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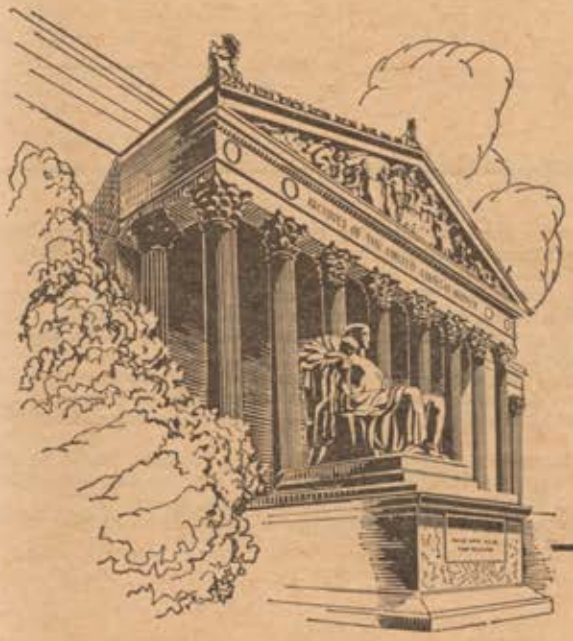

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Title 3—THE PRESIDENT

Executive Order 11350

AMENDING THE SELECTIVE SERVICE REGULATIONS

By virtue of the authority vested in me by the Universal Military Training and Service Act (62 Stat. 604), as amended, I hereby prescribe the following amendments of the Selective Service Regulations prescribed by Executive Orders No. 9988 of August 20, 1948, No. 10001 of September 17, 1948, No. 10008 of October 18, 1948, No. 10116 of March 9, 1950, No. 10202 of January 12, 1951, No. 10292 of September 25, 1951, No. 10363 of June 17, 1952, No. 10659 of February 15, 1956, No. 10714 of June 13, 1957, No. 10984 of January 5, 1962, and No. 11188 of November 17, 1964, which constitute portions of Chapter XVI of Title 32 of the Code of Federal Regulations:

1. Paragraph (a) of section 1624.1 of Part 1624, *Appearance Before Local Board*, is amended to read as follows:

"(a) Every registrant after his classification is determined by the local board, except a classification which is determined upon an appearance before the local board under the provisions of this part, shall have an opportunity to appear in person before the member or members of the local board designated for the purpose if he files a written request therefor within 30 days after the local board has mailed a Notice of Classification (SSS Form 110) to him. Such 30-day period may not be extended."

2. Part 1626, *Appeal to Appeal Board*, is amended as follows:

(a) Paragraph (b) of section 1626.2 is amended to read as follows:

"(b) The government appeal agent may take any appeal authorized under paragraph (a) of this section at any time before the registrant is mailed an Order to Report for Induction (SSS Form 252) or an Order to Report for Civilian Work and Statement of Employer (SSS Form 153)."

(b) Subparagraph (1) of paragraph (c) of section 1626.2 is amended to read as follows:

"(1) Within 30 days after the date the local board mails to the registrant a Notice of Classification (SSS Form 110)."

(c) Paragraphs (a), (b), and (c) of section 1626.25 are amended to read as follows:

"(a) If an appeal involves the question whether or not a registrant is entitled to be sustained in his claim that he is a conscientious objector, the appeal board shall take the following action:

"(1) If the registrant claims that he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and by virtue thereof he is conscientiously opposed to combatant training and service in the armed forces, but is not conscientiously opposed to noncombatant training and service in the armed forces, the appeal board shall determine whether or not such registrant is eligible for classification in a class lower than Class I–A–O or in Class I–A–O. If the appeal board determines that such registrant is eligible for classification in a class lower than Class I–A–O or in Class I–A–O, it shall classify the registrant in the lowest class for which he is determined to be eligible.

"(2) If the registrant claims that he is, by reason of religious training and belief, conscientiously opposed to participation in war in any form and by virtue thereof is conscientiously opposed to participation in both combatant and noncombatant training and service in the armed forces, the appeal board shall determine whether or not the registrant is eligible for classification in a class lower than Class I–O or in Class I–O. If the appeal board determines that such registrant is eligible for classification in a class lower than Class I–O or in Class I–O, it shall place him in the lowest class for which he is determined to be eligible.

"(3) If the appeal board determines that a registrant who has claimed conscientious objection within the meaning of subparagraph (1) or subparagraph (2) hereof is not entitled to classification in either the class he claimed or in a lower class, it shall transmit the entire file to the United States Attorney for the judicial district in which the office of the appeal board is located for the purpose of securing an advisory recommendation from the Department of Justice.

"(b) No registrant's file shall be forwarded to the United States Attorney by any appeal board and any file so forwarded shall be returned, unless in the 'Minutes of Action by Local Board and Appeal Board' on the Classification Questionnaire (SSS Form 100) the record shows and the letter of transmittal states that the appeal board reviewed the file and tentatively determined that the registrant should not be classified in either Class I–A–O or Class I–O, whichever he claims.

"(c) Whenever a registrant's file is forwarded to the United States Attorney in accordance with subparagraph (3) of paragraph (a) of this section, the Department of Justice shall thereupon make an inquiry and hold a hearing on the character and good faith of the conscientious objections of the registrant. The registrant shall be notified of the time and place of such hearing and shall have an opportunity to be heard. If the objections of the registrant are found to be sustained the Department of Justice shall recommend to the appeal board (1) that if the registrant is inducted into the armed forces, he shall be assigned to noncombatant service, or (2) that if the registrant is found to be conscientiously opposed to participation in such noncombatant service, he shall in lieu of induction be ordered by his local board to perform for a period of twenty-four consecutive months civilian work contributing to the maintenance of the national health, safety, or interest. If the Department of Justice finds that the objections of the registrant are not sustained, it shall recommend to the appeal board that such objections be not sustained."

(d) Paragraph (d) of section 1626.25 is hereby rescinded, and paragraph (e) is hereby redesignated as paragraph (d).

(e) Paragraph (b) of section 1626.61 is amended to read as follows:

"(b) At any time before the registrant is mailed an Order to Report for Induction (SSS Form 252) or an Order to Report for Civilian Work and Statement of Employer (SSS Form 153) the government appeal agent, if he deems it to be in the national interest or necessary to avoid an injustice, may prepare and place in the registrant's file a recommendation that the State Director of Selective Service either request the appeal board to reconsider its determination or appeal to the President. The registrant's file shall then be forwarded to the State Director of Selective Service. As soon as the State Director of Selective Service has acted upon the recommendation of the government appeal agent he shall advise the local board and, if he determines neither to request the appeal board to reconsider its determination nor to appeal to the President, he shall return the file to the local board."

3. Section 1627.3 of Part 1627, *Appeal to the President*, is amended to read as follows:

"When a registrant has been classified by the appeal board and one or more members of the appeal board dissented from that classification, the registrant, any person who claims to be a dependent of the registrant, or any person who prior to the classification appealed from filed a written request for the current occupational deferment of the registrant may appeal to the President within 30 days after the mailing by the local board of the Notice of Classification (SSS Form 110) notifying the registrant of this classification by the appeal board. The local board may permit any person who is entitled to appeal to the President under this section to do so, even though the 30-day period for taking an appeal has elapsed, if it is satisfied that the failure of such person to appeal within such 30-day period was due to lack of understanding of the right to appeal or to some other cause beyond the control of such person."

4. Part 1628, *Physical Examination*, is amended as follows:

(a) Paragraph (h) of section 1628.14 is amended to read as follows:

"(h) The State Director of Selective Service for the State in which the local board of origin is located shall, upon receipt of the completed original Transfer for Armed Forces Physical Examination or Induction (SSS Form 230), record on his copy of that form the disposition of the transferred registrant and forward the original of the form together with all other papers received from the local board of transfer to the local board of origin, except that he shall retain one copy of the Record of Induction (DD Form 47) whenever the registrant has been found not qualified for service in the Armed Forces."

(b) Subparagraphs (2) and (3) of paragraph (a) of section 1628.25 are amended to read as follows:

"(2) For each registrant found qualified for service in the Armed Forces, the original and three copies of the Record of Induction (DD Form 47), the original and one copy of the Report of Medical Examination (Standard Form 88), any X-ray films, and two copies of the Report of Medical History (Standard Form 89).

"(3) For each registrant found not qualified for service in the Armed Forces, the original and one copy of the Record of Induction (DD Form 47), the original Report of Medical Examination (Standard Form 88), and one copy of the Report of Medical History (Standard Form 89)."

(c) Paragraph (c) of section 1628.25 is amended to read as follows:

"(c) For each registrant found not qualified for service in the Armed Forces, the commanding officer of the examining station will retain two copies of the Record of Induction (DD Form 47), one copy of the Report of Medical Examination (Standard Form 88), and one copy of the Report of Medical History (Standard Form 89)."

(d) Subparagraphs (3) and (4) of paragraph (d) of section 1628.25 are amended to read as follows:

"(3) For each registrant found qualified for service in the Armed Forces, file the original and three copies of the Record of Induction (DD Form 47), the original and one copy of the Report of Medical Examination (Standard Form 88), any X-ray films, and two copies of the Report of Medical History (Standard Form 89) in the registrant's Cover Sheet (SSS Form 101). These forms and X-ray films shall be retained in the registrant's Cover Sheet (SSS Form 101) until such time as he may be forwarded for induction.

"(4) For each registrant found not qualified for service in the Armed Forces, file the original of the Record of Induction (DD Form 47), the original of the Report of Medical Examination (Standard Form 88), and the copy of the Report of Medical History (Standard Form 89) in the registrant's Cover Sheet (SSS Form 101), and forward to the State Director of Selective Service the copy of the Record of Induction (DD Form 47)."

5. Part 1632, *Delivery and Induction*, is amended as follows:

(a) Subparagraph (2) of paragraph (a) of section 1632.5 is amended to read as follows:

"(2) Assemble the original and three copies of each registrant's Record of Induction (DD Form 47), the original and the copy of the Report of Medical Examination (Standard Form 88), two copies of the Report of Medical History (Standard Form 89), any X-ray films made at the time of the armed forces physical examination, any waiver of disqualification, any order terminating civil custody, all other information concerning the qualification of the registrant for service in the Armed Forces, and, if the registrant has volunteered for induction and has not attained the age of 18 years and 6 months, one copy of the Application for Voluntary Induction (SSS Form 254)."

(b) Paragraph (j) of section 1632.9 is amended to read as follows:

"(j) The State Director of Selective Service for the State in which the local board of origin is located shall, upon receipt of the completed original Transfer for Armed Forces Physical Examination or Induction (SSS Form 230), record on his copy of that form the disposition of the transferred registrant and forward the original of the form together with all other papers received from the local board of transfer to the local board of origin, except that he shall retain one copy of the Record of Induction (DD Form 47) whenever the registrant has been found not qualified for service in the Armed Forces."

(c) Subparagraph (3) of paragraph (a) of section 1632.20 is amended to read as follows:

"(3) For each registrant found not qualified for service in the Armed Forces, the original and one copy of the Record of Induction (DD Form 47), the original Report of Medical Examination (Standard Form 88), one copy of the Report of Medical History (Standard Form 89), and any copy of the Application for Voluntary Induction (SSS Form 254) submitted."

(d) Paragraph (b) of section 1632.21 is amended to read as follows:

"(b) For each registrant found not qualified for service in the Armed Forces, retain two copies of the Record of Induction (DD Form 47), one copy of the Report of Medical Examination (Standard Form 88) together with any X-ray film, and one copy of the Report of Medical History (Standard Form 89)."

Lyndon B. Johnson

THE WHITE HOUSE,
May 3, 1967.

[F.R. Doc. 67-5153; Filed, May 4, 1967; 2:02 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305 is amended to show that the Special Assistant to the Director of the Mint is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (e) is revoked.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–58 Comp., p. 218)

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

[F.R. Doc. 67-5102; Filed, May 5, 1967; 8:48 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 14]

PART 730—RICE

Subpart—Regulations for Determination of Acreage Allotments for 1964 and Subsequent Crops of Rice

MISCELLANEOUS AMENDMENTS

Basis and purpose. The amendments herein are issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended.

The purpose of these amendments is to provide that (1) any acreage planted to rice for wildlife food plots or for establishing wildlife habitat shall not be considered rice acreage if the rice is planted in small plots which are designated by the producer and approved by the county committee for such purpose before planting and no grazing or harvesting other than by wildlife is permitted, (2) in any case where an application for transfer of a producer allotment to another county has been approved and an application to allocate such transferred producer allotment to a farm has been timely filed, the county committee shall schedule a hearing with the operator of the farm to which allocation is requested for the purpose of determining whether the producer requesting the allocation will be engaged in the production of rice on the farm to the extent shown on the application for allocation, and (3) the rice allotment determined for any farm may be reduced for the current year if the sum of the feed grain base, total allotments, and sugar proportionate shares exceeds the cropland for the farm for the current year and the producer elects to reduce the rice allotment in lieu of the feed grain base.

Since rice farmers are planning rice farming operations for the 1967 crop year, and will need to know the provisions of these amendments, it is important that these amendments be issued and made effective as soon as possible. Accordingly, it is hereby found that compliance with the notice, public procedure, and effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and these amendments shall become effective as provided herein.

1. Paragraph (h) of § 730.1511 is amended to read:

§ 730.1511 Definitions.

* * * * *

(h) "Rice acreage" means the acreage planted to rice and the acreage of volunteer rice which reaches maturity, excluding (1) any acreage of non-irrigated rice produced on any farm on which such acreage is 3 acres or less, (2) any acreage of sweet, glutenous, or candy rice, commonly known as Mochi Gomi, (3) any acreage of rice grown for experimental purposes only by or under contract to a publicly owned agricultural experiment station, (4) any acreage of rice in excess of the allotment on a wildlife refuge farm consisting solely of Federal or State-owned land, if such acreage is not harvested, but is left on the land for wildlife food, (5) any acreage planted to rice in excess of the farm allotment, or where applicable, the permitted acreage of rice under the conservation and cropland adjustment programs, which is destroyed or otherwise handled or treated (by the producer or from some cause beyond his control) not later than the final date for disposal of excess acreage as provided in Part 718 of this chapter, Determination of Acreage and Compliance, so that rice cannot be harvested therefrom, (6) any acreage seeded to rice outside of the field border levee where such levee is bounded by a fence or other barrier which would make it impossible to harvest or destroy the rice from such acreage by mechanical means, and any acreage seeded to rice inside of drainage ditch banks where the topography would make it impossible to harvest or destroy the rice from such acreage by mechanical means: *Provided*, That the seeding operations have been performed with an end gate seeder or by airplane, and (7) any acreage planted to rice for wildlife food plots or for establishing wildlife habitat if (i) the rice is planted in small plots which are designated by the producer and approved by the county committee for such purpose before planting, and (ii) no grazing or harvesting other than by wildlife is permitted. Effective with 1965 and subsequent crops of rice, a second planting and maturing of rice on a farm on which one crop has been planted and matured in the same crop year shall be consider additional acreage when determining the farm rice acreage.

* * * * *

2. Section 730.1521 is amended by adding at the end thereof a new paragraph (h) to read:

§ 730.1521 Allocation of producer allotments to farms.

* * * * *

(h) In any case where an application for transfer of a producer allotment to another county has been approved under paragraph (g) of this section, and an application to allocate such transferred producer allotment to a farm has been timely filed, the county committee shall schedule a hearing and the operator of the farm to which allocation is requested shall be invited to be present. Such operator shall satisfy the county committee that the producer requesting the allocation will be engaged in the production of rice on the farm to the extent shown on the application for allocation. If the application for allocation is approved by the county committee and the representative of the State committee, the provisions of paragraph (c) of this section shall apply. If the application for allocation is disapproved by the county committee or the representative of the State committee, the applicant shall be notified in writing giving reasons for disapproval.

3. Paragraph (b)(3) of § 730.1527 is amended as follows: Subdivision (iii) is amended and a new subdivision (iv) is added at the end thereof. The amended subdivision (iii) and the added subdivision (iv) read as follows:

§ 730.1527 Establishment of base acreages for old farms.

* * * * *

(b) * * *

(3) * * *

(iii) Acreage regarded as planted to rice under the conservation and cropland adjustment programs.

(iv) Acreage reduced due to cropland limitations.

* * * * *

4. Section 730.1528 is amended by adding at the end thereof a new paragraph (g) to read:

§ 730.1528 Determination of allotments for old farms.

* * * * *

(g) The allotment determined for any farm under paragraphs (a), (b), (c), and (d) of this section may be reduced for the current year if the sum of the feed grain base, total allotments, and sugar proportionate shares exceeds the cropland for the farm for the current year and the farm operator requests in writing to reduce the rice allotment in lieu of the feed grain base: *Provided*, That such reduction shall not exceed the acreage by which the sum of the feed grain base, total allotments, and sugar proportionate shares exceeds the cropland for the farm: *Provided further*, That such reduction shall be effective for the current year only. For purposes of establishing future State, county and farm acreage allotments, the acreage not planted under the farm allotment because of a reduction under this paragraph shall be regarded as planted on the farm.

(Secs. 301, 353, 375, 377, 52 Stat. 38, as amended, 61 as amended, 66, as amended, 70 Stat. 206, as amended; 7 U.S.C. 1301, 1353, 1375, 1377)

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

Signed at Washington, D.C., on May 3, 1967.

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

[F.R. Doc. 67-5116; Filed, May 5, 1967; 8:49 a.m.]

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

[Valencia Orange Reg. 201]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 908.501 Valencia Orange Regulation 201.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 4, 1967.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period May 7, 1967, through May 13, 1967, are hereby fixed as follows:

(i) District 1: 600,000 cartons;

(ii) District 2: 269,544 cartons;

(iii) District 3: 275,000 cartons.

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

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

Dated: May 5, 1967.

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

[F.R. Doc. 67-5192; Filed, May 5, 1967; 11:21 a.m.]

[Lemon Reg. 266]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.566 Lemon Regulation 266.

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 2, 1967.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period May 7, 1967, through May 13, 1967, are hereby fixed as follows:

(i) District 1: 2,260 cartons;

(ii) District 2: 279,000 cartons;

(iii) District 3: Unlimited movement.

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

(Secs. 1-19, 38 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 4, 1967.

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

[F.R. Doc. 67-5146; Filed, May 5, 1967; 8:50 a.m.]

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

[Milk Order 62]

PART 1062—MILK IN ST. LOUIS, MO., MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the St. Louis, Mo., marketing area (7 CFR Part 1062), it is hereby found and determined that:

(a) The following provision of the order, for the month of April 1967, does not tend to effectuate the declared policy of the Act: In § 1062.14(b)(3) the words "for not more than 16 days' production";

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order is requested by the cooperative associations whose members comprise a large majority of producers regularly serving this market.

(4) This suspension order will remove the limit during April 1967 for interorder diversion, which is an important method of handling reserve milk in the St. Louis market. During April 1967, interorder diversion was necessary to a larger degree than usual. Without removal of the limit on interorder diversion for April, milk of a large number of dairy farmers normally associated with the St. Louis market would be excluded from the pool.

(5) Besides the disruption of payments to St. Louis producers, the effect would extend to the Southern Illinois (Order No. 32) producers. Exclusion of the milk from the St. Louis pool would result in its being accounted for as receipt at the other order plant to which diverted, which plant is a Southern Illinois pool plant. In this case the Southern Illinois plant would fail to meet the required percentage utilization for a pool plant under Order No. 32. This plant operator favors this action.

(6) This suspension action is necessary to maintain producer status during April 1967 for a large group of producers who are part of the supply for the St. Louis market. Without this action returns at order prices to certain dairy farmers associated with the market would be threatened.

Therefore, good cause exists for making this order effective upon publication in the FEDERAL REGISTER.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of April 1967.

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 2, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-5096; Filed, May 5, 1967; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Cotton Loan Program Regs. Amdt. 5]

PART 1427—COTTON

Subpart—Cotton Loan Program Regulations

HEAVYWEIGHT BALES

The regulations issued by the Commodity Credit Corporation, published in 30 F.R. 8096 and 15795, and 31 F.R. 4389 and 9791, as Cotton Loan Program Regulations, and containing terms and conditions with respect to the Cotton Loan Program, are hereby amended to allow tender at 625 pounds of bales of cotton weighing in excess of 625 pounds, as follows:

1. Paragraph (j) of § 1427.1356 is amended to read as follows:

§ 1427.1356 Eligible cotton.

* * * * * *

(j) Each bale of cotton must weigh not less than 350 pounds gross weight, including any bagging allowance authorized under § 1427.1359 (a).

* * * * * *

2. The first sentence of paragraph (a) of § 1427.1359 is amended to read as follows:

§ 1427.1359 Weight, loan rate, and amount.

(a) *Weight.* Loans will be made on the gross weight of upland cotton and on the net weight of extra long staple cotton, except that in the case of bales which weigh more than 625 pounds (including any allowance for lightweight bagging and ties), the weight to be used in determining the amount of the loan on the bale shall be 625 pounds. * * *

* * * * * *

(Secs. 4, 5, 62 Stat. 1070, as amended; secs. 101, 103, 401, 63 Stat. 1051, as amended; 72 Stat. 980, 79 Stat. 1187; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1444, 1421)

Effective date. This amendment is effective for the 1966 and subsequent crops of cotton.

Signed at Washington, D.C., on May 2, 1967.

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

[F.R. Doc. 67-5095; Filed, May 5, 1967; 8:47 a.m.]

[Honey Price Support Regs. for 1966 and Subsequent Crops, Amdt. 1]

PART 1434—HONEY

Subpart—Honey Price Support Regulations

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation, published in 31 F.R. 6257 and setting forth the requirements with respect to price support for the 1966 and each subsequent crop of extracted honey for which a price support program is authorized, are hereby amended as follows:

1. In § 1434.85, the fourth sentence is amended to provide for loans to cooperative marketing associations on honey stored identity preserved in warehouses licensed under the United States Warehouse Act and reads as follows:

§ 1434.85 General statement.

* * * Loans will be evidenced by notes and secured by chattel mortgages or, in the case of approved cooperative marketing associations, may be secured by warehouse receipts representing honey stored identity preserved in warehouses licensed under the United States Warehouse Act. * * *

2. Section 1434.90 is amended to add the word "pledge" to paragraph (c) and reads as follows:

§ 1434.90 Availability, disbursement, and maturity of loans.

* * * * * *

(c) *Disbursement of loans.* Disbursement of loans will be made to producers by ASCS county offices by means of loan drafts drawn on CCC or by credit to the producer's account. The producer shall not present the loan documents for disbursement unless the honey covered by the mortgage or pledge is in existence. If the honey was not in existence at the time of disbursement, the total amount disbursed under the loan shall be refunded promptly by the producer.

3. In § 1434.93 the introductory text is deleted and paragraph (a) is amended to permit certain loans on honey in approved warehouse storage and define such storage. Paragraph (a) now reads as follows:

§ 1434.93 Approved storage.

(a) *Loans.* Loans will be made only on honey in approved storage as defined in this section.

(1) *Farm-storage.* Approved farm-storage for producers shall consist of a storage structure located on or off the farm (excluding public warehouses) which is determined by the county committee to afford safe storage for honey.

(2) *Warehouse-storage.* Approved warehouse-storage shall consist of a storage structure operated by an approved cooperative marketing association as defined in § 1434.87(d) and licensed to store honey under the United States Warehouse Act.

* * * * * *

4. Section 1434.93a is added to provide requirements for warehouse receipts

pledged by cooperative marketing associations and reads as follows:

§ 1434.93a Warehouse receipts.

(a) *General.* Warehouse receipts tendered to CCC under this program must meet the requirements of the regulations in this subpart and Part 108 of Chapter I of this title.

(b) *Manner of issuance and endorsement.* Warehouse receipts must be issued in the name of the approved cooperative marketing association. The receipts must be properly endorsed in blank so as to vest title in the holder. Receipts must be issued by a warehouse licensed to store honey under the United States Warehouse Act and represent a lot of extracted honey stored identity preserved. The receipts must be negotiable and must represent eligible honey actually in storage in the warehouse.

5. Paragraph (a) of § 1434.96 is amended to add loan service fee for cooperative storage loans and reads as follows:

§ 1434.96 Fees and charges.

(a) *Loan service fee.* A producer shall pay a loan service fee of $4 for each farm-storage loan disbursed. An approved cooperative marketing association shall pay a loan service fee of $2 for each cooperative-storage loan disbursed. The loan service fee is not refundable.

* * * * *

6. Paragraph (b) of § 1434.98 is amended to add the method of determining the quantity of honey acquired by CCC from warehouse storage loans and to clarify the method of determining the quantity acquired from farm-storage and reads as follows:

§ 1434.98 Determination of quantity.

* * * * *

(b) *At time of acquisition*—(1) *Farm-storage.* The quantity of honey acquired by CCC on delivery in liquidation of a loan or delivery for purchase shall be determined by weighing the honey delivered under the direction of the State committee. The quantity of honey acquired in 5-gallon cans shall be determined by using a tare weight of 2.5 pounds for each can. The quantity of honey acquired in 55-gallon drums shall be determined by using a tare weight of 53 pounds for each drum unless the producer can furnish evidence of a lesser tare weight.

(2) *Cooperative warehouse storage.* The quantity of honey acquired by CCC in approved warehouse storage in liquidation of a loan or delivery for purchase shall be the net weight shown on the weight certificate accompanying, and identified to, the warehouse receipt pledged to CCC or representing honey offered to CCC for purchase.

7. Section 1434.105 is amended to provide for loans on a quantity of honey in approved warehouse storage and reads as follows:

§ 1434.105 Quantity for loan.

(a) *Farm-storage.* Loans shall be made on 90 percent, or such lesser percentage determined by the State committee, of the estimated quantity of the eligible honey stored in approved farm storage and covered by a chattel mortgage. The State committee's determination shall be on a statewide basis or for specified areas within the State. The county committee may lower the percentage determined by the State committee on an individual basis when determined to be in the best interests of CCC. Loans may be made on less than the maximum quantity eligible for loan at the producer's request. In any event, the mortgage shall cover all of the honey in the lot in which the honey on which the loan is made is stored.

(b) *Warehouse storage.* The amount of a loan on the quantity of eligible honey stored in an approved warehouse shall be based on a percentage, as determined by the State committee, of the net weight specified on the warehouse receipt representing the honey offered as security for the loan. Such percentage shall not exceed 95 percent of the weight so specified.

8. Section 1434.106 is amended to add "farm-storage" to title of paragraph (a) and to add paragraph (c) *Obtaining release-warehouse storage* and reads as follows:

§ 1434.106 Release of the honey under loan.

(a) *Obtaining release—farm storage.* * * *

* * * * *

(c) *Obtaining release—warehouse storage.* The cooperative may arrange with the county office for release of all or part of the honey under a warehouse-storage loan on or prior to maturity by repayment of the amount of the loan with respect to the quantity of the honey to be released plus interest. Each partial release must cover all of the honey represented by one warehouse receipt.

9. Paragraph (a) of § 1434.111 is amended to set forth the support rates for 1967-crop honey and reads as follows:

§ 1434.111 Support rates.

(a) *1967 crop.* An amendment to this section shall be issued for each year for which a honey price support program is authorized setting forth the support rates for the then current crop of honey. The support rate for the quality of 1967-crop honey placed under loan or acquired under loan or purchase shall be the rate for the respective class and color set forth below:

Class and color	For Montana, Wyoming, Colorado, New Mexico, and States west thereof	All States east of Montana, Wyoming, Colorado, and New Mexico
	Cents per pound	*Cents per pound*
Table honey:		
1. White and lighter	13.0	13.4
2. Extra light amber	12.0	12.4
3. Light amber	11.0	11.4
4. Other table honey	9.0	9.4
Nontable honey	9.0	9.4

* * * * *

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 2, 1967.

