

FEDERAL REGISTER

VOLUME 32 • NUMBER 110

Thursday, June 8, 1967

• Washington, D.C.

Pages 8221-8275

Agencies in this issue—

The President
Agricultural Stabilization and
Conservation Service
Civil Aeronautics Board
Civil Service Commission
Consumer and Marketing Service
Farmers Home Administration
Federal Communications Commission
Federal Highway Administration
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Foreign Assets Control Office
Internal Revenue Service
Interstate Commerce Commission
Land Management Bureau
Mines Bureau
Panama Canal
Public Health Service
Reclamation Bureau
Securities and Exchange Commission
State Department
Transportation Department
Treasury Department
Wage and Hour Division

Detailed list of Contents appears inside.



Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1967)

Title 7—Agriculture (Parts 46-51) (Revised)
\$1.00

Title 24—Housing and Housing Credit (Revised)
\$1.00

Title 32—National Defense (Parts 700-799)
(Revised) \$2.00

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

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



Area Code 202

Phone 962-8526

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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

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

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

Contents

THE PRESIDENT

EXECUTIVE ORDERS

Administration of the National Traffic and Motor Vehicle Safety Act through the National Highway Safety Bureau and its Director	8225
Inspection of income, excess-profits, estate, and gift tax returns by Committee on Un-American Activities, House of Representatives	8227

EXECUTIVE AGENCIES

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Rules and Regulations	
Mainland cane sugar area; approved local areas for 1966 crop	8234

AGRICULTURE DEPARTMENT

See Agricultural Stabilization and Conservation Service; Consumer and Marketing Service; Farmers Home Administration.

CIVIL AERONAUTICS BOARD

Proposed Rule Making	
Supplemental air carriers and foreign charter carriers; solicitation and formation of charter groups	8248
Notices	
Motor carrier-air freight forwarder investigation; postponement	8256

CIVIL SERVICE COMMISSION

Rules and Regulations	
Excepted service:	
Export-Import Bank of Washington	8229
Labor Department (2 documents)	8229
Voting rights program; Mississippi	8246
Notices	
Systematic zoologist series; manpower shortage	8256

CONSUMER AND MARKETING SERVICE

Rules and Regulations	
Grapefruit:	
Import regulations	8235
Shipment limitations	8234
Limes; import regulations	8235
Shell eggs; standards, grades, and weight classes; miscellaneous amendments	8229

Proposed Rule Making

Milk; marketing in certain areas:	
Texas Panhandle and Red River Valley	8247
Western Colorado	8248
Wichita, Kans.	8247
Pears, plums, and peaches grown in California; expenses and rates of assessment for 1967-68 fiscal period	8247

FARMERS HOME ADMINISTRATION

Rules and Regulations	
Planning and performing development work; associations	8235

FEDERAL COMMUNICATIONS COMMISSION

Notices	
Canadian broadcast stations; changes, proposed changes, and corrections in assignments	8256
VHF television broadcast stations; allocations of Birch River, Manitoba, and Canal Flats, British Columbia	8257
World Trade Center; investigation of television interference caused by construction	8257
Hearings, etc.:	
Bluefield Television Cable and Bluefield Cable Corp.	8257
Graves, L. G.	8258
Lawrence County Broadcasting Corp. et al.	8258
Rancho Bernardo Antenna System	8258

FEDERAL HIGHWAY ADMINISTRATION

Rules and Regulations	
Parts and accessories necessary for safe operation; driveway-towaway service; correction	8246

FEDERAL HOME LOAN BANK BOARD

Rules and Regulations	
Board rulings; use and advertising of savings accounts	8238

FEDERAL MARITIME COMMISSION

Notices	
Container Forwarding Services, Inc.; independent ocean freight forwarder license application	8256

FEDERAL RESERVE SYSTEM

Notices	
Marine Midland Corp.; application for approval of acquisition of shares of bank	8258

FEDERAL TRADE COMMISSION

Rules and Regulations

Prohibited trade practices:	
Dean Foods Co. and Bowman Dairy Co.	8238
Muehe, Robert J., and Bob's Florette	8239
Scarsdale Quilting Mills, Inc., and Robert Kutak	8240

FISH AND WILDLIFE SERVICE

Rules and Regulations

Missisquoi National Wildlife Refuge, Vt.; hunting	8246
---	------

Notices

Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, and Wisconsin; proposed modification of boundaries, cancellation	8256
--	------

FOOD AND DRUG ADMINISTRATION

Notices

Canned spinach deviating from identity standard; temporary permit for market testing	8256
--	------

FOREIGN ASSETS CONTROL OFFICE

Notices

Processed human hair; importation directly from Spain, available certifications	8250
---	------

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Public Health Service.

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Land Management Bureau; Mines Bureau; Reclamation Bureau.

INTERNAL REVENUE SERVICE

Rules and Regulations

Request, subpoena, notice, or other order for disclosure of internal revenue records or information; procedure	8240
--	------

INTERSTATE COMMERCE COMMISSION

Notices

Motor carrier:	
Broker, water carrier, and freight forwarder applications	8261
Filing of applications	8273
Temporary authority applications	8270

(Continued on next page)

LABOR DEPARTMENT

See Wage and Hour Division.

LAND MANAGEMENT BUREAU**Notices**

California:

Classification of public lands for multiple use management.....	8251
Proposed withdrawal and reservation of lands.....	8250
Montana; proposed classification of public lands for multiple use management (3 documents).....	8252-8254
Nevada; proposed classification.....	8254
New Mexico; proposed withdrawal and reservation of lands.....	8255

MINES BUREAU**Notices**

First Officer, Marine Minerals Technology Center, et al.; re-delegation of authority regarding minerals research.....	8255
---	------

PANAMA CANAL**Rules and Regulations**

Collisions prevention and radio communication; miscellaneous amendments.....	8243
--	------

PUBLIC HEALTH SERVICE**Rules and Regulations**

Grants to States for comprehensive health planning and public health services.....	8243
--	------

RECLAMATION BUREAU**Notices**

Transfer of administrative jurisdiction of lands:	
San Isabel National Forest, Colo.....	8255
White River National Forest, Colo.....	8255

SECURITIES AND EXCHANGE COMMISSION**Notices**

Hearings, etc.:	
American Plan Corp.....	8259
Axe-Houghton Fund A, Inc., et al.....	8259
Frazier, Fred M.....	8260
Michigan Wisconsin Pipe Line Co.....	8260
Nucleonic Corporation of America.....	8261
Subscription Television, Inc.....	8261

STATE DEPARTMENT**Notices**

U.S. citizens; restriction on travel to, in or through certain countries.....	8250
---	------

TRANSPORTATION DEPARTMENT

See also Federal Highway Administration.

Notices

Chairman, National Highway Safety Advisory Committee; appointment.....	8256
--	------

TREASURY DEPARTMENT

See also Foreign Assets Control Office; Internal Revenue Service.

Notices

Cast iron soil pipe and fittings from Poland; determination of sales at less than and not less than fair value.....	8250
---	------

WAGE AND HOUR DIVISION**Rules and Regulations**

Industries in American Samoa; wage rates.....	8242
---	------

List of CFR Parts Affected**(Codification Guide)**

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

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

3 CFR

EXECUTIVE ORDERS:	
11357.....	8225
11358.....	8227

5 CFR

213 (3 documents).....	8229
------------------------	------

7 CFR

56.....	8229
845.....	8234
905.....	8234
944 (2 documents).....	8235
1804.....	8235

PROPOSED RULES:

917.....	8247
1073.....	8247
1104.....	8247
1132.....	8247
1134.....	8248

12 CFR

555.....	8238
----------	------

14 CFR

PROPOSED RULES:	
208.....	8248
214.....	8248
295.....	8248

16 CFR

13 (3 documents).....	8238-8240
-----------------------	-----------

26 CFR

301.....	8240
----------	------

29 CFR

697.....	8242
----------	------

35 CFR

111.....	8243
123.....	8243

42 CFR

51.....	8243
---------	------

45 CFR

801.....	8246
----------	------

49 CFR

293.....	8246
----------	------

50 CFR

32.....	8246
---------	------

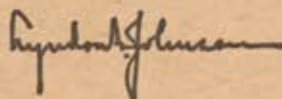
Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11357

ADMINISTRATION OF THE NATIONAL TRAFFIC AND MOTOR VEHICLE SAFETY ACT THROUGH THE NATIONAL HIGHWAY SAFETY BUREAU AND ITS DIRECTOR

By virtue of the authority vested in me as President of the United States by Section 201 of the Highway Safety Act of 1966, as amended (80 Stat. 735, 943), and by Section 3(f)(3) of the Department of Transportation Act (80 Stat. 932), it is hereby ordered that the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, as amended (80 Stat. 718, 943), shall be carried out through the National Highway Safety Bureau and the Director thereof.



THE WHITE HOUSE,
June 6, 1967.

[F.R. Doc. 67-6450; Filed, June 6, 1967; 1:23 p.m.]

JOHN RUSKIN

BY

J. E. RUSKIN

WITH A PREFACE BY THE EDITOR

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

J. E. RUSKIN

AND A HISTORY OF HIS WORKS BY

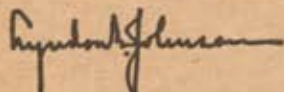
J. E. RUSKIN

Executive Order 11358

INSPECTION OF INCOME, EXCESS-PROFITS, ESTATE, AND GIFT TAX
RETURNS BY THE COMMITTEE ON UN-AMERICAN ACTIVITIES, HOUSE
OF REPRESENTATIVES

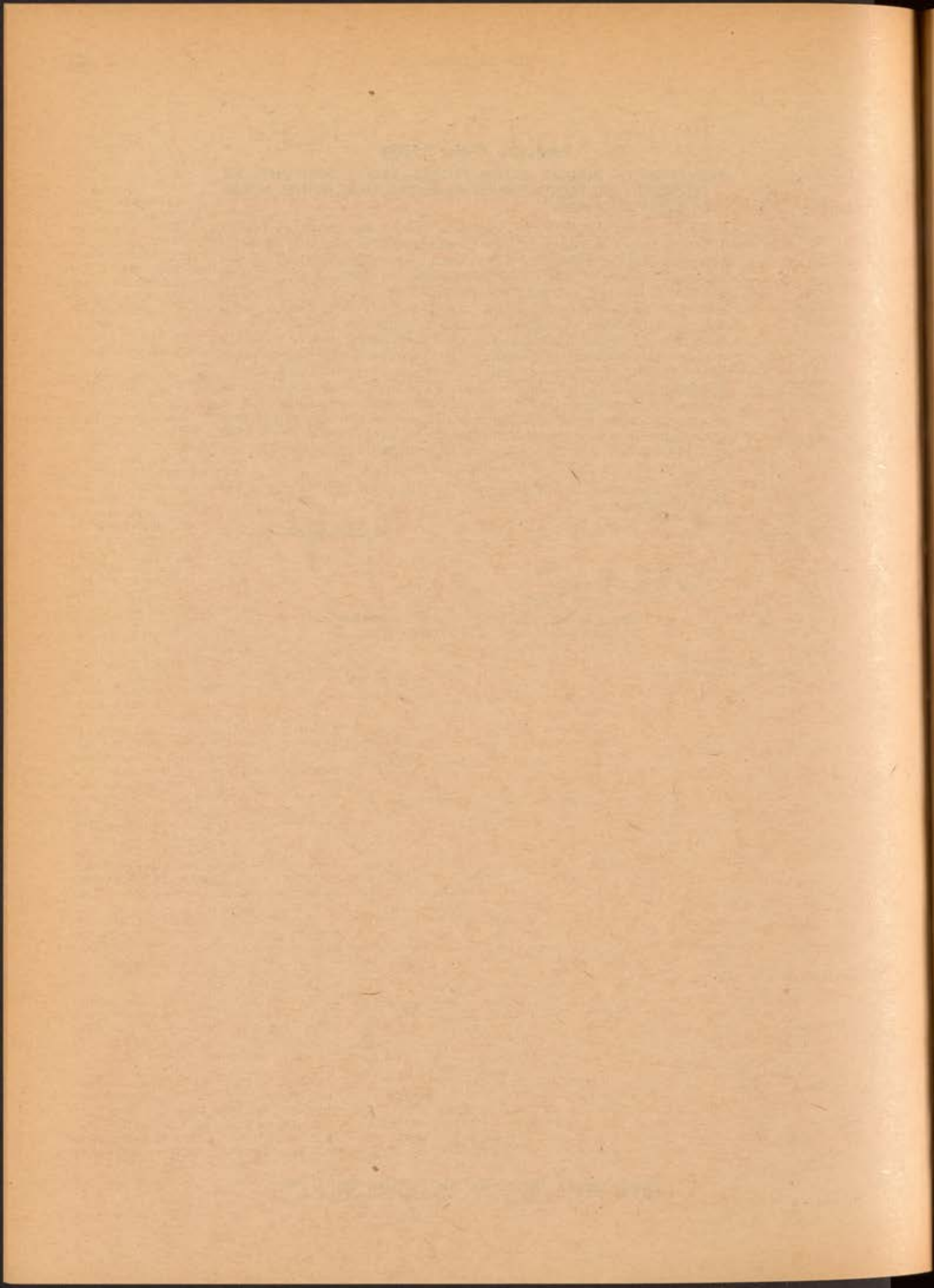
By virtue of the authority vested in me by section 55(a) of the Internal Revenue Code of 1939, as amended (53 Stat. 29, 54 Stat. 1008; 26 U.S.C. (1952 Ed.) 55(a)), and by section 6103(a) of the Internal Revenue Code of 1954, as amended (68A Stat. 753; 26 U.S.C. 6103(a)), it is hereby ordered that any income, excess-profits, estate, or gift tax return for the years 1948 to 1967, inclusive, shall, during the Ninetieth Congress, be open to inspection by the Committee on Un-American Activities, House of Representatives, or any duly authorized subcommittee thereof, for the purpose of carrying on those investigations of subversive and un-American activities and propaganda authorized by clause 18 of Rule XI of the Rules of the House of Representatives, agreed to January 10, 1967. Such inspection shall be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in Treasury Decisions 6132 and 6133, relating to the inspection of returns by committees of the Congress, approved by the President on May 3, 1955.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.



THE WHITE HOUSE,
June 6, 1967.

[F.R. Doc. 67-6470; Filed, June 6, 1967; 4:40 p.m.]



Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3215 is amended to show that the Schedule B exception covering 25 Manpower Development Specialist positions in the Neighborhood Youth Corps is extended for 1 year until June 30, 1968, and is made available for use throughout the Bureau of Work Programs and for positions in grade GS-9 and GS-11 as well as GS-12 through GS-15. Effective on publication in the FEDERAL REGISTER, paragraph (a) of § 213.3215 is amended as set out below.

§ 213.3215 Department of Labor.

(a) Not to exceed 25 positions of Manpower Development Specialist at grades GS-9 through GS-15 for employment in the Bureau of Work Programs. This authority may not be used after June 30, 1968.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-6402; Filed, June 7, 1967; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Department of Labor

Section 213.3315 is amended to show that the title of the position listed under Schedule C as Private Secretary to the Director, Office of Manpower, Automation, and Training, is changed to Private Secretary to the Associate Manpower Administrator for Policy, Evaluation, and Research.

§ 213.3315 Department of Labor.

(a) Office of the Secretary. * * *

(23) One Private Secretary to the Associate Manpower Administrator for Policy, Evaluation, and Research.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-6401; Filed, June 7, 1967; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Export-Import Bank of Washington

Section 213.3342 is amended to reflect the new title of the position of Vice President for Program Planning and Information. Effective upon publication in the FEDERAL REGISTER, paragraph (f) of § 213.3342 is amended as set out below.

§ 213.3342 Export-Import Bank of Washington.

(f) Vice President for Program Planning and Information.

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

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 67-6400; Filed, June 7, 1967; 8:48 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER C—REGULATIONS AND STANDARDS UNDER THE AGRICULTURAL MARKETING ACT OF 1946

PART 56—GRADING OF SHELL EGGS AND UNITED STATES STANDARDS, GRADES, AND WEIGHT CLASSES FOR SHELL EGGS

Miscellaneous Amendments

Under authority contained in the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1621-1627), the U.S. Department of Agriculture hereby amends the Regulations Governing the Grading of Shell Eggs and U.S. Standards, Grades, and Weight Classes for Shell Eggs (7 CFR Part 56), as stated below.

Statement of considerations. The amendments provide for "origin" and "destination" consumer and procurement grades, delete Procurement Grades III and IV and the export grades and provide for a grade mark bearing the words "Sample Graded" for shell eggs not individually graded by authorized personnel and for which the grade was established on a sample basis. They also change the form of the consumer grade mark, revise the provision for dating of officially identified product, provide for a biweekly breakout for the Quality Control Program and strengthen the facility and operating requirements.

The rulemaking proposal was issued on January 31, 1967, and 31 comments were received of which 24 were from the affected industry, two were from other interested parties, and five from State Departments of Agriculture which are cooperators under the Federal-State egg grading service. After careful consideration of all comments and meetings with industry representatives, the Department has decided to promulgate the amendments as proposed with several exceptions.

A number of comments were received concerning the dating of officially identified product. Presently, there are no limitations on projected dates from the pack date. The Department feels that in order to help assure consumers of receiving eggs of the quality specified, limitations are necessary on projected dating. Such limitations are based on shelf life expectancy. We had proposed that, when the date of grading is used, cartons could be dated no more than 4 days from the date the first eggs in a shipment were packed provided the eggs were officially graded on the date shown on the cartons. We further proposed that when a combination date of grading and expiration date is used the expiration date could be no more than 10 days from the date of grading with the official grading made at the origin plant before shipment. Comments received indicated the time limitations proposed would create a hardship on shippers who use the date of pack and must accumulate stock for long shipments and would interfere with the maintenance of an adequate stock of eggs in stores using a combination grading and expiration date. The Department deems the comments as reasonable and feels that an adjustment in dates permitted would still preserve the intent of the regulations. The provisions for pack date are extended from 4 to 6 days and the interim period between date of grading and expiration date is extended from 10 to 14 days. The 14 day provision will also apply from date of grading to expiration date when only the expiration date is used.

The destination tolerance of 1/2 percent for leakers in consumer grades has been amended to include leakers or dirties in any combination primarily to cover the occasional egg stained by egg meat from a leaker.

The time provided to use existing supplies of cartons or tape bearing the grade mark prior to reprinting such supplies with the new grade marks has been extended from January 1, 1969, to July 1, 1969.

Certain sections have been reworded for the sake of clarity and other minor changes have been made.

There was some opposition to the creation of origin and destination consumer and procurement grades on the basis

that consumers would benefit from the origin grades at the expense of the producer. The quality requirements for the origin grades are slightly higher than for the destination grades. A field study by the Department on graded product in official plants revealed that the vast majority of eggs being produced and marketed today have no difficulty meeting the new origin requirements. The origin grades should enhance consumer acceptability by further assuring consumers of receiving the quality of eggs desired. The Department must keep its standards and grades in line with current production and marketing practices.

Several comments were received in opposition to the use of letter grades with the words "Sample Graded" for product not individually graded and for which the grade is determined on a sample basis. The Department feels, however, that this identification adequately differentiates "sample graded" product from that appearing in retail outlets.

The Statement of Considerations with the proposed amendments stated that cooler rooms would be required to have a recording device to indicate humidity. This wordage apparently created some confusion. The amendments will not require a continuous recording device, per se, but will require that some instrument be available or in the cooler to determine the humidity.

One comment was received questioning a tolerance of 3.3 percent individual eggs in the next lower weight class when a minimum net weight has been established per dozen. Modern weighing equipment is highly accurate but it is virtually impossible to prevent an occasional egg in the next lower weight class from appearing in the pack. The 3.3 percent tolerance which has been used on an administrative basis for a number of years now becomes a part of the regulation.

The amendments are as follows:

1. Section 56.1 is amended by deleting the letter designations preceding each definition and adding the following definitions in alphabetical order:

§ 56.1 Meaning of words and terms defined.

"Origin grading" is a grading which is performed other than where the eggs are retailed or consumed.

"Potable water" means water that has been approved by the State health authority or agency or laboratory acceptable to the Administrator as safe for drinking and suitable for food processing.

"Shell eggs" means shell eggs of domesticated chickens.

"Shell protected" means eggs which have had a protective covering such as oil applied to the shell surface. The product used shall be acceptable to the Food and Drug Administration.

2. A new § 56.17 is added to read:

§ 56.17 Facilities and equipment for graders.

Facilities and equipment to be furnished by the applicant for use of graders in performing service on a resident basis shall include (when deemed necessary) the following:

(a) (1) An accurate metal stem thermometer;

(2) Scales to weigh individual eggs, cartons of eggs, and bulk eggs. Test weights for each type scale used;

(3) An acceptable candling light.

(b) Furnished office space, a desk (equipped with a satisfactory locking device), and lockers or cabinets suitable for the protection and storage of official stamps and supplies. Such space and equipment must meet the approval of the National Supervisor.

(c) For eggs packed under §§ 56.42 and 56.43, an approved room or separate area for the breakout, adequate lighting, facilities for washing equipment, a breakout table, and a micrometer.

3. Paragraphs (a) and (b) (2), (3), and (4) of § 56.36 are amended to read, respectively:

§ 56.36 Information required on, and form of grademark.

(a) Information required on grade-mark. (1) Except as otherwise authorized, each grademark provided for in this section shall conspicuously and legibly indicate the letters "USDA" and the U.S. grade of the product it identifies such as "A Grade" (illustrated in Figure 2).

(2) The size or weight class of the product such as "Large" and such terms as "Federal-State Graded" or words of similar import may be shown within the grademark (illustrated in Figure 3). However, such terms as "Federal-State Graded" need not be shown. The size or weight class of the product may be omitted from the grademark provided it appears prominently on the main panel of the carton.

(3) The plant number of the official plant preceded by the letter "P" may appear in the grademark. When not shown within the grademark, the plant identification must be shown elsewhere on the packaging material.

(b) Form of official identification symbol and grademark. . . .

(2) Except as otherwise authorized, the grademark permitted to be used to officially identify cartons of shell eggs which are graded pursuant to the regulations in this part shall be contained in a shield and in the form and design indicated in Figures 2, 3, and 6 of this section. The shield shall be of sufficient size so that the print and other information contained therein is distinctly legible and in approximately the same proportion and size as shown in Figures 2 and 3. The grademark shall be printed on the carton or on a tape used to seal the carton. Existing supplies of cartons or tape bearing the grademark may be used until July 1, 1969.



