage in Tyler County, W. Va.	25.0	15.325
CI67-1103 (G-4831) F 2-16-67	Sue Trammell Whitfield and W. B. Trammell, Jr. (successor to Pan American Petroleum Corp.), c/o J. Evans Attwell, attorney, Vinson, Elkins, Weems & Searls 2100 First City National Bank Bldg., Houston, Tex. 77002.	Natural Gas Pipeline Co. of America, Old Ocean Field, Brazoria and Matagorda Counties, Tex.	11.4	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

¹ This notice does not provide for consolidation for hearing of the several matters covered herein, nor should it be so construed.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
CI67-1167 A 2-27-67	Roys Ward, Suite 212, 3407 Montrose Blvd., Houston, Tex. 77002.	Almos Gas Gathering Co., North Mathis Field, San Patricio County, Tex.	" 10.0	14.65
CI67-1168 A 2-27-67	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla. 73118.	Northern Natural Gas Co., Northeast Holland Field, Beaver County, Okla.	" 17.0	14.65
CI67-1169 B 2-27-67	Cities Service Oil Co. (Operator) et al.	Warren Petroleum Corp., acreage in Wheeler County, Tex.	(*)	-----
CI67-1170 A 2-27-67	Pan American Petroleum Corp. ¹	El Paso Natural Gas Co., Sonora Field, Sutton County, Tex.	16.5	14.65
CI67-1171 A 2-27-67	Allegheny Land & Mineral Co.	Consolidated Gas Supply Corp., Mannington District, Marion County, W. Va.	25.9	15.325
CI67-1172 A 2-28-67	Midterra Associates, Inc., Suite 1605 South, 310 East Fourth St., New York, N.Y. 10017.	Lake Shore Pipe Line Co., Bushnell (Pennsylvania) Field, Erie County, Pa.	27.0	15.025
CI67-1173 B 2-28-67	Global Oils, Inc., Operator, 2010 Republic National Bank Bldg., Dallas, Tex. 75221.	Natural Gas Pipeline Co. of America, Southeast Woodward Field, Woodward County, Okla.	(*)	-----
CI67-1174 B 2-28-67	Gulf Oil Corp.	Northern Natural Gas Co., Killebrew (Upper Morrow) Field, Roberts County, Tex.	" 18.275	14.65
CI67-1175 B 2-27-67	Pan American Petroleum Corp.	Texas Eastern Transmission Corp., West Puerto Bay Field, San Patricio County, Tex.	(*)	-----
CI67-1176 A 2-28-67	Estate of G. S. Coon, 730 Northeast 15th St., Homestead, Fla. 33030.	Consolidated Gas Supply Corp., Sherman District, Boone County, W. Va.	20.0	15.325
CI67-1178 B 2-28-67	Texas Oil & Gas Corp., c/o Sherman S. Poland, attorney, Ross, Marsh and Foster, 725 15th St., N.W., Washington, D.C. 20005.	Texas Eastern Transmission Corp., Garwood Field, Colorado County, Tex.	(*)	-----
CI67-1180 A 2-27-67	Hanlon Oil Co., Sistersville, W. Va. 26175.	Consolidated Gas Supply Corp., Union and Murphy Districts, Ritchie County, W. Va.	25.0	15.325
CI67-1181 A 2-28-67	J. K. Gregg, 2235 Route 286 South, Indiana, Pa. 15701.	The Manufacturers Light & Heat Co., Mahoning Township, Armstrong County, Pa.	25.0	15.325
CI67-1182 A 2-27-67	Chandler-Simpson, Inc., et al., 1401 Denver Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Mickelson Creek Unit, Sublette County, Wyo.	14.0	15.025
CI67-1187 A 3-1-67	Wardie Barnett, Post Office Box 601, Pikeville, Ky. 41501.	United Fuel Gas Co., acreage in Pike County, Ky.	23.0	15.325
CI67-1188 A 3-1-67	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	United Gas Pipe Line Co., North Greta Field, Refugio County, Tex.	15.27	14.65

First Atlantic has no present intention of issuing or making a public offering of any of its shares in the future.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than April 8, 1967 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, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (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 the 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. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 67-3040; Filed, Mar. 20, 1967; 8:46 a.m.]

[812-2003]

GLEN ALDEN-DELAWARE, INC.

Notice of Filing of Application for Order Exempting Company

MARCH 15, 1967.

Notice is hereby given that Glen Alden-Delaware, Inc. ("Applicant"), 711 Fifth Avenue, New York, N.Y. 10022, 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, as amended, on file with the Commission for a statement of the representations made therein, which are summarized below.

SECURITIES AND EXCHANGE COMMISSION

[811-1407]

FIRST ATLANTIC FUND, INC.

Notice of Application for Order Declaring That Company Has Ceased To Be an Investment Company

MARCH 15, 1967.

Notice is hereby given that First Atlantic Fund, Inc. ("First Atlantic"), 1 Atlantic Street, Stamford, Conn. 06901, a Maryland corporation and an open-end, diversified investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that it has ceased to be an investment company. All persons are referred to the application on file with the Commission for a

statement of the representations made therein, which are summarized below.

First Atlantic, which was incorporated under the laws of Maryland on July 6, 1966, was organized by R. S. Dickson & Co. for the purpose of establishing a so-called "tax-free exchange fund" concentrating on investments in the securities of insurance and banking institutions. For business reasons, however, First Atlantic has now decided not to proceed with the public offering of its shares. First Atlantic has not heretofore engaged in any business and has no present intention of engaging in any business in the future. All its known liabilities have been paid and First Atlantic has no assets. At its organizational meeting on July 7, 1966, the Board of Directors of First Atlantic authorized the sale of 20 shares of First Atlantic's capital stock to R. S. Dickson & Co. at a price of \$25 per share. Such shares were never formally issued and neither have any other shares of First Atlantic been issued.

McCrory Corp. ("McCrory") organized Applicant to effectuate through Applicant, as a temporary holding company, the acquisition of a controlling interest in the B.V.D. Co., Inc. ("BVD"). When Applicant was established, McCrory transferred to Applicant its entire holding of 2,388,230 shares of common stock of Glen Alden Corp. ("Glen Alden") in exchange for an identical number of shares of Applicant's common stock. As a part of the same arrangement, Applicant acquired from Mr. Sol Kittay, president and chairman of the board of BVD, and his wife an aggregate of 1,000,002 shares of common stock of BVD. In exchange for the BVD stock, Applicant issued shares of its preference stock in the ratio of one share of preference stock for each three shares of BVD common stock. As a result of the foregoing, all of Applicant's outstanding common stock is owned by McCrory and all of Applicant's outstanding preference stock is owned by Mr. Kittay and his wife.