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

[F.R. Doc. 67-5094; Filed, May 5, 1967; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 67-WE-11AD; Amdt. 39-410]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Models 188A and 188C Series Airplanes

Amendment 39-383 (32 F.R. 5545), AD 67-11-4, as amended by Amendment 39-395 issued by telegram on April 5, 1967, and later published in 32 F.R. 5830, requires operators of Lockheed Models 188A and 188C Series airplanes to inspect visually areas above and below the floor line at the locations of the fuselage main frame forgings, to rework the intercostals and floor support structure at these locations, and to replace all forgings found cracked. After issuing Amendment 39-383, as amended by Amendment 39-395, the FAA has determined that in addition to requiring the replacement of cracked forgings with new parts of the same part number or with "new design" parts as a means of insuring safety, the FAA can, as an alternative means of compliance, require the repair of a cracked forging in accordance with a method previously approved by the Chief, Aircraft Engineering Division, FAA Western Region, without any adverse effect on safety. To accomplish this end, the AD is being amended to provide for (1) a "special repair" of a cracked forging with additional provision for repetitive inspections at intervals of 60 hours' time in service for a maximum period of 600 hours' time in service after which time a replacement of the cracked forging or a "complete repair" of the cracked forging must be accomplished, and (2) a "complete repair" of a cracked forging with subsequent inspections to be conducted within the same periods of time established for repetitive inspections following replacement of a cracked forging with a new part of the same part number. Further provision is made in this amendment in the case of a "special repair" for accelerating the time at which a replacement or a "complete repair" of the forging must be accomplished in the event that crack growth is detected at the location of the "special repair."

In addition, paragraphs (d) and (h) of Amendment 39-383 as amended by

Amendment 39-395, is being clarified to carry out the intent of the FAA that the rework called for in those paragraphs be accomplished within 2,000 and 4,000 hours' time in service respectively after the effective date of the AD for airplanes having Fuselage Main Frame Forgings with 10,000 or more or 15,000 or more hours' time in service respectively on that date, or prior to the accumulation of 12,000 or 19,000 hours' time in service respectively. The AD presently requires accomplishment of the rework at the intercostals within 2,000 hours' time in service after the effective date of the AD and rework at the floor support structure within 4,000 hours' time in service after the effective date of the AD without regard to the total hours time in service of the airplane.

Also, reference to "Lockheed Drawing 841475" in line 5, paragraph (d) of Amendment 39-383 (32 F.R. 5545) is a typographical error and is being corrected herein to read "Lockheed Drawing 841474".

Since this amendment is clarifying in nature, provides an alternative means of compliance, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than thirty (30) days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-383 (32 F.R. 5545), AD 67-11-4, as amended by Amendment 39-395 issued by telegram on April 5, 1967, and later published in 32 F.R. 5830, is further amended as follows:

1. Paragraph (d) is amended to read as follows:

(d) Rework the intercostals described in Lockheed Drawing 811126 in accordance with Lockheed Wire FS/296808-W (reprinted in Lockheed Service Bulletin 88/SB-644), Lockheed Drawing 841474, or later FAA-approved revision (for forward intercostals attached to the forgings at F.S. 571) and Lockheed Drawing 841475 or later FAA-approved revision (for aft intercostals attached to the forgings at F.S. 695), or in either case by an equivalent method approved by the Chief, Aircraft Engineering Division, FAA Western Region, within 2,000 hours' time in service after the effective date of this AD unless already accomplished for those airplanes having fuselage main frame forgings with 10,000 or more hours time in service on that date, or prior to the completion of 12,000 hours' time in service unless already accomplished for airplanes having fuselage main frame forgings with less than 10,000 hours' time in service on that date. Thereafter, inspect in accordance with paragraph (c) within periods not to exceed 4,000 hours' time in service from the completion of the rework specified in this paragraph.

2. Paragraph (h) is amended to read as follows:

(h) Rework the floor support structure at the location of the fuselage main frame forgings in accordance with "2. Accomplishment Instructions," Parts III and IV, Lockheed Service Bulletin 88/SB-644, or later FAA-approved revision, or by an equivalent method approved by the Chief, Aircraft Engineering Division, FAA Western Region, within 4,000 hours' time in service after the effective date of this AD unless already accomplished for those airplanes having fuselage main frame forgings with 15,000 or more hours' time in service on that date, or prior to the completion of 19,000 hours' time in service unless already accomplished for those airplanes having fuselage main frame forgings with less than 15,000 hours on that date. Thereafter, inspect in accordance with paragraph (g) within periods not to exceed 4,000 hours' time in service from the completion of the rework specified in this paragraph.

3. Paragraph (i) is amended to read as follows:

(i) If a crack is detected during the inspections conducted in accordance with paragraphs (c) or (g), repair or replace each forging found cracked before further flight (except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be accomplished) as follows:

(1) Accomplish a "special repair" or a "complete repair" in accordance with a method previously approved by the Chief, Aircraft Engineering Division, FAA Western Region; or

(2) Replace with a new forging of the same part number or with a "new design" forging, P/N 801030-101 (in place of P/N 801030-3), P/N 801030-102 (in place of P/N 801030-4), P/N 801031-101 (in place of P/N 801031-1), P/N 801031-102 (in place of P/N 801031-2), P/N 801030-101 (in place of P/N 801030-1), P/N 801030-102 (in place of P/N 801030-2), in accordance with "2. Accomplishment Instructions," Part V, Lockheed Service Bulletin 88/SB-644, or later FAA-approved revision, or in accordance with an equivalent method approved by the Chief, Aircraft Engineering Division, FAA Western Region.

4. Insert the following new paragraphs (i-A) and (i-B) between paragraphs (i) and (j):

(i-A) If a "special repair" is accomplished, visually inspect the repaired area for evidence of crack growth within 60 hours' time in service after the completion of the "special repair" and thereafter at intervals not to exceed 60 hours' time in service from the last inspection. If crack growth is detected during the repetitive inspections conducted under this paragraph, accomplish a "complete repair" of the affected forging or replace the affected forging with a new forging of the same part number or with a "new design" forging before further flight in accordance with paragraph (i). If crack growth is not detected during inspections under this paragraph, accomplish the "complete repair" of the affected forging or replace the affected forging with a new forging of the same part number or with a "new design" forging in accordance with paragraph (i) within 600 hours' time in service after the completion of a "special repair."

(i-B) If a "complete repair" is accomplished, the inspections specified in paragraphs (c) and (g) and the rework specified in paragraphs (d) and (h), unless previously accomplished, must be accomplished for that forging at the compliance times indicated in this AD.

This amendment becomes effective upon publication in the FEDERAL REGISTER.

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

Issued in Los Angeles, Calif., on April 27, 1967.

JOSEPH H. TIPPETS,
Regional Director,
FAA Western Region.

[F.R. Doc. 67-5089; Filed, May 5, 1967; 8:47 a.m.]

[Docket No. 67-EA-46; Amdt. 39-407]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild F-27 and F-227 Aircraft

The purpose of this amendment to Part 39 of the Federal Aviation Regulations is to require the installation of another attitude indicator on the captain's side of the instrument panel. This instrument will derive its electrical power from an alternator source and the D.C. power system.

Pursuant to former CAR 4b.612(e), now FAR 25.1331, all instruments were required to have two independent sources of power. The present attitude indicator has only a D.C. source of power and therefore creates a situation which will not permit continued operation of the instrument should there be a single ground fault in the D.C. power system.

Since an unsafe condition can arise, a situation exists that requires immediate adoption of this regulation and therefore notice and public procedure hereon are impractical and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

FAIRCHILD. Applies to all Model F-27 Series and FH-227 Series Airplanes. Compliance required within the next 200 hours' time in service after the effective date of this A.D. unless already accomplished.

To compensate for the loss of electrical power to the flight instruments required by former CAR 4b.603 (e), (f), (g) (effective December 31, 1953) in the event of a single ground fault in the D.C. power system, accomplish the following:

(a) In aircraft, where the emergency electrical power to operate attitude indicator, turn and bank indicator and gyroscopic direction indicator is derived from the D.C. power system, modify the emergency electrical power system to these instruments in accordance with Allegheny Airlines Engineering Order 67-81F or later FAA approved revision, or an FAA approved equivalent approved by the Chief, Engineering and Manufacturing Branch, Eastern Region.

(b) Upon request and submission of substantiating data, an FAA Maintenance Inspector may adjust the compliance time specified in this A.D. to permit compliance at an established inspection period.

This amendment is effective upon publication in the FEDERAL REGISTER.

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

Issued in Jamaica, N.Y., on April 25, 1957.

WAYNE HENDERSHOT,
Acting Director.

[F.R. Doc. 67-5109; Filed, May 5, 1967; 8:48 a.m.]

[Docket No. 7570; Amdt. 77-3]

PART 77—OBJECTS AFFECTING NAVIGABLE AIRSPACE

Discretionary Review

The purpose of this amendment is to exclude determinations of no hazard made under § 77.19(c)(1) from the applicability of discretionary review provided in § 77.37.

The FAA published a notice of proposed rule making in the FEDERAL REGISTER on August 23, 1966 (31 F.R. 11155), circulated as Notice 66-34, proposing to exclude no-hazard determinations relating to those structures for which a notice must be filed under § 77.13 but which would not exceed any standard of Subpart C of Part 77, and therefore would be neither an obstruction nor a hazard. Under the FAA's published criteria the proponent of a structure in this category could be given only a no-hazard determination. However, under § 77.37 the proponent should wait 30 days to allow any interested party the opportunity to petition for a discretionary review that could only result in a substantiation of the no-hazard determination.

Comments received in response to the notice indicated a general understanding of the unneeded delay of 30 days preceding finality of the determination and generally endorsed the proposal. Objections were received to the proposal that were directed to procedural delays encountered in disseminating information concerning the proposed structure to airspace users.

The Air Line Pilots Association objected, stating that local authority would not have an opportunity to study a proposed construction with regard to local zoning ordinances, and to assess the "effects" of the proposal on aviation in that location. A proponent must, of course, obtain any necessary approval from local government authorities prior to construction, including zoning approval, if any, which would consider the effects on local property interests. Elimination of the provision for discretionary review by the FAA would have no effect on any requirement local authorities may impose on the proponent.

The Department of the Air Force objected, stating that the elimination of a 30-day delay would not permit proper treatment of aviation considerations because of the length of time involved in obtaining and assessing the effect of the proposal. Particularly, the Air Force is concerned with training flights at very low levels for which a structure of moderate height could be a hazard, and which may be erected before the Air Force representatives would be aware of its existence. Part 77 was never intended to provide protection for very low level military training operations. If every structure that may be an obstruction to flights of this nature should be called a hazard, the public would be overburdened, and a hazard determination would be meaningless. The portion of the comment relating to the delay in obtaining information is pertinent, and coincidentally is similar to a comment received from the Department of the Navy in concurring with the proposal. The FAA will review its procedures to insure appropriate coordination and timely dissemination of information to appropriate parties, including military representatives.

Some comments, conceding that a delay of 30 days may be burdensome in particular circumstances, suggested that a provision be promulgated to waive the 30-day period in circumstances of hardship, or that the 30-day period be retained when an interested party specifically requests its retention to permit time for filing a petition for review. One comment suggested eliminating acknowledgments issued under § 77.19(c)(1). Retention of the 30-day period under normal circumstances while waiving it in cases of hardship would base the decision for discretionary review upon the circumstances of the proponent rather than the effect upon aeronautical operations. If under the standards of Part 77 a structure could be neither an obstruction nor a hazard, periods of delay and additional reviews could not alter the determination. Moreover, issuing waivers would be time consuming and administratively inefficient where the necessity of review is nonexistent.

In consideration of the foregoing, § 77.37 of the Federal Aviation Regulations is amended, effective June 5, 1967, by adding the following new sentence to the end of paragraph (a):

§ 77.37 **Discretionary review.**

(a) * * * This paragraph does not apply to any acknowledgment issued under § 77.19(c)(1).

* * * * *

(Secs. 307, 313, 1101, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354, 1501)

Issued in Washington, D.C., on May 1, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5090; Filed, May 5, 1967; 8:47 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

SUBCHAPTER C—DRUGS

PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

Amprolium, Ethopabate, 3-Nitro-4-Hydroxyphenylarsonic Acid, Bacitracin

A. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 6C1932) filed by Merck Sharp & Dohme Research Laboratories, Division of Merck and Co., Inc., Rahway, N.J. 07065, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use in chicken feed of a combination drug containing amprolium, ethopabate, 3-nitro-4-hydroxyphenylarsonic acid, and bacitracin, for specified conditions of chickens. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended in the following respects:

1. In § 121.210(c), table 1 is amended by changing item 1.1k in the fifth and sixth columns, by adding new items 2.8 and 2.9, by amending in the first column subitem e under item 2.9, and by deleting and reserving subitem q under item 2.9. The affected portions are as follows:

§ 121.210 **Amprolium.**

* * * * *

(c) * * *

TABLE 1—AMPROLIUM IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.1 * * *					
k. * * *	* * *	* * *	* * *	§ 121.262, table 1, item 2.1. * * *	§ 121.262, table 1, item 2.1. * * *
* * *	* * *	* * *	* * *		
2.7 * * *					
2.8 Amprolium	113.5-227 (0.0125%-0.025%)	3-Nitro-4-hydroxyphenylarsonic acid.	22.7-45.4 (0.0025%-0.005%)	For broiler chickens; withdraw 5 days before slaughter; as sole source of organic arsenic.	Prevention of coccidiosis; growth promotion and feed efficiency; improving pigmentation.
2.9 Amprolium	113.5-227 (0.0125%-0.025%)	Ethopabate + 3-Nitro-4-hydroxyphenylarsonic acid.	3.6 (0.0004%) 22.7-45.4 (0.0025%-0.005%)	For broiler chickens; for replacement chickens intended for use as caged layers only; withdraw 5 days before slaughter; as sole source of organic arsenic.	Do.
* * *	* * *	* * *	* * *	* * *	* * *
e. 2.1, 2.2, or 2.9	* * *	* * *	* * *	* * *	* * *
* * *	* * *	* * *	* * *	* * *	* * *
q. [Reserved]					
* * *	* * *	* * *	* * *	* * *	* * *

2. In § 121.262(c), table 1 is amended by adding new items 1.7, 1.8, and 1.9, by amending in the first column subitem 1 under item 1.9, and by deleting subitems k and l under item 1.9. The affected portions are as follows:

§ 121.262 3-Nitro-4-hydroxyphenylarsonic acid.

* * * * *

(c) * * *

TABLE 1—3-NITRO-4-HYDROXYPHENYLARSONIC ACID IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
* * *	* * *	* * *	* * *	* * *	* * *
1.6 * * *					
1.7 3-Nitro-4-hydroxy-phenylarsonic acid.	22.7-45.4 (0.0025%-0.005%)	Amprolium	113.5-227 (0.0125%-0.025%)	For broiler chickens; withdraw 5 days before slaughter; as sole source of organic arsenic.	Prevention of coccidiosis; growth promotion and feed efficiency; improving pigmentation.
1.8 3-Nitro-4-hydroxy-phenyl-arsonic acid.	22.7-45.4 (0.0025%-0.005%)	do + Ethopabate	113.5-227 (0.0125%-0.025%) 3.6 (0.0004%)	For broiler chickens; for replacement chickens intended for use as caged layers only; withdraw 5 days before slaughter; as sole source of organic arsenic.	Do.
1.9 3-Nitro-4-hydroxy-phenyl-arsonic acid.	22.7-45.4 (0.0025%-0.005%)	do	36.3-113.5 (0.004%-0.0125%)	For replacement chickens; withdraw 5 days before slaughter; as sole source of organic arsenic; as follows:	Growth promotion and feed efficiency; improving pigmentation; development of active immunity to coccidiosis.

Growing conditions	Amount of amprolium in feed for birds by age groups		
	Up to 5 weeks of age	From 5 to 8 weeks of age	Over 8 weeks of age
	Grams per ton	*Grams per ton*	*Grams per ton*
Severe exposure to coccidiosis.	113.5 (0.0125%)	72.6-113.5 (0.008%-0.0125%)	36.3-113.5 (0.004%-0.0125%)
Moderate exposure to coccidiosis.	72.6-113.5 (0.008%-0.0125%)	54.5-113.5 (0.006%-0.0125%)	36.3-113.5 (0.004%-0.0125%)
Slight exposure to coccidiosis.	36.3-113.5 (0.004%-0.0125%)	36.3-113.5 (0.004%-0.0125%)	36.3-113.5 (0.004%-0.0125%)

* * *	* * *	* * *	* * *	* * *	* * *
1.11, 1.13, 1.14, 1.15...	* * *	* * *	* * *	* * *	* * *
* * *					
k. [Deleted]					
l. [Deleted]					

§ 144.26 [Amended]

B. Pursuant to the provisions of the act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under the authority delegated as cited above, § 144.26 *Animal feed containing certifiable antibiotics* is amended by changing in the first sentence of paragraph (b)(54) the words "arsanilic acid," to read "arsanilic acid or 3-nitro-4-hydroxyphenylarsonic acid,".

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

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

(Secs. 409(c)(1), 507, 59 Stat. 463, as amended, 72 Stat. 1786; 21 U.S.C. 348(c)(1), 357)

Dated: April 21, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-5060; Filed, May 5, 1967; 8:45 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6916]

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

Certain Reacquisitions of Real Property

Correction

In F.R. Doc. 67-4044, published at page 5923 in the issue dated April 13, 1967, the following corrections should be made:

1. In § 1.1034-1(a) following the sentence reading "Any gain realized upon disposition of other property in exchange for the new residence is not affected by section 1034" and preceding the last sentence, a sentence was inadvertently omitted. This sentence reads as follows: "For special rules relating to the sale or exchange of a principal residence by a taxpayer who has attained age 65, see section 121 and paragraph (g) of § 1.121-5."

2. In Example (5) under § 1.1038-1(h), in paragraph (a), "requisition" in the last line should read "reacquisition", and in paragraph (b), the fifth line under "Limitation on amount of gain", the word "at" should read "as".

3. In Example (1) under § 1.1038-2(h), in the first sentence of paragraph (a) the words "an adjusted sales price of" should be deleted.

Title 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

SUBCHAPTER B—RENEGOTIATION BOARD REGULATIONS UNDER THE 1951 ACT

PART 1457—FISCAL YEAR BASIS FOR RENEGOTIATION AND EXCEPTIONS

Carryforward of Renegotiation Losses

Section 1457.9 *Losses on renegotiable business in other years: extent allowable in fiscal years ending on or after December 31, 1956,* is deleted in its entirety and the following is inserted in lieu thereof:

§ 1457.9 Carryforward of renegotiation losses.

(a) *Statutory provision.* Section 103(m) of the act provides as follows:

(m) *Renegotiation loss carryforwards.*—(1) *Allowance.* Notwithstanding any other provision of this section, the renegotiation loss deduction for any fiscal year ending on or after December 31, 1956, shall be allowed as an item of cost in such fiscal year, under regulations of the Board.

(2) *Definitions.* For the purposes of this subsection—

(A) The term "renegotiation loss deduction" means—

(i) for any fiscal year ending on or after December 31, 1956, and before January 1, 1959, the sum of the renegotiation loss carryforwards to such fiscal year from the preceding 2 fiscal years; and

(ii) for any fiscal year ending after December 31, 1958, the sum of the renegotiation loss carryforwards to such fiscal year from the preceding 5 fiscal years (excluding any fiscal year ending before December 31, 1956).

(B) The term "renegotiation loss" means, for any fiscal year, the excess, if any, of costs (computed without the application of this subsection and the third sentence of subsection (f)) paid or incurred in such fiscal year with respect to receipts or accruals subject to the provisions of this title over the amount of receipts or accruals subject to the provisions of this title which were received or accrued in such fiscal year, but only to the extent that such excess did not result from gross inefficiency of the contractor or subcontractor.

(3) *Amount of carryforwards to 1956, 1957, and 1958.* For the purposes of paragraph (2)(A)(i), a renegotiation loss for any fiscal year (hereinafter in this paragraph referred to as the "loss year") shall be a renegotiation loss carryforward to the first fiscal year succeeding the loss year. Such renegotiation loss, after being reduced (but not below zero) by the profits derived from contracts with the Departments and subcontracts in the first fiscal year succeeding the loss year, shall be a renegotiation loss carryforward to the second fiscal year succeeding the loss year. For the purposes of the preceding sentence, the profits derived from contracts with the Departments and subcontracts in the first fiscal year succeeding the loss year shall be computed as follows:

(A) If such first fiscal year ends on or after December 31, 1956, such profits shall be computed by determining the amount of the renegotiation loss deduction for such first fiscal year without regard to the renegotiation loss for the loss year.

(B) If such first fiscal year ends before December 31, 1956, such profits shall be computed without regard to any renegotiation loss for the loss year or any fiscal year preceding the loss year.

(4) *Amount of carryforwards to fiscal years ending after 1958.* For the purposes of paragraph (2)(A)(ii), a renegotiation loss for any fiscal year (hereinafter in this paragraph referred to as the "loss year") ending on or after December 31, 1956, shall be a renegotiation loss carryforward to each of the 5 fiscal years following the loss year. The entire amount of such loss shall be carried to the first fiscal year succeeding the loss year. The portion of such loss which shall be carried to each of the other 4 fiscal years shall be the excess, if any, of the amount of such loss over the sum of the profits derived from contracts with the Departments and subcontracts in each of the prior fiscal years to which such loss may be carried. For the purposes of the preceding sentence, the profits derived from contracts with the Departments and subcontracts in any such prior fiscal year shall be computed by determining the amount of the renegotiation loss deduction without regard to the renegotiation loss for the loss year or for any fiscal year thereafter, and the profits so comptued shall not be considered to be less than zero.

(This subsection (m) added by Pub. Law 870, 84th Cong., approved Aug. 1, 1956, as amended by Pub. Law 86-89, approved July 13, 1959.)

(b) *In general.* Except as provided in this section, losses on renegotiable business in fiscal years prior to the fiscal year under review shall not be allowed as an item of cost in the fiscal year under review. The rules set forth in this section, although stated in terms of the 5-year loss carryforward provided in section 103(m)(2)(A)(ii) and (4) of the act, are also applicable to the 2-year loss carryforward provided in section 103(m)(2)(A)(i) and (3) of the act.

(c) *Interpretation.* (1) The amount of a "renegotiation loss" carried forward to the fiscal year under review from a "loss year" is a "renegotiation loss carryforward" to the fiscal year under review. The sum of the renegotiation loss carryforwards to the fiscal year under review is the "renegotiation loss deduction" for such fiscal year and is the amount which, under these regulations, is allowed as an item of cost in the fiscal year under review.

(2) If a contractor has a renegotiation loss in the first year, renegotiable profits in the second year, and renegotiable profits in the third year, the loss of the first year is first absorbed by the profits of the second year; the amount of loss remaining, if any, is then carried forward and applied against the profits of the third year; and so on until the loss is wholly absorbed by renegotiable profits in the five fiscal years following the loss year.

(3) If a contractor has renegotiation losses in 2 consecutive years, and renegotiable profits in subsequent years, the full amount of the first year's loss is absorbed by such profits before any part of the second year's loss is so applied.

(d) *Limitations.* (1) In computing the amount of a renegotiation loss, any losses resulting from gross inefficiency of the contractor will be excluded.

(2) Any contractor claiming allowance of a renegotiation loss deduction must show that it has reasonably pursued available remedies for obtaining relief from such loss.

(e) *Carryforward upon acquisition of business.* When a contractor acquires the business of another contractor within the 5 fiscal years following the close of a fiscal year in which such other contractor sustained a renegotiation loss, such loss, after being absorbed by renegotiation profits in any fiscal year between the loss year and the fiscal year under review, as provided in this section and § 1464.12 of this subchapter, shall be allowed as a renegotiation loss carryforward for the acquiring contractor if the loss contractor has ceased to exist and, in the opinion of the Board, such allowance is necessary to avoid inequity.

(f) *Application to consolidated groups.* For regulations pertaining to the carryforward of a renegotiation loss sustained by a contractor who was a member of a consolidated group in the loss year, or is a member of a consolidated group in the fiscal year under review, see § 1464.12 of this subchapter.

(Sec. 109, 65 Stat. 22; 50 U.S.C. App., Sup. 1219)

Dated: May 3, 1967.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 67-5105; Filed, May 5, 1967; 8:48 a.m.]

PART 1464—CONSOLIDATED RENEGOTIATION OF AFFILIATED GROUPS AND RELATED GROUPS

Renegotiation Losses of Consolidated Contractors

Section 1464.12 *Overall loss of consolidated group* is deleted in its entirety and the following is inserted in lieu thereof:

§ 1464.12 Renegotiation losses of consolidated contractors.

(a) *Scope and effect of section.* This section explains how a renegotiation loss sustained by a contractor in a fiscal year prior to the fiscal year under review will be treated pursuant to section 103(m) of the act when such contractor (1) was a member of a consolidated group in the loss year, or (2) is a member of a consolidated group in the fiscal year under review. For regulations pertaining to the carryforward of a renegotiation loss sustained by a single contractor, see § 1457.9 of this subchapter.

(b) *Definitions.* As used in this section:

(1) The term "consolidated renegotiation loss" means the amount by which the aggregate costs paid or incurred by the members of a consolidated group with respect to renegotiable receipts or accruals in a fiscal year exceed the aggregate renegotiable receipts or accruals of such group in such fiscal year.

(2) The term "loss member" means a contractor which sustains a renegotiation loss for a fiscal year in which it is a member of a group that sustains a consolidated renegotiation loss.

(c) *Carryforward for loss member of a consolidated group.* If a contractor who was the sole loss member of a consolidated group in a loss year is renegotiated separately for subsequent fiscal years, the amount of the consolidated renegotiation loss sustained by the group shall be a renegotiation loss carryforward for such contractor to each of the 5 fiscal years following the loss year, and shall be subject to the provisions of this section and § 1457.9 of this subchapter. If the group included more than one loss member and the members are renegotiated separately thereafter, the consolidated renegotiation loss will be allocated among the loss members in proportion to the amount of loss sustained by each, and the share so allocated to each loss member shall be a renegotiation loss carryforward for such contractor to each of the 5 fiscal years following the loss year, and shall be subject to the provisions of this section and § 1457.9 of this subchapter.

Example. In Year 1, A, B, and C were members of a consolidated group. A realized renegotiable profits of $240,000; B sustained a renegotiation loss of $200,000; and C sustained a renegotiation loss of $100,000. The consolidated renegotiation loss of the group was $60,000. If the members are renegotiated separately in Year 2, $40,000 will be allowed as a cost to B and $20,000 to C.

No amount of a consolidated renegotiation loss will be allowed as a carryforward (1) if such loss resulted from gross inefficiency; and (2) unless it is shown that any loss member of such group has

reasonably pursued available remedies for obtaining relief from such loss.

(d) *Carryforward to consolidated group*—(1) *When group was identical in loss year.* If a group consolidated in the fiscal year under review sustained a consolidated renegotiation loss in a prior fiscal year, the amount of such loss shall be a renegotiation loss carryforward for the group to each of the 5 fiscal years following the loss year, and shall be carried forward in the manner provided in this section and § 1457.9 of this subchapter.