FIGURE 2



FIGURE 3

(3) French Fancy Quality or AA grademark. Eggs which are packaged pursuant to § 56.42 and are to be grade marked shall be labeled with one of the following grademarks:



PRODUCED and MARKETING
under FEDERAL - STATE
QUALITY CONTROL PROGRAM

FIGURE 4



PRODUCED and MARKETING
under FEDERAL - STATE
QUALITY CONTROL PROGRAM

FIGURE 5



FIGURE 6

(4) Alternate Grade A mark: Eggs which are packaged pursuant to § 56.43 and are to be grade marked shall be labeled with the grademark shown in Figures 2 and 3 of subparagraph (2) of this paragraph, or with the following grademark:



PRODUCED and MARKED
under FEDERAL - STATE
QUALITY CONTROL PROGRAM

FIGURE 7

4. Section 56.37 is amended to read:

§ 56.37 Dating of officially identified product.

Each carton identified with grade-marks shown in Figures 2, 3, and 6 of § 56.36 shall have either (a) the date the eggs were graded; (b) an expiration date; or (c) a combination of the grading date and the expiration date, applied legibly to the carton or on the tape used to seal the carton.

(1) If the date of grading is used, it shall be expressed as the "month" and "day," the number of the "month" and "day" (i.e., 4-3), or as the consecutive day of the year. Cartons may be dated a maximum of 6 days later than when the first eggs in the shipment were packed. The shipment must be officially graded on the date which is shown on the cartons.

(2) If the expiration date is used, it shall be stated as the "month" and "day," or the number of the "month" and "day" (i.e., 4-3), preceded by the letters "EXP." or a statement such as "Not To Be Sold After." The maximum expiration date permitted is 14 days. The first day is considered to be the date the first eggs in the shipment are packed. The eggs must be officially graded at the origin plant prior to shipment.

(3) A combination of the date of grading and the expiration date may be used. The date of grading is when the first eggs in the shipment are packed. The expiration date shall be no more than 14 days later than the date of grading. The eggs must be officially graded at the origin plant prior to shipment.

(4) Any additional codes may be used only upon written approval of the administrator.

5. The heading preceding § 56.39 is amended to read:

PREREQUISITES TO PACKAGING SHELL EGGS IDENTIFIED WITH CONSUMER GRADE MARKS

6. Section 56.40 is amended to read:

§ 56.40 Grading requirements of shell eggs identified with consumer grade-marks.

(a) Shell eggs to be identified with the marks illustrated in Figures 2, 3, and 6 of § 56.36 must be individually graded by a grader or by authorized personnel pursuant to § 56.11 and thereafter check graded by a grader.

(b) Shell eggs not graded in accordance with paragraph (a) of this section

may be officially graded on a sample basis and the shipping containers may be identified with grademarks which contain the words "Sample Graded" and which are approved by the Administrator.

(c) Shell eggs which are to bear the U.S. consumer grade mark shall be packed only from eggs of current production. They shall not possess any undesirable odors or flavors.

§ 56.41 [Deleted]

7. Section 56.41 is deleted.

8. Paragraphs (a) (4) and (b) (1), (2), (5), (6), (9), and (10) of § 56.42 are amended to read, respectively:

§ 56.42 Requirements for eggs packaged under Fresh Fancy Quality grade mark or AA grade mark as shown in Figures 4, 5, and 6 of § 56.36.

(a) Minimum requirements of procurement and distribution program. * * *

(4) Eggs shall be cooled promptly after gathering to 60° F. or below and held at a reasonable constant temperature not to exceed 60° F. and at a relative humidity of approximately 70 percent. Notwithstanding the foregoing, the temperature of the eggs may rise to 70° F. during washing and packaging operations provided the eggs are moved promptly to a cooler or transported at a temperature of 60° F. or below.

(b) Minimum requirements at packaging plant. (1) The quality factor of albumen firmness shall be determined by the broken-out score, measured in Haugh units, and the condition of the yolk shall be observed during such testing. The breakout test shall be made every other week unless the breakout records indicate a variation in individual eggs or averages beyond that normally expected for this program, in which case the breakout shall be made weekly. The test shall be accomplished at the assembly plant or at the farm in the event the eggs go directly from the farm to the store. Eggs which do not meet the requirements of AA quality with respect to shell texture or shape shall not be selected as part of any sample that is to be broken out and scored. Sampling, breakout testing, and maintenance of records of breakout test shall be done by or under the immediate supervision of a grader.

(2) The internal temperature of the eggs shall not be lower than 45° F. or higher than 60° F. at the time of making the breakout test. Eggs shall be placed under refrigeration at a temperature not to exceed 60° F. and a relative humidity of approximately 70 percent promptly after packaging.

(5) The biweekly or weekly average shall be computed by averaging the results obtained when testing eggs in accordance with either subdivision (i) or (ii) of this subparagraph. Samples shall be drawn at random from each flock, from a single shipment, every 2 weeks (or weekly when required).

(i) A sample of 10 eggs shall be tested when the moving average is below 80 Haugh units and not more than one egg in the sample shall measure less than 60 Haugh units.

(ii) A sample of 5 eggs may be tested when the moving average is 80 Haugh units or above and the sample contains no eggs which measure less than 60 Haugh units. If only one egg measures less than 60 Haugh units, an additional 5 eggs shall be tested. If this second 5-egg sample contains no eggs below 60 Haugh units, the average of the 10 eggs shall be used in determining the biweekly or weekly average.

(6) The moving average shall be computed by averaging the results of the latest 2 biweekly or 4 weekly (when required) Haugh unit entries of a flock.

(9) Packages or sealing tapes shall bear in distinctly legible form a date, stated as the "month" and "day," or the number of the "month" and "day" (i.e., 4-3), preceded by the letters "EXP." or a statement such as "Not To Be Sold After." The expiration date shall not exceed 10 days from the date the eggs are packed, excluding the day of pack. The eggs must be packed within 6 days from the time they are received at the plant (not counting the day received), or that shipment must be tested again for Haugh units and other factors to determine their eligibility for packing. Notwithstanding the foregoing, other systems of dating may be approved which accomplish the purposes of this paragraph, providing application for such a system is made in writing by the applicant and concurred in by the Administrator.

(10) Graders shall examine samples of packaged product in accordance with the provisions of § 56.4 or as determined by the National Supervisor. A tolerance of 5 percent is permitted in any combination of eggs that are of B quality or C quality with respect to shell, C quality with respect to meat or blood spots, and checks. Dirties, Leakers, and Loss are not permitted.

9. Section 56.43 is amended by changing paragraph (d) and adding paragraph (e) to read:

§ 56.43 Requirements for eggs packaged under the U.S. Grade A mark as shown in Figure 7 of § 56.36.

(d) The biweekly or weekly average shall be computed by averaging the results obtained by testing 10 eggs from each flock every other week (or weekly when required). Samples shall be drawn at random every other week (or weekly when required) from each flock from a single shipment. Notwithstanding the foregoing, 5 eggs may be used as the sample size when the moving average is such that the flock would qualify under the provisions of § 56.42.

(e) A tolerance of 5 percent is permitted in any combination for C quality with respect to shell, meat or blood spots, and checks. Dirties, Leakers, and Loss are not permitted.

10. Paragraph (a) of § 56.76 is amended by changing subparagraph (3) and adding subparagraphs (4) and (5).

11. Paragraph (c) of § 56.76 is amended by changing subparagraph (1) and adding subparagraph (3).

12. Paragraph (d) of § 56.76 is amended.

13. Paragraph (e) (2), (3), and (4) of § 56.76 is amended and subparagraphs (5) through (12) are added.

14. Paragraph (f) of § 56.76 is amended and paragraph (g) is added. The affected portions of § 56.76 read as follows:

§ 56.76 Minimum facility and operating requirements for shell egg grading and packing plants.

(a) *General requirements for buildings and plant facilities.* * * *

(3) Adequate lavatory and toilet accommodations shall be provided. Toilet and locker rooms shall be maintained in a clean and sanitary condition. Hot and cold running water shall be provided. Rooms shall be ventilated to the outside of the building. Signs shall be posted in the rest rooms instructing employees to wash their hands before returning to work.

(4) A separate refuse room or a designated area for the accumulation of trash must be provided in plants which do not have a system for the daily removal or destruction of such trash.

(5) Wood benches, platforms, etc., in areas which are subjected to moisture and which develop odors shall be replaced with equipment of metal construction. Wood walls or partitions which develop odors shall be replaced with materials impervious to moisture. Newly constructed plants should be equipped with metal benches, platforms, etc., in areas which are subjected to moisture.

(c) *Cooler room requirements.* (1) Cooler rooms shall have refrigeration facilities capable of reducing within 24 hours and holding the maximum volume of eggs handled to 60° F. or below. Accurate thermometers shall be provided.

(3) All shell egg coolers shall be equipped with a hygrometer or portable equipment such as a psychrometer shall be available to determine the relative humidity. Humidifying equipment capable of maintaining a relative humidity which will minimize shrinkage shall be provided.

(d) *Shell egg protecting operations.* Shell egg protecting (oil processing) operations shall be conducted in a manner to avoid contamination of the product and maximize conservation of its quality.

(1) Eggs with excess moisture on the shell shall not be shell protected.

(2) Oil having any off odor, or that is obviously contaminated, shall not be used in shell egg protection.

(3) Processing oil that has been previously used and which has become contaminated shall be filtered and heat treated at 180° F. for 3 minutes prior to use.

(4) Shell egg processing equipment shall be washed, rinsed, and treated with a bactericidal agent each time the oil is removed. It is preferable to filter and heat treat processing oil and clean processing equipment daily when in use.

(5) Adequate coverage and protection against dust and dirt shall be provided when the equipment is not in use.

(e) *Shell egg cleaning operations.* * * *

(2) Waste water from the egg washing operation shall go directly to a drain.

(3) Continuous-type washers shall have a complete water change at least once during each shift and at the end of each shift, or more frequently if considered necessary.

(4) Wash water used shall be at least 20° F. warmer than the eggs. The minimum maintained temperature of the wash water shall be 90° F. The 20 degree differential shall be maintained throughout the cleaning cycle. Prewetting by submersion shall not exceed five (5) minutes.

(5) During any rest period, eggs shall be removed from the washing and rinsing area of the egg washer and from the scanning area whenever there is a build-up of heat.

(6) Only approved cleaning and sanitizing compounds may be used. The use of metered equipment for dispensing the compounds into solution is recommended.

(7) The entire shell egg cleaning and drying operation shall be continuous and shall be completed as rapidly as possible.

(8) Only potable water may be used to wash eggs. Each official plant shall submit certification to the national office stating that their water supply is potable. An analysis of the iron content of the water supply, stated in parts per million, is also required.

(9) Potable water or rinse water overflow shall be added continuously to recirculated wash water for inline-type washers so as to provide for a continuous overflow. When the equipment, other than inline-type washers, has no continuous intake and overflow, the wash water shall be replaced after each basket or container of eggs is washed.

(10) All washed eggs shall be spray rinsed with warm, potable water which contains an approved sanitizing compound.

(11) Washed eggs shall be reasonably dry before cartoning or casing.

(12) When steam or vapors originate from the washing operation, they shall be continuously and directly removed to the outside of the building.

(f) *Requirements for eggs which are to be marked with official U.S. identification mark.* (1) Shell eggs, except as otherwise provided for in §§ 56.42 and 56.43 and those graded from commercial cold storages, shall not be below 40° F. or above 70° F. at the time of official grading. Eggs held in a plant shall be placed under refrigeration of 60° F. or below immediately after packaging.

(2) Every reasonable precaution shall be exercised to prevent "sweating" of eggs.

(3) Eggs which are to be officially identified with consumer or procurement grademarks shall be packaged only in new or good used cases and packing materials. Cases and packing materials must be reasonably clean, free of mold, mustiness and off odors and must be of sufficient strength and durability to adequately protect the eggs during normal distribution.

(g) Pesticides, insecticides, and rodenticides used in the plant shall be approved and shall be handled in accordance with the manufacturers' instructions.

15. A new § 56.77 is added to read:

§ 56.77 Health and hygiene of personnel.

(a) No person known to be affected by a communicable or infectious disease shall be permitted to come in contact with the product.

(b) Plant personnel coming into contact with the product shall wear clean clothing.

16. Section 56.205 is amended to read:

§ 56.205 Dirty.

The shell must be unbroken and it has adhering dirt or foreign material, prominent stains, or moderate stains covering more than one-fourth of the shell surface.

17. Section 56.206 is amended to read:

§ 56.206 Check.

An individual egg that has a broken shell or crack in the shell but with its shell membranes intact and its contents do not leak. A "check" is considered to be lower in quality than a "dirty."

§ 56.207 [Deleted]

18. Section 56.207 is deleted.

19. Paragraph (b) of § 56.208 is amended to read:

§ 56.208 Terms descriptive of shell.

(b) *Dirty.* A shell which has dirt or foreign material adhering to its surface, which has prominent stains, or has moderate stains covering more than one-fourth of the shell surface.

20. Paragraph (c) is added to § 56.212 to read:

§ 56.212 General terms.

(c) *Leaker.* An individual egg that has a crack or break in the shell and shell membranes to the extent that the egg contents are exuding or free to exude through the shell.

21. Paragraphs (a) and (c) of § 56.215 are amended to read:

§ 56.215 General.

(a) These grades are applicable to edible shell eggs in "lot" quantities rather than on an "individual" egg basis. A lot may contain any quantity of two or more eggs. Reference in these standards to the term "case" means 30-dozen egg cases as used in commercial practices in

the United States. The size of the sample used to determine grade shall be on the basis of the requirements of § 56.4 or as determined by the National Supervisor.

(c) Aggregate tolerances are permitted within each grade only as an allowance for variable efficiency and interpretation of graders, normal changes under favorable conditions during reasonable periods between grading, and reasonable variation of graders' interpretation.

22. Section 56.216 is amended to read:

§ 56.216 Grades.

(a) Fresh Fancy Quality shall consist of eggs meeting the requirements as set forth in § 56.42.

(b) U.S. Grade AA:

(1) U.S. Consumer Grade AA (at origin) shall consist of eggs which are 85 percent AA quality. Within the maximum tolerance of 15 percent which may be below AA quality, not more than 5 percent may be B quality, C quality, or Checks in any combination. No dirties or loss are permitted. This grade is also applicable when the lot consists of eggs meeting the requirements set forth in § 56.42.

(2) U.S. Consumer Grade AA (destination) shall consist of eggs which are 80 percent AA quality. Within the maximum tolerance of 20 percent which may be below AA quality, not more than 5 percent may be B quality, C quality, or Checks in any combination, and not more than 0.5 percent Leakers or Dirties in any combination. This grade is also applicable when the lot consists of eggs meeting the requirements set forth in § 56.42.

(c) U.S. Grade A:

(1) U.S. Consumer Grade A (at origin) shall consist of eggs which are 85 percent A quality or better. Within the maximum tolerance of 15 percent which may be below A quality, not more than 5 percent may be C quality or Checks in any combination. No Dirties or Loss are permitted. This grade is also applicable when the lot consists of eggs meeting the requirements set forth in § 56.43.

(2) U.S. Consumer Grade A (destination) shall consist of eggs which are 80 percent A quality or better. Within the maximum tolerance of 20 percent which may be below A quality, not more than 5 percent may be C quality or Checks in any combination, and not more than 0.5 percent Leakers or Dirties in any combination. This grade is also applicable when the lot consists of eggs meeting the requirements set forth in § 56.43.

(d) U.S. Grade B:

(1) U.S. Consumer Grade B (at origin) shall consist of eggs which are 85 percent B quality or better. Within the maximum tolerance of 15 percent which may be below B quality, not more than 10 percent may be Checks. No Dirties or Loss are permitted.

(2) U.S. Consumer Grade B (destination) shall consist of eggs which are 80 percent B quality or better. Within the maximum tolerance of 20 percent which may be below B quality, not more than

10 percent may be Checks, and not more than 0.5 percent Leakers or Dirties in any combination.

(e) Additional tolerances:

(1) In lots of two or more cases:

(i) For Grade AA—no individual case may exceed 10 percent less AA quality eggs than the minimum permitted for the lot average.

(ii) For Grade A—no individual case may exceed 10 percent less A quality eggs than the minimum permitted for the lot average.

(iii) For Grade B—no individual case may exceed 10 percent less B quality eggs than the minimum permitted for the lot average.

(2) In lots of two or more cartons, no individual carton may contain less than eight eggs of the specified quality and no individual carton may contain less than 10 eggs of the specified quality and the next lower quality. The remaining two eggs may consist of a combination of qualities below the next lower quality (i.e., in lots of Grade A, not more than two eggs of the qualities in individual cartons within the sample may be C or Checks).

23. Tables I and II in § 56.217 are amended to read, respectively:

§ 56.217 Summary of grades.

TABLE I.—SUMMARY OF U.S. CONSUMER GRADES FOR SHELL EGGS

U.S. Consumer grade (origin)	Quality required ¹	Tolerance permitted	
		Percent	Quality
Grade AA or Fresh Fancy Quality	85 percent AA	Up to 15	A.
		Not over 5	B, C, or Check.
Grade A	85 percent A or better	Up to 15	B.
		Not over 5	C or Check.
Grade B	85 percent B or better	Up to 15	C.
		Not over 10	Checks.
U.S. Consumer grade (destination)	Quality required ¹	Tolerance permitted	
		Percent	Quality
Grade AA or Fresh Fancy Quality	80 percent AA	Up to 20	A.
		Not over 5	B, C, or Check.
		Not over 0.5	Leakers or Dirties.
Grade A	80 percent A or better	Up to 20	B.
		Not over 5	C or Check.
		Not over 0.5	Leakers or Dirties.
Grade B	80 percent B or better	Up to 20	C.
		Not over 10	Checks.
		Not over 0.5	Leakers or Dirties.

¹ In lots of two or more cases or cartons, see Table II of this section for tolerances for an individual case or carton within a lot.

TABLE II.—TOLERANCE FOR INDIVIDUAL CASE OR CARTON WITHIN A LOT

U.S. Consumer grade	Case—minimum quality	Origin	Destination	Carton—minimum quality—number of eggs (origin and destination)
		Percent	Percent	
Grade AA or Fresh Fancy Quality	AA	75	70	8 eggs AA.
	A	15	20	2 eggs A.
	B, C, or Check	10	20	2 eggs B, C, or Check.
Grade A	A	75	70	8 eggs A.
	B	15	20	2 eggs B.
	C or Check	10	20	2 eggs C or Check.
Grade B	B	75	70	8 eggs B.
	C	15	20	2 eggs C.
	Check	10	20	2 eggs Check.

24. Paragraph (b) of § 56.218 is amended to read:

§ 56.218 Weight classes.

(b) A lot average tolerance of 3.3 percent for individual eggs in the next lower weight class is permitted as long as no individual case within the lot exceeds 5 percent.

25. Section 56.221 is amended to read:

§ 56.221 Grades.

(a) U.S. Procurement Grade I:

(1) U.S. Procurement Grade I (at origin) shall consist of eggs which are 85 percent A quality or better. Within the maximum of 15 percent which may be below A quality, not more than 5 percent may be of the qualities below B. The maximum tolerance of 5 percent may

consist of C quality, not more than 3 percent Checks, and not more than 0.30 percent Dirties, Leakers, and Loss combined. Loss, other than meat and blood spots, shall not exceed 0.15 percent.

(2) U.S. Procurement Grade I (destination) shall consist of eggs which are 80 percent A quality or better. Within the maximum of 20 percent which may be below A quality, not more than 5 percent may be of the qualities below B. The maximum tolerance of 5 percent may consist of C quality, not more than 3 percent Checks, and not more than 0.30 percent Dirties, Leakers, and Loss combined. Loss, other than meat and blood spots, shall not exceed 0.20 percent.

(b) U.S. Procurement Grade II:

(1) U.S. Procurement Grade II (at origin) shall consist of eggs which are 65 percent A quality or better. Within the

maximum of 35 percent which may be below A quality, not more than 10 percent may be of the qualities below B. The maximum tolerance of 10 percent may consist of C quality, not more than 3 percent Checks, and not more than 0.30 percent Dirties, Leakers, and Loss combined. Loss, other than meat and blood spots, shall not exceed 0.15 percent.

(2) U.S. Procurement Grade II (destination) shall consist of eggs which are 60 percent A quality or better. Within the maximum of 40 percent which may be below A quality, not more than 10 percent may be of the qualities below B. The maximum tolerance of 10 percent may consist of C quality, not more than 3 percent Checks, and not more than 0.30 percent Dirties, Leakers, and Loss combined. Loss, other than meat and blood spots, shall not exceed 0.20 percent.

(c) Individual cases may contain not over 10 percent less A quality eggs than specified for the procurement grade.

26. Table I of § 56.222 is amended to read:

§ 56.222 Summary of grades.

TABLE I—SUMMARY OF U.S. PROCUREMENT GRADES FOR SHELL EGGS

U.S. Procurement Grade (origin)	A quality or better (lot average) at least ¹	Maximum tolerance permitted ² (lot average)	
		Percent	Quality
I.....	Percent 85	Up to 15.... Not over 5....	B, C, Dirty, Check, Leaker, and Loss.
II.....	65	Up to 35.... Not over 10....	B, C, Dirty, Check, Leaker, and Loss.
U.S. Procurement Grade (destination)	A quality or better (lot average) at least ¹	Maximum tolerance permitted ² (lot average)	
		Percent	Quality
I.....	Percent 80	Up to 20.... Not over 5....	B, C, Dirty, Check, Leaker, and Loss.
II.....	60	Up to 40.... Not over 10....	B, C, Dirty, Check, Leaker, and Loss.

¹ Individual cases may not exceed 10 percent less A quality eggs than permitted for the lot average.

² Within each tolerance for qualities below B, the grades may contain no more than 3 percent Checks, and a combined total of three-tenths percent Dirties, Leakers, and Loss. Loss other than meat and blood spots shall not exceed 0.15 percent at origin and 0.20 percent at destination.

§ 56.231-56.233 [Deleted]

27. The heading preceding § 56.231 and §§ 56.231, 56.232, and 56.233 are deleted.

28. The introductory statement in paragraph (a) of § 56.234 is amended and paragraph (d) is deleted to read:

§ 56.234 Packaging material.

(a) The following are suggested types for new standard fiber cases:

(d) [Deleted]

Done at Washington, D.C., this 31st day of May 1967, to become effective July 15, 1967, except that changes in facilities or operating procedures necessary for compliance shall be completed by January 1, 1968.

ROY W. LENNARTSON,
Associate Administrator.