The Glen Alden stock represents 79 percent of Applicant's assets and the BVD stock, 21 percent. The Glen Alden and BVD stock held by Applicant represents, respectively, 49.7 percent and 28.6 percent of the outstanding shares of the common stock of those corporations. Glen Alden, at the present time, is engaged largely in the business of manufacturing textiles and operating motion picture theaters. BVD is engaged in a number of related activities including the spinning of cotton yarn, the manufacturing and marketing of men's, women's, and children's wear and furnishings, and the operation of retail apparel stores.

As a result of negotiations among Applicant, McCrory (as sole common stockholder of Applicant), Glen Alden, Mr. and Mrs. Kittay and BVD, agreements have been entered into which provide, among other things, for the merger of Glen Alden and Applicant into a new Delaware corporation which will adopt the name Glen Alden, and for the acquisition by a wholly owned subsidiary of the new Glen Alden of substantially all the assets of BVD, subject to substantially all of the liabilities thereof, in exchange for preferred stock of the new Glen Alden. At the conclusion of these transactions, McCrory will hold 49.7 percent of the common stock of the new Glen Alden, Mr. and Mrs. Kittay will hold preferred stock of the new Glen Alden and the separate existence of the Applicant will cease.

Applicant does not propose to issue any other securities, nor will it have other assets. Applicant presently has no direct operations, and it is not contemplated that it will have any.

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 pri-

marily 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 McCrory except for its preference stock all of which is owned by Mr. and Mrs. Kittay. Also as noted hereinabove, Applicant is a temporary vehicle for the merger of the Glen Alden and BVD interests, and Applicant has stated that it will not issue any other securities. 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 preference stock is owned by Mr. and Mrs. Kittay rather than by McCrory.

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 the Commission grants the application, that the Commission's order may be issued subject to the following conditions:

1. Applicant shall—
(a) File with the Commission, within 90 days after the close of each fiscal year of the Applicant, 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 Act;

(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;

(c) File with the Commission, within 30 days after the happening of any of the following events, information as to (1) any request to transfer any of its securities, and (2) any transfer of any of its securities 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; and

(d) Not issue any securities (other than short term paper as defined in section 2(a)(36) of the Act) except to (i) McCrory or (ii) Mr. Sol Kittay and his wife, unless this order is modified expressly by another order of this Commission to permit such transaction.

2. No person other than McCrory or Mr. Sol Kittay and his wife shall at any time own any outstanding security of Applicant (other than short-term paper).

Notice is further given that any interested person may, not later than April 5, 1967, 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. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 67-3041; Filed, Mar. 20, 1967;
8:46 a.m.]

[811-1046]

ST. LOUIS CAPITAL, INC.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be an Investment Company

MARCH 15, 1967.

Notice is hereby given that St. Louis Capital, Inc. ("Applicant"), 1010 Second Avenue, Suite 1200, San Diego, Calif. 92101, a Missouri corporation licensed as a small business investment company under the Small Business Investment Act of 1958 and registered as a closed-end nondiversified management investment company under the Investment Company Act of 1940 ("Act"), has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Applicant represents that its shareholders, at a regularly scheduled annual meeting held on June 8, 1965, adopted a plan of liquidation and dissolution; that on June 18, 1965, Articles of Dissolution were filed by the Secretary of State; and that it is now fully and finally liquidated and dissolved, its total assets being distributed pro rata to its shareholders.

Section 8(f) of the Act provides in pertinent part that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than April 6, 1967, 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 set forth 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 matter may be issued by the Commission upon the basis of information stated in said application, unless an order for hearing upon this matter shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of hearing (if ordered) and any postponements thereof.

It is ordered, That the Secretary of the Commission shall send a copy of this notice by certified mail to the Deputy Administrator for Investments, Small Business Administration, Washington, D.C. 20416.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 67-3042; Filed, Mar. 20, 1967;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 New York
Amendment 1]

LOAN OFFICER (ECONOMIC DEVELOPMENT)

Delegation of Authority To Conduct Program Activities in New York Area

Pursuant to the authority delegated to the area administrators by Delegation of Authority No. 30 (Rev. 12), 32 F.R. 179, Delegation of Authority No. 30, New York, 32 F.R. 3032 is hereby amended by

adding new item I.C. as follows and relettering items I.C., I.D., I.E., I.F., and I.G. to read I.D., I.E., I.F., I.G., and I.H., respectively:

I. * * *

C. Loan Officer (Economic Development). 1. To close and disburse sections 501 and 502 loans.

2. To extend the disbursement period on sections 501 and 502 loans.

3. To cancel wholly or in part undischarged balances of partially disbursed sections 501 and 502 loans.

4. To approve final actions concerning current direct, participation, and 40 percent First Mortgage Plan—501 and 502 loans:

a. Use of the cash surrender value of life insurance to pay the premium on the policy.

b. Release of dividends of life insurance or consent to applications against premiums.

c. Minor modifications in the authorization.

d. Extension of disbursement period.

e. Extension of initial principal payments.

f. Adjustment of interest payment dates.

g. Release of hazard insurance checks not in excess of \$500 and endorse such checks on behalf of the Agency where SBA is named as joint loss payee.

h. Release of equipment with or without consideration where the value of equipment being released does not exceed \$500.

Effective date: September 1, 1966.

CHARLES H. KRIGER,
Area Administrator.

[P.R. Doc. 67-3043; Filed, Mar. 20, 1967;
8:46 a.m.]

[Declaration of Disaster Area 604]

KENTUCKY

Declaration of Disaster Area

Whereas, it has been reported that during the month of March 1967, because of the effects of certain disasters, damage resulted to residences and business property located in Whitley County in the State of Kentucky;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid County and areas adjacent thereto, suffered damage or destruction resulting from windstorm and accompanying con-

ditions occurring on or about March 12, 1967.

OFFICE

Small Business Administration Regional Office, Fourth and Broadway, Louisville, Ky. 40202.

2. A temporary office will be located in Pleasant View, Ky., address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to September 30, 1967.

Dated: March 14, 1967.

BERNARD L. BOUTIN,
Administrator.

[P.R. Doc. 67-3044; Filed, Mar. 20, 1967;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 16, 1967.

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

LONG-AND-SHORT HAUL

FSA No. 40946—Roofing and building materials to Carriere, Miss. Filed by Southwestern Freight Bureau, agent (No. B-8967), for interested rail carriers. Rates on roofing and building material, in carloads, from points in Arkansas, Louisiana, Oklahoma and Texas, to Carriere, Miss.

Grounds for relief—Market competition.

Tariff—Supplement 1 to Southwestern Freight Bureau, agent, tariff ICC 4717.

FSA No. 40947—Asphalt from Ponca City, Okla. Filed by Southwestern Freight Bureau, agent (No. B-8960), for interested rail carriers. Rates on asphalt (asphaltum), natural, byproduct or petroleum (other than paint, stain or varnish), in tank carloads, from Ponca City, Okla., to points in Illinois Freight Association, southwestern, western trunkline territories, also Mississippi River crossings, Memphis, Tenn., and south.