(2) *When members were separate or in different groups in loss year.* If the members of a group consolidated in the fiscal year under review did not constitute a consolidated group of identical membership in a prior fiscal year in which one or more of such contractors sustained renegotiation losses, such losses shall be carried forward as provided in this section and § 1457.9 of this subchapter. Such losses will be allowed as carryforwards to the consolidated group in the fiscal year under review; but no such amount will be so allowed unless the members of such group would have qualified for consolidation in the loss year, and the aggregate amount so allowed will be limited to the amount, if any, which would have been the consolidated renegotiation loss of such group in the loss year. In computing such amount, if any member of the consolidated group was not a renegotiable contractor in the loss year, but succeeded thereafter to the business of a renegotiable contractor and was owned during the fiscal year under review by the same person or substantially the same persons who owned such predecessor in the loss year, the receipts or accruals and costs of such predecessor will be included in the computation. The following examples illustrate how the limitation in this subparagraph is computed and applied:

(i) *Members were all separate in loss year.* In Year 1, A, B, and C would have qualified for consolidated renegotiation, but were not consolidated. A realized renegotiable profits of $240,000; B sustained a renegotiation loss of $200,000; and C sustained a renegotiation loss of $100,000. If A, B, and C were renegotiated separately in Year 2, $200,000 would be allowed as a cost to B and $100,000 to C. However, A, B, and C are a consolidated group in Year 2, with renegotiable profits of $40,000. Had they been consolidated in Year 1, the consolidated renegotiation loss of the group would have been only $60,000. It is this amount of $60,000, and not the aggregate of $300,000 of renegotiation losses sustained by B and C, which is allowed as a cost to the consolidated group in Year 2. The $20,000 of loss remaining after such allowance is carried forward to Year 3 and is allowed as a cost to the consolidated group in that year.

(ii) *Members were in different groups in loss year.* In Year 1, A, B, and C were members of a consolidated group; D and E were members of another consolidated group; and all five would have qualified for consolidation as a single group. Their renegotiable profits and losses were as follows: A, profit $240,000; B, loss $200,000; C, loss $100,000; D, profit $100,000; and E, loss $150,000. The consolidated renegotiation loss of A, B, and C was $60,000, allocable $40,000 to B and $20,000 to C. The consolidated renegotiation loss of D and E was $50,000, allocable entirely to E. In Year 2, A, B, D, and E form a consolidated group, without C. If A, B, D, and E had consolidated in Year 1, the consolidated renegotiation loss of the group would have been only $10,000. Although the allocable shares of B and E as shown above aggregate $90,000, the amount allowable to the consolidated group in Year 2 is limited to $10,000. The $20,000 allocable to C is allowable to C in that amount in Year 2.

(iii) *Some members were separate and others were in different group in loss year.* (*a*) In Year 1, A (loss $500,000), B (profit $100,000), and C (profit $300,000) were members of a consolidated group. The consolidated renegotiation loss of A, B, and C was $100,000, allocable entirely to A. D (profit $200,000) was renegotiated separately for the same year and made a renegotiation refund in the amount of $30,000, retaining $170,000 after renegotiation. E, a partnership (profit $40,000) was also renegotiated separately. In Year 2 the partners dissolved E and formed a corporation F, which continued the partnership business. Assume A, B, C, D and E would have qualified for consolidation in Year 1.

(*b*) In a Year 2 consolidated group composed of A, B, C, and D, no amount of loss carryforward would be allowed to the group because A, B, C, and D as a group in Year 1 would have realized a group profit of $70,000. In making this computation, D's profits are reduced by its $30,000 renegotiation refund.

(*c*) In a Year 2 consolidated group composed of A, B, and D, the full amount of the $100,000 consolidated renegotiation loss allocable to A would be allowed to the group.

(*d*) In a Year 2 consolidated group composed of A, B, C, and F, their consolidated renegotiation loss as a group in Year 1 would have been $60,000; hence that amount would be allowed as a loss carryforward to the group.

(e) *Carryforward upon acquisition of business.* The provisions of § 1457.9(e) of this subchapter shall apply to the carryforward of losses under this section.

(Sec. 109, 65 Stat. 22; 50 U.S.C. App., Sup. 1219)

Dated: May 3, 1967.

LAWRENCE E. HARTWIG,
Chairman.

[F.R. Doc. 67-5106; Filed, May 5, 1967; 8:48 a.m.]

Chapter XVI—Selective Service System

PART 1624—APPEARANCE BEFORE LOCAL BOARD

PART 1626—APPEAL TO APPEAL BOARD

PART 1627—APPEAL TO THE PRESIDENT

PART 1628—PHYSICAL EXAMINATION

PART 1632—DELIVERY AND INDUCTION

Miscellaneous Amendments

CROSS REFERENCE: For miscellaneous amendments to the Selective Service Regulations, see Title 3, Executive Order 11350, *supra*.

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter IV—Saint Lawrence Seaway Development Corporation

PART 401—SEAWAY REGULATIONS AND RULES

Hazardous Cargo Vessel; Correction

F.R. Doc. 67-4505, published at pages 6394-6396 in the issue dated April 25, 1967, is corrected by changing the word "omitting" to read "emitting" in the second line of § 401.105-6(g), Hazardous Cargo Vessel.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] JOSEPH H. MCCANN,
Administrator.

[F.R. Doc. 67-5080; Filed, May 5, 1967; 8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 531—DOMESTIC AIR TRANSPORTATION

Air Carriers' Responsibilities and Handling of Mail

A notice of proposed revisions in §§ 531.3 and 531.5 of Title 39, Code of Federal Regulations, was published in the FEDERAL REGISTER of March 7, 1967 (32 F.R. 3778), concerning new procedures for airmail flights. Interested persons were given 30 days in which to submit written comments regarding the proposals.

After careful consideration of the comments received, the Department has reached the conclusion to adopt the proposed amendments with the modification that carriers are requested and not

required to give the Department not less than 20 days' notice when major schedule changes are involved. Accordingly, the amendments to be effective 30 days after publication in the FEDERAL REGISTER read as follows:

§ 531.3 Air carriers' responsibilities.

* * * * *

(g) *For preparing and submitting schedules.* * * *

(2) *Submission.* (i) Air carriers shall submit with proposed new schedules a brief explanatory letter or cover sheet detailing proposed changes.

(ii) Copies of changes to existing schedules must be filed with the Post Office Department, Air Transportation Branch, Bureau of Transportation and International Services, Washington, D.C. 20260, not less than 10 days prior to effective date. In the case of major schedule changes, carriers are requested to give not less than 20 days' notice in order that the Department may have sufficient time to process these schedule changes. The date of filing will be the date of receipt by the Air Transportation Branch.

(iii) Air carriers shall distribute copies of proposed new schedules or changes in existing schedules as follows:

(*a*) Two copies to Air Transportation Branch.

(*b*) One copy to transportation division in each region concerned.

(*c*) States-Alaska and Inter-Alaska air carriers must send one copy to the Director, Transportation Division, Post Office Department, Post Office Box 9000, Seattle, Wash. 98109.

(3) *Designation of service.* The Transportation Division will advise the Air Transportation Branch of all flights that are not needed for the transportation of mail. The Air Transportation Branch will notify the air carriers of flights designated for transportation of the mail.

* * * * *

NOTE: The corresponding Postal Manual sections are 531.372 and 531.373, respectively.

§ 531.5 Handling of mail.

* * * * *

(d) *Disposition of mail—canceled or irregular flights.* * * *

(4) When irregular operations occur, dispatch airmail to best advantage. If two-carrier routing has advantage over holding for single carrier, use the two-carrier dispatch.

* * * * *

NOTE: The corresponding Postal Manual section is 531.54.

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

TIMOTHY J. MAY,
General Counsel.

MAY 3, 1967.

[F.R. Doc. 67-5100; Filed, May 5, 1967; 8:48 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 2—Federal Aviation Administration

PART 2–60—CONTRACT APPEALS

Establishment of Contract Appeals Panel

Section 2–60.101 is revised to read as follows:

§ 2–60.101 Establishment.

The Federal Aviation Administration Contract Appeals Panel is established within the Office of the General Counsel. The FAA General Counsel appoints the members of the Panel from attorneys employed within the Department of Transportation, and shall designate one of them as Chairman.

(Sec. 303(d), Federal Aviation Act of 1958; 49 U.S.C. § 1344(d))

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

Dated: May 1, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5091; Filed, May 5, 1967; 8:47 a.m.]

Chapter 8—Veterans Administration

PART 8–3—PROCUREMENT BY NEGOTIATION

Cost-Plus-a-Fixed-Fee Contract

In § 8–3.405–5, paragraph (d) is added to read as follows:

§ 8–3.405–5 Cost-plus-a-fixed-fee contract.

* * * * *

(d) The total cost of all (A–E) architect-engineer services contracted for may not exceed 6 percent of the estimated cost of the construction project to which such services apply even though the various phases or segments of the A–E effort are contracted for separately with the same or different A–E firms. This limitation permits no cost exclusions from the total compensation payable for all services performed under an A–E contract or contracts including services for preliminary planning, preliminary site and subsurface investigations, consultant fees, travel expenses, reproduction costs, construction time duties or the like. The limitation also permits no cost exclusions for changes to an A–E contract except when the A–E services are in connection with additional facilities to be added to the project, and in this event the cost of the A–E services is limited to 6 percent of the estimated cost of construction of the additional facilities. This limitation applies to fixed-price contracts as well as cost-plus-a-fixed-fee contracts.

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c))

This regulation is effective immediately.

Approved: May 1, 1967.

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 67-5107; Filed, May 5, 1967; 8:48 a.m.]

Chapter 11—Coast Guard, Department of Transportation

[CGFR 66-66]

PART 11–1—GENERAL
Subpart 11–1.52—Value Engineering

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4:

1. New Subpart 11–1.52 is added, reading as follows:

Sec.

11–1.5201	Policy.
11–1.5202	Value engineering incentives.
11–1.5202–1	Description.
11–1.5202–2	Application.
11–1.5202–3	Limitations.
11–1.5203	Data and technical information.
11–1.5204	Value engineering incentive clause.
11–1.5204–1	Value engineering incentive clause for firm fixed-price contracts.

AUTHORITY: The provisions of this Subpart 11–1.52 are issued under 14 U.S.C. 633, 10 U.S.C. Ch. 137.

§ 11–1.5201 Policy.

(a) *General.* Value engineering is concerned with elimination or modification of anything that contributes to the cost of an item but is not necessary to required performance, quality, maintainability, reliability, standardization, or interchangeability. Value engineering usually involves an organized effort directed at analyzing the function of an item with the purpose of achieving the required function at the lowest overall cost. As used in this subpart, "value engineering" means a cost reduction effort not required by any other provision of the contract. It is the policy of the Coast Guard to incorporate value engineering incentives provisions which encourage value engineering in all contracts of sufficient size and duration to offer reasonable likelihood for cost reduction. Normally, however, this likelihood will not be present in contracts for architect-engineering. Value engineering incentives contract provisions provide for the contractor to share in cost reductions that ensue from change proposals he submits.

(b) *Processing value engineering change proposals.* In order to realize the cost reduction potential of value engineering, it is imperative that value engineering change proposals be processed as expeditiously as possible.

§ 11–1.5202 Value engineering incentives.

§ 11–1.5202–1 Description.

Many types of contracts, when properly used, provide the contractor with an incentive to control and reduce costs while performing in accordance with specifications and other contract requirements. However, the practice of reducing the contract price (or fee, in the case of cost-reimbursement type contract) under the "Changes" clause tends to discourage contractors from submitting cost reduction proposals requiring a change to the specifications or other contract requirements even though such proposals could be beneficial to the Government. Therefore, the objective of a value engineering incentive provision is to encourage the contractor to develop and submit to the Government cost reduction proposals which involve changes in the contract specifications, purchase description or statement of work. Such changes may include the elimination or modification of any requirements found to be in excess of actual needs regarding for example, design, components, materials, material processes, tolerances, packaging requirements, or testing procedures and requirements. If the Government accepts a cost reduction proposal through issuance of a change order, the value engineering incentive provision provides for the Government and the contractor to share the resulting cost reduction in the proportion stipulated in the value engineering incentive provision.

§ 11–1.5202–2 Application.

(a) Except as limited by § 11–1.5202–3 below, a value engineering incentive provision shall be included in all advertised and negotiated procurements in excess of $100,000 unless the Chief, Supply Division or the cognizant comptroller or commanding officer, as applicable, has determined that value engineering offers no potential for cost reduction, as, for example, where a particular contract or class of contracts is of insufficient duration to allow value engineering proposals to be processed, or where the item or class of items being procured is a commercial product whose design and cost are controlled by the commercial market. Value engineering incentive provisions also may be included in contracts of less than $100,000 at the discretion of the contracting officer.

(b) The contract clause providing for value engineering incentives is set forth in § 11–1.5204–1 of this chapter.

(c) The precise extent to which the contractor should share in cost reductions must be tailored to the particular procurement. For advertised contracts, the percentage of contractor sharing shall be stated in the "Value Engineering Incentive" clause in the invitation for bids. For negotiated contracts, the percentage of contractor sharing shall be stated in the solicitation, although this percentage may be a subject of negotiation prior to award. In two-step formal advertising, although discussion of the appropriate percentage of contractor sharing is permissible in connection with the first step, a single percentage shall be stipulated in the invitation for bids that is issued at the beginning of the second step. In the case of firm fixed-price contracts, the contractor's share in any cost reduction normally should be 50 percent and in no event greater than 75 percent. However, if such contracts are not awarded on the basis of adequate price competition, a contractor's share of less than 50 percent may be appropriate.

(d) Since the value engineering incentive clause does not require the contractor to perform value engineering, it is intended that the inclusion of the value engineering incentive clause in itself will not increase costs to the Government beyond those considered reasonable for the conduct of the contractor's business or the performance of the contract. Where cost analysis is required, cost allowability will be determined in accordance with normal application of the principles and the procedures provided in Part 1–15 of this title. Accordingly, where a contractor already has a value engineering program, the Government will bear a reasonable and allocable share of the cost of this program, but inordinate value engineering cost increases incurred solely because of inclusion of the clause shall not be allowed. Similarly, where a contractor does not have a value engineering program in existence, proper allocable costs of instituting a reasonable value engineering program are allowable.

§ 11–1.5203 Data and technical information.

A "Data" clause (see ASPR 32 CFR Part 9–203) shall be included in all contracts containing value engineering provisions, except in the case of overseas contracts, in which case the "Technical Information" clause (see ASPR 32 CFR Part 9–206) shall be included. Where a "Data" clause is included in a contract solely because of a value engineering provision, the following should be inserted immediately after the caption of the clause: "This clause applies only to data submitted to the Government in connection with a cost reduction proposal under the provisions of this contract regarding value engineering."

§ 11–1.5204 Value engineering incentive clause.

If it is determined, in accordance with § 11–1.5202 of this chapter, to include a value engineering incentive provision in a contract, the clause set forth below shall be used.

§ 11–1.5204–1 Value engineering incentive clause for firm fixed-price contracts.

VALUE ENGINEERING INCENTIVE (AUGUST 1963)

(a) This clause applies to cost reduction proposals initiated and developed by the contractor for changing the drawings, designs, specifications, or other requiremetns of this contract. This clause does not, however, apply to any such proposal unless it is identified by the contractor at the time of its submission to the contracting officer, as a proposal submitted pursuant to this clause. The cost reduction proposals contemplated are those that:

(1) Would result in less costly items than those specified herein without impairing any of their essential functions and characteristics such as service life, reliability, economy of operation, ease of maintenance, and necessary standardized features, and

(2) Would require, in order to be applied to this contract, a change order to this contract.

(b) Cost reduction proposals as defined herein will be processed expeditiously and in the same manner as prescribed for any other proposal which would likewise necessitate issuance of a contract change order. As a minimum, the following information will be submitted by the contractor with each proposal:

(1) A description of the difference between the existing contract requirement and the proposed change, and the comparative advantages and disadvantages of each;

(2) An itemization of the requirements of the contract which must be changed if the proposal is adopted and a recommendation as to how to make each such change (e.g., suggested revision);

(3) An estimate of the reduction in performance costs that will result from adoption of the proposal taking into account the costs of implementation by the contractor, and the basis for the estimate;

(4) A prediction of any effects the proposed change would have on other costs to the Government, such as Government-furnished property costs, costs of related items, and costs of maintenance and operation;

(5) A statement of the time by which a change order adopting the proposal must be issued so as to obtain the maximum cost reduction during the remainder of the contract, noting any effect on maintaining the contract delivery schedule; and

(6) The dates of any previous submissions of the proposal, the numbers of any Government contracts under which submitted, and the previous actions by the Government, if known.

(c) The Government shall not be liable for any delays in acting upon, or for any failure to act upon, any proposal submitted pursuant to this clause. The decision of the contracting officer as to the acceptance of any such proposal under this contract shall be final and shall not be subject to the "Disputes" clause of this contract. Unless and until a change order applies such a proposal to this contract, the contractor shall remain obligated to perform in accordance with its existing terms. The contracting officer may accept in whole or in part any cost reduction proposal submitted pursuant to this clause by issuing a change order which will identify the cost reduction proposal on which it is based.

(d) If a cost reduction proposal submitted pursuant to this clause is accepted under this contract, an equitable adjustment in the contract price and in any other affected provisions of this contract shall be made in accordance with this clause and the "Changes" clause of this contract. If the equitable adjustment involves a reduction in the contract price, it shall be established by determining the amount of the total estimated decrease in the contractor's cost of performance resulting from the adoption of the cost reduction proposal, taking into account the cost of implementing the change by the contractor, and reducing the contract price by _____ percent (____%)* of such decrease. If the equitable adjustment involves an increase in the contract price, such increase shall be established under the "Changes" clause rather than under this paragraph (d). The resulting contract modification will state that it is made pursuant to this clause.

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*Insert the appropriate percentage; i.e., the contractor's share (11–1.5202–2(c)).

(e) Cost reduction proposals submitted under the provisions of any other contract also may be submitted under this contract for consideration pursuant to the terms of this clause.

(f) The contractor may restrict the Government's right to use any sheet of a value engineering proposal or of the supporting data, submitted pursuant to this clause, in accordance with the terms of the following legend if it is marked on such sheet.

This data furnished pursuant to the value engineering incentive clause of contract ---------- shall not be disclosed outside the Government, or be duplicated, used, or disclosed, in whole or in part, for any purpose other than to evaluate a value engineering proposal submitted under said clause. This restriction does not limit the Government's right to use information contained in this data if it is or has been obtained from another source, or is otherwise available, without limitation. If such a proposal is accepted by the Government by issuance of a change order under the "Changes" clause of said contract after the use of this data in such an evaluation, the Government shall have the right to duplicate, use, and disclose any data pertinent to the proposal as accepted, in any manner and for any purpose whatsoever, and have other so do. After the issuance of a change order accepting a value engineering proposal, but not prior thereto, such proposal and the supporting data shall, for the sole purpose of supplementing the rights granted to the Government under this paragraph, be considered "Subject Data" within the meaning of the "Data" clause of this contract.

If the contract is to include a "Technical Information" clause rather than a "Data" clause, substitute "Technical information" for "Subject Data" and "Technical Information" for "Data" in the last sentence of the clause above. See ASPR 32 CFR Part 2.

Dated: May 1, 1967.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 67-5114; Filed, May 5, 1967; 8:49 a.m.]

[CGFR 67-8]

PART 11-7—CONTRACT CLAUSES

Subpart 11-7.1—Fixed-Price Supply Contracts

Pursuant to authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4:

Subpart 11-7.1 is revised to read as follows:

Sec.

AUTHORITY: The provisions of this Subpart 11-7.1 issued under 14 U.S.C. 633, 10 U.S.C. 137.

§ 11-7.100 Scope of subpart.

This subpart sets forth the contract clauses for use in fixed-price supply contracts in addition to those prescribed in Subpart 1-7.1.

§ 11-7.150 Additional clauses.

Unless otherwise indicated by the specific instructions for their use, the clauses set forth or cited in this section shall be included in fixed-price supply contracts, awarded as a result of formal advertising, for delivery within the United States, its possessions, or Puerto Rico. Additional clauses may be used which are considered by each procuring activity to be essential to its operations, and which are not inconsistent with or in limitation of clauses set forth in this Subpart 11-7.1, or Subpart 1-7.1 of this title. Clauses used in Coast Guard formally advertised fixed-price supply contracts are contained in SF-32 and Additional General Provisions—Supply Contract (CG-2557A). Additional clauses supplementing CG-2557A are to be used when deemed necessary by the procuring activity. Unless inappropriate, clauses set forth in this Subpart 11-7.1 should be used in negotiated fixed-price supply contracts, and contracts for foreign delivery.

§ 11-7.150-1 Guaranty.

(a) The clause set forth below is approved for use in fixed-price supply contracts where general guaranty provisions are deemed desirable by the contracting officer (for modifications see paragraph (b) of this section). The approval of such provisions shall not be construed as prohibiting the use of performance guaranty or other special guaranty provisions.

GUARANTY

Notwithstanding the provisions of the clause entitled "Inspections," as set forth in this contract or in "41 CFR 1-7. 101-5," the contractor guarantees that at the time of delivery thereof the articles provided for under this contract will be free from any defects in material or workmanship and will conform to the requirements of this contract. Notice of any such defect or nonconformance shall be given by the Government to the contractor within 1 year of the delivery of the defective or nonconforming article. If required by the Government within a reasonable time after such notice, the contractor shall with all possible speed correct or replace the defective or nonconforming article or part thereof. When such correction or replacement requires transportation of the article or part thereof, shipping costs, not exceeding usual charges, from the delivery point to the contractor's plant and return, shall be borne by the contractor; the Government shall bear all other shipping costs. This guaranty shall then continue as to corrected or replacing articles or, if only parts of such articles are corrected or replaced, to such corrected or replacing parts, until 1 year after date of redelivery. If the Government does not require correction or replacement of a defective or nonconforming article, the contractor, if required by the contracting officer within a reasonable time after the notice of defect or nonconformance, shall repay such portion of the contract price of the article as is equitable in the circumstances.

(b) When inspection and acceptance tests will afford full protection to the Government in ascertaining conformance to specification and the absence of defects and deficiencies, no guaranty provision for that purpose shall be included in the contract. In certain instances, the contracting officer may desire to include a provision in a contract for a guaranty period of more than 1 year. In such instances, where after full inquiry it has been determined that such longer guaranty period will not involve increased costs to the Coast Guard, the longer guaranty period may be substituted for the 1 year specified in the guaranty clause. Where the full inquiry discloses that such longer guaranty period will involve, or is reasonably expected to involve, increased costs to the Coast Guard, such fact, and the reason for the need of such longer period shall be set forth in letter form to the chief officer responsible for procurement, requesting approval for use of a guaranty period in excess of 1 year.

§ 11-7.150-2 Patent indemnity.

Insert the applicable clause set forth in 32 CFR 9.103 (ASPR) under the conditions and in the manner prescribed therein.

§ 11-7.150-3 Delivery terms—f.o.b. destination.

Insert the clause set forth in § 1-19.306.

§ 11-7.150-4 Delivery terms—f.o.b. origin.

Insert the clause set forth in § 1-19.302.

§ 11-7.150-5 Authorization and consent.

Insert the clause set forth in 32 CFR 9.102-1 (ASPR) when applicable under the conditions and in the manner prescribed therein.

§ 11-7.150-6 Gratuities.

Insert the clause set forth in 32 CFR 7.104-16 (ASPR) when applicable under the conditions and in the manner prescribed therein.

§ 11-7.150-7 Marking of shipments.

When appropriate, the following clause may be included in supply contracts:

MARKING OF SHIPMENTS

The contractor shall mark all shipments under this contract in accordance with the current edition of "Military Standard Marking Shipments MIL-STD-129," issued by the Department of Defense. The applicable lot or item number, or both, shall be included in the marking prescribed for each shipment in addition to the contract number.

§ 11-7.150-8 Notice of shipments.

Insert the clause set forth in 32 CFR 7.105-4 (ASPR) when advance notice of shipments from the contractor is desired.

§ 11–7.150–9 Notices and interpretations.

NOTICES AND INTERPRETATIONS

(a) No notice, order, directive, determination, requirement, or interpretation of any provision of the Invitation for Bids or resulting contract, including applicable specifications, shall have any effect or validity unless furnished in writing to the bidder or contractor by the Contracting Officer.

(b) After the contract has been awarded, Government representatives have authority to approve or order changes in work only when such authority has been specifically set forth in writing by the Contracting Officer.

(c) Notwithstanding the provisions of paragraph (b) above, all changes or modifications to this contract which result in a change in unit price, total contract price, quantity, quality, or delivery schedule must be specifically authorized in writing by the Contracting Officer.

§ 11–7.150–10 Priorities, allocations, and allotments.

In accordance with the requirements of § 11–1.311, insert the clause prescribed therein.

§ 11–7.150–11 Royalty information.

Insert the clause set forth in 32 CFR 9.110 (ASPR) when applicable under the conditions and in the manner prescribed therein.

§ 11–7.150–12 Notice to the Government of labor disputes.

Insert the clause set forth in 32 CFR 7.104–4 (ASPR) in all contracts involving the furnishing or production of any items which are or may be urgently required for operational readiness of the Coast Guard.

§ 11–7.150–13 Soviet-controlled areas.

Insert the clause set forth in § 11–6.5003 when applicable under the conditions and in the manner prescribed therein.

§ 11–7.150–14 Government-furnished property.

Insert the clause set forth in 32 CFR, Part 13 (ASPR) under the conditions and in the manner prescribed therein.

§ 11–7.150–15 Military security requirements.

Insert the clause set forth in 32 CFR 7.104–12 (ASPR) under the conditions and in the manner prescribed therein.

§ 11–7.150–16 Brand name or equal.

Insert the clause set forth in § 1–1.307–6 under the conditions and in the manner prescribed therein.

§ 11–7.150–17 Rights in technical and other data and copyrights.

In accordance with the policies and procedures set forth in 32 CFR, Part 9.2 (ASPR), insert the contract clause covering Rights in Technical and other Data and Copyrights prescribed therein.

§ 11–7.150–18 Alterations in contract.

Alterations in contract provisions may be made only in accordance with the provisions of § 1–1.009 of this title and § 11–1.009–2 of this chapter. When alterations are necessary, they shall be set forth either in the Schedule or on an attachment sheet, preceded by the following clause:

ALTERATIONS IN CONTRACT

The following alterations have been made in the provisions of this contract.

Dated: April 28, 1967.

W. J. SMITH,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 67–5115; Filed, May 5, 1967; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

[8 CFR Part 204]

IMPLEMENTATION OF FREEDOM OF INFORMATION ACT

Notice of Proposed Rule Making

Correction

In F.R. Doc. 67–4674, appearing at page 6781 of the issue for Wednesday, May 3, 1967, the following corrections are made in § 204.2(d)(8):

1. The fourth sentence should read: "When the petitioner, the beneficiary, or other family members are outside the United States, a visa petition may be approved on condition that the results of any requested blood tests will show that the existence of the claimed relationship is not precluded.".

2. In the sixth sentence, the words "claimed relationship" should read "claimed blood relationship".

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Parts 30, 251]

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Proposed Zoning Standards

CROSS REFERENCE: For a document issued jointly by the Department of the Interior and the Department of Agriculture relating to proposed zoning standards for the Whiskeytown-Shasta-Trinity National Recreation Area, see F.R. Doc. 67–5072, Agriculture Department, Forest Service, *infra*.

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1099]

[Docket No. AO 183–A19]

MILK IN PADUCAH, KY., MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Paducah, Ky., on February 17, 1967, pursuant to notice thereof issued on February 1, 1967 (32 F.R. 2448), and February 8, 1967 (32 F.R. 2820).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on April 27, 1967 (32 F.R. 6647; F.R. Doc. 67–4868), filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of opportunity to file written exceptions thereto.