[P.R. Doc. 67-6269; Filed, June 7, 1967; 8:45 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[Sugar Determination 845.2; Supp. 6]

PART 845—MAINLAND CANE SUGAR AREA

Approved Local Areas for 1966 Crop

§ 845.8 Approved local areas for the 1966 crop.

For purposes of considering eligibility of farms for abandonment and crop deficiency payments on 1966-crop sugarcane pursuant to paragraph (c) of § 845.2, as amended, the local ASC parish committees in Louisiana and the Glades ASC County Committee in Florida have determined that the extent of crop damage as specified and provided in subparagraph (1) (iii) of paragraph (c) of § 845.2 has occurred in the following parishes and local producing area:

LOUISIANA

PARISHES APPROVED IN THEIR ENTIRETY

Ascension.	St. Charles.
Assumption.	St. James.
Iberia.	St. John.
Iberville.	St. Martin.
Lafourche.	St. Mary.
Plaquemines.	Terrebonne.
Pointe Coupee.	West Baton Rouge.

FLORIDA

All of Florida

Statement of bases and considerations.

This supplement provides public notice of the parishes and local producing areas in Louisiana and Florida where due to drought, flood, storm, freeze, disease, or insects, the 1966 sugarcane crop has been damaged to the extent that farms located in whole or in part therein will be considered (as to location) for abandonment or deficiency payments. Producers on these farms who have not filed applications for Sugar Act payments with respect to acreage abandonment or crop deficiencies for which they may otherwise be eligible should apply for such payments before December 31, 1968, as provided in 7 CFR 892.1 (29 F.R. 9426). (Sec. 403, 61 Stat. 923; 7 U.S.C. 1153; secs. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. 1131, 1132)

Effective date: Date of publication.

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

CHAS. M. COX,
Acting Deputy Administrator,
State and County Operations.

[P.R. Doc. 67-6416; Filed, June 7, 1967; 8:49 a.m.]

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

[Grapefruit Reg. 64, Amdt. 2]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, 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 of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of seedless grapefruit grown in the production area of Florida.

Order. In § 905.489 (Grapefruit Regulation 64, 31 F.R. 15189, 32 F.R. 6930) the provisions of paragraph (a) (2) are amended by deleting subdivisions (iii) and (v) and substituting in lieu thereof new subdivisions (iii) and (v) reading as follows:

§ 905.489 Grapefruit Regulation 64.

(a) Order. . . .

(2)

(iii) Any seedless grapefruit grown in Regulation Area I, which do not grade at least U.S. No. 1 Bronze;

(v) Any seedless grapefruit grown in the production area, which are smaller than 3¹/₁₆ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application

of tolerances, specified in said U.S. Standards for Florida Grapefruit.

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

Dated: June 5, 1967, to become effective June 5, 1967.

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

[P.R. Doc. 67-6420; Filed, June 7, 1967;
8:50 a.m.]

[Grapefruit Reg. 8, Amdt. 1]

PART 944—FRUIT; IMPORT REGULATIONS

Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) (2) of Grapefruit Regulation 8 (§ 944.104, 31 F.R. 12012) are hereby amended as follows:

§ 944.104 Grapefruit Regulation 8.

(a) * * *

(2) Seedless grapefruit shall grade at least Improved No. 2 and be of a size not smaller than 3 1/8 inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under amended Grapefruit Regulation 64 (§ 905.489); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of grapefruit.

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

Dated June 5, 1967, to become effective June 5, 1967.

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

[P.R. Doc. 67-6418; Filed, June 7, 1967;
8:49 a.m.]

[Lime Reg. 3, Amdt. 4]

PART 944—FRUIT; IMPORT REGULATIONS

Limes

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) through subparagraph (3) thereof of § 944.202 (Lime Reg. 3; 32 F.R. 5731) are hereby amended to read as follows:

§ 944.202 Lime Regulation 3.

(a) On and after June 12, 1967, the importation into the United States of any limes is prohibited unless such limes are inspected and meet the following requirements:

(1) Such limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms) meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(2) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which do not grade at least U.S. Combination, Mixed Color, with not less than 75 percent, by count, of the limes in each container thereof grading at least U.S. No. 1, Mixed Color, and the remainder thereof grading not less than U.S. No. 2, Mixed Color; or

(3) Such limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) are of a size not smaller than 1 1/8 inches in diameter: *Provided*, That such limes which are smaller than 1 1/8 inches in diameter but not smaller than 1 1/4 inches in diameter may be imported if such smaller limes have an average juice content of at least 50 percent, by volume; and

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions being made applicable to domestic shipments of limes under Lime Regulation 23 (§ 911.325), which becomes effective June 5, 1967; (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; (d) notice hereof in excess of 3 days, the minimum that is prescribed by section 8e, is given with respect to such regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated: June 5, 1967.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Veg-
etable Division, Consumer and
Marketing Service.

[P.R. Doc. 67-6419; Filed, June 7, 1967;
8:50 a.m.]

Chapter XVIII—Farmers Home Ad- ministration, Department of Agri- culture

SUBCHAPTER A—GENERAL REGULATIONS

PART 1804—PLANNING AND PER- FORMING DEVELOPMENT WORK

Subpart B—Associations

Sections 1804.1—1804.6, Title 7, Code of Federal Regulations (31 F.R. 14116), are redesignated under the heading "Subpart A—Individuals." A new Subpart B pertaining to planning and performing development work of associations is added to read as follows:

Subpart B—Associations

Sec.	
1804.21	General.
1804.22	Design policies.
1804.23	Technical services.
1804.24	Plans, cost estimates, and reports.
1804.25	Methods of performing develop- ment.
1804.26	Construction contracts.
1804.27	Performance and payment bonds.
1804.28	Bidding and contract awarding.
1804.29	Pre-development conference.
1804.30	Development inspections.
1804.31	Changes in development plans.

AUTHORITY: The provisions of this Subpart B issued under R.S. 161, 5 U.S.C. 301; sec. 339, 75 Stat. 318, 7 U.S.C. 1989; sec. 602, 78 Stat. 528, 42 U.S.C. 2942; Order of Director, Office of Economic Opportunity, 29 F.R. 14764, Orders Secretary of Agriculture, 29 F.R. 16210, 32 F.R. 6650.

§ 1804.21 General.

This subpart prescribes the policies, methods, and responsibilities with respect to planning and performing development, including construction and land development, for loans and grants made as authorized in Subparts A, C, D, E, G, and H of Part 1823 of this chapter.

§ 1804.22 Design policies.

(a) *Community domestic water systems.* Community central water systems will be designed and installed so as to adequately serve the existing rural community and permit reasonable potential for growth. No plan for a water system shall be approved unless full debt repayment, operation and maintenance costs, and required reserves can be met by the initial existing water users with a reasonable water rate schedule.

(1) Subject to this repayment ability, water systems will be designed in accordance with the guides available in the booklet, "Guide for Engineers-Rural Community Water Systems," available in all FHA offices. Systems may be designed with capacities up to 3 gallons

per minute for each family permanently located in the area to be served and who has agreed to use water. Such design ordinarily will provide reasonable allowance for growth. Where there are other uses which will require additional amounts, the capacity may be increased to provide the required amount. If landowners or developers request that the water system to be constructed provide capacities in addition to those necessary to serve existing users plus reasonable allowances for growth and increased water use, they will be required to pay for such additional capacities in cash before approval of the loan.

(2) Minimum monthly payments by vacant lot owners will not be included in estimates of project income or determinations of feasibility. Taps for vacant lots will not be considered in computing average system investment per tap. There is no objection to an association's accepting agreements by the subscribers for such "dry taps" to pay monthly minimum bills for certain periods, but they should be considered only as indications of future growth possibilities.

(3) The problem of extending service to undeveloped subdivisions from a system which is otherwise feasible and eligible might be met in some cases if the developer is willing to install and pay for the distribution system to serve the property he is developing. This policy is similar to that adopted by most larger municipalities.

(b) *Community waste disposal systems.* Community disposal systems will be designed and constructed to serve the present population of a rural community and permit reasonable potential for growth. No plan for a central waste disposal system shall be approved unless full debt payment, operation and maintenance costs, and required reserves can be met by the initial existing users with a reasonable rate schedule.

(1) Subject to this repayment ability, central sewer systems will be designed in accordance with a guide for engineers on rural community sewerage systems available in all FHA offices.

(2) Sewage collection lines will be designed and constructed with capacities based upon the estimated per capita population to be served by the system, including both existing and future. The average per capita flow of sewage is estimated at 40 gallons per day. The lateral and submain lines will be designed for not less than four times the average daily flow. Main trunk lines will be designed for not less than 5 times the average daily flow.

(3) Sewage treatment plants can also be designed on the basis of the average daily flow with allowances made for increased flow at certain times of day and during certain periods of the year. Sewage treatment units can be designed on the basis of organic loading with a biochemical oxygen demand (BOD) loading of from 0.17 pounds to 0.25 pounds per person served per 24 hours.

(4) Where waste stabilization lagoons (not oxidation ponds) are used for sewage disposal, the design ordinarily shall

be used on 1 acre of liquid surface per 200 people, or for each 50 services.

(c) *Other soil and water facilities.* Other soil and water facilities, such as community irrigation systems and drainage facilities, will be designed in such manner so as to adequately serve their purposes. Such facilities shall meet any requirements of appropriate State agencies and ordinarily will be designed in accordance with the recommendations of other Agencies such as the Extension Service, the Soil Conservation Service, and the Agricultural Stabilization and Conservation Service.

(d) *Recreational facilities.* Community recreational facilities will be designed so as to adequately serve the needs of the applicant. They will be limited to those which are modest in size, design, and cost. Design of items such as clubhouses will also be limited to that necessary to the success of the outdoor-oriented recreational facility constructed or operated by the association. Elaborate restaurant and nightclub-type facilities are prohibited.

(e) *Shift-in-land-use projects.* Shift-in-land-use projects, such as association grazing and forestry facilities, will be designed to adequately meet the needs of the applicant and assure success of the facility in a manner necessary to incorporate the optimum range or forestry management plans and shifts-in-land use. Particular attention will be given to incorporating all feasible soil and water conservation measures; recreational facilities; and game, fish, and wildlife preserves.

(f) *Compliance with State and local laws and regulations.* All facilities shall be designed and constructed so as to conform to applicable State and local agency laws, ordinances, and regulations.

(g) *Water storage reservoirs.* Plans and specifications for water storage reservoirs which exceed 20 feet in height measured between upstream toe of the embankment to the crest of the dam will be forwarded to the National Office for review and comment. Plans and specifications for structures which will impound 15 acre-feet of water or more or involve extraordinary features or utilize design concepts which are complex or which have not been previously proven may be sent to the National Office for review and comment if desired. Such plans and specifications are to be submitted prior to their review and approval or concurrence by the appropriate State agencies. No plans and specifications are to be submitted to the National Office in accordance with this paragraph without their first having been reviewed and found satisfactory by the State director.

(h) *Buildings.* "A Guide For The Construction Of Farm Buildings," available in all FHA offices, will be used to the extent practical in the design and construction of buildings financed with funds provided by loans covered by this subpart.

§ 1804.23 Technical services.

Each association will be responsible for selecting its architect or engineer and obtaining other technical service in accordance with the requirements of the subpart under which the loan is being made.

ance with the requirements of the subpart under which the loan is being made.

§ 1804.24 Plans, cost estimates, and reports.

Planning development, including preliminary and final plans, specifications, and cost estimates, are the responsibility of the applicant, with such assistance from the county supervisor as may be necessary to assure that the development is properly planned and completed.

(a) *Submission of complete plans with Project Report.* In cases such as small recreational projects, grazing facilities, simple water systems, and other projects where no complex plans, estimates, or specifications are required, the final plans may be submitted with the Project Report.

(b) *Submission of preliminary plans with Project Report.* In cases requiring relatively complex plans, estimates, and specifications and in cases where it may not be advisable to incur the expense of finished plans until loan approval conditions are known, a preliminary report will be submitted with the Project Report. Such preliminary reports will contain sufficient information, descriptive narratives, drawings, sketches, photographs, cost estimates, and operating budgets to permit loan reviewing officials to be able to determine project feasibility.

(1) *Community domestic water systems.* A guide for engineers on rural community water systems available in FHA county offices contains a list of essential materials to be included in a preliminary engineering report.

(2) *Community waste disposal systems.* The guide for engineers on rural community sewerage systems available in the FHA county offices contains a list of essential material to be included in the preliminary engineering report.

(3) *Other soil and water facilities.* The preliminary engineering report will contain special items such as contour or topographical maps, drainage maps, and other technical material and information necessary to fully describe the project as well as indicate its feasibility. The format will generally follow the format shown in a guide for engineers on rural community water systems.

(4) *Recreation projects.* The preliminary report will contain sufficient information to permit loan reviewing officials to determine that the objectives of the loan and requirements of applicable regulations will be met. The format will generally follow that shown in the guide for engineers on rural community water systems.

(5) *Shift-in-land-use projects.* Preliminary reports will contain sufficient information to permit loan reviewing officials to determine that the objectives of the loan and requirements of applicable regulations will be met. The format will generally follow that shown in the guide for engineers on rural community water systems. Preliminary reports will include sufficient "before" and "after" maps, photographs, sketches, or other similar plans to show the present and proposed use of all land involved in the project.

§ 1804.25 Methods of performing development.

All development planned and agreed upon will be performed as expeditiously as possible after loan closing and in accordance with the following methods unless the National Office has given prior approval to another method.

(a) *Borrower method.* Cases involving relatively insignificant items such as landscaping, minor repairs to existing structures, and other similar small items where it is desirable to utilize association membership, labor and talent may be completed by the borrower method with prior approval of the State director. Work performed by the borrower method and payment for such work will be accomplished in accordance with the applicable requirements in Subpart A of this part.

(b) *Negotiated contracts.* Individual smaller items such as buildings, irrigation systems, fencing, and landscaping may be completed by negotiated contract when the cost of the item does not exceed \$20,000.

(c) *Competitive bid contracts.* Except as provided in paragraphs (a) and (b) of this section, all development will be completed by contracts which have been advertised and awarded to the most acceptable bidder.

§ 1804.26 Construction contracts.

The United States (including the Farmers Home Administration) will not become a party to a construction contract or incur any liability therefor.

(a) *Contract form—negotiated contracts.* Development performed in accordance with § 1804.25 (b) may be completed by using:

(1) Form FHA 424-6, "Construction Contract," or when this form does not readily lend itself to this purpose,

(2) Contract forms customarily used in the area, provided there is adequate protection made for the borrower with respect to compliance with plans and specifications, payments for work, inspections, and acceptance and completion of work.

(b) *Contract forms—negotiated and competitive bids.* Development performed in accordance with § 1804.25 (b) and (c) may be completed in accordance with either lump-sum or unit-price contracts. Such contracts should contain the following:

- Item I—Notice and Instructions to Bidders.
- Item II—Bidder's Proposal.
- Item III—Notice of Award.
- Item IV—Bid Schedule.
- Item V—Construction Contract.
- Item VI—Performance Payment Bond.
- Item VII—Plans and Specifications.
- Item VIII—Change Orders.
- Item IX—Equal Opportunity Clause (where applicable).

A model form of each document listed from I through VI above is available at any FHA office. Form FHA 424-7, "Contract Change Order," will be used for change orders and Form FHA 400-1, "Equal Opportunity Agreement," will be used for the Equal Opportunity Clause. All such contract documents and related items must be approved by the State di-

rector, with the assistance of the Office of the General Counsel, prior to the release of invitations to bid. Form FHA 440-27, "Labor Standards Provisions," will be used where required for contracts financed by Economic Opportunity loans to cooperatives.

(c) *State director's approval of contracts.* All contracts will contain a provision that they are not in full force and effect until they have been approved by the State director in writing.

§ 1804.27 Performance and payment bonds.

(a) Bonds assuring performance and payment of 100 percent of the contract cost including all contracts, whether negotiated or obtained through competitive bidding procedures, will be required in connection with each contract unless an exception is made by the National Office. The State director may recommend an exception only when negotiations or competitive bidding procedures conducted in accordance with this subpart have not resulted in an acceptable contractor who can provide a performance and payment bond. Recommendations for an exception will include:

(1) A brief summary of the results of attempts to secure a contractor with a bond.

(2) Experience, if any, with the proposed contractor.

(3) A copy of the proposed contract.

(4) Steps which will be taken to protect the interests of the borrower and the FHA.

(b) The State director's recommendation should include information on the proposed method of payment, including the percentage of total to be withheld until completion of the contract; steps to guard against the possibility of mechanics' and materialmen's liens; and the use of Form FHA 424-9, "Certificate of Contractor's Release," and Form FHA 424-10, "Release by Claimants."

§ 1804.28 Bidding and contract awarding.

Bids will be invited and opened, contractors selected, and contracts negotiated in a manner and on a time schedule so as to permit development to proceed with the least delay and cost to the borrower. In cases where it is desirable or necessary to open bids prior to loan closing, contracts will contain a clause that awards are dependent on successful loan closing and that the association has a specified number of days (ordinarily 60) in which to accept the contract.

(a) *Invitations to bid.* Whenever it is practical, provision should be made in the invitation and bid schedule for bids on portions of the work by specialized contractors. For example, an invitation might permit bids on any one or more of such division of a job as "well and pump," "elevated tank," and "distribution system."

(1) Bids will be taken on all suitable alternative materials and methods of construction, and such alternatives will be shown as separate items on the bid schedule. This requirement precludes

base bids with provisions for additions or deductions for other materials.

(2) *Invitations to bid* will be sent to local and regional contractors who might be interested in bidding on projects of the size and scope concerned. Advertisements for bids should ordinarily be published at least 3 weeks prior to the bid opening date in a publication which has at least regionwide circulation or in a recognized construction trade journal having circulation in the appropriate region. State directors will prescribe requirements regarding the distribution and publication of invitations to bid.

(b) *Bid openings.* Bid openings will be attended by the county supervisor and/or the district supervisor and, in complex cases, by the FHA engineer.

(c) *Limitations.* No engineer or architect who has prepared plans and specifications or who will be responsible for supervising the construction will be considered an acceptable bidder. Bids will not be awarded to firms which are owned or controlled wholly or in part by a member of the governing body of the association. Arrangements which split responsibility of contractors (separate contracts of labor and material, extensive subcontracting, and multiplicity of small contracts on the same job) should be avoided whenever it is practical to do so.

(d) *Awarding contracts.* Ordinarily contracts will be awarded to the lowest qualified bidder. The FHA representative, the engineer for the association, and the governing body of the association will examine and thoroughly analyze the bids. They will mutually agree upon any contract awards to be made before the board takes any official action towards awarding contracts.

(e) *Contract approval.* The contract documents, including bid bonds and bid tabulation sheets along with the county and/or district supervisor's recommendations, will be forwarded to the State office. State directors may approve the executed performance and payment bonds after they, with the assistance of the Office of the General Counsel, have found them to be satisfactory. FHA approval of contracts for construction or contracts for purchase of materials will include approval not only of the form of these documents but also of their actual award, including all negotiations preceding that award and executed contracts. To minimize the possibility that this requirement might conceivably be interpreted as rendering the document a "government contract," language such as the following should be used:

As lender or insurer of funds to defray the costs of this contract, and without liability for any payments thereunder, the Farmers Home Administration hereby concurs in the award of the contract to _____

§ 1804.29 Predevelopment conference.

Prior to beginning development, the county supervisor, with such assistance as provided by the State director, will review the planned development with appropriate members of the applicant governing body and the applicant's engineer or architect, the applicant's attorney, the contractors, and other inter-

ested parties. In complex cases, the FHA engineer will be present. Items to be considered at predevelopment conferences may include, but need not be limited to, the following:

- (a) Responsibilities of:
 - (1) Association governing body.
 - (2) Association engineer.
 - (3) Resident engineer.
 - (4) Contractor.
 - (5) County supervisor.
 - (6) Others.
- (b) Inspections:
 - (1) Day-to-day.
 - (2) Periodic.
 - (3) Final.
- (c) Change orders.
- (d) Payments.

(e) Final review: Make final review to determine that any applicable requirements in areas such as the following have been met:

- (1) Equal Opportunity provisions.
- (2) Standard Form 38, "Notice to Labor Unions or Other Organizations of Workers," if the union has a bargaining agreement.
- (3) Standard Form 41, "Compliance Report—Construction," if contract is over \$100,000.
- (4) Applicability of Davis-Bacon and other related acts.
- (f) Other items: Other items which will help assure orderly completion of development.

§ 1804.30 Development inspections.

The county supervisor, with such assistance and guidance as the State director may provide, shall inspect all construction work in progress periodically during the course of such construction. He will record his findings on Form FHA 424-12, "Inspection Report." In case any deficiencies are noted, correctional action will be taken and payments will not be made until such deficiencies are corrected. Usually periodic inspections will be made immediately prior to each partial payment to the contractor. A final inspection will be made before final payment is made to the contractor.

§ 1804.31 Changes in development plans.

Changes in the development plan may be made at the request of the borrower in accordance with the following:

(a) *Authority of the county supervisor.* The county supervisor is authorized to approve changes in development: *Provided:*

- (1) The change will not represent a change in technical design of the facility.
 - (2) Total project cost is not increased.
- (b) *Authority of State director.* The State director is authorized to approve all additional changes not authorized by the county supervisor: *Provided:*

- (1) Change is for a purpose for which loan funds can be used and which is consistent with loan approval conditions.
- (2) Sufficient funds are deposited in the borrower's supervised bank account to cover the contemplated changes when the change involves additional funds to be furnished by the borrower.

(3) The change will not adversely affect the soundness of the operation or the Government's security.

(c) *Recording changes.* All changes agreed on, including extra work orders, will be recorded on Form FHA 424-7, and will be prepared to show the total amount due the contractor which will be equal to the base bid plus the sum of approved contract change orders less previous partial payments.

Dated: June 2, 1967.

FLOYD F. HIGBEE,
Acting Administrator,
Farmers Home Administration.

[F.R. Doc. 67-6417; Filed, June 7, 1967;
8:49 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 20,854]

PART 555—BOARD RULINGS

Use and Advertising of Savings Accounts

JUNE 1, 1967.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising paragraph (d) of § 555.8 of the rules and regulations for the Federal Savings and Loan System (12 CFR 555.8(d)) as hereinafter set forth, and for the purpose of effecting such revision, hereby revises said paragraph (d) as follows, effective June 8, 1967:

§ 555.8 Savings accounts.