Grounds for relief—Market competition.

Tariffs—Supplement 6 to Southwestern Freight Bureau, agent, tariff ICC 4714, and 7 other tariffs named in the application.

FSA No. 40948—Liquefied petroleum gas from Mangum, Okla. Filed by Southwestern Freight Bureau, agent (No. B-8961), for interested rail carriers. Rates on liquefied petroleum gas, in tank carloads, from Mangum, Okla., to points in Illinois Freight Association and western trunkline territories.

Grounds for relief—Market competition.

Tariff—Supplement 448 to Southwestern Freight Bureau, agent, tariff ICC 4279.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-3078; Filed, Mar. 20, 1967;
8:50 a.m.]

[Notice 353]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 16, 1967.

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 of Ex Parte No. MC 67 (49 CFR Part 240) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of 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 protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six 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 16334 (Sub-No. 5 TA), filed March 14, 1967. Applicant: ARNOLD E. DEBRICK, doing business as DEBRICK TRUCK LINE, Route 2, Paola, Kans. 66071. Applicant's representative: Erle W. Francis, 719 Capitol Federal Building, Topeka, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Clay products, fittings and jointing materials*, in specialized trailers and trucks, equipped with booms, from Pittsburg, Kans., to Omaha, Nebr., and return of *dunnage and broken or rejected shipments*, for 150 days. Supporting shipper: W. S. Dickey Clay Manufacturing, Post Office Box 13125, Kansas City, Mo. 64199. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 22316 (Sub-No. 3 TA), filed March 14, 1967. Applicant: J. A. FINN, INC., 26 Church Street, Boston, Mass. 02116. Applicant's representative: Mary Kelley, 10 Tremont Street, Boston, Mass. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Business forms and letters for processing purposes*, between

Boston, Somerville, Palmer, and Chicopee, Mass., Hartford, Hamden, and Fairfield, Conn., on the one hand, and, on the other, Paterson, N.J., for 180 days. Supporting shipper: The Reynolds & Reynolds Co., Somerville, Mass., and Dayton, Ohio. Send protests to: Richard D. Mansfield, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 59856 (Sub-No. 23 TA), filed March 13, 1967. Applicant: SALT CREEK FREIGHTWAYS, Post Office Box 1411, 408 Industrial Avenue, Casper, Wyo. 82601. Applicant's representative: Ward A. White, Post Office Box 568, 1600 Van Lenn Avenue, Cheyenne, Wyo. 82001. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment), between Cheyenne, Wyo., and the Utah-Wyoming State boundary at its intersection with Interstate Highway 80, as follows: From Cheyenne over U.S. Highway 30 and Interstate Highway 80 to Little America, thence over U.S. Highway 30S and Interstate Highway 80 to the Utah-Wyoming State boundary line, and return over the same routes, serving all intermediate points, and the sites of the Allied Chemical Co. plant, Stauffer Chemical Co. plant, FMC Corp. plant and Church & Dwight Co. plant, all near Westvaco, Wyo., as off-route points; between Rawlins, Wyo., and Casper, Wyo., as follows: From Rawlins over U.S. Highway 287 to Muddy Gap, Wyo., thence over Wyoming Highway 220 to Casper, and return over the same routes, serving all intermediate points and the off-route point of Baird, Wyo.; between Muddy Gap, Wyo., and Fort Washakie, Wyo., as follows: From Muddy Gap over U.S. Highway 287 to Fort Washakie and return over the same route, serving all intermediate points and the off-route point of Ethete, Wyo. Restriction: All service authorized is to be restricted to movement of traffic destined to or originating at points in Wyoming, for 180 days. Supporting shippers: Burke Moving & Storage, 2116 Ames Avenue, Cheyenne, Wyo. 82001; Arrow Moving & Storage Co., Inc., 1509 Bent Avenue, Cheyenne, Wyo. 82001; Aavon Moving & Storage, 902 West 22d Street, Cheyenne, Wyo. 82001; Universal Carloading & Distributing Co., Inc., 19th and Chestnut Place, Denver, Colo. 80217; Acme Fast Freight, Inc., Post Office Box 5347, Denver, Colo. 80217. Send protests to: District Supervisor Paul A. Naughton, Interstate Commerce Commission, Bureau of Operations and Compliance, D & S Building, 255 North Center Street, Casper, Wyo. 82601.

No. MC 64932 (Sub-No. 427 TA), filed March 13, 1967. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common

carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia and liquid nitrogen fertilizer solutions*, in bulk, in tank vehicles, from Marseilles, Ill., and points within 5 miles thereof, to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, for 180 days. Supporting shippers: The Borden Chemical Co., Smith-Douglass Division, Post Office Box 419, 5100 Virginia Beach Boulevard, Norfolk, Va. 23501 and F. S. Royster Guano Co., Norfolk, Va. Send protests to: Charles J. Kudelka, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 64932 (Sub-No. 428 TA), filed March 13, 1967. Applicant: ROGERS CARTAGE CO., 1439 West 103d Street, Chicago, Ill. 60643. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, in bulk, in tank or hopper vehicles, from Henry, Ill., to points in Indiana, Ohio, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Supporting shipper: W. R. Grace & Co., Agricultural Products Division, Post Office Box 277, 147 Jefferson Avenue, Memphis, Tenn. 38101. Send protests to: Charles J. Kudelka, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1086 U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 107403 (Sub-No. 707 TA), filed March 13, 1967. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: C. W. Zook (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Synthetic plastic resins*, dry in bulk, from Pata-skala, Ohio, to Aurora, Ohio, for 150 days. Supporting shipper: Diamond Alkali Co., Union Commerce Building, Cleveland, Ohio 44115. Send protests to: Ross A. Davis, District Supervisor, Bureau of Operations and Compliance, 960 U.S. Customhouse, Philadelphia, Pa. 19106.