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

1. The price for Class I milk.
2. Seasonal production incentive plan.

This decision deals with only issue No. 2, the seasonal production incentive plan. Issue No. 1, Class I prices, will be dealt with in a further decision on this record.

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

2. *Seasonal production incentive plan.* The "Louisville" plan of seasonal adjustment should be modified to set aside 50 cents (instead of 20 cents) per hundredweight of producer milk during each of the months of April through July, for payment to producers during the following months of October through January.

A Louisville plan for seasonal adjustment of payments to producers was adopted in this order effective May 1, 1966. The purpose of the plan is to provide incentive for producers to achieve more even production through the year.

The order provides for retaining in the producer-settlement fund 20 cents for each hundredweight of producer milk delivered during the months of April through July. This money is distributed to producers during the following months of October through January. During each of the months of October, November, and December, 1966, and January 1967, the amount paid back under the plan was approximately 21 cents per hundredweight. This amount was included in the uniform price for these months.

The proponent cooperative association claimed that the various amendments which in recent years have reduced the seasonality of Class I prices have increased the need for other means of providing seasonal changes in producer returns. The associations favored a seasonal range in producer prices of at least $1 per hundredweight between spring take-out months and fall payback months.

For this purpose the association requested that at least 40 cents per hundredweight be retained in the months of April through July for payment in the following October–January period. The association said that such a rate of take-out would provide a satisfactory incentive for evening production if applied in conjunction with the seasonal changes in Class I prices which have been effective in the order. The association requested, however, that if seasonal changes in Class I differentials were removed as a result of the hearing held in Kansas City January 26 and February 13 (pursuant to notices issued on January 16 and February 3, 1967, 32 F.R. 613 and 32 F.R. 2573), the take-out in April through July should be 50 cents per hundredweight.

Official notice is taken of a decision issued April 25, 1967, based on regional hearings held during the period of April 11–15, in which it was decided that a single Class I differential should apply in each of the markets which now have seasonally varying differentials. The effect upon the Paducah order is through its Class I price provision which establishes the Paducah Class I price at 15 cents over the St. Louis Class I price. Under these circumstances the cooperative association desired that the 50-cent rate of take-out apply.

The problem that the Louisville plan is intended to correct is the seasonal changes in production which aggravate the problem of handling reserve milk in some periods and the problem of providing an adequate supply in other periods. Spring milk production per farm tends to be higher than fall production. Production per farm in the spring-summer months (April–July) in 1961 was 132 percent of the subsequent fall-winter months (October–January). This relationship of spring to fall production has steadily narrowed so that in 1966 production in April–July was 103 percent of subsequent October–January production.[1]

Part of this narrowing of difference between spring and subsequent fall production reflects the long-term upward trend in milk production per farm for this market. Production per farm averaged 840 pounds daily in 1966 compared to 556 pounds daily in 1961.

On the other hand, spring production per farm in this market tends to be substantially higher than in the prior fall months, again reflecting the upward trend in production. Thus, the April–July production in 1966 was about 115 percent of the prior October–January level.

The association believes that further inducement for leveling production is needed. Within the context of a continuation of the upward trend of production per farm, the leveling of production could be attained if more of the annual increase occurred in fall and winter

[1] Official notice is taken of data published by the market administrator from the period 1961 through 1963.

months rather than in spring months. The plan proposed by the association appears appropriately designed for this purpose.

The takeout-payback plan of distributing returns to producers does not affect handlers' costs or change the total amount of money received by producers for a year's milk production. The plan does change the time of year at which producers receive certain portions of the money for their milk. In these circumstances, where producers desire that their money be paid to them in this fashion, it would be most likely that producers would respond in accord with the purpose of attaining relatively even production. Further, since it is well understood among producers that the total amount of money they are paid for their milk is unchanged, the plan would be expected to affect only seasonal production and not the average level of production of milk for the entire year.

Since practically all producers supplying this market are members of a cooperative association which is the proponent of the change in the seasonal pricing plan, it may be expected that the membership of association will be completely informed as to the operation of the plan. It is concluded that the 50-cent rate of take-out proposed by the association is appropriate under the circumstances and is adopted.

It is desirable that the change in rate of take-out be made effective as soon as possible.

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

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

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

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

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

Rulings on exceptions. No exceptions were filed.

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

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

Determination of representative period. The month of February 1967 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Paducah, Ky., marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on May 3, 1967.

JOHN A. SCHNITTKER,
Under Secretary.

Order[1] Amending the Order Regulating The Handling of Milk in the Paducah, Ky., Marketing Area.

§ 1099.0 Findings and determinations.

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

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

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

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

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

ORDER RELATIVE TO HANDLING

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

In § 1099.71, paragraph (h) is revised to read as follows:

§ 1099.71 Computation of the uniform price.

* * * * *

(h) For each of the months of April, May, June, and July, subtract an amount equal to 50 cents per hundredweight on the total amount of producer milk in these computations, which amount is to be retained in the producer-settlement fund and disbursed according to the provision of paragraph (i) of this section;

* * * * *

[F.R. Doc. 67-5119; Filed, May 5, 1967; 8:50 a.m.]

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

Forest Service

[36 CFR Parts 30, 251]

WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Proposed Zoning Standards

Notice is hereby given that, pursuant to subsection 2(e) of the Act of November 8, 1965 (79 Stat. 1295, 1297; 16 U.S.C.

460q–1(e)), providing for establishment of the Whiskeytown-Shasta-Trinity National Recreation Area, it is proposed to amend Title 36, Code of Federal Regulations, by the addition of Part 30 and §§ 251.40–251.42 specifying standards and criteria with which local zoning ordinances for the Whiskeytown, Shasta, and Clair Engle-Lewiston Units of the recreation area must comply in order to meet the approval of the Secretary of Agriculture and the Secretary of the Interior, who have the responsibility for administering these units.

The Department of Agriculture and the Department of the Interior in the joint issuance of these regulations wish to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons who wish to offer comments, suggestions, or recommendations with respect to the proposed regulations in Part 30 may submit a written statement thereon to the Director, National Park Service, Department of the Interior, Washington, D.C. 20240, or with respect to the proposed regulations in §§ 251.40–251.42 may submit a written statement thereon to the Chief, Forest Service, Department of Agriculture, Washington, D.C. 20250, within 30 days after this notice is published in the FEDERAL REGISTER.

DEPARTMENT OF AGRICULTURE,
JOHN A. BAKER,
Assistant Secretary, Rural Development and Conservation.

APRIL 19, 1967.

DEPARTMENT OF THE INTERIOR,
CLARENCE F. PAUTZKE,
Deputy Assistant Secretary, Fish and Wildlife and Parks.

MAY 2, 1967.

Part 30, reading as follows, is proposed for addition to Chapter I, Title 36 CFR:

PART 30—WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA ZONING STANDARDS FOR WHISKEYTOWN UNIT

Sec.
30.1 Introduction.
30.2 General provisions.
30.3 Recreation District I.
30.4 Recreation District II.
30.5 Variances, exceptions, and use permits.

AUTHORITY: The provisions of this Part 30 issued under subsection 2(e), 79 Stat. 1295, 1297; sec. 3, 39 Stat. 535; 16 U.S.C. 460q–1(e); 16 U.S.C. 3.

§ 30.1 Introduction.

(a) Administration of the Whiskeytown Unit is required to be coordinated with the other purposes of the Central Valley project and with the purposes of the recreation area as a whole so as to provide for: (1) Public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) such management, utilization and disposal of renewable natural resources as in the judgment of the Secretary of the Interior will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) The Secretary may not acquire without consent of the owner any privately owned "improved property" or interests therein within the boundaries of the unit, so long as the appropriate local zoning agency (Shasta County), shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary. This suspension of the Secretary's authority to acquire "improved property" without the owner's consent would automatically cease: (1) If the property is made the subject of a variance or exception to any applicable zoning ordiance that does not conform to the applicable standards contained in the regulations in this part; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) "Improved property" as used in this section, means any building or group of related buildings, the actual construction of which was begun before February 7, 1963, together with not more than three acres of land in the same ownership on which the building or group of buildings is situated, but the Secretary may exclude from such "improved property" any shore or waters, together with so much of the land adjoining such shore or waters, as he deems necessary for public access thereto.

(d) The regulations in this part specify the standards with which local zoning ordinances for the Whiskeytown Unit must conform if the "improved property" within the boundaries of that unit is to be exempt from acquisition by condemnation. The objectives of the regulations in this part are to: (1) Prohibit new commercial or industrial uses other than those which the Secretary considers to be consistent with the purposes of the act establishing the national recreation area; (2) promote the protection and development of properties in keeping with the purposes of that act by means of use, acreage, frontage, setback, density, height, or other requirements; and (3) provide that the Secretary receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance approved by him.

(e) Following promulgation of the regulations in this part in final form, the Secretary is required to approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment. Within 60 days following submission, the county will be notified of the Secretary's approval or disapproval of the zoning ordinances or amendments thereto. If more than 60 days is required the county will be notified of the expected delay and of the additional time deemed necessary to reach a decision. The Secretary's approval shall remain effective so long as the zoning ordinances or amendments thereto remain in effect as approved.

(f) Nothing contained in the regulations in this part or in the zoning ordinances or amendments adopted for the Whiskeytown Unit to implement the regulations in this part shall preclude the Secretary from exercising his power of condemnation at any time with respect to property other than "improved property" as defined herein. Nor shall the regulations in this part preclude the Secretary from otherwise fulfilling the responsibilities vested in him by the act authorizing establishment of the Whiskeytown-Shasta-Trinty National Recreation Area, by the Act of August 25, 1916 (39 Stat. 535, 16 U.S.C. 3), as amended and supplemented, and such other statutory authorities relating to the National Park System.

§ 30.2 General provisions.

(a) Following issuance of the regulations in this part, Shasta County shall submit to the Secretary for his approval, all zoning ordinances and amendments thereto duly adopted by the county which are in force and applicable to property within the Whiskeytown Unit and which demonstrate conformity with the standards contained in the regulations in this part. This shall include any ordinances and amendments in effect prior to the issuance of the regulations in this part which demonstrate such conformity and any that have been adopted specifically to implement the regulations in this part.

(b) Any new uses, and the location, design and scope of any new developments, permitted under the regulations in this part shall be harmonized with adjacent uses, developments and the natural features and shall be consistent with the current Master Plan proposed or adopted by the National Park Service for the Whiskeytown Unit, so as to minimize disruption of the natural scene and to further the public recreational purposes of the aforesaid establishment act for this unit.

(c) Zoning ordinances for the districts hereinafter prescribed shall conform to the general and specific standards contained in the regulations in this part to assure that use and development of the lands within the Whiskeytown Unit are consistent with the objectives of the Congress to protect and preserve the values of the lands in such unit for public use and enjoyment, as set out in the Act of November 8, 1965 (79 Stat. 1295). Except as otherwise provided herein, no additional or increased commercial or industrial uses are permitted within these districts. Any existing nonconforming commercial or industrial uses shall be discontinued within 10 years from the date of this section.

§ 30.3 Recreation District I.

(a) Definition: This district shall comprise all those portions of the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area delineated as "Recreation District I" on a map bearing the identification NRA–WHI-1000, and dated August 1966.

(b) The following uses are permitted in Recreation District I provided the Shasta County Planning Commission has issued a use permit in each case:

(1) Single-family dwellings, not including tents and trailers, but including servants' quarters in the same structure or in an accessory dwelling, and one noncommercial guest house. Such residential uses shall meet the following requirements:

(i) Minimum building site area—3 acres; but a lesser acreage may be utilized for this purpose if, on or before February 7, 1963, the site was in separate ownership and within a recorded subdivision.

(ii) Maximum building height—35 feet.

(iii) Minimum frontage—150 feet.

(iv) Minimum front yard setback—75 feet.

(v) Minimum side yard setback—50 feet.

(vi) Minimum rear yard setback—25 feet.

(vii) Maximum percentage of lot coverage permitted—10 percent.

(2) Moving, alteration, or improvement of existing residences or accessory structures: *Provided*, There is compliance with the acreage, frontage, setback, density, height, and other requirements prescribed for residential uses under item 1, above: *And provided further*, That such moving, alteration, or improvement does not alter the residential character of the premises. Any moving, alteration, or improvement of such structures that would result in a deviation from these prescribed limitations and requirements would subject the property to acquisition without consent of the owner, unless the Secretary has waived such limitations or requirements.

(3) Riding stables requiring only temporary removable physical structures and facilities and which will serve only visitors to the Whiskeytown Unit of the recreation area.

(4) Campgrounds, organizational camps and picnic areas that require only temporary removable physical structures and facilities.

(5) Limited agricultural uses such as truck gardening, provided these uses do not require the extensive cutting or clearing of wooded areas and are not otherwise destructive of natural or recreational values.

(6) Clearing and removal of trees, shrubbery, and other vegetation to the extent necessary in order to permit the exercise of a use otherwise allowed within this district.

(7) Recreational pursuits that require only temporary removable physical facilities, such as horseshoe pitching, archery, croquet, tennis, softball, volley ball, and similar outdoor game-type activities compatible with the recreational purposes of the area.

(8) Religious and educational uses requiring no permanent structures or facilities.

(9) Removal of gravel, sand and rock or other alteration of the landscape to the minimum extent necessary for the construction of an access road to the property on which a use its permitted. In all other circumstances, such removal or alteration shall be permitted only to the minimum extent necessary to make possible the exercise of a use otherwise permitted in this district.

(10) Signs that are appurtenant to any permitted use and which (i) do not exceed 1 square foot in area for any residential use; (ii) do not exceed 4 square feet in area for any other use, including advertisement of the sale or rental of property; and (iii) which are not illuminated by any neon or flashing device. Such signs may be placed only on the property on which the advertised use occurs, or on the property which is advertised for sale or rental. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs may continue such nonconformity until they are destroyed, moved, structurally altered or redesigned, but the period of such nonconformity may not exceed 2 years from the date a zoning ordinance containing this limitation is adopted by Shasta County.

(11) Accessory uses and temporary removable structures appurtenant to any permitted use.

(c) Any use not included above as a permitted use shall be deemed a prohibited use. Moreover, all land within the boundaries of the Whiskeytown Unit, except certain "improved property" as defined herein, will be acquired by the United States as rapidly as appropriated funds are made available therefor and before any development occurs thereon. Any property that is developed before such acquisition takes place will be subject to acquisition by the Secretary without consent of the owner.

§ 30.4 Recreation District II.

(a) Definition: This district shall comprise all those portions of the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area delineated as "Recreation District II" on a map bearing the identification NRA–WHI–1000, and dated August 1966.

(b) The following uses are permitted in Recreation District II:

(1) All uses permitted in Recreation District I, subject to all the limitations, conditions and requirements prescribed for such uses in that district.

(2) The following additional uses are permitted in Recreation District II, provided the Shasta County Planning Commission has issued a use permit in each case:

(i) Tree farming by the individual tree selection method under a timber management plan that conforms to the California Logging Code and is acceptable to the Superintendent of the Whiskeytown Unit.

(ii) Agricultural pursuits such as crop farming, grazing, animal husbandry, nurseries, and greenhouses.

(iii) Temporary stands for retail sales of products produced on the premises.

(iv) Measures to promote conservation of soil, water, and vegetation, including reforestation and tree stand improvement, and measures to reduce fire hazards.

(v) Public or privately operated parks and playgrounds.

(vi) Trailer campgrounds.

(vii) Golf courses.

(viii) Heliports: *Provided*, they are located and screened so their operations will cause a minimum of interference with public recreational use and enjoyment of the area.

(ix) Accessory structures, facilities, and utilities as necessary to make possible the exercise of any use otherwise permitted.

(c) Structures developed for the exercise of the additional uses listed under paragraph (b)(2) of this section shall not exceed two stories in height (35 feet), shall have a minimum principal use area of 5 acres, and shall have a front yard setback of not less than 100 feet from the nearest right-of-way line of a road or street. However, a lesser area than 5 acres may be utilized for such purposes if the property in question was in separate ownership on February 7, 1963.

(d) Any use not included above as a permitted use shall be deemed a prohibited use. Moreover, all land within the boundaries of the Whiskeytown Unit, except certain "improved property" as defined herein, will be acquired by the United States as rapidly as appropriated funds are made available therefor and before any development occurs thereon. Any property that is developed before such acquisition takes place will be subject to acquisition by the Secretary without consent of the owner.

§ 30.5 Variances, exceptions, and use permits.

(a) Zoning ordinances or amendments thereto, for the zoning districts comprising the Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area may provide for the granting of variances and exceptions.

(b) Zoning ordinances or amendments thereto for each of the districts established by the regulations in this part shall contain provisions advising applicants for variances and exceptions that, under section 2(f) of the Act of November 8, 1965, the authority of the Secretary to acquire "improved property" without the owner's consent would be reinstated (1) if such property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to any applicable standard contained in the regulations in this part; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) The Shasta County Planning Commission, or private owners of "improved property" may consult the Secretary as to whether the grant of any proposed variance or exception would terminate the suspension of his authority to acquire the affected property without consent of the owner, and may request the approval of a variance or exception by the Secretary: *Provided*, The Secretary is notified in writing at least 30 days in advance of

the hearing on the application for the variance or exception. The Secretary within 30 days after the receipt of a request for approval of a variance or exception, shall advise the owner or the Commission whether or not the intended use will subject the property to acquisition by condemnation. If more than 30 days is required by the Secretary for such determination, he shall so notify the owner or Commission, stating the additional time required and the reasons therefor.

(d) The Secretary shall be given written notice of any variance granted under, or exception made to the application of, a zoning ordinance or amendment thereof approved by him. The Secretary shall be provided a copy of every use permit granted by the Shasta County Planning Commission authorizing any use or development of lands within the boundaries of the Whiskeytown Unit of the recreation area.

Sections 251.40, 251.41 and 251.42, reading as follows are proposed for addition to Part 251 of Chapter II, Title 36 CFR:

PART 251—LAND USES

WHISKEYTOWN—SHASTA-TRINITY RECREATION AREA; ZONING STANDARDS FOR SHASTA AND CLAIR ENGLE-LEWISTON UNITS

Sec.
251.40 Introduction.
251.41 General provisions; procedures.
251.42 Standards.

AUTHORITY: §§ 251.40–251.42 issued under sec. 2, 79 Stat. 1295, 16 U.S.C. 460q–1; 30 Stat. 35, 16 U.S.C. 551.

WHISKEYTOWN—SHASTA-TRINITY RECREATION AREA; ZONING STANDARDS FOR SHASTA AND CLAIR ENGLE-LEWISTON UNITS

§ 251.40 Introduction.

(a) Administration of the Shasta and Clair Engle-Lewiston Units will be coordinated with the other purposes of the Central Valley Project of the Bureau of Reclamation and of the recreation area as a whole so as to provide for: (1) Public outdoor recreation benefits; (2) conservation of scenic, scientific, historic, and other values contributing to public enjoyment; and (3) the management, utilization and disposal of renewable natural resources which in the judgment of the Secretary of Agriculture will promote or is compatible with, and does not significantly impair, public recreation and conservation of scenic, scientific, historic, or other values contributing to public enjoyment.

(b) The Secretary may not acquire without consent of the owner any privately owned "improved property" or interests therein within the boundaries of these units, so long as the appropriate local zoning agency shall have in force and applicable to such property a duly adopted, valid, zoning ordinance that is approved by the Secretary. This suspension of the Secretary's authority to acquire "improved property" without the owner's consent would automatically cease: (1) If the property is made the subject of a variance or exception to any applicable zoning ordinance that does not conform to the applicable standards contained in §§ 251.40–251.42; or (2) if such property is put to any use which does not conform to any applicable zoning ordinance approved by the Secretary.

(c) "Improved property" as used in §§ 251.40–251.42, means any building or group of related buildings, the actual construction of which was begun before February 7, 1963, together with not more than three acres of land in the same ownership on which the building or group of buildings is situated, but the Secretary may exclude from such "improved property" any shore or waters, together with so much of the land adjoining such shore or waters, as he deems necessary for public access thereto.

(d) Sections 251.40–251.42 specify the standards with which local zoning ordinances for the Shasta and Clair Engle-Lewiston Units must conform if the "improved property" or unimproved property proposed for development as authorized by the Act within the boundaries of the units is to be exempt from acquisition by condemnation. The objectives of §§ 251.40–251.42 are to: (1) Prohibit new commercial or industrial uses other than those which the Secretary considers to be consistent with the purposes of the act establishing the national recreation area; (2) promote the protection and development of properties in keeping with the purposes of that Act by means of use, acreage, setback, density, height or other requirements; and (3) provide that the Secretary receive notice of any variance granted under, or any exception made to, the application of the zoning ordinance approved by him.

(e) Following promulgation of §§ 251.40–251.42 in final form, the Secretary is required to approve any zoning ordinance or any amendment to an approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of the ordinance or amendment.

(f) Any owner of unimproved property who proposes to develop his property for service to the public may submit to the Secretary a development plan setting forth the manner in which and the time by which the property is to be developed and the use to which it is proposed to be put. If the Secretary determines that the development and the use of the property conforms to approved zoning ordinances, and serves the purposes of the National Recreation Area and that the property is not needed for easements and rights-of-way for access, utilities, or facilities, or for administration sites, campgrounds, or other areas needed for use by the United States for visitors, he may in his discretion issue to such owner a certification that so long as the property is developed, maintained, and used in conformity with approved zoning ordinances the Secretary's authority to acquire the property without the owner's consent is suspended.

§ 251.41 General provisions; procedures.

(a) *Approval of zoning ordinances and development plans.* (1) All validly-adopted zoning ordinances and amendments thereto pertaining to the Shasta and Clair Engle-Lewiston Units may be submitted by the County of origin to the Secretary for written approval relative to their conformance with the applicable standards of §§ 251.40–251.42. Within 60 days following submission, the County will be notified of the Secretary's approval or disapproval of the zoning ordinances or amendments thereto. If more than 60 days are required, the County will be notified of the expected delay and of the additional time deemed necessary to reach a decision. The Secretary's approval shall remain effective so long as the zoning ordinances or amendments thereto remain in effect as approved.

(2) Development plans pertaining to unimproved property within the Shasta and Clair Engle-Lewiston Units may be submitted by the owner to the Secretary for determination as to whether they conform with approved zoning ordinances and whether the planned use and development would serve the Act. Within 30 days following submission of such plans the Secretary will approve or disapprove the plans or, if more than 30 days are required, will notify the applicant of the expected delay and of the additional time deemed necessary.

(b) *Amendment of ordinances.* Amendments of approved ordinances may be furnished in advance of their adoption to the Secretary for written decision as to their conformance with applicable standards of §§ 251.40–251.42.

(c) *Variances or exceptions to application of ordinances.* (1) The Secretary Shall be given written notice of any variance granted under, or any exception made to, the application of a zoning ordinance or amendment thereto approved by him.

(2) The County, or private owners of improved property, may submit to the Secretary proposed variances or exceptions to the application of an approved zoning ordinance or amendment thereto for written advice as to whether the intended use will make the property subject to acquisition without the owner's consent. Within 30 days following his receipt of such a request, the Secretary will advise the interested party or parties as to his determination. If more than 30 days are required by the Secretary for such determination, he shall so notify the interested party or parties stating the additional time required and the reasons therefore.

(d) *Certification of property.* Where improvements and land use of improved property conform with approved ordinances, or with approved variances from such ordinances, certification that the Secretary's authority to acquire the property without the owner's consent is suspended may be obtained by any party in interest upon request to the Secretary. Where the development and use of unimproved property for service to the public is approved by the Secretary, certification that the authority to acquire the property without the owner's consent is suspended may be issued to the owner.

(e) *Effect of noncompliance.* Suspension of the Secretary's authority to ac-

quire any improved property without the owner's consent will automatically cease if (1) such property is made the subject of variance or exception to any applicable zoning ordinance that does not conform to the applicable standard in the Secretary's regulation, (2) such property is put to a use which does not conform to any applicable zoning ordinance, or, as to property approved by the Secretary for development, a use which does not conform to the approved development plan or (3) the local zoning agency does not have in force a duly adopted, valid, zoning ordinance that is approved by the Secretary in accordance with the standards of §§ 251.40–251.42.

(f) *Nonconforming commercial or industrial uses.* Any existing commercial or industrial uses not in conformance with approved zoning ordinances shall be discontinued within 10 years from the date such ordinances are approved.

§ 251.42 Standards.

(a) The standards set forth in §§ 251.40–251.42 shall apply to the Shasta and Clair Engle-Lewiston Units, which are defined by the boundary descriptions in the notice of the Secretary of Agriculture of July 12, 1966 (31 F.R. 9469), and to a strip of land outside the National Recreation Area on either side of Federal Aid Secondary Highway Numbered 1089, as more fully described in 2(a) of the act establishing the recreation area (79 Stat. 1296).

(b) New industrial or commercial uses: new industrial or commercial uses will be prohibited in any location except under the following conditions:

(1) The industrial use is such that its operation, physical structures, or waste byproducts would not have significant adverse impacts on surrounding or nearby outdoor recreation, scenic and esthetic values. Industrial uses having an adverse impact include, but are not limited to, cement production, gravel extraction operations involving more than one-fourth acre of surface, smelters, sand, gravel and aggregate processing plants, fabricating plants, pulpmills, and commercial livestock feeder yards.

(2) (i) The commercial use is for purposes of providing food, lodging, automotive or marine maintenance facilities and services to accommodate recreationists and the intended land occupancy and physical structures are such that they can be harmonized with adjacent land development and surrounding appearances in accordance with approved plans and schedules.

(ii) This standard provides for privately owned and operated businesses whose purposes and physical structures are in keeping with objectives for use and maintenance of the area's outdoor recreation resources. It precludes establishment of drive-in theaters, zoos, and similar nonconforming types of commercial entertainment.

(c) Protection of roadsides: Provisions to protect natural scenic qualities and maintain screening along public travel routes will include:

(1) Prohibition of new structural improvements or visible utility lines within a strip of land extending back not less than 150 feet from both sides of the centerline of any public road or roadway except roads within subdivisions or commercial areas. In addition to buildings, this prohibition pertains to above-ground power and telephone lines, borrow pits, gravel or earth extraction areas, and quarries.

(2) Retention of trees and shrubs in the above-prescribed roadside strips to the full extent that is compatible with needs for public saftey and road maintenance. Wholesale clearing by chemical or other means for fire control and other purposes will not be practiced under this standard.

(d) Protection of shorelines: Provisions to protect scenic qualities and reduce potentials for pollution of public reservoirs will include: Prohibition of structures within 300 feet horizontal distance from highwater lines of reservoirs other than structures the purpose of which is to service and accommodate boating or to facilitate picnicking and swimming: *Provided*, That exceptions to this standard may be made upon showing satisfactory to the Secretary that proposed structures will not conflict with scenic and anti-pollution considerations.

(e) Property development: Location and development of structures will conform with the following minimum standards:

(1) *Commercial development.* (i) Stores, restaurants, garages, service stations and comparable business enterprises will be situated in centers zoned for this purpose unless they are operated as part of a resort or hotel. Commercial centers will be of sufficient size that expansion of facilities or service areas is not dependent upon use of public land.

(ii) Sites outside designated commercial centers will be used for resort development contingent upon case by case concurrence of the responsible County officials and the Secretary that such use is, in all aspects, compatible with the purposes for establishing the recreation area.

(iii) Structures for commercial purposes, inclusive of isolated resorts or motels, will not exceed two stories height at front elevation, and will be conventional architecture and will utilize colors, nonglare roofing materials, and spacing or layout that harmonizes with forested settings. Except for signs, structures designed primarily for purposes of calling attention to products or service will not be permitted.