(d) *Checking accounts; advertising and use as.* A Federal association may not advertise that its savings accounts may be used as checking accounts nor may the withdrawal of savings be made a service, regardless of the nomenclature used, by which members may use their accounts to make regular payments to others. The foregoing prohibitions shall not extend to the sale by an association of travelers checks or money orders, the occasional sale to members of drafts for their convenience, withdrawals for the payment of premiums on mortgage or savings member insurance plans, or the systematic purchase of obligations of the United States.

Resolved further that since the aforesaid revision contains only statements of general policy or interpretations of substantive rules adopted or formulated by the Board for the guidance of the public, the requirements of notice and public procedure set out in § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and 5 U.S.C. 555.3(b) do not apply, and for the same reasons, deferment of the effective date is not required under the provisions of § 508.14 of the general regulations of

the Federal Home Loan Bank Board (12 CFR 508.14) and 5 U.S.C. 555.3(d).

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 67-6394; Filed, June 7, 1967;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 8674]

PART 13—PROHIBITED TRADE PRACTICES

Dean Foods Co. and Bowman Dairy Co.

Subpart—Acquiring corporate stock or assets: § 13.5 *Acquiring corporate stock or assets:* 13.5-20 Federal Trade Commission Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 6, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18) [Modified order of divestiture, Franklin Park, Ill., Docket 8674, May 22, 1967]

In the Matter of Dean Foods Co., a Corporation, Bowman Dairy Co., a Corporation

Order modifying a divestiture order dated November 14, 1966, 31 F.R. 15800, requiring a food products company to divest itself of certain acquisitions by substituting a new plan of divestiture agreed upon between the Commission and the company and affirmed on April 21, 1967, by the U.S. Court of Appeals, Seventh Circuit.

The modified order of divestiture, is as follows:

Now, therefore, it is hereby ordered, That the order of November 14, 1966, be, and it hereby is, modified in accordance with the final decree of the Court to read as follows:

It is ordered, That:

I. Respondent Dean Foods Co. ("Dean"), a corporation, through its officers, directors, agents, representatives, and employees, shall divest itself absolutely, in good faith, and as a unit, of all right, title, and interest and all assets, properties, rights and privileges, tangible and intangible, including without limitation all manufacturing plants, equipment and operating facilities, lands, leases and the warehousing facilities, delivery equipment, machinery, inventory, customer lists, and good will of the dairy products businesses located in Columbus (Ohio), Terre Haute (Indiana), Bettendorf (Iowa), Racine (Wisconsin), and Tomah (Wisconsin), and the "Bowman" trade name and related trademarks acquired by Dean as a result of its acquisition of certain assets of Bowman Dairy Co. ("Bowman") pursuant to their purchase agreement of December 13, 1965, together with all additions and improvements thereto which

are presently utilized or which may hereafter and prior to divestiture be utilized by Dean in its operation of the above-specified businesses, to a purchaser approved by the Federal Trade Commission who shall operate said businesses as a going concern in the dairy industry.

II. Respondent Dean, a corporation, through its officers, directors, agents, representatives, and employees, shall divest itself absolutely, in good faith to the purchaser of the assets required to be divested pursuant to section I of this order, of all right, title, and interest and all assets, properties, rights and privileges, tangible and intangible, including without limitation all inventory, delivery equipment, customer lists, and good will of the dairy products businesses located in Cleveland (Ohio) and New Albany (Indiana) acquired by Dean as a result of its acquisition of certain assets of Bowman pursuant to their purchase agreement of December 13, 1965, together with all additions and improvements thereto which are presently utilized or which may hereafter be utilized by Dean in its operation of the above-specified businesses, but excluding manufacturing plants, lands, and processing machinery, and equipment: *Provided, however, That Dean may divest separately the Cleveland assets required to be divested pursuant to this section, exclusive of the "Bowman" trade name and related trademarks which Dean shall divest in accordance with section I of this order, to a separate purchaser approved by the Commission who shall operate said assets as a going concern in the dairy industry.*

III. Respondent Dean, a corporation, through its officers, directors, agents, representatives, and employees, shall divest itself absolutely, in good faith, and as a unit, of all right, title, and interest and all assets, properties, rights, and privileges, tangible and intangible, including without limitation all manufacturing plants, equipment and operating facilities, lands, leases, warehousing facilities, delivery equipment, machinery, inventory, trade names, trademarks, and good will of the dairy products business located at Saginaw (Michigan) acquired by Dean as a result of its acquisition of certain assets of Bowman pursuant to their purchase agreement of December 13, 1965, together with all additions and improvements thereto which are presently utilized or which may hereafter and prior to divestiture be utilized by Dean in its operation of that business, but not including the "Bowman" trade name and related trademarks which Dean shall divest in accordance with section I of this order, to a purchaser approved by the Federal Trade Commission who shall operate that business as a going concern in the dairy industry.

IV. Respondent Dean, a corporation, through its officers, directors, agents, representatives, and employees, within ten (10) days after the date of service upon it of this order, shall begin to offer, and continue to make good faith efforts to divest the dairy products businesses required to be divested pursuant to sections I through III of this order, to the

end that such divestitures shall be fully completed no later than two (2) years from the effective date of this order: *Provided, however, That if Dean shall fail to effect such divestitures despite its good faith efforts, it may apply to the Federal Trade Commission for an extension of time or such other relief as may be appropriate under Rule 3.28 of the Commission's rules of practice for adjudicative proceedings. Upon Dean's application and showing of its good faith efforts to divest, the Commission shall, in its discretion, either grant an extension of time or order such other relief as it may deem appropriate: *Provided, however, That such other relief shall be no broader than that provided for in this order.**

V. Notwithstanding the provisions of sections I through III of this order, respondent Dean shall be entitled to the exclusive use of the "Bowman" trade name and related trademarks in sales of dairy products (Standard Industrial Classification Group No. 202) to Dean customers using the "Bowman" trade name as of the effective date of this order, within the Illinois counties of Lake, Cook, Du Page, Will, and Kane for a period of six (6) months from the effective date of this order: *Provided, however, That at the option of the purchaser of the assets required to be divested pursuant to section I of this order, Dean shall make available to such purchaser, for a period of two (2) years commencing at the expiration of the above-mentioned six (6) month period, dairy products under the "Bowman" trade name for sale within the above-mentioned Illinois counties at a negotiated price or at the lowest bona fide price available to such purchaser within the above-mentioned Illinois counties.*

VI. The Bowman businesses required to be divested pursuant to sections I through III of this order shall not be sold or transferred, directly or indirectly, to any person who, at the time of divestiture, is a stockholder, officer, director, employee, or agent of, or otherwise directly or indirectly connected with, or under the control or influence of, Dean or any of Dean's subsidiaries or affiliated companies, or who owns or controls, directly or indirectly, more than one (1) percent of the outstanding stock of Dean.

VII. Pending effectuation of the divestitures required by sections I through III of this order, Dean shall not, except with the approval of the Federal Trade Commission, make any material changes, directly or indirectly, with respect to the Bowman assets or businesses required to be divested, including the operation and policies affecting said assets and businesses, except such changes which may be required in the ordinary course of business or which may be required to improve the salability of said assets and businesses or to prevent the impairment of value of said assets and businesses: *Provided, however, That pending the divestitures required by sections II and III of this order, Dean may transfer production from the New Albany (Indiana), Cleveland (Ohio), and Saginaw (Michigan) facilities to Dean facilities,*

with the understanding that Dean will make no change in labeling, delivery of products, or billing of customers.

VIII. Respondent Dean, a corporation, for a period of ten (10) years from the date this order becomes final, shall cease and desist from acquiring, directly or indirectly, by any device or through subsidiaries or otherwise, the whole or any part of the stock, share capital, or assets (other than products sold in the regular course of business), of any firm engaged in the manufacture, processing, distribution, or sale of dairy products, without the prior approval of the Federal Trade Commission.

IX. Respondent Dean, a corporation, within thirty (30) days from the effective date of this order, and every ninety (90) days thereafter until it has fully complied with sections I through VII of this order, shall submit in writing to the Federal Trade Commission a compliance report setting forth in detail the manner and form in which it intends to comply, is complying, or has complied with sections I through VII of this order. All compliance reports shall include without limitations a specification of the steps taken by Dean to inform brokers, investment bankers and prospective purchasers of its desire to sell those assets, a list of all persons, including dairy and nondairy companies, bankers, brokers, and management consultant firms to whom this notice of sale has been given, a summary of all discussions and negotiations, together with the identity of all such potential purchasers or intermediaries with whom these discussions or negotiations were undertaken and copies of all written communications to and from all such intermediaries or potential purchasers and all contracts entered into with purchasers.

X. Respondent Dean, a corporation, within thirty (30) days from the effective date of this order, and annually thereafter until it has fully complied with section VIII of this order, shall file with the Federal Trade Commission a verified written report setting forth in detail the manner and form in which it intends to comply, is complying, or has complied with section VIII of this order.

XI. As used in this order, the word "person" shall include all members of the immediate family of the individual specified and shall include corporations, partnerships, associations, and other legal entities as well as natural persons.

Issued: May 22, 1967.

By the Commission.¹

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-6367; Filed, June 7, 1967;
8:45 a.m.]

[Docket No. C-1205]

PART 13—PROHIBITED TRADE PRACTICES

Robert J. Muehe and Bob's Florette

Subpart—Importing, selling, or transporting flammable wear: § 13.1060 Im-

¹ Commissioner Elman not participating.

porting, selling, or transporting flammable wear.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, Robert J. Muehe doing business as Bob's Florette, Denver, Colo., Docket C-1205, May 22, 1967]

In the Matter of Robert J. Muehe, an Individual Doing Business as Bob's Florette

Consent order requiring a Denver, Colo., retailer of handcraft materials to cease importing and selling any fabric so highly flammable as to be dangerous when worn.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Robert J. Muehe, an individual doing business as Bob's Florette, or under any other name, and respondent's representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from:

(a) Importing into the United States; or

(b) Selling, offering for sale, introducing, delivering for introduction, transporting, or causing to be transported, in commerce, as "commerce" is defined in the Flammable Fabrics Act; or

(c) Transporting or causing to be transported, for the purpose of sale or delivery after sale in commerce,

any fabric which, under the provisions of section 4 of the said Flammable Fabrics Act, as amended, is so highly flammable as to be dangerous when worn by individuals.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with this order.

Issued: May 22, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-6368; Filed, June 7, 1967;
8:45 a.m.]

[Docket No. C-1206]

PART 13—PROHIBITED TRADE PRACTICES

Scarsdale Quilting Mills, Inc., and Robert Kutak

Subpart—Furnishing false guarantees: § 13.1053 *Furnishing false guarantees*; 13.1053-80 Textile Fiber Products Identification Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; 13.1185-80 Textile Fiber Products Identification Act; 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*; 13.1212-80 Textile Fiber Products Identification Act; 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material

disclosure: § 13.1852 *Formal regulatory and statutory requirements*; 13.1852-70 Textile Fiber Products Identification Act; 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; secs. 2-5, 54 Stat. 1128-1130, 72 Stat. 1717; 15 U.S.C. 45, 68, 70) [Cease and desist order, Scarsdale Quilting Mills, Inc., et al., Tupelo, Miss., Docket C-1206, May 23, 1967]

In the Matter of Scarsdale Quilting Mills, Inc., a Corporation, and Robert Kutak, Individually and as an Officer of the Said Corporation

Consent order requiring a Tupelo, Miss., textile manufacturer to cease misbranding its textile fiber and wool products, failing to keep required records, and furnishing false guarantees on its textile fiber products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Scarsdale Quilting Mills, Inc., a corporation, and its officers, and Robert Kutak, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, distribution, delivery for shipment, or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely and deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to, or place on, each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Scarsdale Quilting Mills, Inc., a corporation, and its officers, and Robert Kutak, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, manufacture for introduction, sale, advertising, or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or

contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising, or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

2. Failing to affix a stamp, tag, label, or other means of identification to each such product showing in a clear, legible, and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

B. Failing to maintain and preserve proper records showing the fiber content of the textile fiber products manufactured by said respondents, as required by section 6 of the Textile Fiber Products Identification Act and Rule 39 of the regulations promulgated thereunder.

It is further ordered, That respondents Scarsdale Quilting Mills, Inc., a corporation, and its officers, and Robert Kutak, individually and as an officer of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from furnishing a false guaranty that any textile fiber product is not misbranded or falsely invoiced under the provisions of the Textile Fiber Products Identification Act.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: May 23, 1967.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-6369; Filed, June 7, 1967;
8:45 a.m.]

Title 26—INTERNAL REVENUE

**Chapter I—Internal Revenue Service,
Department of the Treasury**

**SUBCHAPTER F—PROCEDURE AND
ADMINISTRATION**

[T.D. 6020]

PART 301—PROCEDURE AND ADMINISTRATION

**Request, Subpoena, Notice, or Other
Order for Disclosure of Internal Revenue
Records or Information**

In order to clarify and revise the procedures to be followed by officers and employees of the Internal Revenue Service upon receipt of a request, subpoena, notice, or other order for the disclosure of internal revenue records or information, the regulations on Procedure and

Administration (26 CFR Part 301) are hereby amended by adding at the end thereof the new section set forth below. Section 301.9000-1 of the regulations supersedes Article 80 of Regulations 12, as amended.

§ 301.9000-1 Procedure to be followed by officers and employees of the Internal Revenue Service upon receipt of a request or demand for disclosure of internal revenue records or information.

(a) *Authority.* The provisions of this section are prescribed under the authority of 5 U.S.C. 301; section 2 of Reorganization Plan No. 26 of 1950, 64 Stat. 1280; 18 U.S.C. 1905; section 2(g) of the Federal Alcohol Administration Act (27 U.S.C. 202(c)); and sections 5274, 6103, 6104, 6106, 6107, 7213, 7237(e), 7803, and 7805 of the Internal Revenue Code of 1954.

(b) *Definitions.* When used in this section—

(1) *Internal revenue records or information.* The term "internal revenue records or information" means any records (including copies thereof) or information, made or obtained by, furnished to, or coming to the knowledge of, any officer or employee of the Internal Revenue Service while acting in his official capacity, or because of his official status, with respect to the administration of the internal revenue laws or any other laws administered by or concerning the Internal Revenue Service.

(2) *Internal revenue officer and employee.* The term "internal revenue officer and employee" means all officers and employees of the United States, engaged in the administration and enforcement of the internal revenue laws or any other laws administered by the Internal Revenue Service, appointed or employed by, or subject to the directions, instructions or orders of, the Secretary of the Treasury or his delegate.

(3) *Demand.* The term "demand" means any subpoena, notice of deposition either upon oral examination or written interrogatory, or other order, of any court, administrative agency, or other authority.

(c) *Disclosure of internal revenue records or information prohibited without prior approval of the Commissioner.* The disclosure, including the production, of internal revenue records or information to any person outside the Treasury Department or to any court, administrative agency, or other authority, in response to any request or demand for the disclosure of such records or information shall be made only with the prior approval of the Commissioner. However, nothing in this section shall restrict the disclosure of internal revenue records or information which the Commissioner has determined is authorized under any provision of statute, Executive order, or regulations, or for which a procedure has been established by the Commissioner. For example, this section does not restrict the inspection of returns and approved applications for tax exemption inspection of which is governed by sections 6103 and 6104 of the Code and the

Executive orders and regulations issued thereunder, nor does it restrict the disclosure of internal revenue records or information which is requested by U.S. attorneys or attorneys of the Department of Justice for use in cases which arise under the internal revenue laws or related statutes and which are referred by the Department of the Treasury to the Department of Justice for prosecution or defense.

(d) *Delegation to Commissioner of authority to determine disclosure and establish procedures; procedure in the event of a request or demand for disclosure.*—(1) *Delegation to Commissioner.* The Commissioner is hereby authorized to determine whether or not officers and employees of the Internal Revenue Service will be permitted to disclose internal revenue records or information in response to:

(i) A request by any court, administrative agency, or other authority, or by any person, for the disclosure of such records or information, or

(ii) A demand for the disclosure of such records or information.

The Commissioner is also authorized to establish such procedures as he may deem necessary with respect to the disclosure of internal revenue records or information by internal revenue officers and employees. Any determination by the Commissioner as to whether internal revenue records or information will be disclosed, or any procedure established by him in connection therewith, will be made in accordance with applicable statutes, Executive orders, and regulations, and such instructions as may be issued by the Secretary or his delegate. Notwithstanding the preceding provisions of this subparagraph, the Commissioner shall, where either he or the Secretary deems it appropriate, refer the opposing of a request or demand for disclosure of internal revenue records or information to the Secretary.

(2) *Procedure in the event of a request or demand for internal revenue records or information.*—(i) *Request procedure.* Any officer or employee of the Internal Revenue Service who receives a request for internal revenue records or information, the disposition of which is not covered by a procedure established by the Commissioner, shall promptly communicate the contents of the request to the Commissioner through the appropriate supervisor for the district or region in which he serves. Such officer or employee shall await instructions from the Commissioner concerning the response to the request. For the procedure to be followed in the event a person making a request seeks to obtain a court order or other demand requiring the production of internal revenue records or information, see subdivision (ii) of this subparagraph.

(ii) *Demand procedure.* Any officer or employee of the Internal Revenue Service who is served with a demand for internal revenue records or information, the disposition of which is not covered by a procedure established by the Commissioner, shall promptly, and without awaiting appearance before the court, administrative agency, or other author-

ity, communicate the contents of the demand to the Commissioner through the appropriate supervisor for the district or region in which he serves. Such officer or employee shall await instructions from the Commissioner concerning the response to the demand. If it is determined by the Commissioner that the demand should be opposed, the U.S. attorney, his assistant, or other appropriate legal representative shall be requested to respectfully inform the court, administrative agency, or other authority that the Commissioner has instructed the officer or employee to refuse to disclose the internal revenue records or information sought. If instructions have not been received from the Commissioner at the time when the officer or employee is required to appear before the court, administrative agency, or other authority in response to the demand, the U.S. attorney, his assistant, or other appropriate legal representative shall be requested to appear with the officer or employee upon whom the demand has been served and request additional time in which to receive such instructions. In the event the court, administrative agency, or other authority rules adversely with respect to the refusal to disclose the records or information pursuant to the instructions of the Commissioner, or declines to defer a ruling until instructions from the Commissioner have been received, the officer or employee upon whom the demand has been served shall, pursuant to this section, respectfully decline to disclose the internal revenue records or information sought.

(e) *Record of seizure and sale of real estate.* Record 21, "Record of seizure and sale of real estate", is open for public inspection in offices of district directors of internal revenue and copies are furnished upon application.

(f) *State liquor cases or State firearms cases.* Assistant regional commissioners (alcohol and tobacco tax) may, in the interest of Federal and State law enforcement, upon receipt of demands or requests of State authorities, and at the expense of the State, authorize investigators and other employees under their supervision to attend trials and administrative hearings in liquor cases or firearms cases in which the State is a party, produce records and testify as to facts coming to their knowledge in their official capacities: *Provided,* That information will not be divulged contrary to section 7213 of the Code by such production or testimony.

(g) *Penalties.* Any officer or employee of the Internal Revenue Service who disobeys the provisions of this section will be subject to dismissal and may incur criminal liability.

(h) *Effective date.* The provisions of this section are applicable to any request or demand for internal revenue records or information received by any officer or employee of the Internal Revenue Service after June 15, 1967.

Because this Treasury decision constitutes a general statement of policy and establishes rules of Treasury Department practice and procedure, it is found that it is unnecessary to issue this Treasury

decision with notice and public procedure thereon under section 553(b) of title 5 of the United States Code.

[SEAL] HENRY H. FOWLER,
Secretary of the Treasury.

JUNE 2, 1967.

[F.R. Doc. 67-6388; Filed, June 7, 1967;
8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 697—INDUSTRIES IN AMERICAN SAMOA

Pursuant to sections 5, 6, and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208), and by means of Administrative Order No. 599 (32 F.R. 4579), the Secretary of Labor appointed and convened Special Industry Committee No. 7 for American Samoa, referred to it the question of the minimum wage rate or rates to be paid under section 6(a) (3) of the Act to employees in American Samoa, and gave due notice of a hearing to be held by the committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the committee has filed with the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 6(a) (3) and section 8 of the Act, Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Special Industry Committee No. 7 are hereby published in this order. Part 697 of Title 29 of the Code of Federal Regulations is hereby revised, effective June 24, 1967, to read as follows:

Sec.
697.1 Wage rates.
697.2 Notices.

AUTHORITY: The provisions of this Part 697 issued under secs. 6, 8, 52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 697.1 Wage rates.

Every employer shall pay to each of his employees in American Samoa, who in any workweek is engaged in commerce or in the production of goods for commerce, or is employed in any enterprise engaged in commerce or in the production of goods for commerce, as these terms are defined in section 3 of the Fair Labor Standards Act of 1938, wages at a rate not less than the minimum rate or rates of wages prescribed in this section for the industries and classifications in which such employee is engaged.

(a) *Fish canning and processing and can manufacturing industry.* (1) The minimum wage for this industry is \$1.05

an hour for the period ending June 23, 1968, and \$1.10 an hour thereafter.

(2) This industry shall include the canning, freezing, preserving, and other processing of any kind of fish, shellfish, and other aquatic forms of animal life, the manufacture of any byproduct thereof, and the manufacture of cans and related activities: *Provided, however,* That this industry shall not include any activity brought within the purview of section 6 of the Fair Labor Standards Act of 1938 by the Fair Labor Standards Amendments of 1966.

(b) *Shipping and transportation industry.* The classifications of this industry shall include the transportation of passengers and cargo by water or by air, and all activities in connection therewith, including the operation of air terminals, piers, wharves, and docks, stevedoring, storage, and lighterage operations, and the operation of tourist bureaus and of travel and ticket agencies: *Provided, however,* That this industry shall not include bunkering of petroleum products: *Provided, further,* That this industry shall not include any activity brought within the purview of section 6 of the Fair Labor Standards Act of 1938 by the Fair Labor Standards Amendments of 1966.

(1) *Classification A (seafaring).* (i) The minimum wage for this classification is 55 cents an hour.

(ii) This classification of the shipping and transportation industry shall include all activities engaged in by seamen on American vessels which are documented or numbered under the laws of the United States, which operate exclusively between points in the Samoan Islands, and which are not in excess of 350 tons net capacity.

(2) *Classification B.* (i) The minimum wage for this classification is \$1.10 an hour for the period ending June 23, 1968, and \$1.15 an hour thereafter.

(ii) This classification shall include all activities in the shipping and transportation industry other than those included in the seafaring classification of the industry.