No. MC 107496 (Sub-No. 540 TA), filed March 14, 1967. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer ingredients*, from Savage, Minn., to points in Iowa, the Upper Peninsula of Michigan, and points in Wisconsin, for 120 days. Supporting shipper: Occidental Agricultural Chemicals Corp., 1301 Avenue of the Americas, New York, N.Y. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commis-

sion, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 114067 (Sub-No. 24 TA), filed March 14, 1967. Applicant: FORE TRUCKING CO., INC., Foot of Paru Street, Encinal Terminal, Alameda, Calif. 94501. Applicant's representative: Connela, Sherburne and Myers, 1700 Central Tower Building, San Francisco, Calif. 94103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tallow*, in bulk, in tank vehicles, from Redmond, Ore., to Modesto, Calif., for 120 days. Supporting shipper: Redmond Rendering Co., Redmond, Ore. 97756; and, Modesto Tallow Co., Post Office Box 1036, Modesto, Calif. 95353. Send protests to: H. O. Gaston, District Supervisor, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 118196 (Sub-No. 91 TA), filed March 13, 1967. Applicant: RAYE & COMPANY TRANSPORTS, INC., Post Office Box 613, Highway 71 North, Carthage, Mo. 64836. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Slater, Iowa, to Green Bay, Wis., for 180 days. Supporting shipper: L. D. Schreiber Cheese Co., Inc., 1607 Main Street, Post Office Box 610, Green Bay, Wis. 54305. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 118535 (Sub-No. 28 TA), filed March 13, 1967. Applicant: JIM TIONA, JR., 803 West Ohio Street, Butler, Mo. 64730. Applicant's representative: Carl V. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals and fertilizers*, from the industrial complex area of Terra Chemicals International, Inc., at near Port Neal and Sergeant Bluff, Woodbury County, Iowa, to points in Arkansas, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Wisconsin, and Wyoming for 180 days. Supporting shipper: Terra Chemicals International, Inc., 507 Sixth Street, Sioux City, Iowa 51101. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64601.

No. MC 119399 (Sub-No. 16 TA), filed March 15, 1967. Applicant: CONTRACT FREIGHTERS, INC., 3105 East Seventh Street, Joplin, Mo. 64801. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer compounds, and fertilizer materials*, from Atlas, Mo., to points in Arkansas, Illinois, Iowa, Kansas, Nebraska, Oklahoma, and Texas (except that no authority is sought to transport dry manufactured fertilizer, in bags, from the plantsite of Davison Chemical Co. at Atlas, Mo., to points in Kansas and Oklahoma), for

180 days. Supporting shipper: W. R. Grace & Co., Agricultural Products Division, Post Office Box 1406, Joplin, Mo. 64801. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 120800 (Sub-No. 6 TA), filed March 13, 1967. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda Street, Compton, Calif. 90222. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Helium gas*, in bulk, in specially designed tube type trailers, from Glendale, Calif., and the Kerr-McGee Oil Co. producing facility, located at or near Navajo, Ariz., to Seattle, Spokane, Tacoma, and Kennewick, Wash.; Boise and Pocatello, Idaho; Missoula and Great Falls, Mont.; and from Industrial Air Products Co. plantsite, located at Portland, Ore., to Seattle, Spokane, Tacoma, Yakima, and Kennewick, Wash.; Boise and Pocatello, Idaho; Missoula and Great Falls, Mont., for 180 days. Supporting shipper: Industrial Air Products Co., 3200 Northwest Yeon Avenue, Portland, Ore. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 123245 (Sub-No. 2 TA), filed March 13, 1967. Applicant: LEESER & STAUFFER TRUCK SERVICE, INC., Taylor, Mo. 63471. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the plant of American Cyanamid Co. at South River, Mo., in Marion County, Mo., to points in Illinois, Indiana, Iowa, Minnesota, and Nebraska, for 180 days. Supporting shipper: American Cyanamid Co., Agricultural Division, Post Office Box 400, Princeton, N.J. 08540. Send protests to: B. J. Schreiber, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 123819 (Sub-No. 9 TA), filed March 13, 1967. Applicant: ACE FREIGHT LINE, INC., 261 East Webster, Memphis, Tenn. 38102. Applicant's representative: Bill R. Davis, 1600 First Federal Building, Atlanta, Ga. 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Bags*, from New Orleans, La., to Tampa, Fla., for 150 days. Supporting shipper: Werthan Bag Corp., Nashville, Tenn. 37202. Send protests to: William W. Garland, District Supervisor, Interstate Commerce Commission, 390 Federal Office Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 124073 (Sub-No. 2 TA), filed March 13, 1967. Applicant: ROY S. SARGEANT, INC., Barkers Mill Road, Vienna, N.J. 07880. Applicant's representative: Edward F. Bowes, 1060 Broad Street, Newark, N.J. 07102. Authority

sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen meat*, from the plantsite of Polarized Meat Division, Durkee Famous Foods, The Glidden Co., Moosic, Pa., to Manchester and Nashua, N.H., Burlington, Vt., Milton, Ithaca, Newark, Newburgh, Rome, and Utica, N.Y., Meriden, Waterbury, Hartford, Hamden, New Haven, Norwich, Wallingford, and Danbury, Conn., Pawtucket and Providence, R.I., and Ludlow, Fall River, Southboro, and Worcester, Mass.; (2) (a) *frozen poultry*, cooked or breaded; (b) *frozen poultry, breaded and/or uncooked* (when transported in the same vehicle with frozen meat or with frozen poultry, cooked or breaded, or with frozen hors-d'oeuvres, frozen prepared dough, or frozen bakery products), from the plantsite of Empire Chicken Industries Division, Durkee Famous Foods, The Glidden Co., Moosic, Pa., to Nashua and Manchester, N.H., Burlington, Vt., Buffalo, Jamestown, Rochester, Newark, Newburgh, Olean, Norwich, Syracuse, Schenectady, Albany, Troy, Kingston, Monticello, Utica, Milton, Ithaca, and Rome, N.Y., Newark and Paterson, N.J., Waterbury, Hartford, Hamden, New Haven, Stamford, Bridgeport, Norwich, Meriden, Wallingford, and Danbury, Conn., Woonsocket, Pawtucket, and Providence, R.I., and Springfield, Pittsfield, Boston, Worcester, Southboro, Fall River, and Ludlow, Mass.

(3) (a) *Frozen hors-d'oeuvres, frozen prepared dough, and frozen bakery products*, from the plantsite of Polarized Meat Division, Durkee Famous Foods, The Glidden Co., Moosic, Pa., to Nashua and Manchester, N.H., Burlington, Vt., Buffalo, Jamestown, Newark, Rochester, Newburgh, Olean, Norwich, Syracuse, Schenectady, Albany, Troy, Kingston, Monticello, Utica, Milton, Ithaca, and Rome, N.Y., Newark and Paterson, N.J., Waterbury, Hartford, Hamden, New Haven, Stamford, Bridgeport, Norwich, Meriden, Wallingford, and Danbury, Conn., Woonsocket, Pawtucket, and Providence, R.I., and Springfield, Pittsfield, Boston, Worcester, Southboro, Fall River and Ludlow, Mass.; (b) *frozen hors-d'oeuvres, frozen prepared dough, and frozen bakery products*, from the plantsite of Gretchen Grant Kitchens Division, Durkee Famous Foods, The Glidden Co., Maplewood, N.J., or its warehouse at Jersey City, N.J., to the plantsite of Polarized Meat Division, Durkee Famous Foods, The Glidden Co., Moosic, Pa. Restriction: The above service in Paragraphs (1), (2) (a), (2) (b), (3) (a), and (3) (b) is restricted to service under contract with The Glidden Co.; (4) *Frozen pizza pies*, from Scranton, Pa., to Buffalo, Fulton, Syracuse, and Troy, N.Y., New Brunswick, Newark, Jersey City, and Paterson, N.J., Bridgeport and Hamden, Conn., Woonsocket and Pawtucket, R.I., and Springfield, Pittsfield, and Boston, Mass., for 180 days. Restriction: The above service in Paragraph (4) is restricted to service under contract with Profera's Pizza, Inc., Scranton, Pa. Supporting shipper: (1) The Glidden Co., 900 Union Commerce