(2) *Residential development.* (i) Locations approved for residential development will be buffered by distance, topography, or forest cover from existing or planned public use areas such as trailer parks, campgrounds, or organization sites. Separation will be sufficient to avoid conflicts resulting from intervisibility, noise, and proximity that is conducive to private property trespass.

(ii) Requirements for approval of residential areas will include: (*a*) Construction of access when main access would otherwise be limited to a road constructed by the United States primarily to service publicly owned recreation developments; (*b*) limitation of residences to single-family units situated at a density not exceeding two per acre; (*c*) use of setbacks, limitations to natural terrain, neutral exterior colors, nonglare roofing materials, and limitations of building heights fully adequate to harmonize housing development with the objective of the National Recreation Area as set forth in the act.

(3) *Signs and signing.* Only those signs may be permitted which (i) do not exceed 1 square foot in area for any residential use; (ii) do not exceed 40 square feet in area, 8 feet in length, and fifteen feet maximum height from ground for any other use, including advertisement of the sale or rental of property; and (iii) which are not illuminated by any neon or flashing device. Commercial signs may be placed only on the property on which the advertised use occurs, or on the property which is advertised for sale or rental. Signs shall be subdued in appearance, harmonizing in design and color with the surroundings and shall not be attached to any tree or shrub. Nonconforming signs may continue for a period not to exceed 2 years from the date a zoning ordinance containing these limitations is adopted.

[F.R. Doc. 67-5072; Filed, May 5, 1967; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 67-EA-40]

AIRWORTHINESS DIRECTIVES

Fairchild Hiller Model F-27 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an amendment applicable to Fairchild Series F-27J and FH-227 airplanes. In Fairchild aircraft equipped with Solar Auxiliary Power Unit Model T62T-25 there is a possibility of damage to or failure of the engine-driven generators resulting from an unregulated unloaded condition when the APU generator is switched on the line. The proposed amendment requires rewiring of the engine-driven generators control sensing circuit.

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 Administration, Office of the Regional Counsel, Eastern Region, John F. Kennedy International Airport, Jamaica, N.Y. 11430.

All communications received within 30 days after publication in the FEDERAL REGISTER will be considered 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 Office of Regional Counsel 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, 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:

FAIRCHILD. Applies to Model F-27J Airplanes, Serial Numbers 111, and 113 through 121, inclusive, and FH-227 Series Airplanes, Serial Numbers 501 through 520, inclusive, Incorporating Solar Auxiliary Power Unit, Model T62T-25.

Compliance required within the next 400 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent electrical damage to the A.C. engine-driven generator resulting from an unregulated and unloaded condition when the APU-driven generator (A.C.) is switched on the line, accomplish the following:

(a) Rewire the engine-driven A.C. generator control sensing circuit in accordance with Fairchild Hiller F-27 Service Bulletin 30-12, Revision No. 1, dated September 15, 1966, for F-27J aircraft and Fairchild Hiller FH-227 Service Bulletin 30-1 dated August 23, 1966, for FH227 aircraft, or later revision approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, or perform an equivalent rewiring modification, approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(b) Upon request with substantiating data submitted through an FAA maintenance inspector, an increase in the compliance time may be approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

Issued in Jamaica, N.Y., on April 20, 1967.

OSCAR BAKKE,
Regional Director.

[F.R. Doc. 67-5092; Filed, May 5, 1967; 8:47 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Office of the Secretary

MARK V. BURLINGAME

Statement of Changes in Financial Interests

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

(1) None.
(2) Add: American Telephone & Telegraph Co. Remove: Middle States Telephone Co. of Illinois.
(3) None.
(4) None.

This statement is made as of April 28, 1967.

Dated: April 17, 1967.

MARK V. BURLINGAME.

[F.R. Doc. 67-5073; Filed, May 5, 1967; 8:45 a.m.]

ALEXANDER S. CHAMBERLAIN

Statement of Changes in Financial Interests

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

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

This statement is made as of April 15, 1967.

Dated: April 27, 1967.

ALEX S. CHAMBERLAIN.

[F.R. Doc. 67-5074; Filed, May 5, 1967; 8:45 a.m.]

JOE T. INNIS

Statement of Changes in Financial Interests

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

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

This statement is made as of April 17, 1967.

Dated: April 24, 1967.

JOE T. INNIS.

[F.R. Doc. 67-5075; Filed, May 5, 1967; 8:46 a.m.]

LAYTON E. KINCANNON

Statement of Changes in Financial Interests

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

(1) None.
(2) Stocks Sold: Electronic Specialty Corp.; Kelly Services, Inc.; McWood Corp.; Omark Industries, Inc.; Pearl Brewing Co.; Reliance Electric & Engineering Co.; Singer Corp.; West-Point Pepperell, Inc.

Stocks purchased: Beech Nut Life Savers; Bethlehem Steel Corp.; Cutler Hammer, Inc.; W. W. Grainger, Inc.; Hess Oil and Chemical Corp.; Eli Lilly & Co.; Occidental Petroleum Corp.; Union Carbide Corp.
(3) None.
(4) None.

This statement is made as of April 8, 1967.

Dated: April 26, 1967.

L. E. KINCANNON.

[F.R. Doc. 67-5076; Filed, May 5, 1967; 8:46 a.m.]

WILLIAM R. REMALIA

Statement of Changes in Financial Interests

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

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

This statement is made as of April 15, 1967.

Dated: April 27, 1967.

WILLIAM R. REMALIA.

[F.R. Doc. 67-5077; Filed, May 5, 1967; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

May Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The U.S. Department of Agriculture announced the prices at which CCC commodity holdings are available for sale beginning at 3 p.m., e.s.t., on April 28, 1967, and, subject to amendment, continuing until superseded by the June Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, flax, linseed oil, and tung oil.

Information on the availability of commodities stored in Commodity Credit Corporation binsites may be obtained from ASCS State offices shown at the end of the sales list, and for commodities stored at other locations from ASCS Commodity and Grain Offices also shown at the end of the list.

For May there is no change in commodities listed.

With the change in the CCC Export Credit Program announced April 25 (press release USDA 1307-67) permitting payments to U.S. exporters in cash rather than in export commodity certificates for export shipments from private stocks, CCC will no longer offer its commodities at net export prices for CCC credit export. This modifies the sales conditions for several of the commodities listed. However, exporters with CCC Export Credit Program sales can buy any commodities from CCC stocks offered at domestic market prices for export under export sales announcements.

On April 14 (press release USDA 1209-67), the USDA announced that the CCC will offer to sell hard red spring wheat as well as hard red winter wheat at domestic market prices for export from west coast ports under Announcement GR-345. Previously, only hard red winter was being offered for sale under this announcement and both classes under Announcement GR-261. The selling terms were also modified to permit buyers to apply purchased wheat against sales already made. In another change, payment for the wheat purchased under either Announcement GR-345 or GR-261 can be made in

cash or in export commodity certificates at the option of the buyer.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sales prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM–3) for May 1967 are 5½ percent for U.S. bank obligations and 6½ percent for foreign bank obligations, without regard to credit periods involved up to a maximum of 36 months. Commodities now eligible for financing under the CCC Export Credit Sales Program include wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, tobacco, milled and brown pearl rice, cottonseed oil, soybean oil, dairy products, dry edible beans, and tallow.

Information on commodities available under Title IV, P.L. 480, private trade agreements, and current information on interest rates and other phases of the program may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250.

The following commodities are currently available for new and existing barter contracts: oats, cotton (upland and extra long staple), and tobacco. Wheat and grain sorghum are also available under conditions noted in the individual commodity listings. (In addition, free market stocks of corn, grain sorghum, wheat, wheat flour, tobacco, cottonseed, and soybean oils are eligible for barter programming under barter contracts covering procurements for Federal agencies that will reimburse CCC except that hard red winter, hard red spring, and durum wheats, and flour produced from those wheats, may not be exported through west coast ports.) This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities or—specified commodities—within the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offeror is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities under this program to Cuba, the Soviet Bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet Nam except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1966 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel In-Store).*

Markup in-store received by—		Examples—Agricultural Act of 1949, Stat. minimum
Truck	Rail or barge	
$0.18½	$0.15¼	Minneapolis—No. 1 DNS ($1.56) 115 percent +$0.15¼; $1.95¼. Portland—No. 1 SW ($1.46) 115 percent +$0.15¼; $1.83¼. Kansas City—No. 1 HRW ($1.43) 115 percent +$0.15¼; $1.80¼. Chicago—No. 1 RW ($1.49) 115 percent +$0.15¼; $1.87¼.

Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision III, July 6, 1962, as amended) as follows:

(1) Notice of foreign sale must be furnished CCC within 5 calendar days after purchase.

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, west longitude, and east of the 60th meridian, east longitude, and to countries on the west coast of Central and South America.

B. CCC will sell wheat for export under Announcement GR-261 (Revision III, Jan. 9, 1961, as amended and supplemented) subject to the following:

(1) All classes will be sold subject to offers which include the price at which the buyer proposes to purchase the wheat.

(2) All classes will be sold to fill dollar market sales abroad and exporter must show export from the west coast to a destination within the geographical limitation shown in A(2) above.

(3) All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966. However, CCC-owned wheat will not be sold for barter at west coast ports nor will evidence of export at west coast ports be acceptable under a sale for barter.

C. Announcement GR-262 (Revision II, Jan. 9, 1961, as amended) for export as flour as follows: All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966. However, sales for barter will not be made at west coast ports nor will evidence of export from west coast ports be acceptable under a sale for barter pursuant to this announcement.

D. CCC will not sell wheat under Announcement GR-346 until further notice.

Available: Evanston, Kansas City, Minneapolis, and Portland ASCS offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than 115 percent of the applicable 1966 price-support loan rate for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1966 price support rate[2] (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] basis No. 2 yellow corn 14 percent M.T. 2 percent F.M.).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.26¼	$0.20¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.80) 115 percent +$0.26¼; $1.99¼. Kansas City, Mo. (ex-rail) ($1.78) 115 percent +$0.20¾; $2.25¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.80+$0.34); 105 percent +$0.26¼; $2.20¼. Kansas City, Mo. (ex-rail) ($1.78+$0.34); 105 percent +$0.20¾; $2.43¾.

Export.

Sales are made at applicable domestic market price levels for export, as determined by CCC; export payment rates, if any, are deducted in arriving at barter prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

Markup in-store received by—	Examples
Truck	
$0.14¾	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.01+$0.03) 115 percent +$0.14¾; $1.34¾. Agricultural Act of 1949; stat. minimums: McLean County, Ill. ($1.01+$0.19 +$0.03); 105 percent +$0.14¾; $1.44¾.

Available: Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

Export.

Corn from CCC inventory is not available for export sale.

GRAIN SORGHUM (BULK)

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than 115 percent of the applicable 1966 price-support loan rate for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1966 price-support rate[2] (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.26¼	$0.20¾	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.80) 115 percent +$0.26¼; $1.99¼. Kansas City, Mo. (ex-rail) ($1.78) 115 percent +$0.20¾; $2.25¾. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.80+$0.34); 105 percent +$0.26¼; $2.20¼. Kansas City, Mo. (ex-rail) ($1.78+$0.34); 105 percent +$0.20¾; $2.43¾.

Export.

Sales are made at applicable domestic market price levels for export, as determined by CCC. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), feed grain export program.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to barter contracts entered into pursuant to invitations for barter offers dated prior to 3:30 p.m., e.d.t., on August 26, 1966, and to other designated sales.

Available. Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of barley as CCC may designate will be in redemption of rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, as determined by CCC, but not less than 115 percent of the applicable 1966 price-support loan rate for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable barley as CCC may designate as general sales will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1966 price-support rate[2] (published loan rate plus 13 cents per bushel) for the class, grade, and quality of the barley, plus the markup shown in C of this unrestricted use section, applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store[1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.17¾	$0.15¼	Feed grain program domestic PIK certificate minimums: Cass County, N. Dak. ($0.76) 115 percent +$0.17¾; $1.05¾. Minneapolis, Minn. (ex-rail) ($0.99) 115 percent +$0.15¼; $1.29¼. Agricultural Act of 1949; statutory minimums: Cass County, N. Dak. ($0.76+$0.13); 105 percent +$0.17¾; $1.11¾. Minneapolis Minn. (ex-rail) ($0.99 +$0.13); 105 percent +$0.15¼; $1.33¼.

Export.

Sales are made at applicable domestic market price levels for export, as determined by CCC. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for barley. Sales will be made pursuant to the following announcement:

Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), feed grain export program.

Available. Kansas City, Evanston, Portland, and Minneapolis grain offices.

OATS, BULK

Unrestricted use.

A. Market price, as determined by CCC, but not less than 115 percent of the applicable 1966 price-support rate[3] for the class, grade and quality of the oats plus the markup shown in B below.

See footnotes at end of document.

B. *Markups and examples (dollars per bushel in-store [1] basis No. 2 XHWO).*

Markup in-store received by—	Examples—Agricultural Act of 1949; Stat. minimum
Truck	
$0.16¼	Redwood County, Minn. ($0.56+$0.03 quality differential); 115 percent +$0.16¼; $0.84¼.

C. *Nonstorable.* At not less than the market price as determined by CCC.

Export.

Sales are made at applicable domestic market price levels for export as determined by CCC; export payment rates, if any, are deducted in arriving at barter prices. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcements:

A. Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), feed grain export program.

B. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to barter contracts.

Available. Kansas City, Evanston, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent [2] of the applicable 1966 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store [1] No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949; Stat. minimum
Truck	Rail or barge	
$0.18½	$0.15¼	Rolette County, N. Dak. ($0.89); 105 percent +$0.18½; $1.12½. Minneapolis, Minn. (ex-rail) ($1.23); 105 percent +$0.15¼; $1.45¼.

C. *Nonstorable.* At not less than market price as determined by CCC.

Export.

Sales are made at applicable domestic market price levels for export, determined by CCC. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcement:

Announcement GR-368 (Revision 2, Mar. 1, 1965, as amended), feed grain export program.

Available. Evanston, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1966 loan rate plus 5 percent, plus 41 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR-369 (Revision III, as amended), Rice Export Program.

See footnotes at end of document.

Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the current loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions), as amended. Cotton may be acquired at the current market price for such cotton at time of delivery, which shall be the highest price offered but not less than the minimum determined by CCC, and in no event at less than the loan rate for such cotton at time of delivery.

Export.

CCC disposals for barter (1966-67 marketing year). Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export under the Barter Program) and NO-C-31 (described above), as amended.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

A. *CCC sales for export.* Competitive offers under the terms and conditions of Announcements CN-EX-22 (Extra Long Staple Cotton Export Program) and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

B. *Barter.* Competitive offers under the terms and conditions of Announcement CN-EX-27 (Acquisition of Extra Long Staple Cotton for Export under the Barter Program), and NO-C-27 (Sale of Extra Long Staple Cotton), as amended.

COTTON, UPLAND OR EXTRA LONG STAPLE

Restricted or unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-18 (Sale of Cotton—To Establish Claims). Any such cotton will be offered for sale periodically on the basis of samples representing the cotton for the purpose of establishing claims against producers and others according to schedules issued from time to time by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-20 (Sale of Special Condition Cotton). Any such cotton (Below Grade, Sample Loose, Damaged Pickings, etc.) owned by CCC will be offered for sale periodically on the basis of samples representing the cotton according to schedules issued from time to time by CCC.

Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED

A. *Domestic Crushing or Export.*

1. Shelled peanuts of less than U.S. No. 1 grades may be purchased for foreign or domestic crushing.

2. U.S. Medium—Virginia type—for export.

3. Terms and conditions of sales as set forth in Peanut Announcement PR-1 effective July 1, 1966, Amendment 1, and the lot list.

B. When stocks of any of the above categories are available in their area of responsibility, weekly lot lists are issued by the following:

GFA Peanut Association, Camilla, Ga.

Peanut Growers Cooperative Marketing Association, Franklin, Va.

Southwestern Peanut Growers' Association, Gorman, Tex.

All sales are made on the basis of competitive bids each Wednesday, by the Producer Associations Divisions, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids are submitted.

TUNG OIL

Domestic or export.

Sales are made periodically on a competitive bid basis. Bids are submitted to the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250.

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitation to Bid, issued by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4, effective April 6, 1967, the applicable Invitation to Bid, and any amendments or revisions thereof.

Bids will include an f.o.b. price with the added provisions that the bidder may include "freight equalization" allowances for certain destinations as shown in a schedule attached to the Invitation to Bid.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, telephone Washington, D.C., area code 202, DU 8-3901.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price but not less than the applicable 1966 support price for the class, grade, and quality of flaxseed plus 14½ cents per bushel, and plus the respective markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store [1]).*

Markup per bushel received by—		Examples of minimum prices (ex-rail or barge)		
Truck	Rail or barge	Terminal	Class and grade	Price
Cents $0.20	*Cents* $0.15½	Minneapolis	No. 1	$3.45

C. *Nonstorable.* At not less than market price as determined by CCC.

Export.

Announcement PS-GR-4, Revision 1, as amended, dispositions of flaxseed, as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis Grain Merchandising ASCS Office.

LINSEED OIL, RAW (BULK)

Export.

Under Announcement PS-GR-4, Revision 1, as amended, dispositions of raw linseed oil,

as designated by CCC, will be in redemption of export commodity certificates at the domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Commodity Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 21.60 cents per pound.

Export.

Competitive bid, under MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter contracts.

Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

BUTTER

Unrestricted use.

Announced prices, under MP-14: 74 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 73.25 cents per pound—Washington, Oregon, and California. All other States 73 cents per pound.

Export.

Competitive bid under Announcement MP-10, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Sales under this announcement may be made for application to barter contracts.

Any butter offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP-14: 49.125 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 48.125 cents per pound.

Export.

Competitive bid under Announcement MP-10, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under MP-10.

Any cheese offered but not sold under the invitation to bid issued pursuant to MP-10 will be offered for sale through the following Monday noon at prices announced by press release from the Minneapolis ASCS Commodity Office each Wednesday.

FOOTNOTES

[1] The formula price delivery basis for bin site sales will be f.o.b.

[2] To compute, multiply applicable support price by 105 percent or the price support loan rate by 115, as indicated, round product up to nearest whole cent and add amount shown in the appropriate table and any applicable freight and handling charges.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway, Post Office Box 205, Kansas City, Mo. 64141. Telephone: Emerson 1-0860.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export), California (domestic only).

Branch Office—Evanston ASCS Branch Office, 2201 Howard Street, Evanston, Ill. 60202. Telephone: Long Distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: 226-3361.

Idaho, Oregon, Utah, and Washington (domestic and export sales), California (export sales only).

PROCESSED COMMODITIES OFFICE—(ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 334-3200.

COTTON OFFICES—(ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y. 10013. Telephone: 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: 556-6185.

ASCS STATE OFFICES

Illinois, Room 232, U.S. Post Office and Courthouse, Springfield, Ill. 62701. Telephone: Area Code 217, 525-4180.

Indiana, Room 110, 311 West Washington Street, Indianapolis, Ind. 46204. Telephone: Area Code 317, 633-8521.

Iowa, Room 311, Iowa Building, 505 Sixth Avenue, Des Moines, Iowa 50307. Telephone: Area Code 515, 284-4213.

Kansas, 2601 Anderson Avenue, Manhattan, Kans. 66502. Telephone: Area Code 913, JE 9-3531.

Michigan, 1405 South Harrison Road, East Lansing, Mich. 48823. Telephone: Area Code 517, 372-1910.

Missouri, I.O.O.F. Building, 10th and Walnut Streets, Columbia, Mo. 65201. Telephone: Area Code 314, 442-3111.

Minnesota, Griggs Midway Building, 1821 University Avenue, St. Paul, Minn. 55104. Telephone: Area Code 612, 228-7651.

Montana, Post Office Box 670, U.S.P.O. and Federal Office Building, Bozeman, Mont. 59715. Telephone: Area Code 587, 4511, Ext. 3271.

Nebraska, Post Office Box 793, 5801 O Street, Lincoln, Nebr. 68501. Telephone: Area Code 402, 475-3361.

North Dakota, Post Office Box 2017, 15 South 21st Street, Fargo, N. Dak. 58103. Telephone: Area Code 701, 237-5205.

Ohio, Room 202, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-5644.

South Dakota, Post Office Box 843, 239 Wisconsin Street SW., Huron, S. Dak. 57350. Telephone: Area Code 605, 352-8651, Ext. 321 or 310.

Wisconsin, Post Office Box 4248, 4601 Hammersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 256-4441, Ext. 7535.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on May 3, 1967.

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

[F.R. Doc. 67-5117; Filed, May 5, 1967; 8:49 a.m.]

Consumer and Marketing Service

[Docket No. AO 71-A52]

MILK IN NEW YORK-NEW JERSEY MARKETING AREA

Referendum Order; Determination of Representative Period; and Designation of Referendum Agent

It is hereby directed that a referendum be conducted to determine whether the issuance of the order amending the order regulating the handling of milk in the New York-New Jersey marketing area (7 CFR Part 1002) which was attached to the decision of the Assistant Secretary issued April 25, 1967 (32 F.R. 6501), is approved or favored by the producers, as defined under the terms of the order, as proposed to be amended, and who, during the representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

The month of January 1967 is hereby determined to be the representative period for the conduct of such referendum.

A. J. Pollard is hereby designated agent of the Secretary to conduct the referendum for the New York-New Jersey marketing area in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders (7 CFR 900.300 et seq.). Such referendum shall be completed on or before the 30th day from the date this order is published in the FEDERAL REGISTER.

As a means of effectuating certain policies jointly adopted by the Secretary and the Commissioner of Agriculture and Markets of the State of New York in a memorandum of cooperation dated August 26, 1938, and by the Secretary and the Director of the New Jersey Office of

Milk Industry in a memorandum of agreement dated June 30, 1955, the referendum agent shall transmit a report to the Commissioner of Agriculture and Markets of the State of New York, and to the Director of the Office of Milk Industry of the State of New Jersey.

Signed at Washington, D.C., on May 3, 1967.

RODNEY E. LEONARD,
Deputy Assistant Secretary.

[F.R. Doc. 67-5118; Filed, May 5, 1967; 8:50 a.m.]

Forest Service

VENTANA WILDERNESS

Proposal and Hearing Announcement

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (P.L. 88-577; 78 Stat. 890, 892; 16 U.S.C. 1131, 1132), that a public hearing will be held beginning at 9 a.m. on Wednesday, June 7, 1967, in Monterey County Courthouse, Board of Supervisors' Chambers, Alisal and Church Streets, Salinas, Calif., on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to Congress for the establishment of the Ventana Wilderness, comprising about 94,728 acres, including most of the Ventana Primitive Area and five contiguous areas. The proposed Ventana Wilderness is located within the Los Padres National Forest, Monterey County, State of California.

A brochure containing a map and information about the proposed Wilderness may be obtained from the Forest Supervisor, Los Padres National Forest, Santa Barbara, Calif. 93101, or the Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, Calif. 94111.

Individuals and organizations are invited to express their views by appearing at the hearing, or they may submit written comments for inclusion in the official record to Regional Forester, Appraiser's Building, 630 Sansome Street, San Francisco, Calif. 94111, by July 7, 1967.

A. W. GREELEY,
Associate Chief, Forest Service.

[F.R. Doc. 67-5097; Filed, May 5, 1967; 8:47 a.m.]

Office of the Secretary

CALIFORNIA

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of California natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

CALIFORNIA

Fresno	Merced
Madera	Riverside

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 2d day of May 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-5098; Filed, May 5, 1967; 8:48 a.m.]

IOWA

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named county in the State of Iowa natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

IOWA

Van Buren

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after December 31, 1967, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 2d day of May 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-5099; Filed, May 5, 1967; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

FEDERAL FINANCIAL ASSISTANCE IN CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

Applications Accepted for Filing

Notice is hereby given that effective with this publication the following-described applications for Federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

Alabama Educational Television Commission, 2101 Magnolia Avenue, Suite 512, Birmingham, Ala., File No. 197, for the establishment of a new noncommercial educational television station on Channel 43, Louisville, Ala.

The Board of Trustees of Michigan State University, East Lansing, Mich., File No. 198, to improve the facilities of noncommercial educational television station WMSB, Channel 10, East Lansing, Mich.

Any interested person may, pursuant to 45 CFR 60.8 within 30 calendar days from the date of this publication, file comments regarding the above applications with the Chief, Educational Television Facilities Branch, U.S. Office of Education, Washington, D.C.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,
Chief, Educational Television Facilities Branch, U.S. Office of Education.

[F.R. Doc. 67-5120; Filed, May 5, 1967; 8:50 a.m.]

AUTOMOTIVE AGREEMENT ADJUSTMENT ASSISTANCE BOARD

CERTAIN WORKERS OF EATON YALE & TOWNE, INC., EATON SPRING DIV., LACKAWANNA, N.Y.

Summary of Final Determinations and Notice of Certification Regarding Petition for Determination of Eligibility To Apply for Adjustment Assistance

Determination of the Board. Pursuant to the Automotive Products Trade Act of 1965 (Public Law 89-283; 79 Stat. 1016) the Automotive Agreement Adjustment Assistance Board determines that:

Dislocation of workers of the Lackawanna, N.Y. plant, Eaton Spring Division, Eaton Yale & Towne, Inc., has occurred or threatens to occur.

U.S. production of the automotive product concerned—flat leaf springs—has decreased appreciably (section 302 (b)(2), Act), and U.S. imports from Canada of the Canadian automotive product concerned have increased appreciably (section 302 (b)(3)(A), Act).

No factor other than the operation of the United States-Canadian Automotive Products Agreement has been the primary factor in causing or threatening to cause the dislocation.

Certification. The Board hereby certifies that the workers of the Lackawanna, N.Y. plant, Eaton Spring Division, Eaton Yale & Towne, Inc., who became or will become unemployed or underemployed on or after March 17, 1967, are eligible to apply for adjustment assistance.

Background. A petition for a determination of eligibility to apply for adjustment assistance under the Automotive Products Trade Act of 1965 was filed with the Automotive Agreement Adjustment

Assistance Board on February 23, 1967, by the United Steelworkers of America, AFL-CIO, on behalf of a group of workers at the Lackawanna plant, Eaton Spring Division, Eaton Yale & Towne, Inc. The petition alleged that the transfer of the production of automotive leaf springs from Lackawanna to a newly established plant in Chatham, Ontario, would result in the permanent layoff of all 169 hourly workers between April 1 and May 31, 1967. The petition further alleged that a company official cited only the United States-Canadian Automotive Products Agreement, signed January 16, 1965, as the reason for the discontinuation of leaf spring production at Lackawanna.

On February 28, 1967, the Automotive Assistance Committee of the Board requested the U.S. Tariff Commission to investigate and report on the facts relating to this petition (32 F.R. 3853, Mar. 8, 1967). No parties requested a hearing and none was held.

The Commission submitted its report on April 19, 1967 (APTA-W-8). The Commission stated that only certain sections of the report could be made public since much of the information it contains was received in confidence (32 F.R. 6458, Apr. 26, 1967).

The Board, in addition, obtained advice from the Departments of the Treasury, Commerce, and Labor, and the Small Business Administration under section 302(f)(1) of the Act.

Eaton Yale & Towne, Inc., and its Eaton Spring Division. Eaton Yale & Towne, Inc., is a diversified corporation manufacturing, both in the United States and abroad, a variety of components used in the production of transportation and industrial equipment.

The Eaton Spring Division operates plants in Detroit (coil springs and related articles) and Lackawanna, N.Y. (leaf springs for trucks). Prior to January 1967 the Detroit plant also produced leaf springs for automobiles.