(c) *Petroleum marketing industry.*

(1) The minimum wage for this industry is \$1.15 an hour for the period ending June 23, 1968, and \$1.20 an hour thereafter.

(2) This industry shall include the wholesale marketing and distribution of gasoline, kerosene, lubricating oils, diesel and marine fuels, and other petroleum products, bunkering operations in connection therewith, and repair and maintenance of petroleum storage facilities: *Provided, however,* That this industry shall not include any activity brought within the purview of section 6 of the Fair Labor Standards Act of 1938 by the Fair Labor Standards Amendments of 1966.

(d) *Construction industry.* (1) The minimum wage for this industry is 75 cents an hour for the period ending June 23, 1968, and 80 cents an hour thereafter.

(2) This industry shall include all construction, reconstruction, structural renovation and demolition, on public or private account, of buildings, housing,

highways and streets, catchments, dams, and any other structure.

(e) *Hospitals and educational institutions industry.* (1) The minimum wage for this industry is 49 cents an hour for the period ending June 30, 1967, 62 cents an hour for the period beginning July 1, 1967, and ending June 30, 1968, and 70 cents an hour thereafter.

(2) This industry shall include all activities performed in connection with the operation of a hospital, defined as an institution primarily engaged in the care of the sick, the aged, or the mentally ill or defective who reside on the premises of such institution, a school for the mentally or physically handicapped or the gifted children, an elementary or secondary school, or an institution of higher education (regardless of whether or not such hospital, institution, or school is public or private, or operated for profit or not for profit): *Provided, however,* That this industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(f) *Hotel industry.* (1) The minimum wage for this industry is 65 cents an hour for the period ending June 23, 1968, and 70 cents an hour thereafter.

(2) This industry shall include all activities in connection with the operation of hotels, motels, apartment hotels, and tourist courts engaged in providing lodging, with or without meals, for the general public: *Provided, however,* That this industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(g) *Retail trade industry.* (1) The minimum wage for this industry is 80 cents an hour for the period ending June 23, 1968, and 85 cents an hour thereafter.

(2) This industry shall include all activities in connection with the selling of goods or services at retail, including the operation of retail stores and other retail establishments: *Provided, however,* That this industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(h) *Miscellaneous industry.* The classifications of this industry shall include every activity not included in any other industry defined in this § 697.1.

(1) *Previous coverage classification.* (i) The minimum wage for this classification is 90 cents an hour for the period ending June 23, 1968, and 95 cents an hour thereafter.

(ii) This classification of the miscellaneous industry shall include only those activities in the industry to which section 6 of the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(2) *1966 coverage classification.* (1) The minimum wage for this classification is 80 cents an hour for the period ending June 23, 1968, and 85 cents an hour thereafter.

(11) This classification of the miscellaneous industry shall include only those activities in the industry to which section 6 of the Fair Labor Standards Act of 1938 applies only by reason of the Fair Labor Standards Amendments of 1966.

§ 697.2 Notices.

Every employer subject to the provisions of § 697.1 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 697.1 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 2d day of June 1967.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 67-6414; Filed, June 7, 1967;
8:49 a.m.]

Title 35—PANAMA CANAL

Chapter I—Canal Zone Regulations

PART 111—RULES FOR PREVENTION OF COLLISIONS

PART 123—RADIO COMMUNICATION

Miscellaneous Amendments

1. Section 111.203(a) of Part 111 is amended to read as follows:

§ 111.203 Diving operations; industrial and commercial; recreational skin-diving; light, flag.

(a) When industrial or commercial diving operations are underway in any waters of the Canal Zone, a revolving red light shall be displayed in all weathers from sunset to sunrise from the diving barge or other craft serving the diver. The light shall be so mounted and of sufficient intensity as to be visible for not less than 1 mile. A flag of the type described in paragraph (b) of this section shall be displayed from such craft from sunrise to sunset. Vessels approaching or passing an area where diving operations are underway shall reduce speed sufficiently to avoid creating a dangerous wash or wake.

2. A new section, § 111.207, is added to Part 111 reading as follows:

§ 111.207 Small craft; hazardous operation.

An operator of small craft may not operate so close to a transiting or other vessel maneuvering in Canal Zone waters as to either:

(a) Hamper the safe operation of such transiting or other vessel or endanger the small craft or

(b) Place the small craft in a position of danger if the small craft's means of propulsion fails.

For the purposes of this section, the term small craft shall have the same meaning as in § 111.205.

3. Section 111.221 of Part 111 is amended to read as follows:

§ 111.221 Penalties for violation.

As provided in 2 C.Z.C. sec. 1331, 76A Stat. 46, whoever violates any of the provisions of §§ 111.1 to 111.207 is subject to a fine of not more than \$100, or imprisonment in jail for not more than 30 days, or both.

§ 123.4 [Amended]

4. Section 123.4(a) of Part 123 is amended by adding the following new material immediately after the text of item "November":

Vessels docking shall also report:

OSCAR—Whether docking at Balboa or Cristobal and reason therefore, i.e., cargo operations, fuel, water, etc., listing the amounts in tons in each case.

5. Section 123.7 of Part 123 is amended as follows:

§ 123.7 Operator on board during transit.

All vessels equipped with radio shall have a qualified radio operator on board, available to operate the radio installation if necessary, from the time the vessel leaves a terminal port to pass through the Canal until her arrival at the opposite terminal port. Vessels equipped with radio telephones operating on the frequencies designated by the Panama Canal Company are deemed to meet the requirements of this section provided they have someone aboard capable and qualified to operate such equipment. The provisions of this section do not apply to those vessels whose radio equipment has been sealed in Canal Zone waters in accordance with orders issued by competent authority.

Effective date. These revisions shall become effective 30 days after publication in the FEDERAL REGISTER, except § 123.7, which shall become effective upon publication in the FEDERAL REGISTER.

(2 C.Z.C. sec. 1331, 76A Stat. 46; 35 CFR 3.1(a)(1))

Dated: May 31, 1967.

STANLEY R. RESOR,
Secretary of the Army.

[F.R. Doc. 67-6381; Filed, June 7, 1967;
8:46 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER D—GRANTS

PART 51—GRANTS TO STATES FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

Notice of proposed rule making, public rule making procedures, and delay in

effective date have been omitted as unnecessary in the issuance of the following revision of this part which relates solely to grants to States for public health services. The purpose of this revision is to implement section 314(d) of the Public Health Service Act, as amended by Public Law 89-749 (42 U.S.C. 246(d); 80 Stat. 1184).

Pursuant to section 314(g)(1) of the Act, as amended (42 U.S.C. 246(g)(1); 80 Stat. 1189), this revision is made after consultation with a joint conference of State health and mental health authorities.

These revised regulations shall become effective July 1, 1967.

Part 51 of Chapter I of Title 42 of the Code of Federal Regulations is revised to read as follows:

Subpart A—Grants to States for Comprehensive Health Planning [Reserved]

Subpart B—Grants to States for Public Health Services

Sec.

- 51.101 Applicability.
- 51.102 Definitions.
- 51.103 Submission of State plans.
- 51.104 State plan requirements.
- 51.105 State allotments.
- 51.106 Allocation of allotments for mental health.
- 51.107 Expenditures and payments.
- 51.108 Equipment, supplies, or personnel in lieu of cash.
- 51.109 Nondiscrimination on account of race, color, or national origin.

AUTHORITY: The provisions of this Part 51 issued under secs. 215, 314 of the Public Health Service Act; 58 Stat. 690, 80 Stat. 1181; 42 U.S.C. 216, 246.

Subpart A—Grants to States for Comprehensive Health Planning [Reserved]

Subpart B—Grants to States for Public Health Services

§ 51.101 Applicability.

The regulations of this subpart apply to grants to State health and mental health authorities to assist the States, including the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa, in establishing and maintaining adequate public health services, including the training of personnel for State and local health work, as authorized pursuant to section 314(d) of the Public Health Service Act, as amended by Public Law 89-749 (42 U.S.C. 246(d)), hereinafter referred to as the "Act".

§ 51.102 Definitions.

As used in this subpart:

(a) "State plan" refers to the information, proposals, and assurances submitted by the State authority pursuant to section 314(d) of the Act and the regulations of this subpart for public health activities of the State and political subdivisions, and of other public and private nonprofit agencies to whom Federal funds are made available.

(b) "State authority" means the State health, or with respect to mental health, the State mental health authority.

§ 51.103 Submission of State plans.

In order to receive funds from an allotment under this part, a State must submit to and have approved by the Surgeon General a State plan which contains the information and meets the requirements specified in the Act and in the regulations of this subpart. Such plan shall be submitted by the State health authority, or in the case of mental health, the State mental health authority. Where both the State health and State mental health authorities are contained in a single agency, a single plan may be submitted provided the mental health programs are separately identified.

§ 51.104 State plan requirements.

(a) *Responsibility of State authority.* The plan must provide that the State authority will either administer or supervise the administration of the activities to be carried out under the State plan. In providing funds to any activity which it does not administer, the State authority shall apply the same standards and require conformance to the same criteria for services to be supported as are applicable to activities which it undertakes to conduct directly. In order to assure adequate supervision by the State authority of the administration of activities carried out by other agencies, institutions, organizations, or individuals, the State plan must show with respect to any such activity that the State authority (1) obtains from the agency, institution, organization, or individual, the data needed for program planning, evaluation, and accounting purposes, (2) has established methods for performing continuing professional and administrative evaluations of the activities conducted by such agency, institution, organization, or individual, and (3) will take such steps as may be necessary to assure that such activities meet Federal and State requirements.

(b) *Expenditure of grant funds.* In addition to providing for proper fiscal control and fund accounting procedures as specified in paragraph (k) of this section, the State plan must contain:

(1) The policies and procedures by which other governmental and nonprofit private agencies, institutions, and organizations will be made aware of the availability of Federal and State funds for the conduct of public health activities, including those locally initiated or sponsored, under the State plan, and by which requests for commitment of such funds will be evaluated and approved.

(2) Methods of evaluating the performance of activities being carried out under the plan to assure that they meet the standards set forth in the plan and those prescribed in the regulations of this subpart.

(3) An assurance that professional standards will be followed in approving individuals (other than employees under a governmental merit system), agencies, institutions, and organizations to provide public health services under the plan.

(4) An assurance that schedules or other bases upon which payments are made to individuals (other than employees under a governmental merit system), agencies, institutions, and organizations will be in accord with the usual and customary practices in that State.

(c) *Providing and strengthening local public health services.* The plan must contain satisfactory assurance that the funds paid to the State for the activities to be carried out under it will be used to provide and strengthen public health services in the various political subdivisions in order to improve the health of the people of the State. In evaluating such assurance, the Surgeon General shall consider (1) the extent to which services provided under the State plan are made available to all people in all areas of the State, and (2) the extent to which such funds and services represent a strengthening of public health services in such areas, including expansion, or improved alignment of services or initiation of new services.

(d) *Participation by local, regional, metropolitan, and other public or private nonprofit agencies.* The State plan shall contain satisfactory assurance that:

(1) In accordance with the standards and criteria required in paragraph (a) of this section, funds will be made available by the State authority to other public or nonprofit private agencies, institutions and organizations initiating, sponsoring, or providing public health services which qualify for inclusion in and support under, the State plan;

(2) Such agencies, institutions, and organizations to which funds are made available are required to participate in the costs of such services;

(3) In determining to which agencies, institutions, and organizations funds are to be made available, and the amount of funds which are to be made available to each, the State authority shall consider the extent to which the services to be provided will be directed to public health programs of high priority, will be of high quality, and will reach the people in local communities in greatest need of such services;

(4) In its evaluation of requests for such funds the State authority shall consider the comments relating to such requests of the regional, metropolitan, or local area comprehensive health planning agency serving the area, if such agency exists.

(e) *Federal funds to supplement non-Federal funds otherwise available.* The State plan must contain satisfactory assurances that Federal funds will not supplant non-Federal funds otherwise available for providing the services and carrying out the activities under the plan and that such funds will, to the extent practical, be used to increase the level of funds otherwise available for such services and activities. Substantial compliance with such assurances will be deemed to have been met if:

(1) The level of State funds available to and spent by the State authority for those public health services under the approved State plan (including State funds allocated to other public or non-

profit private agencies, institutions and organizations) is at least no lower for any fiscal year than it was for the immediately preceding fiscal year, except that the Surgeon General may also take into consideration the extent to which the level of such funds for any fiscal year may have included emergency or other funds for an activity of a nonrecurring nature.

(2) The aggregate level of non-Federal funds (other than State funds allocated by the State authority) available to and spent by other public or nonprofit private agencies, institutions, and organizations to which Federal grant funds are made available under the State plan from the State's allotment is no lower for any fiscal year than it was for the immediately preceding fiscal year.

(f) *Accord with comprehensive planning.* (1) Where a State comprehensive health planning agency has been designated pursuant to section 314(a) of the Act, and where such agency has adopted planning recommendations pertaining to services to be provided under the State plan for public health services, the State plan must provide for furnishing such services in accordance with such recommendations.

(2) If the State comprehensive health planning agency has not adopted or incorporated into its planning recommendations State mental health plans, community mental health services under the approved plan for this part shall be in accordance with State mental health plans developed with the assistance of Federal funds appropriated for fiscal years 1963 and 1964 (P.L. 87-582, P.L. 88-136).

(g) *Scope and quality of services.* The following standards shall be applicable to services furnished under the plan:

(1) The plan must show that preventive, diagnostic, treatment, and rehabilitative programs shall include special attention to the health needs of high risk population groups in terms of age, economic status, geographic location, or other relevant factors. In addition, preventive services shall be based on sound epidemiologic principles.

(2) The plan must set forth the anticipated impact on the health of the people in terms of the specific objectives toward which the activities are directed.

(3) Services under the plan must be provided by or supervised by qualified personnel, such qualification to be determined by reference to merit system occupational standards, State and local licensing laws and specialty Board requirements for health professionals.

(h) *Methods of administration.* In addition to any methods of administration otherwise required by the Act and the regulations of this subpart, the State plan must contain policies and procedures to assure that unnecessary duplication of services will be avoided, and that available manpower and other health resources will be utilized efficiently. The plan must also provide:

(1) For the establishment and maintenance of personnel standards on a merit basis for persons employed by the State authority, and by official local

health and mental health departments, to provide or supervise the provision of public health services under the approved State plan. Substantial compliance with standards for a Merit System of Personnel Administration, 45 CFR Part 70, issued by the Secretary of Health, Education, and Welfare, the Secretary of Labor and the Secretary of Defense, including any subsequent amendments thereto, will be deemed to meet this requirement;

(2) For the provision of professional consultation to as well as supervision over services under the State plan conducted by agencies, institutions, or organizations other than the State authority, and

(3) For informing the general public in the State of the kinds and locations of services which are available under the State plan.

(1) *Review and modification.* The State plan must provide that the State authority will review and evaluate its approved plan at least once annually and submit appropriate modifications to the Surgeon General. As a minimum, the State authority shall submit annual modifications of the plan which will (1) reflect budgetary and expenditure requirements for the new fiscal year, (2) incorporate changes in the scope, quality, and location of services to be provided, and (3) update any assurances or other informational requirements included in the State plan.

(2) *Reports and records.* The State plan must provide, in addition to any other reports or records required by the regulations of this subpart or which may reasonably be required by the Surgeon General under the Act, that:

(1) The State authority shall file annual progress reports detailing the accomplishments of the programs, including, if available, quantitative indices of the improvement of the health of the people receiving services under such programs.

(2) The State authority shall make semiannual expenditure reports.

(3) All records required by the Act and the regulations of this subpart shall be maintained for a period of 5 years, or until audits by representatives of the Department of Health, Education, and Welfare have been completed and any question arising from the audits have been resolved, whichever is sooner.

(4) The State authority will afford access to the records maintained by it to the Comptroller General of the United States and the Secretary of Health, Education, and Welfare, or their authorized representatives, for purposes of audit and examination.

(5) *Accounting procedures.* The State plan shall contain such fiscal control and fund accounting procedures as are necessary to assure the proper disbursement of and accounting for funds paid to the State under this subpart. Such procedures shall provide for an accurate and timely recording of receipts of Federal funds paid to the State for expenditures incurred or to be incurred under the approved plan, of the amounts and pur-

poses of expenditures made in carrying out such plan and of any unearned balances of Federal funds paid to the State. In addition, such procedures must:

(1) Provide for the separation of allowable expenditures as between the State plan for public health services and the State plan for mental health services;

(2) Provide adequate information to show exclusion from expenditures claimed for Federal participation of those costs for which payments have been received or are due under other Federal grants or contracts or which are required or used to match other Federal funds;

(3) Provide for maintaining an adequate record of refunds, proceeds from the sale of equipment, fees, and other similar adjustments received, which must be deducted from gross expenditures in computing expenditures available for Federal participation under the approved State plan;

(4) Provide for the maintenance of time records, or for other appropriate cost accounting techniques, for personnel who devote only part-time to the carrying out of the approved State plan so that only the proportion of total expenditures for such personnel will be included in expenditures for Federal participation;

(5) Provide for the maintenance of inventory records by the State authority for equipment purchased, which records must show that accountability for such property is generally compatible with the type of inventory accountability practiced throughout the State, and must clearly identify the type of equipment purchased, its cost, and its location.

§ 51.105 State allotments.

The allotment for fiscal year 1968 to each State shall be the sum of the following:

(a) The total of the amounts allotted to it under formula grants for cancer control, plus other allotments under section 314 of the Act, prior to amendment, for fiscal year 1967, plus;

(b) An amount which is determined by multiplying the percentage which the population of the State bears to the population of the United States (such populations to be determined from the latest available estimates from the Department of Commerce) by the amount by which (1) the total sum available for allotment for the fiscal year 1968 exceeds (2) the total of such sums available for allotment for the fiscal year 1967;

(c) For purposes of those computations, American Samoa shall be considered to have had total allotments for fiscal year 1967 equal to the lowest total allotments of any other State and such amount shall be deducted from the amount available for allotment under paragraph (b)(1) of this section.

§ 51.106 Allocation of allotments for mental health.

(a) *General.* The Surgeon General shall allocate 15 percent of each State's allotment for each fiscal year to the State mental health authority and 85 percent to the State health authority, except that

when, in any case, 15 percent of the State's allotment is less than the amount of that State's fiscal year 1967 allotment for mental health services, the percentage allocated to the mental health authority of such State shall be increased to that percentage which will provide that such allocation for the year will equal the fiscal year 1967 allotment to that State for mental health services, and the percentage allocation for the year to the State health authority of such State shall be correspondingly reduced.

(b) *Exception.* If recommended concurrently by the State health authority and the State mental health authority, or by the Governor, for any fiscal year, the Surgeon General may allocate a higher percentage to the State mental health authority and a correspondingly lower percentage to the State health authority.

§ 51.107 Expenditures and payments.

(a) *Federal share.* Each State for which a State plan for public health services has been approved shall be paid from its allotment for the fiscal year an amount which equals its "Federal share" (as defined and computed within the limits of the allotment in accordance with subsections 314(d)(5) and 314(d)(6) of the Act) of the expenditures incurred by such State or a political subdivision thereof during such fiscal year under its approved State plan. The Surgeon General shall make such adjustments in amounts of payments as may be necessary to correct under or over payments previously made (including expenditures which are disallowed on the basis of audit findings). A State shall not be entitled to payments from any fiscal year allotment for expenditures incurred in a prior or subsequent year. Payments will be made where practicable through a letter of credit system or, when such system is not practicable, on the basis of payment requests from the State to meet its current needs.

(b) *Eligible costs.* Federal participation in providing "public health services" under a State plan may include the costs of any physical, mental, or environmental health service which the State authority is authorized to undertake or support, or the costs of training, including in-service and specialized or short-term training of personnel for State and local health work, except that the following costs of services and training shall not be included:

(1) The provision of air pollution control activities to the extent such costs are precluded by the Clean Air Act (P.L. 88-206) as amended;

(2) The provision of community mental health services to the extent funds are available for such costs under the Community Mental Health Centers Act (P.L. 88-164) as amended;

(3) The provision of inpatient care in hospitals or other institutions, except where the Surgeon General determines that such care during a limited period of time is necessary for effective evaluation, demonstration, or extension of new or improved public health procedures;

(4) The acquisition of land or construction of buildings;

(5) Such other costs as the Surgeon General may find to be inconsistent with the Act or the regulations of this subpart.

(c) *Expenditures by nonprofit private agencies.* For the purposes of determining the Federal share for any State, expenditures made by nonprofit private agencies, organizations, and groups shall be regarded as expenditures by such State or political subdivision thereof, subject to the following conditions and limitations:

(1) Such expenditures may be included only when made by such an agency, institution, or organization to which the State authority has made available funds from Federal or State sources for carrying out services to be provided under the approved State plan for the fiscal year;

(2) The amount of expenditures by such nonprofit agency which may be included for any fiscal year does not exceed the amount of the funds made available to such agency by the State under the plan plus not more than an equal amount of expenditure by such agency from non-governmental funds;

(3) The records of the expenditure by a nonprofit private agency, in carrying out the State plan, shall be maintained and be available for inspection and audit for the period specified in § 51.104(j) (3).

(d) *Equipment.* When equipment purchased from funds spent in carrying out the approved State plan is sold, a proportionate share of any receipts realized from the sale of such equipment shall be deducted from the gross expenditures claimed for Federal participation for the year in which the receipts were received. Such share will be in the same proportion as participation of the Federal funds was in the expenditures under the State plan in the year in which the equipment was purchased. In addition, when any equipment purchased from funds spent in carrying out the approved State plan is transferred or otherwise disposed of to an activity which would not be eligible for support under this subpart, its then market value shall be deducted (in the same proportion as above) from the gross expenditures claimed for Federal participation for the year in which the transfer is made.

§ 51.108 Equipment, supplies or personnel in lieu of cash.

At the request of and for the convenience of a State authority, the Surgeon General may, in lieu of cash payments, furnish to such authority equipment or supplies or detail officers or employees of the Public Health Service when he finds that such equipment, supplies, or personnel would be used in carrying out the approved State plan for public health services. In such cases, the Surgeon General shall reduce the payments to which such State authority would otherwise be entitled from its allotment for the fiscal year by an amount which equals

the fair market value of the equipment or supplies furnished and by the amount of the pay, allowances, traveling expenses, and other costs in connection with such detail of officers or employees. For purposes of determining the amount of the expenditures for any fiscal year made in carrying out the approved State plan and the Federal share of such expenditures, the costs incurred by the Surgeon General in furnishing such equipment or supplies and in detailing such personnel to the State agency during the fiscal year shall be considered as expenditures made by and funds paid to the State.