Building, Cleveland, Ohio 44115 (Gretchen Grant Kitchens Division, Maplewood, N.J.; Polarized Meat Division, Moosic, Pa.; Empire Chicken Industries, Moosic, Pa.) and, (2) Profera's Pizza Bakery, Inc., 1130 Moosic Street, Scranton, Pa. 18505. Send protests to: Joel Morrums, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 126881 (Sub-No. 6 TA), filed March 14, 1967. Applicant: RICHARD B. RUDY, INC., 203 Linden Avenue, Frederick, Md. 21701. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and preparations*, requiring refrigeration, other than in bulk, from Frederick, Md., to points in New York (except points in the New York, N.Y., commercial zone) and Virginia (except Fredericksburg, Richmond, Petersburg and Norfolk) for the account of Capitol Milk Producers Cooperative, Inc., for 180 days. Supporting shipper: Capitol Milk Producers Cooperative, Inc., 428 East Patrick Street, Frederick, Md. 21701. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Room 1220, 12th and Constitution Avenue NW, Washington, D.C. 20423.

No. MC 128597 (Sub-No. 4 TA), filed March 13, 1967. Applicant: WALTER TABER, doing business as WALT'S POULTRY AND BEEF CO., 1920 Wadsworth Boulevard, Lakewood, Colo. 80215. Applicant's representative: Bert L. Penn, 30 South Emerson Street, Denver, Colo. 80209. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, as described in Part A of Appendix 1 to the *Report in Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk in tank vehicles), (1) from Clovis, N. Mex., Guymon, Okla., and Sioux City, Iowa, to Alamosa, Basalt, Broomfield, Buena Vista, Canon City, Colorado Springs, Cortez, Delta, Denver, Durango, Fort Collins, Fort Morgan, Fowler, Glenwood Springs, Grand Junction, Greeley, Gunnison, La Junta, Leadville, Longmont, Las Animas, Loveland, Mancos, Monte Vista, Montrose, Pagosa Springs, Pueblo, Rifle, Rocky Ford, Salida, Sterling, Telluride, and Trinidad, Colo., Cheyenne and Laramie, Wyo., and Moab, Utah, and (2) from Guymon, Okla., and Sioux City, Iowa, to Aztec, Farmington, and Raton, N. Mex., for 180 days. Supporting shipper: Swift & Co., Terminal Annex Station, Denver, Colo. 80217. Send protests to: Luther H. Oldham, District

Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 128931 TA, filed March 13, 1967. Applicant: GARY F. GOLLOTT, doing business as G & G MOVING & STORAGE OF BILOXI, MISSISSIPPI, 1256 Couaves Street, Biloxi, Miss. 39530. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (a) between points in Mississippi, and (b) between points in Mississippi on the one hand, and, on the other, the ports of New Orleans, La., and Mobile, Ala., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments, for 180 days. Supporting shippers: Royal Household Goods Shipping Co., Inc., 95 Broad Street, New York, N.Y.; Vanpac Carriers, Inc., 2114 Macdonald Avenue, Richmond, Calif. 94802; Convan Corp., 50 Broad Street, New York, N.Y. 10004; CTI-Container Transport International, Inc., 17 Battery Place, New York, N.Y. 10004. Send protests to: Floyd A. Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

MOTOR CARRIERS OF PASSENGERS

No. MC 172 (Sub-No. 4 TA), filed March 14, 1967. Applicant: ARNOLD E. WADE, 1312 Helderberg Avenue, Schenectady, N.Y. 12306. Applicant's representative: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, restricted to traffic originating in the territory indicated, in special or charter operations, beginning and ending at points in that part of New York bounded by a line beginning at Windham, N.Y., and extending through Gilboa to Cooperstown, thence through Sharon Springs to Amsterdam, thence through Hoffmans to Schenectady, and thence through South Berne to point of beginning and extending to ports of entry on the international boundary line between the United States and Canada in the State of New York. Restriction: The transportation performed under this authority shall be restricted to traffic moving to and from points in Canada in connection with EXPO 67 during its term commencing April 28, 1967, and expiring with October 27, 1967, for 180 days. Supporting ship-

pers: None. But application is accompanied by statement from applicant. Send protests to: Wilmot E. James, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 518 Federal Building, Albany, N.Y.

No. MC 116981 (Sub-No. 2 TA), filed March 13, 1967. Applicant: SARATOGA BUS SERVICE, INC., Excelsior Avenue, Saratoga Springs, N.Y. 12866. Applicant's representative: George F. Perkins, 444 Broadway, Saratoga Springs, N.Y. 12866. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, beginning and ending at points in Saratoga and Washington Counties, N.Y., and extending to the international boundary line between the United States and Canada, at or near Champlain, N.Y. destined to Montreal, Quebec, Canada, for 180 days. Supporting shippers: Lillian Worth, Wilton, N.Y., and Bernice Seerles, Middle Falls, N.Y. Send protests to: Wilmot E. James, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 518 Federal Building, Albany, N.Y. 12207.

No. MC 127669 (Sub-No. 3 TA), filed March 13, 1967. Applicant: CHERRY HILL TRANSIT, a corporation, 109 Brick Road, Marlton, N.J. 08053. Applicant's representative: Raymond A. Thistle, Jr., Suite 1408-09, 1500 Walnut Street, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passenger and the baggage of passengers* in the same vehicle with passengers, between Cherry Hill Mall, Cherry Hill, N.J., and Philadelphia, Pa., serving all intermediate points, from Cherry Hill over Haddonfield Road to New Jersey Highway 73, in Pennsauken, N.J., and Palmyra, N.J., thence across Tacony-Palmyra Bridge to State Road, Philadelphia, thence over State Road, Tacony Street, and Bridge Street, to intersection of Frankford Avenue, Philadelphia, Pa., and return over the same route, for 150 days. Supporting shippers: There are statements attached which have been signed by many potential passengers which may be examined here in Washington, D.C., or at the field office named below. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J. 08608.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