After the United States-Canadian Automotive Products Agreement was signed, Eaton Yale & Towne, Inc., decided to build a new facility in Chatham, Ontario, about 70 miles east of Detroit. This plant is operated by the newly established subsidiary, Eaton Springs, Canada, Ltd.

Limited production at the new Chatham plant began in the last half of 1966. In January 1967 production of leaf springs for automobiles was transferred from Detroit to Chatham. Production at Lackawanna is scheduled to be completely transferred to Chatham by May 31, 1967.

Conclusions and determinations—Automotive product. The Board concludes that the petitioners were employed in a plant of Eaton Yale & Towne, Inc., manufacturing an automotive product, as defined by the Act: Leaf springs for use primarily as original equipment in the assembly of motor vehicles (section 302(1)(1), Act).

Dislocation. Dislocation in the case of a group of workers means actual or threatened unemployment or underemployment of a significant number or proportion of the workers of a firm or an appropriate subdivision thereof.

During 1966 the number of hourly workers employed at the Lackawanna plant was fairly constant, averaging slightly over 170 persons per month. The first separation which appears to have been directly attributable to the imminent closing of the plant occurred on March 17, 1967. Large-scale layoffs began on April 28, 1967, and will continue through July 1967 when all the hourly workers and some salaried personnel will have been laid off.

The Board determines that the Lackawanna, N.Y. plant, Eaton Spring Division, is the appropriate subdivision of Eaton Yale & Towne, Inc., and that a significant number or proportion of the workers thereof are or will be dislocated (section 302(b)(1), Act; § 501.2(i)(2), Board regulations).

Role of the operation of the Agreement. Section 302(c) of the Act provides that if there is appreciable decrease in U.S. production and an appreciable increase in imports from Canada of the automotive product concerned (section 302(b)(2) and (b)(3), Act), the group of workers must be certified as eligible to apply for adjustment assistance unless the Board determines that the operation of the Agreement has not been the primary factor in causing the dislocation.[1]

Data obtained by the Tariff Commission show that in each of the months of October 1966 through January 1967 (model year 1967) production in the United States of flat leaf springs has been at least 15 percent less than production during corresponding months in model year 1964, and averaged 20 percent less. The data on U.S. imports of automotive flat leaf springs produced in Canada indicate that imports in recent months of the 1967 model year are at least 80 percent greater than the same months of the 1964 model year.

The Board therefore determines that the economic criteria in section 302(b) of the Act are met.

On the basis of the Tariff Commission report, the Board determines that no factor other than the operation of the Agreement has been the primary factor causing the dislocation of the workers from the Lackawanna, N.Y. plant, Eaton Spring Division, Eaton Yale & Towne, Inc.

(Sec. 302, Automotive Products Trade Act of 1965, 79 Stat. 1018; Executive Order 11254, 30 F.R. 13569; Automotive Agreement Adjustment Assistance Board regs., 48 CFR Part 501, 31 F.R. 827; Board Order No. 1, 31 F.R. 853)

AUTOMOTIVE AGREEMENT ADJUSTMENT ASSISTANCE BOARD,
EDGAR I. EATON,
Executive Secretary.

APRIL 28, 1967.

[F.R. Doc. 67-5078; Filed, May 5, 1967; 8:46 a.m.]

[1] "For purposes of determining whether the changes specified in section 302(b) have taken place, it is necessary to determine both a current period and a base period. It is believed that 3 to 4 recent consecutive months would usually be representative of the current period, and that the base period should be the model year 1964, except in cases where this year is considered to be an atypical one.

"With respect to the term 'appreciably' in section 302(b), a change of 5 percent in production, imports, or exports would normally be an appreciable one * * *"

H.R. No. 537 (Committee on Ways and Means), 89th Cong., 1st Sess., on H.R. 9042, pp. 21-22.

CIVIL AERONAUTICS BOARD

[Docket No. 18293]

ALASKA-CORDOVA MERGER CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 29, 1967, at 10 a.m., e.d.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on April 20, 1967, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 1, 1967.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 67-5110; Filed, May 5, 1967; 8:48 a.m.]

[Docket No. 18226]

AIR KOREA

Permit Application; Notice of Hearing

Han Jin Transportation Co., Ltd., doing business as Air Korea (Permit Application), Docket 18226.

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on May 18, 1967, at 10 a.m., e.d.s.t., in Room 211, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C.

For fuller information, interested persons are referred to the prehearing conference report served April 6, 1967, and other material contained in the docket of this proceeding on file with the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 2, 1967.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 67-5111; Filed, May 5, 1967; 8:48 a.m.]

[Docket No. 18317]

LINEAS AEREAS DE NICARAGUA, S.A.

Permit Renewal; Notice of Hearing

Notice is hereby given pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding is assigned to be held on May 24, 1967, at 10 a.m. e.d.s.t., in Room 211, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C.

For fuller information, interested persons are referred to the prehearing conference report served April 25, 1967, and other material contained in the docket of this proceeding on file with the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., May 2, 1967.

[SEAL] BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 67-5112; Filed, May 5, 1967; 8:49 a.m.]

[Docket No. 17353; Order No. E-25093]

PACIFIC ISLANDS LOCAL SERVICE INVESTIGATION

Order Defining Scope of Proceeding

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of May 1967.

By this order the Board is establishing the precise scope of the instant investigation which was instituted to determine the need for interisland local air services in the South, Central, and Western Pacific.[1]

The area encompassed by this investigation covers a vast portion of the Pacific Ocean. In the Central and Western Pacific it includes the Palau, Mariana, Caroline, and Marshall Islands, which comprise the U.S. Trust Territories[2] and the Gilbert and Ellice Islands. In the South Pacific the points at issue are American Samoa, Western Samoa, New Hebrides, Fiji Islands, Tonga Islands, and the Cook Islands. In addition, for the reasons set forth below, we believe this investigation should be expanded to include consideration of service to Honolulu, Hawaii.

Specifically, as the Board now envisions this proceeding, it includes the following issues: (1) Whether there is a need for interisland local air service in or among the previously identified islands in the Central and Western Pacific; (2) whether there is a need for interisland local air service in the South Pacific area between American Samoa and the specifically named islands in the surrounding areas; and (3) whether there is a need for interisland local air service between American Samoa and the islands in the Central and Western Pacific. In connection with these issues, we believe it would also be appropriate to consider whether there is a related need for air service between Honolulu, on the one hand, and American Samoa and points in the Central and Western Pacific, on the other.

We have decided to include this latter issue in this proceeding[3] because it will give the Board the opportunity to consider whether a direct link between Honolulu and these points will result in greater economies of operation, increased traffic support, as well as the possibility of improving service to the public by the elimination of the circuity involved in the present service. For instance, in order to get to Honolulu from Majuro or Kwajalein in the Marshall Islands or Truk in the Caroline Islands, a passenger must first travel to Guam. This involves an expensive and time-consuming back-haul which is aggravated by the lack of frequent interisland service.[4]

With regard to a gateway for services in the Western Pacific, for the present we have decided not to consider any proposals involving service beyond the previously defined area of this case. In view of Pan American's long-haul services which link Guam and various points in Asia, it would appear that Guam is the logical gateway terminal for services in the Western Pacific. Furthermore, this long-haul service should improve in the future since additional service for Guam is at issue in the Transpacific Route Investigation.[5]

In order to maintain the focus of this case on the need for interisland local air service, we will require that any authority obtained in this case for service between Honolulu and Guam be subject to a two-stop restriction. Such a restriction will reduce the competitive impact of any new service authorized upon the Honolulu-Guam nonstop operations of Pan American.

On November 17, 1966, Eastern Air Lines, Inc. (Eastern), filed an application in Docket 17953 seeking authority to operate from American Samoa to Western Samoa, Fiji, Tonga, the Cook Islands, and Tahiti. At the same time, Eastern requested by motion that all issues relating to service in and among those points be severed from this proceeding and set for expeditious consideration so that the severed portion could be decided simultaneously with the Transpacific Route Investigation.

Braniff Airways, Inc., Pan American, the Secretary of the Interior, and the Territory of American Samoa filed answers opposing the grant of Eastern's request. Upon consideration of the matters set forth in the various pleadings, the Board has decided that the instant investigation should include service issues as to all of the island groups mentioned in our order instituting this investigation. Accordingly, Eastern's motion will be denied.

Eastern has failed to show that severance of the issues concerning air service to and from American Samoa and the islands in its area is warranted. Since the service we envision hearing for the Central and Western Pacific and between that area and American Samoa is of the same type we intend to hear with respect to the islands in American Samoa's area of the Pacific, we feel that all of these issues can be best handled in the same proceeding, at least through the hearing stage. If, after the hearing, it appears that severance is warranted, the parties may so move at that time.

Finally, since the type of local service we envision may require some form of financial support from the Government of the United States, the Board will expect the various parties to this proceeding to direct their attention to this matter. In view of the fact that a certain measure of support is now being provided by the Government under the contract authorizing air service in the Trust Territory and Guam, it would be appropriate to consider whether any or all of the services at issue require financial aid from the Government, and, if so, who should provide that support.

Since the various U.S. territories involved in this investigation are under the jurisdiction of the Department of Interior, we will make the Department a party to this proceeding along with those territories. We will also include the Postmaster General as a party because there may be a need for improved mail service between the various points at issue. In addition, in view of the many defense installations in the area under investigation, defense considerations may have an important bearing on this case. Accordingly, we will also make the Department of Defense a party.

In view of our action herein, we will provide an additional period of time for interested applicants to file amended or additional applications consistent with the scope of the investigation. If new filings are made, each applicant should file

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[1] Order E-23740, May 25, 1966. In that order the Board noted that, after considering the matter further, it would issue an appropriate order defining the scope of this proceeding.

Insofar as they propose interisland local service in the South, Central, and Western Pacific, applications of Hawaiian Airlines, Inc. (Docket 17047, Corrected), and World Airways, Inc. (Docket 17036), were consolidated into this proceeding.

[2] While Guam is part of the Mariana Islands, it is a U.S. Territory.

[3] Even though Pan American World Airways, Inc. (Pan American), currently provides service which links American Samoa and Honolulu and Guam and Honolulu, we are including these issues in this proceeding since Pan American's service may not be geared to the local needs of the various islands in question. Similarly, we do not believe that inclusion of these issues will duplicate matters already at issue in the Transpacific Route Investigation, Docket 16242. The focus of that proceeding is on long-haul transportation requirements and not the need for improved interisland local service, the basic issue in the instant investigation.

[4] Pursuant to a contract with the Trust Territory Government, Pan American provides Kwajalein, Majuro, and Truk with weekly DC-4 service to Guam. Kwajalein is more than one-third the distance between Guam and Honolulu which are 3,789 miles apart.

[5] Authority between Guam and Okinawa is one of the routes at issue. While this issue has not been included in this proceeding, the Board may modify this decision, upon reconsideration, if such action is shown to be warranted.

a composite application covering clearly and specifically all of the relief sought in this proceeding. This procedure will obviate the confusion resulting from consolidation of several separately filed applications or portions thereof and will assist the parties, the examiner, and the Board in analyzing and considering the precise proposals of each applicant.

Accordingly, it is ordered, That:

1. The scope of the instant investigation be and it hereby is established to include the determination of whether the public convenience and necessity require, and, if so, which carrier or carriers should be selected to provide:

(a) Interisland local air service among and/or within the following groups of Pacific Islands: Palau Islands, Mariana Islands (including Guam), Caroline Islands, Marshall Islands, Gilbert Islands, and Ellice Islands;

(b) Interisland local air service between American Samoa, on the one hand, and the Fiji Islands, Western Samoa, Tonga Islands, Cook Islands, and New Hebrides, and the islands listed in 1(a) above, on the other;

(c) Air service between Honolulu, Hawaii, on the one hand, and American Samoa, and the islands listed in 1(a) above, on the other;

2. Any authority awarded in this proceeding for service between Honolulu and Guam shall be subject to a restriction requiring a minimum of two intermediate stops;

3. Applications, motions to consolidate applications, and motions or petitions seeking modification or reconsideration of this order shall be filed no later than 20 days from the service date of this order, and answers to such pleadings shall be filed no later than 10 days thereafter;

4. The motion of Eastern Air Lines, Inc., for severance, consolidation, expedition, and simultaneous decision, filed November 17, 1966, be, and it hereby is, denied;

5. This proceeding shall be set down for hearing before an examiner of the Board at a time and place hereafter designated;

6. A copy of this order be served upon the Department of Interior, the Department of Defense, the Postmaster General, the Territory of American Samoa, the Trust Territory of the Pacific Islands, and the Territory of Guam, all of which are hereby made parties to the instant investigation; and

7. A copy of this order also be served upon Braniff Airways, Inc., Eastern Air Lines, Inc., Hawaiian Airlines, Inc., Pan American World Airways, Inc., and World Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.[4]

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-5113; Filed, May 5, 1967; 8:49 a.m.]

[4] Attachment filed as part of the original document.

FEDERAL POWER COMMISSION

[Docket No. CP67-307]

CONSOLIDATED GAS SUPPLY CORP.

Notice of Application

MAY 1, 1967.

Take notice that on April 24, 1967, Consolidated Gas Supply Corp. (Applicant), 445 West Main Street, Clarksburg, W. Va. 26301, filed in Docket No. CP 67-307 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval of the Commission to abandon certain natural gas facilities and for a certificate of public convenience and necessity authorizing the construction, acquisition, modification, and operation of certain natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes the construction and operation of the following facilities:

(1) Approximately 165.7 miles of 26-inch pipeline between Lebanon and Gilmore, Ohio,

(2) Approximately 77.2 miles of 30-inch pipeline between Gilmore, Ohio, and Beaver, Pa.,

(3) Approximately 13.5 miles of 26-inch pipeline between its South Bend Compressor Station and Valley Junction, Armstrong and Indiana Countries, Pa.,

(4) Approximately 4.6 miles of 26-inch pipeline between McIlwain Junction and its South Bend Compressor Station, Armstrong County, Pa.,

(5) Two new 6,000-horsepower compressor stations at Leabnon and Gilmore, Ohio, and

(6) Two new measuring and regulating stations and pipeline interconnections and to modify certain facilities in Ohio and Pennsylvania.

Applicant also seeks authorization to acquire the following natural gas facilities from the East Ohio Gas Co.

(1) Approximately 34.9 miles of 24-inch pipeline between Summerfield and Gilmore, Ohio, and

(2) Approximately 0.9 mile of parallel 20-inch and 26-inch pipelines in Mahoning County, Ohio.

In this connection, Applicant proposes to abandon certain off-system delivery points into these pipelines as sales points of Applicant.

Applicant also seeks permission and approval to abandon certain pipeline facilities, extending between its Hastings Compressor Station, Wetzel County, W. Va., and the J. B. Tonkin Compressor Station, Westmoreland County, Pa., consisting of the following:

(1) Approximately 98.8 miles of 12-inch pipeline, and

(2) Approximately 54.3 miles of 16-inch and 20-inch pipeline, together with certain connecting lines and measuring facilities related to these main lines.

Applicant also seeks permission and approval to abandon the Tonkin Compressor Station and the Preston Compressor Station in Greene County, Pa., and an existing delivery connection and a measurement station at McKeesport, Pa.

Applicant also seeks authorization to relocate a measuring and regulating station at Petersburg, Ohio.

Applicant states that it has negotiated a new long-term contract with Texas Gas Transmission Corp. (Texas) providing for delivery at Lebanon, Ohio, of 75,000 Mcf of natural gas per day beginning November 1, 1968, and increasing to 150,000 Mcf of natural gas per day beginning November 1, 1969, and to 200,000 Mcf of natural gas per day beginning November 1, 1970. Applicant and Texas also plan to convert an existing transportation service, now performed by Texas, into a sale of 100,000 Mcf of natural gas per day over the same period.

Applicant estimates the total cost of the proposed facilities, to be constructed over a 3-year period from 1968 through 1970, at approximately $35,415,036. Applicant further estimates the total cost of the facilities proposed to be acquired, as above described, at approximately $1,986,666. Applicant proposes to finance the cost of the above-mentioned facilities in part from funds generated by current operations and mainly through advances from its parent, Consolidated Natural Gas Co., on long-term notes.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 29, 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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5064; Filed, May 5, 1967 8:45 a.m.]

[Docket No. E-7044]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

MAY 1, 1967.

Take notice that on April 19, 1967, an application was filed with the Federal

Power Commission, pursuant to section 204 of the Federal Power Act, by Iowa Southern Utilities Co. (Applicant) for authorization to issue and sell 7,104 additional shares of its Common Stock, par value $10 per share, and to modify Applicant's Employee Stock Purchase Plan. Applicant is incorporated under the laws of the State of Delaware and qualified to do business as a foreign corporation in the State of Iowa, with its principal place of business being located in Centerville, Iowa.

Applicant proposes to issue and sell to its employees up to but not exceeding 7,104 additional shares of its Common Stock, par value $10 per share, in accordance with the terms and conditions of its modified Employee Stock Purchase Plan, a copy of which is filed as an exhibit to its application. The sales will be made through payroll deductions, and request is made for exemption from the competitive bidding requirements of § 34.1a (b) and (c) of the regulations under the Federal Power Act. Applicant states that the net proceeds realized from the sale of the 7,104 additional shares of its Common Stock dedicated to the Employee Stock Purchase Plan is estimated at approximately $668,000.

The modifications in the Employee Stock Purchase Plan are as follows: (1) The price per share of Common Stock of the Company purchased under the Plan is 90 percent (rather than 95 percent) of the market bid price on June 15 and December 15 of each year as published in the Midwest edition of the Wall Street Journal, but not less than the par value of the stock, and (2) the payroll deductions for the purchase of stock may be maximum of 20 percent (rather than 10 percent) of the employee's regular pay base.

Any person desiring to be heard or to make any protests with reference to said application should on or before May 18, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5065; Filed, May 5, 1967; 8:45 a.m.]

[Docket No. CP67-304]

NORTHERN NATURAL GAS CO.

Notice of Application

MAY 1, 1967.

Take notice that on April 21, 1967, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP67-304 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas through existing facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to transport approximately 1,350 Mcf of natural gas on a peak day for fuel and shrinkage in a proposed new hydrocarbon extraction facility to be located adjacent to the present Jasper Treating Plant in Pecos County, Tex. The application states that the extraction plant and appurtenant facilities will be constructed without Commission authorization as provided in § 2.55(a) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (157.10) on or before May 29, 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 this application if no protest or petition to intervene is filed within the time re- is timely filed, or if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5066; Filed, May 5, 1967; 8:45 a.m.]

[Docket No. CP67-305]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

MAY 1, 1967.

Take notice that on April 24, 1967, Texas Eastern Transmission Corp. (Applicant), Post Office Box 2521, Houston, Tex. 77001, filed in Docket No. CP67-305 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon certain natural gas sales, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval of the Commission to abandon its sale to Lone Star Gathering Co. (Lone Star) from the Kawitt Field, Karnes, and De Witt Counties, Tex., authorized in Docket No. CP63-192. Applicant states that the purchaser, Lone Star, has filed an application for permission and approval to abandon its facilities and services for which the above-mentioned natural gas was purchased; and Applicant, therefore, requests the Commission to grant permission and approval to abandon said sale if and when it grants same to Lone Star in Docket No. CP65-118 et al.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 29, 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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5067; Filed, May 5, 1967; 8:45 a.m.]

[Docket No. CP67-306]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application

MAY 1, 1967.

Take notice that on April 24, 1967, Texas Eastern Transmission Corp. (Applicant), Post Office Box 2521, Houston, Tex. 77001, filed in Docket No. CP67-306 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon certain natural gas sales, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks permission and approval of the Commission to abandon its sale to Lone Star Gathering Co. (Lone Star) from the Kawitt Field, Karnes and De Witt Counties, Texas, authorized in Docket No. CP63-193. Applicant states that the purchaser, Lone Star, has filed an application for permission and approval to abandon its facilities and services for which the above-mentioned natural gas was purchased; and Applicant, therefore, requests the Commission to grant permission and approval to abandon said sale if and when it grants same to Lone Star in Docket No. CP65-118 et al.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 29, 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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5068; Filed, May 5, 1967; 8:45 a.m.]

[Docket No. CP67-308]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

MAY 1, 1967.

Take notice that on April 24, 1967, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP67-308 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval of the Commission to abandon certain natural gas transportation services and for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, the sale of natural gas for resale in interstate commerce and the removal of a restriction on the use of certain natural gas gathering facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authority to sell to Consolidated Gas Supply Corp. (Consolidated), on a firm basis, quantities of natural gas increasing during the period November 1, 1968, to November 1, 1970, in three increments of contract demand from 112,500 Mcf of natural gas per day to 300,000 Mcf of natural gas per day. Applicant states that the proposed service is to meet the estimated increase in natural gas requirements of Consolidated and Applicant proposes to commence such service November 1, 1968.

To initiate the above-proposed service, Applicant also seeks authorization for the following:

(1) To construct and operate, over a 4-year period, the following natural gas facilities to provide an additional firm capacity of 200,000 Mcf of natural gas per day in its system:

(a) 44.38 miles of 30-inch loop pipeline in Louisiana, Kentucky, and Indiana,

(b) 45.73 miles of 36-inch loop pipeline in Arkansas, Louisiana, Mississippi, and Tennessee,

(c) 118,000 compressor horsepower, and

(d) One meter station;

and,

(2) To remove the restriction as to the use of certain natural gas gathering facilities heretofore imposed by the Commission, in Docket No. G-17335 et al., which prohibited the use of said facilities for purposes other than transportation service certificated therein.

Applicant also seeks permission and approval of the Commission to abandon the 100,000 Mcf per day of natural gas transportation service now being rendered by it for Consolidated by converting same, in three increments, into a sales service.

Applicant estimates the total cost of the proposed project at approximately $35,596,365, said cost to be financed by the issuance of long-term-debt securities.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 29, 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 this application if no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and permission and approval for the proposed abandonment is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5069; Filed, May 5, 1967; 8:45 a.m.]

INTERNATIONAL JOINT COMMISSION—UNITED STATES AND CANADA

AIR POLLUTION
Public Hearings

In the course of its investigation of air pollution in the vicinity of Port Huron-Sarnia and Detroit-Windsor, the International Joint Commission, Room B-208, 1711 New York Avenue NW., Washington, D.C. 20440, and Room 303, 75 Albert Street, Ottawa, Ontario, Canada, will conduct initial public hearings at the times and places listed hereunder.

On September 23, 1966, the Governments of Canada and the United States requested the Commission to inquire into and report to them upon the following questions:

(1) Is the air over and in the vicinity of Port Huron-Sarnia and Detroit-Windsor being polluted on either side of the international boundary by quantities of air contaminants that are detrimental to the public health, safety, or general welfare of citizens or property on the other side of the international boundary?

(2) If the foregoing question or any part thereof is answered in the affirmative, what sources are contributing to this pollution and to what extent?

(3) (a) If the Commission should find that any sources on either side of the boundary in the vicinity of Port Huron-Sarnia and Detroit-Windsor contribute to air pollution on the other side of the boundary to an extent detrimental to the public health, safety, or general welfare of citizens or property, what preventive or remedial measures would be most practical from economic, sanitary, and other points of view?

(b) The Commission should give an indication of the probable total cost of implementing the measures recommended.

The purpose of the hearings is to give all those interested convenient opportunity to present testimony and evidence to the Commission concerning the above questions and regarding any preventive or remedial measures now in effect or planned for the future. Evidence presented will be considered by the Commission and its advisers in formulating a report and recommendations to the two Governments.

Oral statements will be heard but, for accuracy of the record, all important facts and arguments should be submitted in writing. Written submissions, where possible, should be filed with the Secretaries ten (10) days prior to the hearing. Fifty (50) copies should be provided.

Dates and places of hearings:

Date	Time (a.m.)	Place
June 20, 1967	9:30	Henry McMorran Memorial Auditorium, Port Huron, Mich.
June 21, 1967	9:30	Cleary Auditorium, Windsor, Ontario.

WILLIAM A. BULLARD,
Secretary, United States Section, International Joint Commission.

D. G. CHANCE,
Secretary, Canadian Section, International Joint Commission.

MAY 1, 1967.

[F.R. Doc. 67-5071; Filed, May 5, 1967; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1264]

AMERICAN EQUITIES FUND, INC.

Notice of Proposal To Terminate Registration

MAY 1, 1967.

Notice is hereby given that the Securities and Exchange Commission proposes, pursuant to section 8(f) of the Investment Company Act of 1940 ("Act"), to declare by order upon its own motion that American Equities Fund, Inc. ("Fund"), 331 West Silver Spring Drive, Milwaukee, Wis. 53217, a Delaware corporation which registered under the Act on May 20, 1964 as an open-end diversified management investment company, has ceased to be an investment company.

The Commission has been informed by letter from the President of the Fund that all outstanding certificates have been redeemed and that no assets remain to be distributed.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, that upon the taking effect of such order, the registration of such company shall cease to be in effect, and that, if necessary for the protection of investors, such order may be made upon appropriate conditions.

Notice is further given that any interested person may, not later than May 26, 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 the Fund 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 under the Act, an order disposing of the matter may be issued by the Commission upon the basis of the information stated in this notice, 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 the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5081; Filed, May 5, 1967; 8:46 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

MAY 2, 1967.

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

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5082; Filed, May 5, 1967; 8:46 a.m.]

[File No. 1-1686]

LINCOLN PRINTING CO.

Order Suspending Trading

MAY 2, 1967.

The common stock, 50 cents par value, and the $3.50 cumulative preferred stock, no par value, of Lincoln Printing Co., being listed and registered on the Midwest Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and the 8 percent convertible debenture bonds due March 13, 1968, being traded otherwise than on a national securities exchange; and

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

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Midwest Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5083; Filed, May 5, 1967; 8:46 a.m.]

[File No. 0-592]

PAKCO COMPANIES, INC.

Order Suspending Trading

MAY 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Pakco Cos., Inc., and all other securities of Pakco Cos., Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5084; Filed, May 5, 1967; 8:46 a.m.]

PINAL COUNTY DEVELOPMENT ASSOCIATION

Order Suspending Trading

MAY 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the 5⅞ percent Industrial Development Revenue Bonds of Pinal County Development Association due April 15, 1989, otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 that trading in such bonds be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5085; Filed, May 5, 1967; 8:47 a.m.]

[File No. 1-4407]

SPORTS ARENAS, INC.

Order Suspending Trading

MAY 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 1 cent par value of Sports Arenas, Inc., and the 6 percent convertible debentures being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this

order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5086; Filed, May 5, 1967; 8:47 a.m.]

UNDERWATER STORAGE, INC.

Order Suspending Trading

MAY 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Underwater Storage, Inc., otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5087; Filed, May 5, 1967; 8:47 a.m.]

[File No. 1-4371]

WESTEC CORP.

Order Suspending Trading

MAY 2, 1967.

The common stock, 10 cents par value, of Westec Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Westec Corp., being traded otherwise than on a national securities exchange; and

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

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 3, 1967, through May 12, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5088; Filed, May 5, 1967; 8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR, Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below $1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below $1 an hour in the base period.

Allen's Market, Inc., food store; Second Avenue and Sixth Street, Amory, Miss.; 2-21-67 to 1-31-68.

W. R. Angle & Co., Inc., food store; 25 East Main Street, Christiansburg, Va.; 3-14-67 to 3-13-68.

B & S Grocery, food store; 319 West 12th Street, Tifton, Ga.; 3-24-67 to 3-23-68.

H. Butrus Super Market, food store; 4301 10th Avenue North, Birmingham, Ala.; 2-1-67 to 1-31-68.

Central Park Super Market, food store; 5728 Avenue O, Birmingham, Ala.; 3-23-67 to 3-22-68.