§ 51.109 Nondiscrimination on account of race, color, or national origin.

Attention is called to the requirements of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; P.L. 88-352) which provides that no person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (sec. 601). A regulation implementing such Title VI has been issued by the Secretary of Health, Education, and Welfare with the approval of the President (45 CFR Part 80). Such regulation is applicable to services and programs provided under approved State plans for public health services receiving Federal assistance under section 314(d) of the Act, and requires receipt and acceptance by the Surgeon General of the applicable documentation set forth therein.

Dated: May 5, 1967.

[SEAL] WILLIAM H. STEWART,
Surgeon General.

Approved: June 2, 1967.

JOHN W. GARDNER,
Secretary.

[P.R. Doc. 67-6412; Filed, June 7, 1967;
8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Missisquoi National Wildlife Refuge, Vt.

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

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

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Missisquoi National Wildlife Refuge, Vt., is permitted only on the area designated

by signs as open to hunting. These areas are delineated on maps available at refuge headquarters, Swanton, Vt., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 26, 1967.

RICHARD E. GRIFFITH,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

MAY 26, 1967.

[P.R. Doc. 67-6371; Filed, June 7, 1967;
8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission and Department of Transportation

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

PART 293—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

Driveaway-Towaway Service

In P.R. Doc. 67-6127 appearing in the issue of Friday, June 2, 1967, on page 7956, the first line of the second paragraph of the introductory language on page 7957 was omitted. The line should read: "Accordingly, Title 49 CFR §§ 293.17".

Title 45—PUBLIC WELFARE

Chapter VIII—Civil Service Commission

PART 801—VOTING RIGHTS PROGRAM

Appendix A; Mississippi

Appendix A to Part 801 is amended as set out below to show, under the heading "Dates, Times, and Places for Filing," one additional place for filing in Mississippi:

MISSISSIPPI

County; place for filing; beginning date.

* * * * *
Forrest; Hattiesburg—U.S. Courthouse, corner of Pine and Forrest Streets, Room 6; June 8, 1967.

(Secs. 7, 9, Voting Rights Act of 1965; P.L. 89-110)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[P.R. Doc. 67-6455; Filed, June 7, 1967;
8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 917]

FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Expenses and Fixing of Rates of Assessment for 1967-68 Fiscal Period

Consideration is being given to the following proposals submitted by the Control Committee, established under the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh pears, plums, and peaches grown in the State of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the provisions thereof:

(a) That expenses that are reasonable and likely to be incurred during the fiscal period from March 1, 1967, through February 29, 1968, will amount to \$255,037, and

(b) That the rates of assessment for such fiscal period payable by each handler in accordance with § 917.37 be fixed at:

(1) Two and one-half cents (\$0.025) per standard western pear box of pears, or its equivalent in other containers or in bulk;

(2) Five cents (\$0.05) per standard four-basket crate of plums, or its equivalent in other containers or in bulk; and

(3) Four mills (\$0.004) per California peach box of peaches, or its equivalent in other containers or in bulk.

Terms used in the amended marketing agreement and this part shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and this part.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk, during regular business hours (7 CFR 1.27(b)).

Dated: June 2, 1967.

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

[F.R. Doc. 67-6391; Filed, June 7, 1967;
8:47 a.m.]

[7 CFR Part 1073]

[Docket No. AO 173-A21]

MILK IN WICHITA, KANS., MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Market- ing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the South Ballroom, Lassen Terrace Motor Hotel, 155 North Market, Wichita, Kans., beginning at 9 a.m., local time, on June 15, 1967, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Wichita, Kans., marketing area.

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

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

Proposed by Southwest Milk Producers Association and Tip Top Dairies:

Proposal No. 1. That § 1073.51 (a) (1), (2), and (3), of the order regulating the milk in the Wichita, Kans., marketing area be deleted and the following substituted therefor:

§ 1073.51 Class prices.

(a) (1) For each month calculate a utilization ratio as follows:

(i) Calculate a utilization ratio for the 12-month period ending with the second preceding month by dividing the total receipts of producer milk by the total gross volume of Class I milk (excluding interhandler transfers, but including Class I dispositions in the marketing area by nonpool plants), and multiply by 100;

(ii) Add or subtract, respectively, any amount by which the percentage computed pursuant to subdivision (i) of this subparagraph is greater or less than a comparable utilization percentage calculated using the 12-month period ending with the fourth preceding month; and

(iii) The resultant figure rounded to the nearest whole percentage shall be known as the utilization ratio.

(2) For each percentage by which the utilization ratio calculated for the month pursuant to subparagraph (1) of this paragraph exceeds 135, subtract from the

Class I price, or for each percentage by which it is less than 125, add to the Class I price, one cent.

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, Kenneth M. Fell, Post Office Box 1961—Main Office, Wichita, Kans. 67201, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on June 5, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-6422; Filed, June 7, 1967;
8:50 a.m.]

[7 CFR Parts 1104, 1132]

[Docket Nos. AO 262-A16, AO 298-A11]

MILK IN TEXAS PANHANDLE AND RED RIVER VALLEY MARKETING AREAS

Notice of Joint Hearing on Proposed Amendments to Tentative Market- ing Agreements and Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Holiday Inn West, 601 Amarillo Boulevard West, Amarillo, Tex., beginning at 9:30 a.m., local time, on June 14, 1967, with respect to proposed amendments to the tentative marketing agreements and the orders, regulating the handling of milk in the Texas Panhandle and Red River Valley marketing areas.

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

At the hearing, evidence also will be received on the question of whether the due and timely execution of the functions of the Secretary imperatively and unavoidably requires the omission of a recommended decision in connection with any emergency amendatory action that

may be required with respect to any of the aforesaid orders.

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

Proposed by North Texas Producers Association:

Proposal No. 1. Amend § 1132.10(a) of Order No. 132 by eliminating "15 percent" and substituting therefor "5 percent".

Proposal No. 2. Amend § 1132.61(a) of Order No. 132 and § 1104.61(a) of Order No. 104 by adding thereto the following: "On the basis of a written application made by the plant operator at least 15 days prior to the date for which a determination of the Secretary is to be effective, the Secretary may determine that the Class I dispositions in the respective marketing areas to be used for purposes of this paragraph shall exclude (for a specified period of time) Class I disposition made under limited term contracts to governmental bases and institutions."

Proposed by the Dairy Division, Consumer and Marketing Service:

Proposal No. 3. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrators, Byford W. Bain, Post Office Box 35225, Airlawn Station, Dallas, Tex. 75235, Richard E. Arnold, Post Office Box 4568, Tulsa, Okla. 74114, or from the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250 or may be there inspected.

Signed at Washington, D.C., on June 5, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-6421; Filed, June 7, 1967;
8:50 a.m.]

[7 CFR Part 1134]

MILK IN WESTERN COLORADO MARKETING AREA

Notice of Proposed Suspension of Certain Provisions

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Western Colorado marketing area is being considered for the months of June through September 1967.

The provisions proposed to be suspended in § 1134.12(b) (1) are the following:

"However, the total quantity of milk so diverted may not exceed 60 percent in the months of April, May, June, and July, and 30 percent in other months of its member producer milk received at all pool plants during the month. Diversion in excess of such percentages shall not be considered producer milk,

and the diverting cooperative shall specify the dairy farmers whose milk is ineligible as producer milk;" relating to diversion of milk for the account of a cooperative association.

The provisions proposed to be suspended in § 1134.12(b) (2) are the following:

"However, the total quantity of milk so diverted may not exceed 60 percent in the months of April, May, June, and July, and 30 percent in other months of the milk received at such pool plant during the month from producers who are not members of a cooperative association which has diverted milk pursuant to subparagraph (1) of this paragraph. Diversion in excess of such percentages shall not be considered producer milk, and the diverting handler shall specify the dairy farmers whose milk is ineligible as producer milk;" relating to diversion of milk for the account of said handler.

Petitioner requests the proposed suspension so that it may divert larger quantities of producer milk and to assure its membership (the principal suppliers of milk to regulated handlers) that all will share equally in the returns from the sale of Class I milk. The proposed suspension will enable the cooperative association to maintain producer status under the order for its membership pending a hearing which it has requested to consider amendment of the diversion provisions of the order to conform to current marketing conditions for the area.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

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

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-6365; Filed, June 7, 1967;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 208, 214, 295]

[Docket No. 18285; EDR-117]

SUPPLEMENTAL AIR CARRIERS AND FOREIGN CHARTER CARRIERS

Solicitation of Members of Chartering Organization After Charter Contract Has Been Signed

JUNE 2, 1967.

Notice is hereby given that the Civil Aeronautics Board has under considera-

tion proposed amendments to Parts 208, 214, and 295 of the Board's Economic Regulations (14 CFR Parts 208, 214, 295) which would permit supplemental air carriers and foreign charter carriers to solicit individual members of a chartering organization to form a charter group after the charter contract has been signed.

The principal features of the proposed amendments are further described in the explanatory statement, and the proposed amendments are set forth below. This regulation is proposed under the authority of sections 204(a), 401, 402, and 417 of the Federal Aviation Act of 1958, as amended (72 Stat. 743; 49 U.S.C. 1324; 72 Stat. 754, as amended by 76 Stat. 143; 49 U.S.C. 1371; 72 Stat. 757; 49 U.S.C. 1372; 76 Stat. 145; 49 U.S.C. 1387) and section 7 of Public Law 87-528 (76 Stat. 146; 49 U.S.C. 1371).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before July 7, 1967, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Parts 208 and 295 of the Board's Economic Regulations dealing with supplemental air carriers (14 CFR Parts 208, 295) contain provisions (§§ 208.200a and 295.11) which prohibit air carriers, in connection with pro rata charters, from soliciting individual members of a chartering organization, as distinguished from solicitation of the organization itself, to form a charter group. Trans International Airlines, Inc. (TIA), a supplemental air carrier, has requested the Board to institute a rule making proceeding to amend Parts 208 and 295 so as to authorize supplemental air carriers and their agents to solicit members of a charterable organization after a charter contract has been signed. TIA refers to Board Order E-24812 dated March 3, 1967, in which the Board approved IATA resolutions which, for the first time, authorized IATA route carriers and agents, in the case of pro rata charters, to solicit individual members of a chartering organization. Under the agreement, as conditioned by the Board, both carrier and agent are prohibited from soliciting individual members of a chartering organization until the charter contract is signed. TIA seeks amendments to Parts 208 and 295 which would also permit air carriers and travel agents to solicit members of a chartering organization after the charter contract has been signed.

With respect to solicitation by a supplemental air carrier of members of a chartering organization to form a charter group, as distinguished from solicitation of the organization itself, we see no reason why such carriers should not have the same solicitation rights as the IATA route carriers. We therefore are proposing to amend Parts 208 and 295 to permit supplemental air carriers, in the case of pro rata charters, to solicit individual members of a chartering organization to form a charter group after the charter contract has been signed.

With respect to solicitation by travel agents, TIA's petition assumes that Part 295 prohibits such solicitation as well as that of carriers. Thus, it requests a relaxation of the assumed travel agent restriction, so as to permit agents to solicit individuals of a charterworthy organization after a charter contract has been signed. However, the present regulation contains no restrictions on solicitation by travel agents, such prohibitions having been removed in the "Transatlantic Charter Investigations," Docket 11908 et al., Order E-20530/1 adopted February 24, 1964, and Order E-20776, dated April 30, 1964. Accordingly, no amendment is required.

Since Part 214, which sets forth the terms and conditions of foreign air carrier permits authorizing charter transportation only, contains a similar provi-

sion prohibiting solicitation by such carriers of members of a chartering organization, we are proposing the same solicitation authority for the foreign charter carriers as the supplemental air carriers.

Proposed rule. It is proposed to amend Parts 208, 214, and 295 of the Economic Regulations (14 CFR Parts 208, 214, 295) by modifying §§ 208.200a, 214.11, and 295.11 thereof as follows:

Part 208. 1. Amend § 208.200a so that the section reads as follows:

§ 208.200a Solicitation and formation of a chartering group.

(a) A carrier shall not engage, directly or indirectly, in any solicitation of individuals (through personal contact, advertising, or otherwise) as distinguished from the solicitation of an organization for a charter trip, except after a charter contract has been signed.

(b) A carrier shall not employ, directly or indirectly, any person for the purpose of organizing and assembling members of any organization, club, or other entity into a group to make the charter flight except after a charter contract has been signed.

Part 214. 2. Amend § 214.11 so that the section reads as follows:

§ 214.11 Solicitation and formation of a chartering group.

(a) A carrier shall not engage, directly or indirectly, in any solicitation of indi-

viduals (through personal contact, advertising, or otherwise), as distinguished from the solicitation of an organization for a charter trip, except after a charter contract has been signed.

(b) A carrier shall not employ, directly or indirectly, any person for the purpose of organizing and assembling members of any organization, club, or other entity into a group to make the charter flight except after a charter contract has been signed.

Part 295. 3. Amend § 295.11 so that the section reads as follows:

§ 295.11 Solicitation and formation of a chartering group.

(a) A carrier shall not engage, directly or indirectly, in any solicitation of individuals (through personal contact, advertising, or otherwise), as distinguished from the solicitation of an organization for a charter trip, except after a charter contract has been signed.

(b) A carrier shall not employ, directly or indirectly, any person for the purpose of organizing and assembling members of any organization, club, or other entity into a group to make the charter flight except after a charter contract has been signed.

[F.R. Doc. 67-6364; Filed, June 7, 1967; 8:45 a.m.]

Notices

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice 266]

U.S. CITIZENS

Restriction on Travel to, in, or through, Algeria, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Republic, and Yemen

Pursuant to the authority of Title 22, United States Code, section 211a, and Executive Order 11295 and in accordance with 22 CFR 51.72(b), travel is restricted to, in, or through, the Middle East area "where armed hostilities are in progress", specifically the following countries: Algeria, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Republic, and Yemen.

Hereafter, U.S. passports shall not be valid for travel to, in, or through, Algeria, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Sudan, Syrian Arab Republic, Tunisia, United Arab Republic, or Yemen unless specifically endorsed for such travel under the authority of the Secretary of State.

This public notice shall expire at the end of 1 year from the date of publication in the FEDERAL REGISTER unless extended or sooner revoked by public notice.

For the Secretary of State,

IDAR RIMESTAD,
Deputy Under Secretary
for Administration.

JUNE 5, 1967.

[F.R. Doc. 67-6463; Filed, June 7, 1967;
8:50 a.m.]

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

PROCESSED HUMAN HAIR

Importation Directly From Spain; Available Certifications

Notice is hereby given that certificates of origin issued by the Consejo Superior de Camaras de Comercio, Industria Y Navegacion countersigned by the Ministry of Commerce of the Government of Spain under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Spain of the following additional commodity:

Hair, human, processed (wigs, etc.).

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 67-6395; Filed, June 7, 1967;
8:48 a.m.]

Office of the Secretary

[Antidumping—ATS 643.3-m]

CAST IRON SOIL PIPE AND FITTINGS FROM POLAND

Determination of Sales at Less Than Fair Value and of Sales at Not Less Than Fair Value

MAY 31, 1967.

On February 15, 1967, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination", that cast iron soil pipe and fittings imported from Poland are being sold at less than fair value within the meaning of section 201 (a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until March 17, 1967, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

The attorney for the exporter submitted a written request for an opportunity to present views in person in opposition to such notice. The opportunity was afforded to the attorney, and all interested parties of record were notified and were represented.

After consideration of all written and oral arguments presented, I hereby determine that cast iron soil pipe from Poland is being, and is likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Upon being advised of the tentative determination, the exporter of the cast iron soil pipe fittings from Poland immediately revised his prices to the United States and gave assurances that there would be no future sales at less than fair value to the United States regardless of the outcome of the investigation. The volume of the imports of this product as to which dumping margins were found was relatively small.

I therefore determine that cast iron soil pipe fittings from Poland are not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

These determinations and the statement of reasons pertaining to the cast iron soil pipe fittings are published pursuant to section 201(c) of the Antidump-

ing Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-6389; Filed, June 7, 1967;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 605]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 1, 1967.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial No. S 605 for the withdrawal of the lands described below, from all forms of entry or disposition under the public land laws, including the mining but not the mineral leasing laws, subject to valid existing claims. The applicant desires the land for operation and maintenance of the Keswick Dam and Reservoir of the Shasta Division of the Central Valley Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, U.S. Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Mall, Sacramento, Calif. 95814.

The Department's regulations (43 CFR 2311.1-3(c)) provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the applicant agency.

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

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

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 5 W.,
Sec. 4, Lot 22 and Mineral Lot 32.

The above-described areas aggregate approximately 9 acres.

R. J. LITTEN,

Chief, Lands Adjudication Section.

[F.R. Doc. 67-6392; Filed, June 7, 1967;
8:47 a.m.]

[R 236]

CALIFORNIA

Notice of Classification of Public Lands for Multiple Use Management

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands in paragraph 3 are classified for multiple use together with any lands in the area described in paragraph 3 that may become public lands in the future. The described public lands are segregated from appropriation only under the agricultural land laws (43 U.S.C. Chs. 7 and 9; 25 U.S.C. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws, except as to lands described in paragraph 4 of this notice which are segregated from the operation of the general mining laws (30 U.S.C. Ch. 2).

As used herein, "Public Lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Comments were received following publication of the notice of proposed classification (31 F.R. 14749). Comments were also received at the Public Hearing of January 4, 1957 at Barstow, Calif., and for the 30 days thereafter. All comments concerning the proposed classification were carefully considered and evaluated. Paragraph 3 of the notice of proposed classification is hereby changed as provided in paragraph 4 below. The area segregated from appropriation under the mining laws is reduced from 48,882 acres to 9,000 acres, approximate. The record showing reaction to the classification made by members of the public attending or interested in the hearing is on file and can be examined in the Riverside District and Land Office, Riverside, Calif.

3. The public lands affected by this classification are located within the following described area and are shown on the Plute Planning Unit Classification Map, on file and on the records of the Riverside District and Land Office, 1414 University Avenue, Riverside, Calif.:

SAN BERNARDINO MERIDIAN, CALIFORNIA

SAN BERNARDINO COUNTY

T. 6 N., R. 12 E.,
Secs. 1 and 12.
T. 7 N., R. 12 E.,
Secs. 1, 12, 13, 24, 25, and 36.
T. 11 N., R. 12 E.,
Secs. 24, 25, and 36.
T. 6 N., R. 13 E.,
Secs. 1 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 7 N., R. 13 E.,
T. 8 N., R. 13 E.,
Secs. 1 to 4, inclusive;
Secs. 10 to 16, inclusive;
Secs. 20 to 36, inclusive.
T. 9 N., R. 13 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 33 to 36, inclusive.
T. 10 N., R. 13 E.,
Secs. 1 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 11 N., R. 13 E.,
Secs. 1 to 4, inclusive;
Secs. 8 to 36, inclusive.
T. 12 N., R. 13 E.,
Sec. 13;
Secs. 24 to 26, inclusive;
Secs. 34 to 36, inclusive.
T. 6 N., R. 14 E.,
T. 7 N., R. 14 E.,
T. 8 N., R. 14 E.,
T. 9 N., R. 14 E.,
T. 10 N., R. 14 E.,
T. 11 N., R. 14 E.,
T. 12 N., R. 14 E.,
T. 13 N., R. 14 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 31 to 36, inclusive.
T. 14 N., R. 14 E.,
Secs. 24 to 27, inclusive;
Secs. 33 to 36, inclusive.
T. 6 N., R. 15 E.,
Secs. 2 to 10, inclusive;
Secs. 16 to 20, inclusive;
Sec. 30.
T. 7 N., R. 15 E.,
T. 8 N., R. 15 E.,
T. 9 N., R. 15 E.,
T. 10 N., R. 15 E.,
T. 11 N., R. 15 E.,
T. 12 N., R. 15 E.,
T. 13 N., R. 15 E.,
T. 14 N., R. 15 E.,
Sec. 1;
Secs. 11 to 16, inclusive;
Secs. 19 to 36, inclusive.
T. 7 N., R. 16 E.,
Secs. 1 to 11, inclusive;
Secs. 15 to 21, inclusive;
Secs. 29 and 30.
T. 8 N., R. 16 E.,
T. 9 N., R. 16 E.,
T. 10 N., R. 16 E.,
T. 11 N., R. 16 E.,
T. 12 N., R. 16 E.,
T. 13 N., R. 16 E.,
T. 14 N., R. 16 E.,
T. 15 N., R. 16 E.,
Secs. 1 to 3, inclusive;
Secs. 10 to 16, inclusive;
Secs. 20 to 29, inclusive;
Secs. 31 to 36, inclusive.
T. 15½ N., R. 16 E.,
Secs. 21 to 27, inclusive;
Secs. 34 to 36, inclusive.
T. 16 N., R. 16 E.,
Secs. 33 to 36, inclusive.
T. 8 N., R. 17 E.,
Secs. 1 to 22, inclusive;
Secs. 28 to 31, inclusive.
T. 9 N., R. 17 E.,

T. 10 N., R. 17 E.,
T. 11 N., R. 17 E.,
T. 12 N., R. 17 E.,
T. 13 N., R. 17 E.,
T. 14 N., R. 17 E.,
T. 15 N., R. 17 E.,
Secs. 3 to 11, inclusive;
Secs. 13 to 36, inclusive.
T. 15½ N., R. 17 E.,
T. 8 N., R. 18 E.,
Secs. 3 to 8, inclusive.
T. 9 N., R. 18 E.,
T. 10 N., R. 18 E.,
T. 11 N., R. 18 E.,
T. 12 N., R. 18 E.,
T. 13 N., R. 18 E.,
T. 14 N., R. 18 E.,
T. 15 N., R. 18 E.,
T. 9 N., R. 19 E.,
Secs. 1 to 24, inclusive;
Secs. 26 to 32, inclusive.
T. 10 N., R. 19 E.,
T. 11 N., R. 19 E.,
T. 12 N., R. 19 E.,
T. 13 N., R. 19 E.,
T. 14 N., R. 19 E.,
T. 9 N., R. 20 E.,
Secs. 1 to 24, inclusive.
T. 10 N., R. 20 E.,
T. 11 N., R. 20 E.,
Secs. 2 to 11, inclusive;
Secs. 14 to 23, inclusive;
Secs. 26 to 35, inclusive.
T. 12 N., R. 20 E.,
Secs. 4 to 10, inclusive;
Secs. 14 to 23, inclusive;
Secs. 26 to 35, inclusive.
T. 13 N., R. 20 E.,
T. 9 N., R. 21 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 18, inclusive.
T. 10 N., R. 21 E.,
Secs. 4 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 28 to 33, inclusive.