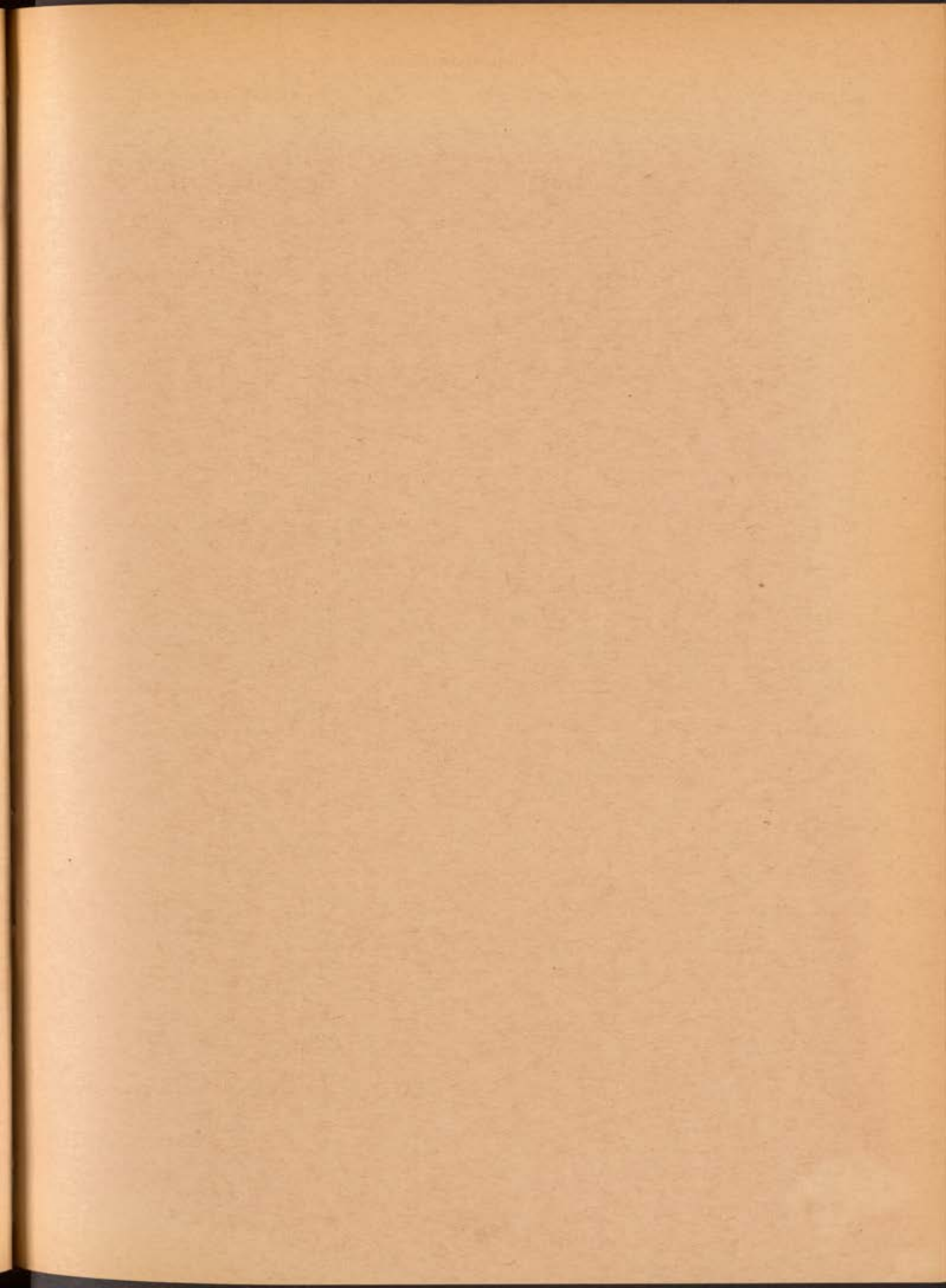
[F.R. Doc. 67-3079; Filed, Mar. 20, 1967;
8:50 a.m.]