Charming Shoppes of Norristown, Inc., apparel store; 8 East Main Street, Norristown, Pa.; 3-31-67 to 3-30-68.

Glenn W. Clay, agriculture; Carlisle, Ky.; 3-7-67 to 3-6-68.

Coker's Pedigreed Seed Co., agriculture; 1221 Carolina Avenue, Hartsville, S.C.; 3-20-67 to 3-19-68.

Cornerstone Farm and Gin Co., agriculture; Pine Bluff, Ark.; 3-1-67 to 2-29-68.

Crest Stores Co., variety store; 1620 South Boulevard, Charlotte, N.C.; 3-10-67 to 3-9-68.

De Mar's, Inc., apparel store; 6101 West Cermak Road, Cicero, Ill.; 3-1-67 to 2-28-68.

Denton's Supermarket, food store; Acworth Road, Dallas, Ga.; 3-1-67 to 2-29-68.

Downtown Supermarket, food store; Monticello, Ky.; 3-3-67 to 3-2-68.

Drake-Mangrum Super Market, food store; Batesville, Miss.; 2-16-67 to 2-15-68.

Duckwall Stores, Inc., variety stores from 3-31-67 to 3-30-68: 2422 West Colorado Avenue, Colorado Springs, Colo.; 330 Main Colorado Springs, Colo.; 2331 East Platte Avenue, Colorado Springs, Colo.; 2302 North Wahsatch, Colorado Springs, Colo.; 6000 East 64th Avenue, Commerce City, Colo.; 3100 South Sheridan Boulevard, Denver, Colo.; Fort Morgan, Colo.; Lamar, Colo.; 1018 Constitution Road, Pueblo, Colo.; 1153 South Prairie, Pueblo, Colo.; 303 North Broadway, Abilene, Kans.; Dodge City, Kans.; Goodland, Kans.; Great Bend, Kans.; 1103 Main Street, Hays, Kans.; 1303 North Main, Hutchinson, Kans.; 723 North Washington, Junction City, Kans.; 417 Broadway, Larned, Kans.; 943 Massachusetts Street, Lawrence, Kans.; 320 Poyntz Avenue, Manhattan, Kans.; McPherson, Kans.; 213 South Main, Pratt, Kans.; 1209 West Crawford Street, Salina, Kans.; 921 North Kansas Avenue, Topeka, Kans.; 3913 West 21st Street, Topeka, Kans.; 8955 West Central, Wichita, Kans.; 2425 West 13th Street, Wichita, Kans.

O. K. Fairbanks Corp., food stores from 4-3-67 to 3-13-68: 84 Marlboro Street, Keene, N.H.; 480 West Street, Keene, N.H.

Fauerbach Fine Foods, Inc., food store; 1864 Monroe Street, Madison, Wis.; 4-17-67 to 4-16-68.

Foodland Super Market, food stores from 4-11-67 to 4-10-68: Nos. 4, 6, and 8, Sioux Falls, S. Dak.

Edmund Golomb, agriculture; Rural Delivery 1, Berwick, Pa.; 3-28-67 to 3-27-68.

F & P Food Store, Inc., food store; 85 Broad Street SW., Atlanta, Ga.; 3-3-67 to 3-2-68.

Goudchaux's, department store; 1500 Main Street, Baton Rouge, La.; 4-3-67 to 4-2-68.

Grebe's Bakeries, Inc., bakery store; 601 West Mitchell Street, Milwaukee, Wis.; 4-13-67 to 4-12-68.

Hanes & Combs, Inc., agriculture; Lexington, Ky.; 3-1-67 to 2-29-68.

Harold W. Hardy Super Market, Inc., food store; Shepherdsville, Ky.; 2-13-67 to 2-12-68.

Hellmans, Inc., variety store; 2202 Central Avenue, Kearney, Nebr.; 4-1-67 to 3-31-68.

Hogan's Super Market, food store; 2936 Cypress Street, West Monroe, La.; 2-20-67 to 1-31-68.

Independent Food Center, Inc., food store; 5913 Avenue D, Fairfield, Ala.; 2-20-67 to 1-31-68.

Jenny Lee Bakery, bakery store; 219 Forbes Avenue, Pittsburgh, Pa.; 3-6-67 to 12-14-67 (replacement).

Johnson's Super Market, food store; Mountain Home, Ark.; 2-12-67 to 2-11-68.

Johnston the Florist, agriculture; 531 Locust Street, McKeesport, Pa.; 3-29-67 to 3-28-68.

Kaufman's, apparel store; 1040 Main Street, Wheeling, W. Va.; 4-1-67 to 3-31-68.

Kelley's Super Market, food store; Paragould, Miss.; 3-6-67 to 3-5-68.

Kramer's Department Store, department store; 121 West Main Street, Wallace, N.C.; 3-23-67 to 3-22-68.

Kuhn's Variety Store, variety stores from 4-13-67 to 4-12-68: 118 Fifth Street, Murray, Ky.; Main and Third Streets, Russellville, Ky.; Waldron Street and Public Square, Corinth, Miss.; 401 West Main Street, Tupelo, Miss.; 124 Franklin Street, Clarksville, Tenn.; 129 Main Street, Dickson, Tenn.; 109 South Elk Street, Fayetteville, Tenn.; Natchetz Trace Drive, Lexington, Tenn.; 4816 Charlotte Road, Nashville, Tenn.; Public Square, Pulaski, Tenn.; East Lincoln Street, Tullahoma, Tenn.

Kreher's Poultry Farm, agriculture; 11066 Main Street, Clarence, N.Y.; 3-29-67 to 3-28-68.

E. G. Larson, agriculture; Friars Point, Miss.; 3-1-67 to 2-29-68.

Leader Store, department store; 41 West Broad Street, Hazleton, Pa.; 4-14-67 to 4-13-68.

Lee County Hospital, hospital and nursing home; 2000 Pepperall Parkway, Opelika, Ala.; 2-1-67 to 1-31-68.

Lipton's, Inc., apparel store; 50 Broad Street, Bloomfield, N.J.; 3-30-67 to 3-29-68.

M.F.A. Central Cooperative, food store; Morgan and Lafayette Streets, Marshall, Mo.; 4-7-67 to 4-6-68 (replacement).

Monroe Manor Nursing Home, nursing home; 236 West Claiborne Street, Monroeville, Ala.; 3-7-67 to 3-6-68.

Myatt Brothers Food Store, food store; Ohio Avenue at Bay Street, Purvis, Miss.; 2-1-67 to 1-31-68.

Neisner Brothers, Inc., variety store; No. 167, Cutler Ridge, Fla.; 3-6-67 to 3-5-68.

Newtons Red & White Super Market, food store; 120 East Wilson Street, Farmville, N.C.; 2-27-67 to 2-26-68.

Park-N-Save, food store; Route No. 725 West, Germantown, Ohio; 4-11-67 to 4-10-68.

Park 'N Shop Food Mart, Inc., food stores: 301 Robeson Street, Fayetteville, N.C. (3-1-67 to 2-29-68); Broad Street, St. Pauls, N.C. (2-24-67 to 2-23-68).

Piggly Wiggly, Inc., food stores from 3-2-67 to 3-1-68 except as otherwise indicated: 201 Kirkland Street, Abbeville, Ala.; Aliceville, Ala. (2-20-67 to 1-31-68); 501 Claxton Street, Elba, Ala.; 138 South Randolph Street, Eufaula, Ala.; 806 North Water Street, Geneva, Ala.; 213 Cedar Street, Greenville, Ala.; 314 Forrest Avenue, Luverne, Ala.; 109 East Avenue, Ozark, Ala.; 129-31 East Main Street, Samson, Ala.; 212 South 3 Notch Street, Troy, Ala.; No. 46, Bambery, S.C. (3-14-67 to 3-13-68); New Boston, Tex. (2-27-67 to 2-26-68).

Rex Hospital, hospital; 1311 St. Mary's Street, Raleigh, N.C.; 3-27-67 to 3-26-68.

Mrs. Arthur H. Seedorf, agriculture; 170 French Road, West Seneca, N.Y.; 3-27-67 to 3-26-68.

Arthur E. Snyder, agriculture; 57537 Mayflower Road, South Bend, Ind.; 3-7-67 to 3-6-68.

Spendthrift Farm, agriculture; Lexington, Ky.; 3-1-67 to 2-29-68.

Spies Supermarket, food stores from 4-11-67 to 4-10-68: 521 Sixth Avenue, Brookings, S. Dak.; Watertown, S. Dak.

Star Stores, Inc., department store; 15th Street and Greenup Avenue, Ashland, Ky.; 4-1-67 to 3-31-68.

Sterling Stores Co., Inc., variety store; 626 West Main Street, Jacksonville, Ark.; 3-3-67 to 9-2-67 (replacement).

Sutton Super Market, food store; Williamsburg, Ky.; 2-15-67 to 2-14-68.

People's Store of Roseland, department store; 11201 Michigan Avenue, Chicago, Ill.; 2-17-67 to 2-16-68.

T. G. & Y. Stores Co., variety stores: No. 2, Norman, Okla. (4-13-67 to 4-12-68); No. 251, Dallas, Tex. (4-10-67 to 4-9-68).

Tradewell Super Market, food store; 1215 16th Street, Huntington, W. Va.; 4-3-67 to 4-2-68.

Valley Farm Dairy, agriculture; Kinards, S.C.; 3-16-67 to 3-15-68.

Willie's Super Market, food store; 2422 Second Avenue North, Birmingham, Ala.; 2-1-67 to 1-31-68.

Wong's Foodland, food store; 520 Anderson Boulevard, Clarksdale, Miss.; 2-6-67 to 1-31-68.

F. W. Woolworth Co., variety stores from 4-10-67 to 4-9-68 except as otherwise indicated: No. 99, Aurora, Ill.; No. 92, Berwyn, Ill.; No. 95, Bloomington, Ill. (4-5-67 to 4-4-68); No. 802, Blue Island, Ill. (4-3-67 to 4-2-68); No. 2406, Calumet City, Ill. (4-8-67 to 4-7-68); No. 1, Chicago, Ill.; No. 4, Chicago, Ill. (4-5-67 to 4-4-68); No. 112, Chicago, Ill. (4-5-67 to 4-4-68); No. 302, Chicago, Ill.; No. 346, Chicago, Ill.; No. 551, Chicago, Ill. (4-5-67 to 4-4-68); No. 679, Chicago, Ill. (4-5-67 to 4-4-68); No. 725, Chicago, Ill. (4-5-67 to 4-4-68); No. 727, Chicago, Ill.; No. 742, Chicago, Ill. (4-6-67 to 4-5-68); No. 1104, Chicago, Ill. (4-5-67 to 4-4-68); No. 1155, Chicago, Ill. (4-5-67 to 4-4-68); No. 1208, Chicago, Ill. (4-5-67 to 4-4-68); No. 1214, Chicago, Ill. (4-6-67 to 4-5-68); No. 1216, Chicago, Ill.; No. 1259, Chicago, Ill.; No. 1261, Chicago, Ill. (4-6-67 to 4-5-68); No. 1305, Chicago, Ill. (4-5-67 to 4-4-68); No. 1404, Chicago, Ill. (4-6-67 to 4-5-68); No. 1414, Chicago, Ill. (4-6-67 to 4-5-68); No. 1425, Chicago, Ill.; No. 1431, Chicago, Ill. (4-5-67 to 4-4-68); No. 1447, Chicago, Ill.; No. 1523, Chicago, Ill. (4-5-67 to 4-4-68); No. 1630, Chicago, Ill. (4-6-67 to 4-5-68); No. 1656, Chicago, Ill. (4-6-67 to 4-5-68); No. 1748, Chicago, Ill (4-6-67 to 4-5-68); No. 1847, Chicago, Ill. (4-5-67 to 4-4-68); No. 1870, Chicago, Ill. (4-5-67 to 4-4-68); Nos. 1904, 1910, Chicago, Ill.; No. 2066, Chicago, Ill. (4-5-67 to 4-4-68); No. 2436, Chicago, Ill.; No. 93, Decatur, Ill. (4-8-67 to 4-7-68); No. 369, Danville, Ill.; No. 726, Dixon, Ill. (4-14-67 to 4-13-68); No. 195, Elgin, Ill. (4-5-67 to 4-4-68); No. 1781, Elmhurst, Ill. (4-5-67 to 4-4-68); No. 357, Evanston, Ill.; No. 1871, Glen Ellyn, Ill. (4-5-67 to 4-4-68); No. 2343, Glen Ellyn, Ill. (4-8-67 to 4-7-68); No. 1845, Highland Park, Ill. (4-7-67 to 4-6-68); No. 89, Hillside, Ill.; No. 318, Jacksonville, Ill.; No. 82, Joliet, Ill.; No. 2103, Loves Park, Ill. (4-5-67 to 4-4-68); No. 1546, Melrose Park, Ill. (4-6-67 to 4-5-68); No. 308, Moline, Ill. (4-5-67 to 4-4-68); No. 283, Norridge, Ill. (4-7-67 to 4-6-68); No. 1413, Oak Park, Ill. (4-5-67 to 4-4-68); No. 78, Peoria, Ill. (4-7-67 to 4-6-68); No. 116, Quincy, Ill.; No. 163, Rockford, Ill.; No. 1313, Rockford, Ill.; No. 259, Rock Island, Ill.; No. 63, Springfield, Ill.; No. 333, Waukegan, Ill.; No. 2168, Waukegan, Ill. (4-5-67 to 4-4-68); No. 1663, Woodstock, Ill. (4-5-67 to 4-4-68); No. 307, Anderson, Ind. (4-3-67 to 4-2-68); No. 1218, Bloomington, Ind. (4-3-67 to 4-2-68); No. 290, Fort Wayne, Ind. (4-3-67 to 4-2-68); No. 549, Frankfort, Ind. (4-3-67 to 4-2-68); No. 676, Hammond, Ind. (4-3-67 to 4-2-68); No. 11, Indianapolis, Ind. (4-3-67 to 4-2-68); No. 2336, Indianapolis, Ind.; No. 1923, Jeffersonville, Ind. (4-3-67 to 4-2-68); No. 2296, Kokomo, Ind. (4-3-67 to 4-2-68); No. 176, Lafayette, Ind. (4-3-67 to 4-2-68); No. 468, La Porte, Ind. (4-3-67 to 4-2-68); No. 2024, Mishawaka, Ind.; No. 142, Muncie, Ind. (4-3-67 to 4-2-68); No. 2193, Muncie, Ind.; No. 451, New Albany, Ind. (4-3-67 to 4-2-68); No. 169, Richmond, Ind. (4-3-67 to 4-2-68); No. 68, Terre Haute, Ind. (4-3-67 to 4-2-68); No. 1023, Terre Haute, Ind. (4-3-67 to 4-2-68); No. 2400, Terre Haute, Ind. (4-3-67 to 4-2-68); No. 447, Wabash, Ind.; No. 219, Battle Creek, Mich.; No. 497, Bay City, Mich.; No. 1089, Benton Harbor, Mich. (4-3-67 to 4-2-68); No. 2171, Benton Harbor, Mich. (4-5-67 to 4-4-68); No. 2161, Big Rapids, Mich.; No. 1107, Cheboygan, Mich. (4-3-67 to 4-2-68); No. 1085, Dowagiac, Mich. (4-3-67 to 4-2-68); No. 190, Flint, Mich. (4-3-67 to 4-2-68); No. 45, Grand Rapids, Mich. (4-3-67 to 4-2-68); No. 167, Kalamazoo, Mich.; No. 2621, Midland, Mich. (4-3-67 to 4-2-68); No. 327, Muskegon, Mich. (4-3-67 to 4-2-68); No. 1072, Niles, Mich. (4-5-67 to 4-4-68); No. 111, Saginaw, Mich. (4-3-67 to 4-2-68); 118 West Robert Street, Crookston, Minn. (4-14-67 to 4-13-68); No. 47, Minneapolis, Minn.; No. 2166, Minneapolis, Minn. (4-14-67 to 4-13-68); No. 2127, Robbinsdale, Minn.; No. 2136, West St. Paul, Minn. (4-14-67 to 4-13-68); 62-64 East Third Street, Winona, Minn. (4-14-67 to 4-13-68); 665 West Foster Street, Appleton, Wis.; 316 West Second Street, Ashland, Wis. (4-14-67 to 4-13-68); No. 278, Kenosha, Wis. (4-14-67 to 4-13-68); No. 133, La Crosse, Wis.; 2825 East Washington Avenue, Madison, Wis. (4-14-67 to 4-13-68).

The following certificates were issued to retail or service establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Arnold's Food Market, Inc., food store; 14 North Baltimore Avenue, Mount Holly Springs, Pa.; bagger; 7.5 percent for any month; 4-13-67 to 4-12-68.

Bashas Market, food store; 1342 East Main Street, Mesa, Ariz.; carryout, janitor; 10 percent for each month; 3-20-67 to 3-19-68.

Big K Department Store, department stores from 4-13-67 to 4-12-68, salesclerk, stock clerk, clerical, 15.9 percent for each month except as otherwise indicated: Athens, Ala. (6.4 percent for each month); Sheffield, Ala. (6.4 percent for each month); Fort Campbell Boulevard, Hopkinsville, Ky. (24.7 percent for each month); Highway 41 South, Madisonville, Ky. (24.7 percent for each month); Cookeville, Tenn.; Nashville, Tenn.; Shelbyville, Tenn.

Cherry & Webb Co., apparel stores from 4-11-67 to 4-10-68, clerk, salesclerk, stock clerk, wrapper; 1 percent for each month: 139 South Main Street, Fall River, Mass.; 237 Essex Street, Lawrence, Mass.; 107 Merrimack Street, Lowell, Mass.; 814 Purchase Street, New Bedford, Mass.; Barrington, R.I.; 181 Bellevue Avenue, Newport, R.I.; 275 Westminster Mall, Providence, R.I.; Midland Mall, Warwick, R.I.

Duckwell Stores, Inc., variety stores from 3-31-67 to 3-30-68, salesclerk, stock clerk: 583 Garland Drive, Denver, Colo. (29.8 percent for each month); 2121 Fairlawn Drive, Topeka, Kans. (21.6 percent for each month); 1921 West 21st Street, Wichita, Kans. (32.5 percent for each month); 2801-C Eubank Boulevard NE., Albuquerque, N. Mex. (15.3 percent for each month); 5405 Gibson Boulevard SE., Albuquerque, N. Mex. (15.3 percent for each month); 405 Main Street, Clovis, N. Mex. (6.9 percent for each month).

Genung's, Inc., variety stores from 3-23-67 to 3-22-68, salesclerk, 10 percent for each month: 168 Main Street, Bristol, Conn.; 217 Main Street, Danbury, Conn.; 22 West Main Street, Meriden, Conn.; 153 State Street, New London, Conn.; 84 Wall Street, Norwalk, Conn.; Waterford, Conn.

W. T. Grant Co., variety store; New Berwick Highway, Bloomsburg, Pa.; salesclerk, stock clerk; 10 percent for each month; 3-27-67 to 3-26-68.

Howland's, variety stores from 3-23-67 to 3-22-68, salesclerk, 10 percent for each month: Black Rock Turnpike, Fairfield, Conn.; Hamden, Conn.

K-Mart Foods, food stores from 4-11-67 to 4-10-68, bagger, carryout, checker, 8 percent for each month: 2100 Northeast Carlisle, Albuquerque, N. Mex.; 2540 North Abram, Arlington, Tex.; 1228 East Ledbetter Drive, Dallas, Tex.; 9334 Thornton Freeway, Dallas, Tex.; 6373 Montana, El Paso, Tex.; 1406 Walnut, Garland, Tex.; 3200 West Irving Boulevard, Irving, Tex.; 4324 Waco Drive West, Waco, Tex.

S. S. Kresge Co., variety store; 9929 Homestead Road, Houston, Tex.; salesclerk; 15.9 percent for each month; 4-6-67 to 4-5-68.

Kuhn's Variety Store, variety stores from 4-13-67 to 4-12-68, salesclerk, stock clerk, clerk: 522 Main Street, Shelbyville, Ky. (24.7 percent for each month); Gallatin, Tenn. (15.9 percent for each month); North Side Public Square, Huntington, Tenn. (9.8 percent for each month); 110 West Broadway, Lenoir City, Tenn. (10 percent for each month); Harding Road, Nashville, Tenn. (15.9 percent for each month); 210-214 Cedar

Avenue, South Pittsburg, Tenn. (10 percent for each month).

Lerner Shops, apparel stores from 4-12-67 to 4-11-68 except as otherwise indicated, salesclerk, stock clerk, office clerk except as otherwise indicated: No. 150, Bridgeport, Conn. (10.7 percent for each month); No. 65, Clearwater, Fla. (salesclerk, 6.2 percent for each month); No. 139, Daytona Beach, Fla. (salesclerk, 10.1 percent for each month); No. 143, Fort Lauderdale, Fla. (17.6 percent for each month); No. 185, Fort Lauderdale, Fla. (17.6 percent for each month); No. 184, Hollywood, Fla. (salesclerk, stock clerk, 12.7 percent for each month); No. 50, Jacksonville, Fla. (salesclerk, cashier, office clerk, 2.9 percent for each month); No. 144, Jacksonville, Fla. (salesclerk, cashier, office clerk, 2.9 percent for each month); No. 71, Panama City, Fla. (9.6 percent for each month); No. 136, Pensacola, Fla. (salesclerk, stock clerk, 9.4 percent for each month); Nos. 45, 108, St. Petersburg, Fla. (salesclerk, stock clerk, 10.1 percent for each month); No. 44, Tallahassee, Fla. (14.2 percent for each month); Nos. 95, 141, West Palm Beach, Fla. (salesclerk, stock clerk, 12.7 percent for each month); Nos. 129, 132, Atlanta, Ga. (salesclerk, office clerk, 11.9 percent for each month); No. 99, Decatur, Ga. (salesclerk, office clerk, 11.9 percent for each month); Nos. 218, 271, 273, Indianapolis, Ind. (salesclerk, 8.8 percent for each month); No. 236, Topeka, Kans. (13.9 percent for each month); No. 232, St. Paul, Minn. (27.5 percent for each month); No. 110, Durham, N.C. (9.9 percent for each month); No. 207, Maple Heights, Ohio (salesclerk, cashier, credit clerk, 9.6 percent for each month); No. 214, Willowick, Ohio (salesclerk, cashier, credit clerk, 9.6 percent for each month); Nos. 36, 127, Oklahoma City, Okla. (5.8 percent for each month); No. 205, Harrisburg, Pa. (salesclerk, office clerk, 5 percent for each month); No. 85, Reading, Pa. (salesclerk, stock clerk, 13.6 percent for each month); No. 118, Scranton, Pa. (salesclerk, office clerk, 5 percent for each month); No. 116, Charleston, S.C. (9.9 percent for each month); No. 137, Columbia, S.C. (19.3 percent for each month); No. 96, Greenville, S.C. (13.2 percent for each month); No. 78, Spartanburg, S.C. (salesclerk, stock clerk, 12 percent for each month); No. 186, Chattanooga, Tenn. (salesclerk, 7.4 percent for each month); No. 213, Memphis, Tenn. (salesclerk, 11.9 percent for each month); No. 37, Dallas, Tex. (7.2 percent for each month, 3-2-67 to 2-29-68); No. 101, Dallas, Tex. (7.5 percent for each month); Nos. 56, 98, Houston, Tex. (salesclerk, office clerk, 2.1 percent for each month); No. 182, Houston, Tex. (1.9 percent for each month, 3-2-67 to 2-29-68); No. 47, Mesquite, Tex. (7.5 percent for each month); No. 187, Pasadena, Tex. (salesclerk, office clerk, 2.1 percent for each month); No. 34, San Antonio, Tex. (salesclerk, 10.7 percent for each month); No. 123, San Antonio, Tex. (10.1 percent for each month, 3-2-67 to 2-29-68); No. 68, Alexandria, Va. (salesclerk, office clerk, 9.3 percent for each month); No. 87, Arlington, Va. (salesclerk, stock clerk, 14 percent for each month); No. 120, Newport News, Va. (salesclerk, cashier, credit clerk, 2.3 percent for each month); No. 32, Portsmouth, Va. (salesclerk, cashier, credit clerk, 2.3 percent for each month); No. 105, Roanoke, Va. (salesclerk, 5.7 percent for each month); No. 310, Virginia Beach, Va. (salesclerk, cashier, credit clerk, 2.3 percent for each month); No. 86, Charleston, W. Va. (9.1 percent for each month); No. 81, Clarksburg, W. Va. (15.2 percent for each month); No. 94, Huntington, W. Va. (salesclerk, 8.9 percent for each month).

McCrory-McLellan-Green Stores, variety stores for the occupations of salesclerk, stock clerk, office clerk, 10 percent for each month except as otherwise indicated: No. 373, Bowie, Md. (3-7-67 to 3-6-68); No. 378, Camden, N.J. (3-7-67 to 3-6-68); No. 352, Toms River, N.J. (3-31-67 to 3-30-68); No. 110, Huntingdon, Pa. (8.7 percent for each month, 4-11-67 to 4-10-68).

C. O. Miller, Inc., variety store; 15 Bank Street, Stamford, Conn.; salesclerk; 10 percent for each month; 3-23-67 to 3-22-68.

Park-N-Save, food stores from 4-11-67 to 4-10-68, carryout, stock clerk, cleanup, 10 percent for each month: State Route 123, Carlisle, Ohio; Farmersville, Ohio; Route 122, Franklin Township, Ohio.

Piggly Wiggly, Inc., food store; Sixth and Jefferson Streets, Sturgeon Bay, Wis.; carryout, sacker; 34 percent for each month; 3-30-67 to 3-29-68.

Spies Supermarkets, food stores from 4-11-67 to 4-10-68, checker, carryout, cleanup, wrapper, stock clerk, 21.7 percent for each month: Sixth Street and Breckenridge, Breckenridge, Minn.; Ninth and Dakota Avenue, Wahpeton, N. Dak.; 205-09 North Van Epps, Madison, S. Dak.

Sterling Stores Co., Inc., variety store; Natchez, Miss.; salesclerk, stock clerk, cleanup; 10.9 percent for each month; 4-11-67 to 4-10-68.

T. G. & Y. Stores Co., variety stores from 4-13-67 to 4-12-68, salesclerk, stock clerk, office clerk, 30 percent for each month except as otherwise indicated: No. 712, Texarkana, Ark. (19.6 percent for each month); No. 244, Baytown, Tex.; No. 394, Baytown, Tex.; No. 343, Houston, Tex.; No. 382, Houston, Tex.; No. 383, Houston, Tex.

Wink's Super Valu, Inc., food store; Ninth and Jefferson Streets, Quincy, Ill.; carryout; 10 percent for each month; 4-7-67 to 4-6-68.