The total area of lands described aggregate approximately 933,400 acres.

4. As provided in paragraph 1 above, the following lands are further segregated from appropriation under the mining laws (aggregating approximately 9,000 acres):

SAN BERNARDINO MERIDIAN, CALIFORNIA

SAN BERNARDINO COUNTY

T. 9 N., R. 13 E.,
Sec. 22, SE¼SW¼, SW¼SE¼;
Sec. 27, lot 2, NE¼SW¼.
T. 10 N., R. 13 E.,
Sec. 12, lots 1 and 2.
T. 10 N., R. 14 E.,
Sec. 15, W¼SW¼SW¼;
Sec. 21, portion of lot 1 within the NE¼SE¼NE¼, E¼NE¼NE¼;
Sec. 22, W¼NE¼NW¼, NW¼NW¼;
Sec. 28, SE¼SW¼;
Sec. 31, lots 7 and 8;
Sec. 32, S¼NE¼.
T. 11 N., R. 14 E.,
Sec. 9, SW¼;
Sec. 26, SE¼SE¼;
Sec. 30, lots 2 and 3, SE¼NW¼, NE¼SW¼;
Sec. 35, NE¼NE¼, N¼NW¼.
T. 12 N., R. 14 E.,
Sec. 12, S¼SE¼;
Sec. 13, N¼NE¼, NE¼NW¼, S¼NW¼, SW¼NE¼, N¼SW¼, NW¼SE¼, SW¼SW¼;
Sec. 14, SE¼SE¼;
Sec. 15, S¼NE¼, N¼SE¼;
Sec. 22, SE¼NE¼, NE¼SE¼;
Sec. 23, NE¼, N¼SE¼;
Sec. 27, SE¼NW¼, NE¼SW¼;
Sec. 28, SE¼NE¼, NE¼SE¼.
T. 13 N., R. 14 E.,
Sec. 14, SE¼SW¼.

- T. 7 N., R. 15 E.,
Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 8 N., R. 15 E.,
Sec. 23, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 11 N., R. 15 E.,
Sec. 1, lots 7 and 8;
Sec. 2, lot 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 18, lots 8, 9, 10, and 11, W $\frac{1}{2}$ lot 12.
T. 12 N., R. 15 E.,
Sec. 1, lot 6, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 3;
Sec. 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 13 N., R. 15 E.,
Sec. 7, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 8, lot 1;
Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 14 N., R. 15 E.,
Sec. 27, lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 8 N., R. 16 E.,
Sec. 19, SW $\frac{1}{4}$;
Sec. 30, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 13 N., R. 16 E.,
Sec. 6, lots 3, 6, 9, 10, 13, 14, 15, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 7, lots 3, 4, 7, 8, 9, 10, and 11.
T. 14 N., R. 16 E.,
Sec. 4, lot 15;
Sec. 5, lot 9;
Sec. 28, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 31, lot 24, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 15 N., R. 17 E.,
Sec. 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 9, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14, lots 3, 4, 5, 10, 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 15, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 16, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 24, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 12 N., R. 18 E.,
Sec. 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$
SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$.
T. 14 N., R. 18 E.,
Sec. 4, lots 2, 3, 4, 13, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 7, E $\frac{1}{2}$ lot 16, W $\frac{1}{2}$ lot 17;
Sec. 20, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 27, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 9 N., R. 20 E.,
Sec. 22, portion of NW $\frac{1}{4}$ north of U.S. 66.
T. 10 N., R. 21 E.,
Sec. 18, lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 19, lot 1.

All public lands within 250 feet on each side of the centerline of proposed Interstate Highway 40, extending from T. 7 N., R. 13 E., sec. 6 to T. 9 N., R. 18 E., sec. 35; as shown on State of California index maps 08-SBd-40 dated April 1967; and, all public lands within the proposed right-of-way of proposed Interstate 40, extending from T. 9 N., R. 18 E., sec. 35 to T. 9 N., R. 21 E., sec. 9, as shown on State of California maps 911011 to 911015, inclusive, 911021 to 911025, inclusive, 911031 to 911035, inclusive, 911041 to 911045, inclusive, 911051 to 911055, inclusive and 911061 to 911065, inclusive, dated December 22, 1966. Maps are available for review at the Riverside District and Land Office, Riverside, Calif.

5. For a period of 30 days from date of publication of this notice in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary

of the Interior as provided for in 43 CFR 2411.2(c).

J. R. PENNY,
State Director.

[F.R. Doc. 67-6372; Filed, June 7, 1967;
8:45 a.m.]

[Montana 1353]

MONTANA

Proposed Classification of Public Lands for Multiple Use Management

MAY 31, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple use management the public lands within the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Pts. 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Miles City, Mont. 59301.

3. A public hearing on the proposed classification will be held on August 2, 1967, at 2 p.m., in the VFW Club Room, Jordan, Mont.

4. The public lands proposed for classification are located within the following described area and are shown on maps on file in the Miles City District Office, Bureau of Land Management, Miles City, Mont., and in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA, GARFIELD COUNTY

- T. 17 N., R. 29 E.,
Portion of township lying east of the Musselshell River.
T. 18 N., R. 29 E.,
Portion of township lying east of the Musselshell River.
T. 16 N., R. 30 E.,
Portion of township lying north and east of Calf Creek.
T. 17 N., R. 30 E.,
Portion of township lying east of the Musselshell River.
T. 18 N., R. 30 E.,
Secs. 1, 2, and 3;
Secs. 7 to 36, inclusive.

- T. 19 N., R. 30 E.,
Secs. 12, 13, and 14;
Secs. 23 to 27, inclusive;
Secs. 34, 35, and 36.
T. 16 N., R. 31 E.,
Sec. 6;
Sec. 7, lots 5 to 16, inclusive;
Sec. 18, portion lying east of Calf Creek;
Sec. 19, portion lying east of Calf Creek.
T. 17 N., R. 31 E.,
Secs. 1 to 33, inclusive;
Sec. 34, N $\frac{1}{2}$;
Secs. 35 and 36.
T. 18 N., R. 31 E.,
T. 19 N., R. 31 E.,
T. 20 N., R. 31 E.,
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 16 N., R. 32 E.,
Secs. 1 to 4, inclusive;
Sec. 5, lots 1 to 4, inclusive;
Secs. 9 to 12, inclusive;
Secs. 14 to 16, inclusive;
Secs. 21 to 28, inclusive.
T. 17 N., R. 32 E.,
Sec. 2, W $\frac{1}{2}$;
Secs. 3 to 10, inclusive;
Sec. 11, W $\frac{1}{2}$;
Secs. 14 to 33, inclusive;
Secs. 26 to 33, inclusive.
T. 18 N., R. 32 E.,
Secs. 1 to 25, inclusive;
Secs. 28 to 33, inclusive.
T. 19 N., R. 32 E.,
T. 20 N., R. 32 E.,
Secs. 2 to 10, inclusive;
Secs. 15 to 22, inclusive;
Sec. 23, W $\frac{1}{2}$;
Secs. 26 to 36, inclusive.
T. 21 N., R. 32 E.,
Secs. 13, 14, and 15;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 16 N., R. 33 E.,
Secs. 6, 7, and 18.
T. 18 N., R. 33 E.,
Secs. 1 to 24, inclusive;
Secs. 29 and 30.
T. 19 N., R. 33 E.,
Sec. 3, W $\frac{1}{2}$, and W $\frac{1}{2}$ E $\frac{1}{2}$;
Secs. 4 to 9, inclusive;
Sec. 10, W $\frac{1}{2}$, and W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 18;
Sec. 19, W $\frac{1}{2}$;
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 25;
Secs. 28 to 36, inclusive.
T. 20 N., R. 33 E.,
Secs. 1 to 3, inclusive;
Sec. 12;
Secs. 26 to 28, inclusive;
Secs. 31 to 35, inclusive.
T. 21 N., R. 33 E.,
Secs. 7 and 8;
Secs. 17 to 36, inclusive.
T. 20 N., R. 34 E.,
Secs. 1 to 11, inclusive;
Sec. 12, W $\frac{1}{2}$;
Secs. 13 to 17, inclusive;
Secs. 23 and 24.
T. 21 N., R. 34 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 17, inclusive;
Secs. 19 to 36, inclusive.
T. 21 N., R. 35 E.,
T. 20 N., R. 36 E.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive.
T. 21 N., R. 36 E.,
Secs. 4 to 9, inclusive;
Secs. 13 to 36, inclusive.
T. 20 N., R. 37 E.,
Secs. 1 to 18, inclusive.
T. 21 N., R. 37 E.,
Secs. 18 to 36, inclusive.
T. 18 N., R. 38 E.,
Secs. 1 and 12.

T. 19 N., R. 38 E.,
Sec. 1;
Secs. 12 to 14, inclusive;
Secs. 23 to 26, inclusive;
Sec. 36.
T. 20 N., R. 38 E.,
Secs. 1 to 18, inclusive;
Secs. 22 to 27, inclusive;
Sec. 36.
T. 21 N., R. 38 E.,
Secs. 1, 12, and 13;
Secs. 19 to 36, inclusive.
T. 17 N., R. 39 E.,
Secs. 1 to 4, inclusive;
Secs. 8 to 17, inclusive;
Secs. 20 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 18 N., R. 39 E.,
Secs. 1 to 8, inclusive;
Sec. 9, N $\frac{1}{2}$;
Sec. 10, N $\frac{1}{2}$;
Sec. 11, N $\frac{1}{2}$;
Secs. 12, 13, 24, and 25;
Secs. 33 to 36, inclusive.
T. 19 N., R. 39 E.,
T. 20 N., R. 39 E.,
T. 21 N., R. 39 E.,
T. 22 N., R. 39 E.,
Secs. 21 to 36, inclusive.
T. 17 N., R. 40 E.,
Secs. 1 to 21, inclusive;
Secs. 23 to 25, inclusive;
Sec. 26, N $\frac{1}{2}$;
Sec. 29, N $\frac{1}{2}$;
Sec. 30, N $\frac{1}{2}$;
T. 18 N., R. 40 E.,
T. 19 N., R. 40 E.,
T. 20 N., R. 40 E.,
T. 21 N., R. 40 E.,
T. 22 N., R. 40 E.,
Secs. 10 to 15, inclusive;
Secs. 19 to 36, inclusive.
T. 17 N., R. 41 E.,
Secs. 1 to 30, inclusive;
Secs. 34 to 36, inclusive.
T. 18 N., R. 41 E.,
T. 19 N., R. 41 E.,
T. 20 N., R. 41 E.,
T. 21 N., R. 41 E.,
T. 22 N., R. 41 E.,
T. 23 N., R. 41 E.,
Secs. 1 to 5, inclusive;
Secs. 7 to 36, inclusive.
T. 24 N., R. 41 E.,
Sec. 17;
Secs. 20, 21, and 22;
Secs. 26 to 29, inclusive;
Secs. 32 to 35, inclusive.
T. 16 N., R. 42 E.,
Sec. 5;
Sec. 6, lots 1 to 12, inclusive.
T. 17 N., R. 42 E.,
Secs. 1, 6, and 7;
Secs. 17 to 20, inclusive.
T. 18 N., R. 42 E.,
Secs. 1 to 26, inclusive;
Sec. 28, N $\frac{1}{2}$;
Secs. 30, 31, and 36.
T. 19 N., R. 42 E.,
T. 20 N., R. 42 E.,
Secs. 2 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 36, inclusive.
T. 21 N., R. 42 E.,
Secs. 3 to 10, inclusive;
Secs. 15 to 22, inclusive;
Secs. 27 to 34, inclusive.
T. 22 N., R. 42 E.,
Secs. 5 to 8, inclusive;
Secs. 17 to 20, inclusive;
Secs. 29 to 33, inclusive.
T. 23 N., R. 42 E.,
Secs. 30 to 32, inclusive.
T. 17 N., R. 43 E.,
Sec. 6.
T. 18 N., R. 43 E.,
Secs. 2 to 11, inclusive;
Secs. 15 to 21, inclusive;
Secs. 29 to 31, inclusive.

5. The public land in the area described aggregate approximately 396,432.99 acres.

HAROLD TYSK,
State Director.

[F.R. Doc. 67-6373; Filed, June 7, 1967;
8:46 a.m.]

[Montana 2146]

MONTANA

Proposed Classification of Public Lands for Multiple Use Management

MAY 31, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple use management the public lands within the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Pts. 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Miles City, Mont. 59301.

3. A public hearing on the proposed classification will be held on August 3, 1967, at 2 p.m., in the Legion Hall, Terry, Mont.

4. The public lands proposed for classification are located within the following described area and are shown on maps on file in the Miles City District Office, Bureau of Land Management, Miles City, Mont., and in the Land Office, Bureau of Land Management, Federal Building, Billings, Mont.

PRINCIPAL MERIDIAN, MONTANA

PRAIRIE COUNTY

T. 13 N., R. 45 E.,
Secs. 4 to 24, inclusive.
T. 14 N., R. 45 E.,
Secs. 1, 31, and 32.
T. 15 N., R. 45 E.,
Secs. 1 and 2;
Secs. 10 to 15, inclusive;
Secs. 22 to 27, inclusive;
Secs. 34 to 36, inclusive.
T. 13 N., R. 46 E.,
Secs. 1 to 4, inclusive;
Secs. 7 to 24, inclusive.

T. 14 N., R. 46 E.,
Secs. 1 to 18, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 15 N., R. 46 E.,
T. 13 N., R. 47 E.,
T. 14 N., R. 47 E.,
T. 15 N., R. 47 E.,
T. 16 N., R. 47 E.,
Secs. 21 to 29, inclusive;
Secs. 31 to 36, inclusive.
T. 13 N., R. 48 E.,
T. 14 N., R. 48 E.,
T. 15 N., R. 48 E.,
T. 11 N., R. 49 E.,
Secs. 1 to 4, inclusive;
Secs. 9 to 16, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 12 N., R. 49 E.,
T. 13 N., R. 49 E.,
T. 14 N., R. 49 E.,
T. 15 N., R. 49 E.,
T. 16 N., R. 49 E.,
Secs. 32, 35, and 36.
T. 10 N., R. 50 E.,
Secs. 1 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 11 N., R. 50 E.,
T. 12 N., R. 50 E.,
T. 13 N., R. 50 E.,
T. 14 N., R. 50 E.,
T. 15 N., R. 50 E.,
Secs. 6 to 9, inclusive;
Secs. 16 to 21, inclusive;
Secs. 27 to 36, inclusive.
T. 16 N., R. 50 E.,
Sec. 31.
T. 10 N., R. 51 E.,
T. 11 N., R. 51 E.,
Secs. 2 to 36, inclusive.
T. 12 N., R. 51 E.,
Secs. 1 to 6, inclusive;
Sec. 7, portion lying northerly of the Yellowstone River;
Sec. 8, portion lying northerly of the Yellowstone River;
Sec. 9, portion lying northerly of the Yellowstone River;
Sec. 10, portion lying northerly of the Yellowstone River;
Sec. 11, portion lying northerly of the Yellowstone River;
Sec. 12, portion lying northerly of the Yellowstone River;
Sec. 13, portion lying northerly of the Yellowstone River;
Secs. 31 to 35, inclusive.
T. 13 N., R. 51 E.,
T. 14 N., R. 51 E.,
Secs. 14 to 23, inclusive;
Secs. 25 to 36, inclusive.
T. 9 N., R. 52 E.,
Secs. 1 to 12, inclusive.
T. 10 N., R. 52 E.,
T. 11 N., R. 52 E.,
Secs. 1 and 2;
Secs. 7 to 36, inclusive.
T. 12 N., R. 52 E.,
Sec. 3, portion lying northerly of the Yellowstone River;
Sec. 4, portion lying northerly of the Yellowstone River;
Secs. 5 to 7, inclusive;
Sec. 8, portion lying northerly of the Yellowstone River;
Sec. 18, N $\frac{1}{2}$;
T. 13 N., R. 52 E.,
T. 9 N., R. 53 E.,
Secs. 1 to 12, inclusive.
T. 10 N., R. 53 E.,
T. 11 N., R. 53 E.,
T. 12 N., R. 53 E.,
Secs. 31 to 36, inclusive.
T. 13 N., R. 53 E.,
Sec. 7;
Sec. 18, N $\frac{1}{2}$;
Secs. 28 to 32, inclusive.

T. 10 N., R. 54 E.
 T. 11 N., R. 54 E.
 T. 10 N., R. 55 E.,
 Secs. 1 to 18, inclusive.
 T. 11 N., R. 55 E.
 T. 12 N., R. 55 E.,
 Secs. 1 to 4, inclusive;
 Secs. 9 to 16, inclusive;
 Secs. 21 to 28, inclusive;
 Secs. 33 to 36, inclusive.
 T. 13 N., R. 55 E.,
 Secs. 25 to 36, inclusive.
 T. 11 N., R. 56 E.,
 Secs. 1 to 35, inclusive.
 T. 12 N., R. 56 E.
 T. 13 N., R. 56 E.,
 Secs. 27 to 34, inclusive.

5. The public land in the area described aggregates approximately 57,351.09 acres.

HAROLD TYSK,
 State Director.

[F.R. Doc. 67-6374; Filed, June 7, 1967;
 8:46 a.m.]

[Montana 1689]

MONTANA

Proposed Classification of Public Lands for Multiple Use Management

JUNE 1, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple use management the public lands within the area described below, together with any lands therein that may become public lands in the future. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Pts. 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Dillon, Mont. 59725.

3. A public hearing on the proposed classification will be held June 29, 1967 at 2 p.m. in the Jefferson County Courthouse, Boulder, Mont.

4. The public lands proposed for classification are located within the following described area and are shown on maps on file in the Dillon District Office, Bureau of Land Management, Dillon, Mont., and in the Land Office, Bureau of

Land Management, Federal Building,
 Billings, Mont.

PRINCIPAL MERIDIAN MONTANA

JEFFERSON COUNTY

T. 3 N., R. 1 W.,
 Sec. 18.
 T. 2 N., R. 2 W.,
 Secs. 7, 8, 17 to 20 inclusive;
 Secs. 29 to 32 inclusive.
 T. 3 N., R. 2 W.,
 Secs. 1 to 4 inclusive;
 Secs. 10 to 15 inclusive;
 Secs. 22 to 24 inclusive.
 T. 4 N., R. 2 W.,
 Secs. 21 to 23 inclusive;
 Secs. 26 to 28 inclusive;
 Secs. 33 to 35 inclusive.
 T. 5 N., R. 2 W.,
 Secs. 1 to 30 inclusive.
 T. 2 N., R. 3 W.,
 Secs. 7 and 8;
 Secs. 17 to 20 inclusive;
 Secs. 29 and 30.
 T. 5 N., R. 3 W.,
 Secs. 1 to 3 inclusive;
 Secs. 10 to 14 inclusive;
 Sec. 24.
 T. 7 N., R. 3 W.,
 Secs. 4, 8, 9, 16, and 17;
 Secs. 19 to 21 inclusive;
 Secs. 28 to 33 inclusive.
 T. 9 N., R. 3 W.,
 Secs. 17 to 20 inclusive;
 Secs. 29 to 33 inclusive.
 T. 2 N., R. 4 W.,
 Secs. 2, 5, and 6;
 Secs. 11 to 14 inclusive;
 Secs. 24 and 25.
 T. 3 N., R. 4 W.,
 Secs. 5 to 8 inclusive;
 Secs. 17 to 20 inclusive;
 Secs. 26 and 27;
 Secs. 29 to 32 inclusive;
 Secs. 34 and 35.
 T. 4 N., R. 4 W.,
 Secs. 4, 5, 8, 9, 16, 17, 20, and 21;
 Secs. 23 to 34 inclusive.
 T. 5 N., R. 4 W.,
 Secs. 5, 6, and 8.
 T. 6 N., R. 4 W.,
 Secs. 5 to 7 inclusive;
 Secs. 18 and 19;
 Secs. 30 to 32 inclusive.
 T. 7 N., R. 4 W.,
 Secs. 10 to 16 inclusive;
 Secs. 21 to 24 inclusive;
 Secs. 26 to 32 inclusive.
 T. 9 N., R. 4 W.,
 Secs. 25 and 36.
 T. 2 N., R. 5 W.,
 Secs. 1, 2, and 5;
 Secs. 7 to 10 inclusive;
 Secs. 15 to 22 inclusive;
 Secs. 29 to 32 inclusive.
 T. 3 N., R. 5 W.,
 Secs. 25, 26, 35, and 36.
 T. 6 N., R. 5 W.,
 Secs. 1 to 3 inclusive;
 Secs. 9 to 17 inclusive;
 Secs. 22 to 25 inclusive.
 T. 7 N., R. 5 W.,
 Secs. 34 to 36 inclusive.
 T. 2 N., R. 6 W.,
 Secs. 11 to 14 inclusive;
 Secs. 23 to 26 inclusive;
 Secs. 35 and 36.

5. The public land in the area described aggregates approximately 81,160 acres.

HAROLD TYSK,
 State Director.

[F.R. Doc. 67-6375; Filed, June 7, 1967;
 8:46 a.m.]

[Serial No. N-619]

NEVADA

Notice of Proposed Classification

MAY 31, 1967.

Notice is hereby given of a proposal to classify certain lands under section 7 of the Taylor Grazing Act of June 28, 1934 (43 U.S.C. 315g), for sale under the Recreation and Public Purposes Act of June 14, 1926, as amended (43 U.S.C. 869: 1-4). Criteria for this method of disposal are those of 43 CFR 2410.1-3(c)(3). This publication is made pursuant to the Act of September 19, 1964 (43 U.S.C. 1412).

Under 43 CFR 2410.1-4 and 2232.1-4 (a), these lands will be segregated from all other forms of disposal, including the mining laws.

The lands border Valley of Fire State Park in Clark County, Nev. They are vacant, public domain, unsuited to agriculture and not needed for any Federal program.

Acquisition of these lands by the Nevada State Park System is consistent with its continuing program to develop recreation and visitor facilities and protect archeological and recreational values of Valley of Fire State Park.

For a period of 60 days from the date of this publication, interested parties may submit comments to the District Manager, Las Vegas District, Bureau of Land Management, 1859 North Decatur Boulevard, Las Vegas, Nev. 89108. Information concerning the lands and this proposed classification is available for inspection at the above office.