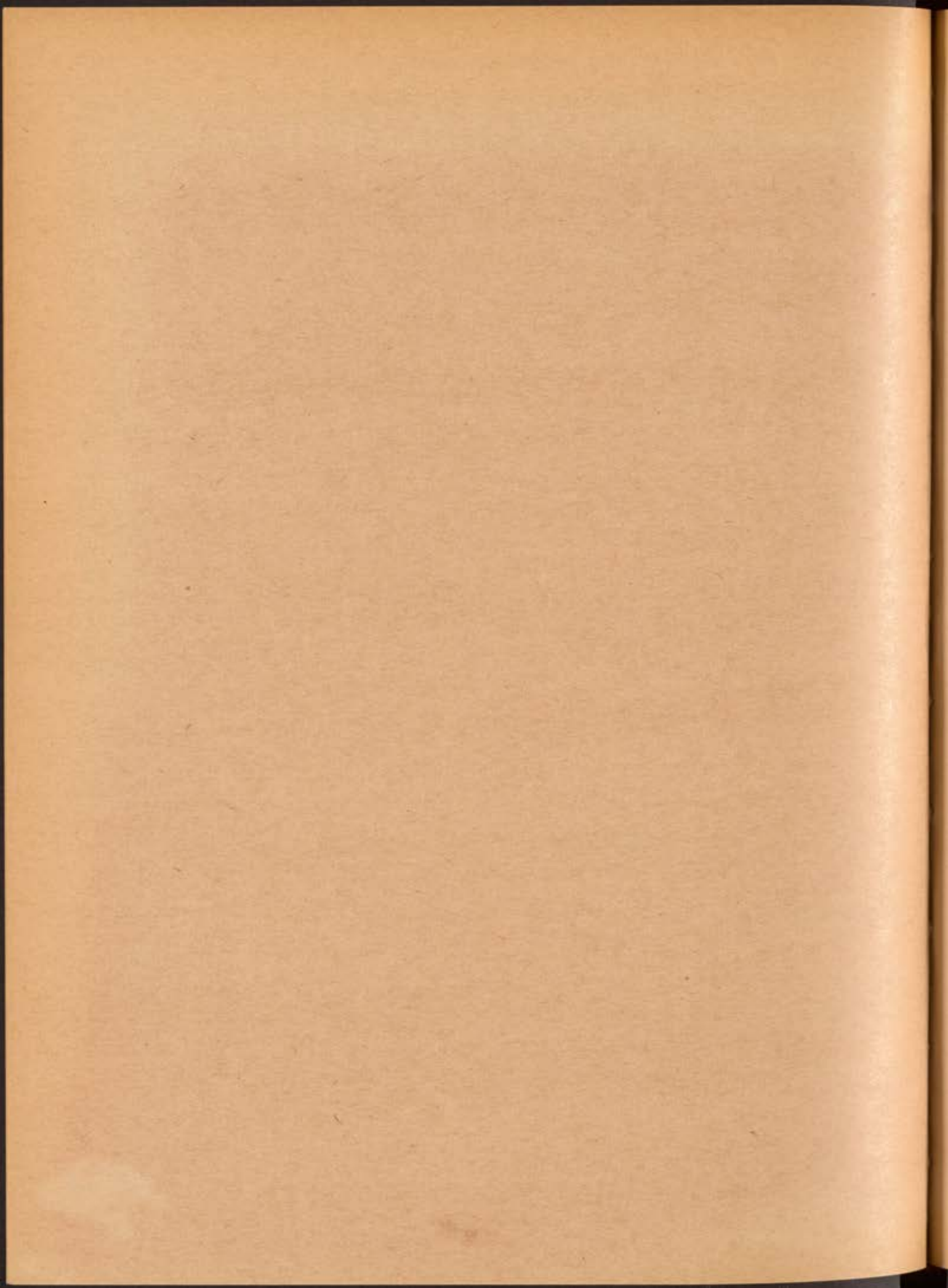
CUMULATIVE LIST OF PARTS AFFECTED—MARCH

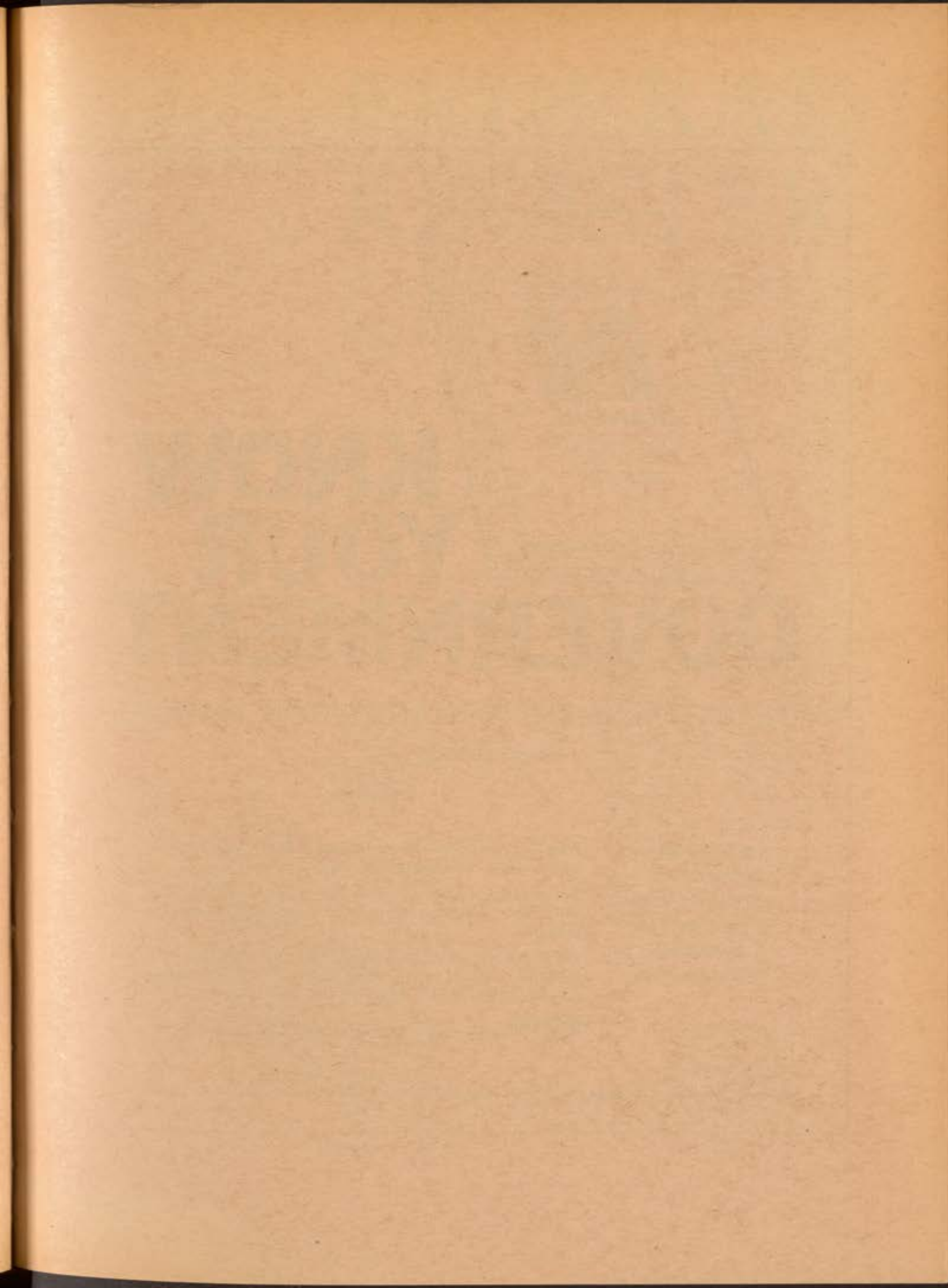
The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.