F. W. Woolworth, variety stores from 4-14-67 to 4-13-68 except as otherwise indicated, salesclerk except as otherwise indicated, 17.5 percent for each month except as otherwise indicated: No. 2673, Bloomington, Ill. (11.4 percent for each month); No. 2476, Chicago, Ill. (16.2 percent for each month, 4-7-67 to 4-6-68); No. 2574, Chicago, Ill. (24.4 percent for each month, 4-6-67 to 4-5-68); No. 2606, Chicago, Ill. (13.1 percent for each month, 4-6-67 to 4-5-68); No. 2656, Chicago, Ill. (salesclerk, stock clerk, 23 percent for each month); No. 2669, Chicago, Ill. (12.4 percent for each month); No. 2675, Chicago, Ill. (21.3 percent for each month); No. 2615, Decatur, Ill. (6.1 percent for each month, 4-7-67 to 4-6-68); No. 2450, Downers Grove, Ill. (9.4 percent for each month, 4-6-67 to 4-5-68); No. 2617, Fox Lake, Ill. (12.7 percent for each month, 4-6-67 to 4-5-68); No. 2454, Kankakee, Ill. (9.1 percent for each month, 4-6-67 to 4-5-68); No. 2645, Lincoln, Ill. (6.1 percent for each month, 4-7-67 to 4-6-68); No. 2279, Morton Grove, Ill. (23.5 percent for each month, 4-10-67 to 4-9-68); No. 2623, Naperville, Ill. (salesclerk, stock clerk, 9.4 percent for each month, 4-10-67 to 4-9-68); No. 2449, Niles, Ill. (20.5 percent for each month, 4-7-67 to 4-6-68); No. 312, Ottawa, Ill. (9.5 percent for each month, 4-7-67 to 4-6-68); No. 2474, Pontiac, Ill. (9.4 percent for each month, 4-7-67 to 4-6-68); No. 2573, Rantoul, Ill. (salesclerk, stock clerk, 8.5 percent for each month, 4-6-67 to 4-5-68); No. 704, Sterling, Ill. (13.6 percent for each month, 4-6-67 to 4-5-68); No. 1301, Taylorville, Ill. (checker, salesclerk, 1.7 percent for each month, 4-7-67 to 4-6-68); No. 2624, Connersville, Ind. (12.2 percent for each month, 4-3-67 to 4-2-68); No. 2616, Fort Wayne, Ind. (4.1 percent for each month, 4-3-67 to 4-2-68); No. 2607, Kokomo, Ind. (15 percent for each month, 4-13-67 to 4-2-68); No. 2622, Lawrence, Ind. (27.2 percent for each month, 4-3-67 to 4-2-68); No. 2453, South Bend, Ind. (16.5 percent for each month, 4-5-67 to 4-4-68); No. 2620, Caro, Mich. (18.2 percent for each month, 4-3-67 to 4-2-68); No. 538, Holland, Mich. (18.4 percent for each month, 4-3-67 to 4-2-68); No. 399, Traverse City, Mich. (19.7 percent for each month, 4-3-67 to 4-2-68); No. 59, Milwaukee, Wis. (salesclerk, stock clerk, cleanup); No. 72, Milwaukee, Wis. (salesclerk, stock clerk, cleanup); No. 437, Milwaukee, Wis. (salesclerk, stock clerk, check out); Nos. 842, 2446, Milwaukee, Wis. (salesclerk, stock clerk, 4-10-67 to 4-9-68); No. 2472, Milwaukee, Wis. (salesclerk, stock clerk, cleanup, checker).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 2d day of May 1967.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 67-5079; Filed, May 5, 1967; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 378]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 3, 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 protestant can and will offer and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 18535 (Sub-No. 47 TA), filed April 26, 1967. Applicant: O. ALEX HICKLIN, doing business as HICKLIN MOTOR LINE, Post Office Box 377, St. Matthews, S.C. 29135. Applicant's representative: William Addams, Room 406, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aggregates, crushed stone and gravel;* from Ruby, Ga., to points in South Carolina; (2) *aggregates, crushed stone, gravel and sand*, in bags, and in bulk, from Marlboro, S.C.; Eldorado, N.C., and Lowry, Va., to points in Alabama, Florida, Georgia, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, West Virginia, and Virginia; and (3) *Sand*, in bags and in bulk, from points in Kershaw and Lexington Counties, S.C., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, West Virginia, and Virginia, for 180 days. Supporting shippers: Pennsylvania Glass Sand Corp., Gateway Center Building No. 2, Pittsburgh, Pa.; Becker County Sand and Gravel Co., Post Office Box 596, Bennettsville, S.C.; Whitehead Brothers Co., 60 Hanover Road, Florham Park, N.J.; and Kalman Floor Co., Inc., 121 Greenwich Road, Charlotte, N.C. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, 303A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 30844 (Sub-No. 236 TA), filed April 28, 1967. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 5000, 2125 Commercial Street, Waterloo, Iowa 50704. Applicant's representative: James F. Sexton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles* distributed by meat packinghouses as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities of Griffith Provision Co., Inc., at or near Downs, Kans., to points in Colorado, Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Griffith, Inc., Highway 64 West, Downs, Kans. 67437. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 66562 (Sub-No. 2231 TA), filed April 28, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: Elmer F. Slovacek, 105 West Madison Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, (1) between Minneapolis, Minn., and St. Louis, Mo.: From Minneapolis over Interstate Highway 494 to junction of U.S. Highway 65–Interstate Highway 35, thence south on U.S. Highway 65–Interstate Highway 35 to Junction U.S. Highway 218, thence south and east on U.S. Highway 218 to junction U.S. Highway 16-Interstate Highway 90, thence west on U.S. Highway 16–Interstate Highway 90 to junction U.S. Highway 65, thence south on U.S. Highway 65 to junction of U.S. Highway 20, thence east on U.S. Highway 20 to junction U.S. Highway 218, thence south on U.S. Highway 218 to junction U.S. Highway 34, thence east on U.S. Highway 34 to junction U.S. Highway 61, thence south on U.S. Highway 61 to junction U.S. Highway 54, thence east on U.S. Highway 54 to junction Missouri Highway 79, thence east and south on Missouri Highway 79 to junction Interstate Highway 70, thence east on Interstate Highway 70 to St. Louis, and return over the same route, serving the intermediate and/or off-route points of St. Paul, Owatonna, Austin, and Albert Lea, Minn., Mason City, Iowa Falls, Waterloo, Vinton, Cedar Rapids, Iowa City, Washington, Mount Pleasant, New London, Burlington, Fort Madison, and Keokuk, Iowa, Canton, Palmyra, Hannibal, Louisiana, Clarksville, Elsberry, Old Monroe, and St. Charles, Mo., and Quincy, Ill., (2) between Owatonna, Minn., and Albert Lea, Minn., from Owatonna over U.S. Highway 65–Interstate Highway 35 to junction U.S. Highway 16 at Albert Lea, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, and (3) between Hannibal, Mo., and Louisiana, Mo., from Hannibal east over U.S. Highway 36 to junction Illinois Highway 96, thence south over Illinois Highway 96 to junction U.S. Highway 54, thence west over U.S. Highway 54 to junction Missouri Highway 79 at Louisiana, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, for 150 days. Restrictions: (1) The service to be performed by applicant shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, Inc., and (2) shipments transported by applicant shall be limited to those on through bills of lading or express receipts. Supporting shippers: There are 61 statements from supporting shippers that may be examined here at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 74857 (Sub-No. 26 TA), filed May 1, 1967. Applicant: FULLER MOTOR DELIVERY CO., 802 Plum Street, Cincinnati, Ohio 45202. Applicant's representative: Donald E. Fuller (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk or in bags, for the account of Cargill, Inc., from the site of Kentucky Asphalt Sales Terminal, Jefferson County, Ky., to points in Indiana, north of Indiana Highway 28, and *empty pallets*, on return for 180 days. Supporting shipper: Cargill, Inc., Cargill Building, Minneapolis, Minn. 55402. Send protests to: Emil P. Schwab, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1010 Federal Building, 550 Main Street, Cincinnati, Ohio 45202.

No. MC 94350 (Sub-No. 178 TA), filed April 28, 1967. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Haywood Road, at Transit Drive, Greenville, S.C. 29602. Applicant's representative: Henry P. Willimon, Post Office Box 1628, Greenville, S.C. 29602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger vehicles, in initial movements, in truckaway service, from Jackson, Tenn., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: H. D. Thompson, Store Manufacturing Division, Piggly Wiggly Corp., Jackson, Tenn. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 303A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 103191 (Sub-No. 22 TA), filed May 1, 1967. Applicant: THE GEO. A. RHEMAN CO., INC., Post Office Box 2095, Station A, Charleston, S.C. 29403. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bulk, in pneumatic tank trailers from points in Charleston County, S.C., to points in Henderson and Union Counties, N.C., for 150 days. Supporting shipper: Planters Fertilizer Co., Post Office Box 4857, Charleston Heights, S.C. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, 303A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 107227 (Sub-No. 93 TA), filed May 1, 1967. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, Post Office Box 1697, San Leandro, Calif. 94577. Applicant's representative: Vaughn, Paul & Lyons, 1418 Mills Tower, 220 Bush Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, in secondary movements in truckaway service, in mixed loads of passenger automobiles and trucks, from Ogden, Utah, to points in Nevada and points in California north of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties, restricted to shipments having an immediate prior movement by rail, and originating at plantsites of Kaiser Jeep Corp. without return movement ex-

cept as otherwise authorized, for 150 days. Supporting shipper: Kaiser Jeep Corp., Toledo, Ohio. Send protests to: William E. Murphy, District Supervisor, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 109677 (Sub-No. 32 TA), filed May 1, 1967. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. 12828. Applicant's representative: J. Fred Relyea (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products* (exclusive of asphalt and asphalt products), in bulk, in tank vehicles, from Albany and Rensselaer, N.Y., to points in Massachusetts (Pittsfield, Westfield, Dalton, Williamstown, Great Barrington, and Greenfield), for 180 days. Supporting shipper: Cirillo Bros. Petroleum of Albany, Inc., J. K. Kearney, manager, port of Albany, Albany, N.Y. 12207. Send protests to: Wilmot E. James, Jr., District Supervisor, 518 Federal Building, Albany, N.Y. 12207.

No. MC 112822 (Sub-No. 75 TA), filed April 28, 1967. Applicant: EARL BRAY, INC., Post Office Box 1191, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Carl J. Wright, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugars, syrups, and blends thereof*, in bulk, from Bonner Springs, Kans., and points within 5 miles thereof, to points in Missouri for 180 days. Supporting shipper: Holly Sugar Corp., J. R. Copeland, traffic manager, Box 1052, Colorado Springs, Colo. 80901. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 114045 (Sub-No. 276 TA), filed May 1, 1967. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road, Dallas, Tex. 75222. Applicant's representative: R. L. Moore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities, in bulk, in tank vehicles), from the plantsite and storage facilities of Griffith Provision Co., Inc., at or near Downs, Kans., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Griffith, Inc., Highway 24 West, Downs, Kans. 67437. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 114274 (Sub-No. 12 TA), filed May 1, 1967. Applicant: ELMER VITALIS, doing business as VITALIS TRUCK LINES, 1656 East Grand Avenue, Des Moines, Iowa 50316. Applicant's representative William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite of Oscar Mayer & Co., Inc., Beardstown, Ill., to points in Indiana, Iowa, Minnesota, Missouri, Nebraska, Ohio, and Wisconsin, restricted to traffic originating at the described plantsite and destined to points in the States named, for 180 days. Supporting shipper: Oscar Mayer & Co., Inc., Madison, Wis. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commerce Commission, Bureau of Operations, 227 Federal Office Building, Des Moines, Iowa.

No. MC 119384 (Sub-No. 13 TA), filed May 1, 1967. Applicant: MORTON TRUCK LINES, INC., 101 West Willis Avenue, Perry, Iowa 50220. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines, Iowa 50306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, from the plantsite of Oscar Mayer & Co., Inc., Beardstown, Ill., to points in Indiana, Minnesota, Michigan, Missouri, Nebraska, Ohio, and Wisconsin, restricted to traffic originating at the described plantsite and destined to points in the States named, for 180 days. Supporting shipper: Oscar Mayer & Co., Inc., Madison, Wis. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 123067 (Sub-No. 57 TA), filed May 1, 1967. Applicant: M & M TANK LINES, INC., Post Office Box 4174, North Station, Winston-Salem, N.C. 27105. Applicant's representative: Frank C. Phillips, Post Office Box 612, Winston-Salem, N.C. 27102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone and limestone products*, dry, in bulk, in tank or hopper vehicles, from points in Roanoke County, Va., to points in North Carolina, for 150 days. Supporting shippers: Rockydale Quarries Corp., Route 8, Box 635, Roanoke, Va. 24014. Send protests to: District Supervisor Jack K. Huff, Interstate Commerce Commission, Bureau of Operations, Room 206, 327 North Tryon Street, Charlotte, N.C. 28202.

No. MC 125918 (Sub-No. 5 TA), filed April 28, 1967. Applicant: JOHN A. DI MEGLIO, White Horse Pike, Ancora, N.J. 08037. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick, tile, and clay products*, from Ancora, N.J., to points in New Jersey, restricted to shipments having prior movement via rail, for 150 days. Supporting shipper: Glenwood Refractories Co., 4106 Glenwood Road, Brooklyn, N.Y. 11210. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 127864 (Sub-No. 2 TA), filed April 28, 1967. Applicant: PAUL W. WILLS, INC., 2535 Center Street, Cleveland, Ohio 44113. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Scrap metal*, in dump vehicles, with *refused, damaged, and rejected shipments*, on return, from Pontiac, Mich., to the port of entry on the international boundary line between the United States and Canada at or near Port Huron, Mich., under a continuing contract with Luntz Iron & Steel Co., for 180 days. Supporting shipper: The Luntz Iron & Steel Co., Continental Building, Canton, Ohio 44702. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 435 Federal Building, Cleveland, Ohio 44114.

No. MC–129042 TA, filed April 28, 1967. Applicant: MARDELLO FORD, doing business as FORD'S MOVING & STORAGE, Post Office Box 43, Cookeville, Tenn. 38502. Applicant's representative: Jared Maddox, 201 Whitson Building, Cookeville, Tenn. 38501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Containerized shipments of household goods*, between Cookeville, Tenn., and points in Smith, Jackson, Clay, Overton, Pickett, Fentress, Cumberland, White, Van Buren, De Kalb, Warren, and Bledsoe Counties, Tenn., for 90 days. Supporting shippers: Vanpac Carriers, Inc., 2114 MacDonald Avenue, Richmond, Calif. 94802; Perfect Pak Co., 1001 Westlake Avenue North, Seattle, Wash. 98109; Interstate System, 134 Grandville Avenue SW., Grand Rapids, Mich.; and American Ensign Van Service, Inc., Post Office Box 2270, Wilmington, Calif. 90744. Send protests to: District Supervisor J. E. Gamble, Interstate Commerce Commission, Bureau of Operations, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC–129048 TA, filed May 1, 1967. Applicant: M & J REFRIGERATED TRANSPORTATION, INC., 636 South West Street, Indianapolis, Ind. 46225. Applicant's representative: James C. Clark, 715 Indiana Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Meat, frozen foods, including frozen meat*, between points in the Chicago commercial zone and points in Indiana, for 180 days. Supporting shippers: Mer-Del's Quality, Inc., 315 Hanna Street, Logansport, Ind.; Brook Hill Farms, Inc., 5230 North Milwaukee Avenue, Chicago, Ill.; Bocar Enterprises, 5406 West Bradbury Avenue, Indianapolis, Ind.; Hoosier Brokerage Co., 729 North Pennsylvania Street, Indianapolis, Ind. Send protests to: District Supervisor R. M. Hagarty, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

MOTOR CARRIERS OF PASSENGERS

No. MC 2835 (Sub-No. 32 TA), filed April 28, 1967. Applicant: ADIRONDACK TRANSIT LINES, INC., 495 Broadway, Kingston, N.Y. 12401. Applicant's representative: James E. Wilson, 1735 K Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers*, in the same vehicle with passengers, between New Paltz and Kingston, N.Y.: From New Paltz, over New York Highway 299 to junction U.S. Highway 44, thence over U.S. Highway 44 to junction U.S. Highway 209, thence over U.S. Highway 209 to Kingston, and return over the same route, serving all intermediate points, for 180 days. Supporting shippers: There are statements from 18 prospective passengers attached to the application that may be examined here at the Interstate Commerce Commission in Washington, D.C. Send protests to: Wilmot E. James, Jr., District Supervisor, 518 Federal Building, Albany, N.Y. 12207.

No. MC 30318 (Sub-No. 4 TA), filed May 1, 1967. Applicant: YANKEE TRAILS, INC., 95 Partition Street, Rensselaer, N.Y. 12144. Applicant's representative: John J. Brady, Jr., 75 State Street, Albany, N.Y. 12207. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations, beginning and ending in the town of Queensbury (Warren County), city of Glens Falls (Warren County), village of South Glens Falls (Saratoga County), village of Hudson Falls (Washington County), village of Fort Edward (Washington County), town of Brunswick (Rensselaer County), town of Pittstown (Rensselaer County), town of Hoosick (Rensselaer County), N.Y., and extending to the port of entry on the international boundary line between the United States and Canada, at or near Champlain, N.Y. The transportation sought under this application is to 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 shippers: There are approximately 28 supporting statements which may be examined here at the Interstate Commerce Commission, in Washington, D.C., or at the field office named below. Send protests to: Wilmot E. James, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Building, Albany, N.Y. 12207.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5103; Filed, May 5, 1967; 8:48 a.m.]

[Notice 1514]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 3, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-69603. By order of May 2, 1967, the Transfer Board approved the transfer to Appomattox Trucking Co., Inc., Appomattox, Va., of permit in No. MC-114949, issued October 10, 1960, to Gordon Maynard Davis and Clarence Overton Thomas, a partnership, doing business as Davis & Thomas, Dillwyn, Va., authorizing the transportation of: Lumber and pallets, from Drakes Branch, Va., to points in West Virginia, Ohio, Maryland, Delaware, Pennsylvania, New Jersey, New York, and the District of Columbia. John R. Snoddy, Jr., Dillwyn, Va. 23936, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5104; Filed, May 5, 1967; 8:48 a.m.]

MOTOR CARRIER GENERAL RATE INCREASE PROCEEDINGS

Statement of Policy

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 21st day of April A.D. 1967.

This Commission in its annual reports to Congress and in requests for new legislation has brought to public attention the complaints of shippers and receivers that some motor carriers subject to our jurisdiction are not providing reasonably adequate service on less-than-truckload shipments. In addition to requested legislation, other approaches to a solution of this question may eventually be marshalled, including the revocation of the certificates and permits of carriers failing to provide service. While our studies of these approaches continue, and while Congress studies our requests for legislation in this area, we believe some revisions in the procedures governing motor carrier general rate increases proceedings may be helpful and therefore merit a trial.

A revised form of order, which we approve, is issued in Docket No. 34816,[1] Increased Minimum Charges Between Points in Central States. The order describes, without limiting, the evidence we shall expect the respondent carriers in that proceeding to introduce. The form of order for this proceeding will replace a form that has been issued heretofore in other general increase cases. Our expectation is that the new form will substantially reduce the processing time for this type of proceeding, and more quickly allow us to reach the essential question in all these proceedings of whether the traffic at various weight-break levels is bearing its fair share of carrier costs. We believe that if the rates on certain small-shipment weight brackets are below a compensatory level, and absent a showing that shippers and receivers cannot reasonably bear the sought increase, we should authorize an increase to insure the shippers' and receivers' expectation of reasonably adequate service. Where the carriers' rates on small shipments are reasonable, and still the carriers fail to render reasonably adequate service, the Commission's only recourse, as it may be in some areas now, will be broader measures to insure that service for all size shipments is available to the general public.

The new form of order differs from prior orders in several fundamental respects. For this reason it will be issued on a case by case basis, and, as more fully explained below, will not be used in interterritorial rate proceedings.

1. *Cost study carriers.* The order authorizes the use of data concerning the Class I and II motor common carriers of general freight that are subject to Instructions 27 and 9002 of the Commission's accounting rules (49 CFR Part 182, Instructions 27 and 9002). Briefly these instructions require the larger motor common carriers to report a breakdown between their line-haul and pickup and delivery costs, an essential ingredient of any cost study. The instructions, as a practical matter, apply to carriers whose revenues exceed $500,000 per year. When these carriers are shown to transport 70 percent or more of all intercity ton-mileage in a territory, cost evidence concerning these carriers should provide representative unit costs for all operations conducted within that territory, since the study group carriers are those whose predominant traffic also moves within the territory. For movements between territories (e.g., transcontinental) such a grouping of carriers may be too limited to be representative, and some other grouping should be used.

[1] See F.R. Doc. 67-5122, infra.

2. *Traffic study carriers.* As indicated above, unit costs based on the operations of the study group carriers should be representative of the costs of moving all traffic in the territory. This is true, even though the operating expenses of all of the carriers actually handling the traffic are not considered in the determination of such unit costs. However, in order to determine the volume of traffic moving in each weight bracket, data must be drawn from a representative sample of all carriers operating in the territory. For these reasons, the new order, unlike the prior orders, provides that the group of carriers used in the cost study need not necessarily be identical with the group of carriers used in the traffic study.

3. *Profit level.* The new order continues a requirement that the carriers should present evidence regarding their optimum profit level in general increase proceedings. Rather than require rate of return ratios and evidence and data pertinent thereto, the new order more explicitly requires that specific evidence be produced to show the amount of money needed by the carriers over and above their operating expenses to attract capital. Such evidence will aid the Commission in determining the carriers' revenue needs.

The new order, like the prior order in general increase proceedings, does not limit the proof that may be offered, but only seeks to outline the general nature of the proof we shall expect. Shippers and receivers of freight, of course, may also present evidence. Nevertheless, the facts bearing on revenue needs of motor carriers are mainly and peculiarly within their own knowledge. It is our hope that a reasonable trial of the new order will demonstrate that the revised procedures allow the parties more expeditiously and just as fairly to pinpoint the difficult areas for decision so that the small shipment traffic will incur no greater than, but no less than, its reasonable share of carrier costs.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-5121; Filed, May 5, 1967; 8:50 a.m.]

[No. 34816]

INCREASED MINIMUM CHARGES BETWEEN POINTS IN CENTRAL STATES

Present: Laurence K. Walrath, Commissioner, to whom the matter which is the subject of this order has been referred for action thereon.

It appearing, that by order of the Commission dated February 13, 1967, in the above-entitled proceeding, an investigation was instituted into and concerning the lawfulness of the rates, charges, and regulations contained in the schedules described in said order;

And it further appearing, that in order that consideration be given to all factors which may bear upon a proper determination of the issues, including the question whether the resulting rates would be just and reasonable, it is deemed appropriate in the public interest that the information specified below be included in the record to be developed in this proceeding; and good cause appearing therefor:

It is ordered, That respondents be, and they are hereby, notified and required to submit information and supporting data which shall include, among other things, actual expense and revenue data (including anticipated expense and revenue data to show the effect of the proposed increase or decrease) and operating ratios specifically related to the traffic and carriers involved, overall operating ratios, detailed data to establish the representative nature of the carriers used, and in addition, all pertinent evidence and supporting data for the individual representative carriers as they relate to their overall operations, and specifically to the traffic and territories involved.

It is further ordered, That the Commission will take official notice of all the respondent carriers' financial statements on file with the Commission.

It is further ordered, That the traffic studies to be submitted shall represent the most current period possible, and that they shall be based upon actual operations conducted during identical periods of time for each carrier; that the traffic studies shall be shown to be representative of the traffic covered by the rate proposal; and that the traffic study be costed out and operating ratios determined by the individual weight brackets included within the rate proposal;

It is further ordered, That all of the required data specified in this order shall be based upon and reflect at least the most recent annual reporting period;

It is further ordered, That the cost study shall use the most current annual reporting period adjusted to date; that the costs shall be developed for all carriers operating in the territory subject to the requirements for allocation of expenses between line haul and pickup and delivery in 49 CFR Part 182, Instructions 27 and 9002, whose ton-miles in the territory comprise 50 percent or more of its operations. If these carriers transport 70 percent or more of the intercity ton-miles within the territory involved they will be assumed to be representative for cost purposes of all the carriers involved; if not, it will be necessary to show that the carriers are representative, which can be done by random sampling.

It is further ordered, That both the cost study and the traffic study be adequately supported by working papers to permit a complete check of the procedures followed and the results obtained.

It is further ordered, That respondents shall produce evidence of the sum of money, in addition to operating expenses, needed to attract debt and equity capital which they require to insure financial stability and the capacity to render service. This evidence should include, without limiting the evidence that may be presented, particularized reference to the respondents' reasonable interest, dividend, and surplus requirements.

It is further ordered, That all Class I and II motor carrier respondents shall submit detailed data regarding carrier-affiliate financial and operating relationships and transactions including, with respect to any and all individuals, partnerships, and corporations affiliated with respondent, when such transactions individually or in the aggregate amount to $2,500 or more during the year 1966, the following information:

1. Name of each affiliate from which respondent, during the year 1966, acquired, leased or purchased lands, buildings, equipment, materials, supplies, parts, tires, tubes, gasoline, oil, or other property or services used by respondent in its operations as a motor common carrier.

2. Kinds of property or service which each affiliate supplies to respondent.

3. Basis of charges for property or services supplied by affiliate to respondent, including the base and rate for rental charges.

4. Total charges by each affiliate to respondent during the year 1966 for:

a. Lease of vehicles.
b. Lease of terminals.
c. Lease of other property.
d. Pickup and delivery of shipments.
e. Repair and servicing of vehicles.
f. Management, accounting, financial, legal, purchasing, or traffic solicitation services.
g. Property sold by affiliate to respondent.

5. If the affiliate derives revenue from the sale or lease of property or from services through transactions with persons other than respondent, indicate the percentage of the revenue of such business to the total revenue of the affiliate in the year 1966.

6. A copy of the income statements for each affiliate for the year 1966 and the latest period of 1967 for which an income statement is available.

7. A statement listing the amounts of wages, salaries, bonuses, and other compensation paid by the affiliate in 1966 to any individual who is also a respondent or an officer, director or substantial stockholder of a respondent; or the wife or close relative of a respondent or officer, director or substantial stockholder of a respondent.

8. The term "affiliate" as used in this order means:

a. Any individual who is also a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent, or of an officer, director, or substantial stockholder of a respondent.

b. Any partnership in which one of the partners is a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

c. Any corporation whose stock is wholly or partly owned by a respondent; by an officer, director, or substantial stockholder of a respondent; or by the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

d. Any corporation which exercises control over the operations or finances of respondent.

It is further ordered, That the detailed information called for by this order shall be in writing and shall be verified by a person or persons having knowledge thereof; that such verified material shall be served on all parties of record on or before June 30, 1967, and at the same time, respondents shall file an executed original and two copies with this Commission, together with certificates of service in accordance with rule 1.22(a) of the general rules of practice;

It is further ordered, That all underlying data used in preparation of respondents' detailed and verified material shall be made available in the office of the party serving such verified matter during usual office hours for inspection by any party of record desiring to do so; and that the underlying data shall be made available also at the hearing, but only if and to the extent specifically requested in writing and required by any party for the purpose of cross-examination.

It is further ordered, That anyone desiring to become a party of record to receive copies of the verified material of respondents to be filed in accordance with the procedure set forth above, must notify the Commission, in writing, on or before May 29, 1967. As soon as practicable after such date, a service list of all parties of record will be prepared and served by the Commission. Otherwise, any interested person desiring to participate in the proceeding may make his appearance at the hearing.

It is further ordered, That this proceeding be, and it is hereby, referred to a Hearing Examiner who will be designated at a later date, for hearing commencing on July 24, 1967, at 9:30 o'clock a.m., d.s.t. (or 9:30 o'clock a.m. U.S. standard time, if that time is observed), in Chicago, Ill., at the U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, and for the recommendation of an appropriate order thereon, accompanied by the reasons therefor.

It is further ordered, That a copy of this order be delivered to the Director, Office of Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on respondents herein of notices and orders of the Commission will be limited to those respondents who:

(1) Have been identified by name in the order or orders of investigation herein,

(2) Specifically make written request to the Secretary of the Commission to be included on the service list, or

(3) Have appeared at a hearing.

Dated at Washington, D.C., this 27th day of April 1967.

By the Commission, Commissioner Walrath.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5122; Filed, May 5, 1967; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

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 May.

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