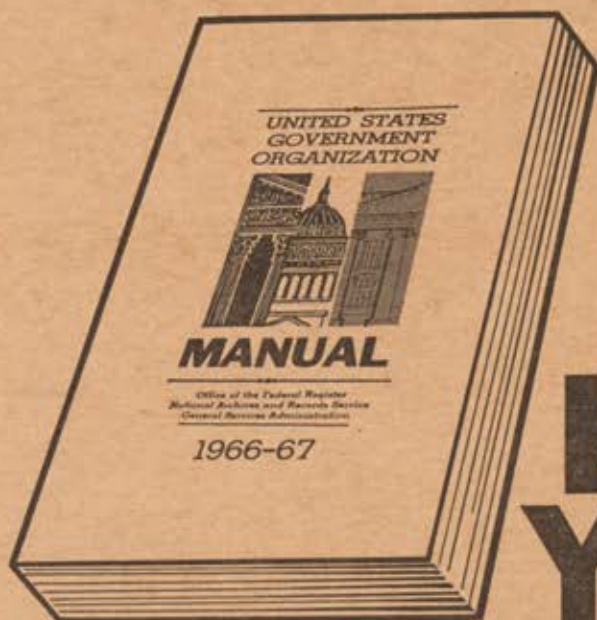
1 CFR	Page	7 CFR—Continued	Page	13 CFR	Page
APPENDIX A	3602	910	3383, 3730, 3969, 4278	123	3813
APPENDIX B	4015	912	3730, 3969, 4278	PROPOSED RULES:	
3 CFR		913	3384	121	4079
PROCLAMATIONS:		917	3384	14 CFR	
3769	3809	944	3437	1	3735
3770	4111	991	3763	21	3735
EXECUTIVE ORDERS:		1002	3384	33	3736
Dec. 11, 1912 (revoked in part by PLO 4175)	3991	1004	3813	35	3737
Apr. 21, 1913 (revoked in part by PLO 4178)	4282	1015	4113	39	3386, 3387, 3437, 3690, 3691, 3738, 3764, 3882, 3937, 3970, 3971, 4306, 4307
Feb. 27, 1914 (revoked in part by PLO 4178)	4282	1134	4016	71	3438, 3738, 3764-3768, 3882, 3938, 3971, 3972, 4056, 4307
June 6, 1914 (revoked in part by PLO 4175)	3991	1138	3385	73	3438, 3691, 3739, 3740, 3768
Aug. 17, 1915 (revoked in part by PLO 4178)	4282	1425	3688	75	3740, 3882, 3972, 4307
May 22, 1917 (revoked in part by PLO 4178)	4282	PROPOSED RULES:		97	3692, 3938, 4163
July 17, 1917 (revoked in part by PLO 4166)	3744	777	4123	399	3817
May 4, 1919 (revoked in part by PLO 4178)	4282	822	3946	1204	3883
June 17, 1920 (revoked in part by PLO 4175)	3991	917	4026	PROPOSED RULES:	
Nov. 26, 1921 (revoked in part by PLO 4167)	3744	932	3992	39	3997, 4124, 4314
6143 (revoked in part by PLO 4165)	3744	991	3399	61	3749
6276 (revoked in part by PLO 4165)	3744	1001	4071	65	3946
11248 (amended by EO 11335)	3965	1002	4071	71	3400-3402, 3470, 3750, 3779, 3780, 3946, 3947, 3997, 4026, 4315
11269 (amended by EO 11334)	3933	1006	3399	73	3402, 3751, 3998, 4316
11329	3811	1012	4313	77	3887
11330	3871	1013	4313	121	3946
11331	3875	1015	4071	208	3399
11332	3877	1047	3902	221	4076
11333	3879	1063	3776	296a	3752
11334	3933	1070	3776	399	4076
11335	3965	1078	3776		
PRESIDENTIAL FINDINGS:		1079	3776		
Presidential Finding of Feb. 27, 1967	4051	1125	3834		
Presidential Finding of Feb. 28, 1967	4053	1134	3469		
5 CFR		1201	4314		
213	3383, 3689, 3729, 3763, 4015, 4158, 4275	8 CFR			
330	3967	212	3731, 3970	15 CFR	
332	3967	214	3731	2	3769
550	3689, 3763	9 CFR		204	3816
733	4275	78	4169	230	3741, 4056
7 CFR		202	4113	379	4159
15	3967	312	4306	382	4159
17	3935	10 CFR		385	4160
27	4157	14	3731	399	4160
58	4204	30	4241	16 CFR	
354	3383	32	4241	13	3439, 3771, 3973-3975, 4017, 4018, 4057
401	4275, 4276	50	4055	15	3387, 3818, 4308
722	3935	70	4055	PROPOSED RULES:	
724	4055, 4305	PROPOSED RULES:		153	3711
730	3881	30	3995	17 CFR	
775	3968	40	3995	200	3741
777	4305	50	3995	PROPOSED RULES:	
811	4015	70	3995	1	4026
814	3687	170	3995	18 CFR	
907	3729, 3968, 4277	12 CFR		141	4058
908	3688, 3729, 3968, 4277	1	3687	19 CFR	
		204	3763	1	3388
		222	3813	2	3388
		531	3970	3	3440, 4058
		555	4113	8	4308
		563	4114	10	4308
		610	4157	16	4019
		611	4157	24	3741
		619	4158	54	4308
		650	3740		
		PROPOSED RULES:			
		206	4316		
		215	4124		
		545	3999		

20 CFR	Page	32 CFR	Page	41 CFR—Continued	Page
395	3975	1	4242	9-4	3979
PROPOSED RULES:		2	4242	9-16	3981
602	4123	3	4242	11-3	4061
21 CFR		4	4251	11-4	4061
3	3440, 4058	5	4251	101-26	3690
51	4059	6	4252	101-28	4161
120	3441, 4059	7	4258	101-34	4024
121	3442, 4170	9	4260		
131	3819, 4019, 4020, 4059, 4060, 4170	12	4260	43 CFR	
146a	3440	13	4260	20	3701
281	4060	15	4260	PUBLIC LAND ORDERS:	
PROPOSED RULES:		16	4260	2135 (revoked in part by PLO	
1	4172	17	4265	4168)	3744
14	4075	18	4266	4153 (corrected)	4061
17	3710	23	4268	4163	3743
27	3469	30	4272	4164	3743
130	3994, 4284	100	3829	4165	3744
133	3470	156	4114	4166	3744
22 CFR		505	3391	4167	3744
11	3443, 3444	518	3770	4168	3744
31	4020	519	4114	4169	3745
41	3742, 3969	750	3393	4170	3745
51	4024, 4122	753	3393	4171	3745
123	4241	850	4117	4172	3746
23 CFR		888	4117	4173	3747
255	3390	1001	3976	4174	3747
24 CFR		1003	3976	4175	3991
221	4279	1004	3977	4176	4121
25 CFR		1007	3978	4177	4122
221	4282	1013	3978	4178	4282
255	3944	1016	3978		
PROPOSED RULES:		1054	3978	45 CFR	
73	3748	33 CFR		141	4162
221	3469	33	3397	142	4162
26 CFR		202	3883	611	4062
1	3446, 3819	203	3772	Ch. VII	4062
301	3819	204	3883	PROPOSED RULES:	
PROPOSED RULES:		PROPOSED RULES:		308	3778
1	3886	401	3888	46 CFR	
29 CFR		35 CFR		221	4122
4	3689	117	3830	510	3774
10	4170	119	4061	540	3986
505	4309	253	4281	PROPOSED RULES:	
1515	4170	36 CFR		401	3709
PROPOSED RULES:		311	3742	403	3709
26	3710	38 CFR		47 CFR	
31 CFR		3	3742	0	3831
214	3820	21	3452, 3979	2	3832, 4067
306	3446	39 CFR		73	3832
309	3821	Ch. I	3397	87	4067
312	3446	PROPOSED RULES:		PROPOSED RULES:	
315	3446	132	4027	18	3888
316	3700	143	4027	21	3403
317	3447	531	3778	73	3471
500	3822	41 CFR		3835, 3836, 3888, 4077, 4078, 4124,	
525	3448, 4024	1-12	4311	4175, 4284.	
		6-3	3936	49 CFR	
		6-75	3936	1	4070
		8-1	3772	71-90	3452, 3467
		8-2	3772	170	3884
		8-3	3773	190	3467
		8-7	3773	193	3774
				50 CFR	
				32	3884
				33	3467, 3884









KNOW YOUR GOVERNMENT

U.S. GOVERNMENT ORGANIZATION MANUAL

1966-67 EDITION



The United States
Government
Organization Manual
is the official guide
to the functions of the
Federal Government

*Presents authoritative information about Government agencies
(updated and republished annually).*

*Describes the creation and authority, organization, and func-
tions of the agencies in the legislative, judicial, and executive
branches.*

*This handbook is an indispensable reference tool for teachers,
librarians, scholars, lawyers, and businessmen who need cur-
rent official information about the U.S. Government.*

\$2⁰⁰ per copy. Paperbound, with charts

Order from
Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.