The lands affected by this proposal are described as follows:

MOUNT DIABLO MERIDIAN, NEVADA

T. 16 S., R. 66 E.,
 Sec. 25, S $\frac{1}{2}$;
 Sec. 26, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
 T. 16 S., R. 67 E.,
 Sec. 29, W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 30, All.
 T. 17 S., R. 66 E.,
 Sec. 12, Lots 1, 4, 10;
 Sec. 13, Lots 1, 2, 3, 8, 9, 10, 11, 16, 17;
 Sec. 24, Lots 1, 2;
 Sec. 26, Lots 12, 13;
 Sec. 35, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,
 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 17 S., R. 66 $\frac{1}{2}$ E.,
 Sec. 18, Lots 1, 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 19, Lots 2, 5.
 T. 17 S., R. 67 E.,
 Sec. 24, Lots 1, 2, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 T. 18 S., R. 66 E. (partly surveyed),
 Sec. 1, W $\frac{1}{2}$;
 Sec. 2, All;
 Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 12, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 3,925.87 acres.

Sec. 25, T. 17 S., R. 67 E., MD Mer., Nevada, cannot be classified for disposal under the act cited. This section is a part of lands withdrawn for reclamation purposes by Secretarial Order on March 31, 1933. The Bureau of Reclamation requires the land as a source of construction materials. Petition-application N-619 of Nevada State Park System is hereby denied as to the above described

sec. 25 only. Nevada State Park System is entitled to the preference provided by section 7 of the Taylor Grazing Act of June 28, 1934, as to the balance of the land described above.

For the State Director.

DANIEL P. BAKER,
Land Office Manager.

[P.R. Doc. 67-6376; Filed, June 7, 1967;
8:46 a.m.]

[New Mexico 2501]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

JUNE 2, 1967.

The Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior, has filed an application, New Mexico 2501, for the withdrawal of lands described below, from location and entry under the public land laws, including the general mining, but not the mineral leasing laws. The applicant desires the lands for the Grulla National Wildlife Refuge which will provide a wintering refuge for the Lesser Sandhill Cranes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 1499, Santa Fe, N. Mex. 87501.

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

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

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

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

NEW MEXICO PRINCIPAL MERIDIAN

T. 3 S., R. 36 E.,
Sec. 1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$.

T. 2 S., R. 37 E.,
Sec. 27, lots 4, 5, and 6;
Sec. 28, S $\frac{1}{2}$;
Sec. 29, lots 1, 4, and 6;
Sec. 31, lots 4, 5, 6, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, lots 2, 3, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$;
Sec. 33, lots 2, 3, N $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 34, lots 1, 2, 4, 5, 8, 9, 10, and 11.
T. 3 S., R. 37 E.,
Sec. 4, lots 5, 6, 7, 8, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 5, lots 3, 4, 5, 6, S $\frac{1}{2}$ N $\frac{1}{2}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 6, lots 9, 10, 11, 12, 13, 14, and 15.

The areas described aggregate 3,230.55 acres of public land in Roosevelt County, N. Mex.

MICHAEL T. SOLAN,
Chief, Division of Lands and Minerals, Program Management and Land Office.

[P.R. Doc. 67-6377; Filed, June 7, 1967;
8:46 a.m.]

Bureau of Mines

FIRST OFFICER, MARINE MINERALS TECHNOLOGY CENTER, ET AL.

Redelegation of Authority Regarding Minerals Research

The following redelegation is a portion of the Bureau of Mines Manual and the numbering system is that of the Manual.

PART 200—DELEGATION—TIBURON

SEC. 205.11.4 *Negotiated contracts.* The authority to enter into negotiated contracts under section 302(c) (3) of the Federal Property Administrative Services Act of 1949, as amended (purchases not in excess of \$2,500), is redelegated by the Research Director, Marine Minerals Technology Center to the following named persons. This authority to approve Field Purchase Orders in amounts of \$2,500 or less for open market items is to be exercised only when the named employees are on a cruise away from the home port of Tiburon.

Frank G. Pepper, First Officer, MMTTC.
Leo J. Leoni, Master, MMTTC.
Ralph W. Dale, Jr., Master, MMTTC.

HARRY C. ALLEN, Jr.,
Assistant Director,
Minerals Research.

[P.R. Doc. 67-6378; Filed, June 7, 1967;
8:46 a.m.]

Bureau of Reclamation

SAN ISABEL NATIONAL FOREST, COLO.

Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section 7(c) of the Act of July 9, 1965 (79 Stat. 213), and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over those lands which lie within or adjacent to the exterior boundaries of the San Isabel National Forest, Colo., and which have been acquired or withdrawn or are hereafter acquired or withdrawn by the

Bureau of Reclamation in the development of the Turquoise Reservoir, Fryngpan-Arkansas Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest System purposes. Lands over which the Secretary of Agriculture shall assume such jurisdiction are described as follows, to wit:

Those lands within the "takeline" shown upon Turquoise Reservoir Right-of-Way Map No. 328-706-1910, containing 4,588 acres, more or less, and included within the following secs.:

T. 9 S., R. 80 W.,
Secs. 7, 8, 9, 16, 17, 18, 19, 20, 21, 29, 30.
T. 9 S., R. 81 W.,
Secs. 10, 11, 12, 13, 14, 15, 24, 25, 36.

Legal descriptions of lands acquired or withdrawn by the Bureau of Reclamation within the above-said sections will be on file in the Office of the Regional Director, Region 7, Bureau of Reclamation, Denver, Colo., and the Office of the Regional Forester, Rocky Mountain Region, U.S. Forest Service, Denver, Colo.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above-described lands shall become National Forest lands: *Provided*, That all lands and water within the Turquoise Reservoir area needed or used for the operation of the project or for other reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

FLOYD E. DOMINY,
Commissioner of Reclamation.

MAY 29, 1967.

[P.R. Doc. 67-6379; Filed, June 7, 1967;
8:46 a.m.]

WHITE RIVER NATIONAL FOREST, COLO.

Order of Transfer of Administrative Jurisdiction of Land

By virtue of the authority vested in the Secretary of the Interior by section 7(c) of the Act of July 9, 1965 (79 Stat. 213) and his delegation of authority to the Commissioner of Reclamation dated February 25, 1966, published March 4, 1966 (31 F.R. 3426), jurisdiction over those lands lying within the exterior boundaries of the White River National Forest, Colo., acquired or withdrawn by the Bureau of Reclamation in the development of Ruedi Reservoir, Fryngpan-Arkansas Project, is hereby transferred to the Secretary of Agriculture for recreational and other National Forest System purposes. Lands over which the Secretary of Agriculture shall assume such jurisdiction are described as follows, to wit:

Those lands within the "takeline" shown upon Ruedi Dam and Reservoir Right-of-Way Map No. 382-706-1156, Revised December 14, 1965, containing 1,548 acres, more or less, and included within the following legal subdivisions:

T. 8 S., R. 84 W.,

Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 8, SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 9, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 11, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$;
 Sec. 15, N $\frac{1}{2}$;
 Sec. 16, N $\frac{1}{2}$;
 Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$.

Legal descriptions of lands acquired or withdrawn by the Bureau of Reclamation within the above-said legal subdivisions will be on file in the Office of the Regional Director, Region 7, Bureau of Reclamation, Denver, Colo., and the Office of the Regional Forester, Rocky Mountain Region, U.S. Forest Service, Denver, Colo.

Pursuant to said section 7(c) of the aforesaid Act of July 9, 1965, the above lands shall become National Forest lands: *Provided*, That all lands and water within the Ruedi Reservoir area needed or used for the operation of the project or for other reclamation purposes shall continue to be administered by the Commissioner of Reclamation to the extent he determines to be necessary for such operation.

This order shall be effective upon publication in the FEDERAL REGISTER.

FLOYD E. DOMINY,
 Commissioner of Reclamation.

MAY 29, 1967.

[F.R. Doc. 67-6380; Filed, June 7, 1967;
 8:46 a.m.]

Fish and Wildlife Service

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE, ILLINOIS, IOWA, AND WISCONSIN

Notice of Proposed Modification of Boundaries; Cancellation

In F.R. Doc. 67-4029, Volume 32, No. 71, April 13, 1967, page 5959, the Notice of Proposed Modification of Boundaries is hereby canceled.

Dated: June 1, 1967.

R. W. BURWELL,
 Regional Director, Bureau of
 Sport Fisheries and Wildlife.

[F.R. Doc. 67-6370; Filed, June 7, 1967;
 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCA- TION, AND WELFARE

Food and Drug Administration

CANNED SPINACH DEVIATING FROM IDENTITY STANDARD

Notice of Temporary Permit for Market Testing

Pursuant to § 10.5 (21 CFR 10.5) concerning temporary permits to facilitate market testing of foods deviating from the requirements of standards of identity promulgated pursuant to section 401

(21 U.S.C. 341) of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to Green Giant Co., Le Sueur, Minn. 56058. This permit covers interstate marketing tests of canned spinach with added reconstituted lemon juice, an ingredient not provided for in the standard for this canned vegetable (21 CFR 51.990). Labels will name all the ingredients used and will prominently display the statement "Seasoned with lemon."

This permit expires May 26, 1968.

Dated: May 26, 1967.

J. K. KIRK,
 Associate Commissioner
 for Compliance.

[F.R. Doc. 67-6411; Filed, June 7, 1967;
 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

CHAIRMAN, NATIONAL HIGHWAY SAFETY ADVISORY COMMITTEE

Appointment

By virtue of the authority vested in me as Secretary of Transportation by section 6(a)(6)(B) of the Department of Transportation Act (80 Stat. 931) and section 404(a)(1) of the Highway Safety Act of 1966 (80 Stat. 731), I hereby appoint the Under Secretary of Transportation Chairman of the National Highway Safety Advisory Committee.

Issued in Washington, D.C., on May 24, 1967.

[SEAL] ALAN S. BOYD,
 Secretary of Transportation.

[F.R. Doc. 67-6413; Filed, June 7, 1967;
 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 16857]

MOTOR CARRIER-AIR FREIGHT FORWARDER INVESTIGATION

Notice of Postponement

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled matter now assigned for June 27 is postponed to July 12, 1967, at 10 a.m., e.d.s.t., Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., June 5, 1967.

[SEAL] FRANCIS W. BROWN,
 Chief Examiner.

[F.R. Doc. 67-6398; Filed, June 7, 1967;
 8:48 a.m.]

CIVIL SERVICE COMMISSION

SYSTEMATIC ZOOLOGIST SERIES

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission has found, effective May 16, 1967, that there is a manpower shortage for the positions of Systematic Zoologist Series, GS-411-11 through 15, on a nationwide basis.

Appointees to these positions may be paid for the expenses of travel and transportation to their first duty station.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
 Executive Assistant to
 the Commissioners.

[F.R. Doc. 67-6399; Filed, June 7, 1967;
 8:48 a.m.]

FEDERAL MARITIME COMMISSION

CONTAINER FORWARDING SERVICES, INC.

Notice of Independent Ocean Freight Forwarder License Application

Notice is hereby given that the following applicant has filed with the Federal Maritime Commission, application for a license as an independent ocean freight forwarder, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why the applicant should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C. 20573.

Container Forwarding Services, Inc., 199 C Panama Street, Port Newark, N.J., Mr. David C. Hoffman, secretary/treasurer, Mr. Marshall Feirman, president, Mr. Anton Julig, director.

Dated: June 5, 1967.

THOMAS LISI,
 Secretary.

[F.R. Doc. 67-6410; Filed, June 7, 1967;
 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Change List 226]

CANADIAN BROADCAST STATIONS

List of Changes, Proposed Changes and Corrections in Assignments

MAY 17, 1967.

Notification under the provision of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes and corrections in assignment of Canadian

Broadcast Stations modifying appendix containing assignments of Canadian stations (Mimeograph No. 47214-3) at-

tached to the Recommendation of the North American Regional Broadcasting Agreement Engineering Meeting.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		590 kilocycles				
	Fort Nelson, British Columbia	0.25 kw	ND	U	IV	E.I.O. 5-15-68.
		1830 kilocycles				
CHVD (assignment of call letters).	Dolbeau, Province of Quebec	1 kw D/0.25 kw N	ND	U	IV	
		1830 kilocycles				
CKMP (now in operation with increased daytime power).	Midland, Ontario	1 kw D/0.25 kw N	ND	U	IV	
		1450 kilocycles				
CKPH (now in operation with increased night-time power).	Toronto, Ontario	10 kw	DA-2	U	III	

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[SEAL]

[P.R. Doc. 67-6403; Filed, June 7, 1967; 8:48 a.m.]

[Supp. 7]

VHF TELEVISION BROADCAST STATIONS

Allocation of Birch River, Manitoba, and Canal Flats, British Columbia

JUNE 5, 1967.

Amendment of Table A of the 1961 working arrangement for allocation of VHF television broadcast stations under the Canadian-U.S.A. Television Agreement of 1952.

Pursuant to an exchange of correspondence between the Department of Transport of Canada and the Federal Communications Commission, Table A, Annex 1 of the television working arrangement under the Canadian-U.S.A. Television Agreement has been amended as indicated by the following table.

City	Channel No.	
	Delete	Add
Birch River, Manitoba		13+
Canal Flats, British Columbia		12L

¹ Limitation to protect OFCN-TV-1 Drumheller, Alberta, and cochannel allocation at White Lake, British Columbia.

Further amendments to Table A will be issued as public notices in the form of numbered supplements.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[SEAL]

[P.R. Doc. 67-6404; Filed, June 7, 1967; 8:48 a.m.]

[Docket No. 17483; FCC 67-640]

TELEVISION INTERFERENCE BY CONSTRUCTION OF WORLD TRADE CENTER

Memorandum and Order Assigning Matter for Public Hearing

In the matter of investigation of television interference to be caused by the construction of the World Trade Center by the Port of New York Authority, Docket No. 17483.

1. The Commission has received a request from 24 Members of Congress that we hold a public hearing to determine the effect on television reception in the New York metropolitan area which would result from the construction of the World Trade Center, as presently proposed by the Port of New York Authority, and to explore possible solutions to the problem. Upon the basis of this request, we have considered further our responsibilities with respect to assuring the larger and more effective use of radio in the public interest (sec. 303(g) of the Communications Act).

2. We have previously shown our concern in this matter by writing to the Congressmen whose constituents would be affected by anticipated serious or disruptive television reception interference during the period of construction of the building and until such time as the television transmitting equipment of the New York broadcasters could be installed on the new structure. We also set forth our determination that the construction of the structure is a matter under local control and that we have no jurisdiction to take any direct action with regard thereto.

3. We note, however, that this problem may recur in the future in this and other

major television markets, as new buildings are constructed. We believe, therefore, that the problem warrants full exploration by the Commission so that we may be in a position to aid the Congress in any consideration of this matter.

4. In light of these considerations, we have decided, pursuant to section 403 of the Communications Act, to hold a public hearing in New York City to develop a factual record which we will transmit to the Commerce Committees of the House and the Senate for such consideration and disposition as they may deem appropriate.

Accordingly, it is ordered, That a public hearing be held in New York City during the month of July 1967, at a date, time, and place to be announced later, and that the presiding official will be named at a later date.

It is further ordered, That such hearing be limited to the receipt in evidence of technical considerations relating to the electromagnetic effects relating to television broadcasting and reception expected to be occasioned by the construction of the World Trade Center, or other buildings, in the New York metropolitan area and to pertinent considerations looking to possible solutions to the resulting adverse effects on television broadcasting reception in the area; and

It is further ordered, That technical witnesses, and organizations representing members of the public, are invited to participate in this proceeding. Such interested parties should communicate with the Commission in writing, identifying themselves and summarizing the scope of their expertise and proposed testimony. These written communications should be addressed to the Secretary, Federal Communications Commission, Washington, D.C. 20554, and should be filed no later than June 23, 1967.

Adopted: June 2, 1967.

Released: June 2, 1967.

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

[P.R. Doc. 67-6405; Filed, June 7, 1967; 8:48 a.m.]

[Docket No. 17460; FCC 67M-930]

BLUEFIELD TELEVISION CABLE AND BLUEFIELD CABLE CORP.

Order Scheduling Hearing

In re petition of Bluefield Television Cable, Bluefield, W. Va., request for waiver of § 74.1103 of the Commission's rules and cease and desist order to be directed against Bluefield Cable Corp., owner and operator of a CATV system at Bluefield, W. Va., Docket No. 17469.

It is ordered, That Herbert Sharfman shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 12, 1967, at 10 a.m.; and that a pre-hearing conference shall be held on June

14, 1967, commencing at 9 a.m.: *And, it is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.*

Issued: May 31, 1967.

Released: June 2, 1967.

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

[P.R. Doc. 67-6406; Filed, June 7, 1967;
8:48 a.m.]

[Docket Nos. 17178-17180; FCC 67M-921]

LAWRENCE COUNTY BROADCASTING CORP. ET AL.

Order Rescheduling Hearing

In re applications of Lawrence County Broadcasting Corp., New Castle, Pa., Docket No. 17178, File No. BP-16602; Brownsville Radio Inc., Brownsville, Pa., Docket No. 17179, File No. BP-16648; Shawnee Broadcasting Co., Aliquippa, Pa., Docket No. 17180, File No. BP-16880; for construction permits.

The Hearing Examiner having under consideration (1) the joint "Petition for Extension of Time" filed by the above-named applicants on May 22, 1967, requesting that the procedural dates heretofore established in this proceeding be continued for a period of 30 days, and (2) the "Broadcast Bureau's opposition" to (1) above filed on May 26, 1967;

It appearing, that the requested continuance is sought because the parties are negotiating a settlement of the issues involved in this proceeding that will remove the conflict and obviate the need for a hearing; and

It further appearing, that a formal agreement is expected within 2 weeks, and that the necessary papers will be filed with the Review Board; and

It further appearing, that the Broadcast Bureau's opposition is based upon the fact that mere negotiations, which may or may not be successful, do not promote expeditious disposition of these proceedings; and

It further appearing, that good cause has been shown for a grant of the requested relief in part, and that such grant will not unduly delay orderly disposition of this case, and may conduce to eliminating the need for a hearing;

It is ordered, That the aforesaid petition for extension of time be, and the same is, hereby granted in part, and that the following dates shall govern future conduct of this proceeding; that the preliminary exchange of engineering exhibits presently scheduled for May 29, 1967, is hereby rescheduled for June 12, 1967; that the final exchange of engineering and 307(b) exhibits presently scheduled for June 6, 1967, is hereby rescheduled for June 20, 1967; that the exchange of rebuttal exhibits presently scheduled for June 13, 1967, is hereby rescheduled for June 27; that notification of witnesses presently scheduled for June 15, 1967, is hereby rescheduled for June 29, 1967; and that the hearing presently scheduled

for July 6, 1967, is hereby rescheduled for July 19, 1967.

Issued: May 29, 1967.

Released: June 2, 1967.

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

[P.R. Doc. 67-6407; Filed, June 7, 1967;
8:48 a.m.]

[Docket No. 16564; FCC 67M-923]

L. G. GRAVES

Order Continuing Hearing

In the matter of L. G. Graves, Dallas, Tex., Docket No. 16564; order to show cause why the license for radio station KMV-2276 in the citizens radio service should not be revoked.

In order to meet the travel schedule of the Hearing Examiner and with the consent of all parties: *It is ordered, That the evidentiary hearing in the above-entitled proceeding now scheduled to begin in Dallas, Tex., on Monday, June 19, 1967, is continued to Thursday, June 29, 1967, beginning at 10 a.m., in Dallas, Tex., at a place to be specified by later order.*

The Hearing Examiner suggests that counsel enter into an agreement to exchange with each other copies of all written or documentary exhibits which counsel propose to offer in evidence at the hearing and suggests that such exhibits be exchanged not later than Tuesday, June 20, 1967.

The Hearing Examiner also suggests that counsel endeavor to stipulate as many facts as possible to the end that the evidence and exhibits offered at the evidentiary hearing will be limited to those matters of decisional significance which are disputed by the parties.

Issued: June 1, 1967.

Released: June 2, 1967.

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

[P.R. Doc. 67-6408; Filed, June 7, 1967;
8:48 a.m.]

[Docket No. 17443; FCC 67M-932]

RANCHO BERNARDO ANTENNA SYSTEM

Order Continuing Prehearing Conference

In re: Cease and desist order to be directed against Rancho Bernardo Antenna System, owner and operator of a CATV system at San Diego, Calif., Docket No. 17443.

The Hearing Examiner having under consideration his order released May 26, 1967 in the above-entitled proceeding (FCC 67M-888), which provides for convening a prehearing conference on June 6, 1967;

It appearing, that it is advisable to delay the above conference briefly to en-

able the parties to complete their negotiations looking toward a stipulation which will remove the necessity of extensive hearing sessions;

Accordingly, it is ordered, That the prehearing conference heretofore scheduled for June 6, 1967, is continued to June 13, 1967, and will be held in the offices of the Commission, Washington, D.C., commencing at 10 a.m.

Issued: June 2, 1967.

Released: June 2, 1967.

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

[P.R. Doc. 67-6409; Filed, June 7, 1967;
8:49 a.m.]

FEDERAL RESERVE SYSTEM

MARINE MIDLAND CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Marine Midland Corp., which is a bank holding company located in Buffalo, N.Y., for the prior approval of the Board of the acquisition by Applicant of 80 percent or more of the voting shares of First Westchester National Bank, New Rochelle, N.Y.

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

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

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

Dated at Washington, D.C., this 1st day of June 1967.

By order of the Board of Governors.

[SEAL]

MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-6366; Filed, June 7, 1967;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

AMERICAN PLAN CORP.

Order Suspending Trading

JUNE 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, common stock warrants, 6 percent subordinated convertible debentures, preferred and all other securities of American Plan Corp., Westbury, N.Y., 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 June 5, 1967, through June 14, 1967, both dates inclusive.

By the Commission.

[SEAL]

NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 67-6382; Filed, June 7, 1967;
8:46 a.m.]

[812-2123]

AXE-HOUGHTON FUND A, INC., ET AL.

Notice of Application for Temporary Exemption

JUNE 2, 1967.

In the matter of Axe-Houghton Fund A, Inc., Axe-Houghton Fund B, Inc., Axe-Houghton Stock Fund, Inc., Axe Science Corp., E. W. Axe & Co., Inc., Axe Science Management Co., Inc., 400 Benedict Avenue, Tarrytown, N.Y., Axe Securities Corp., Foursquare Fund, Inc., 27 State Street, Boston, Mass. 812-2123.

Notice is hereby given that an application has been filed pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") by the companies named above. Axe-Houghton Fund A, Inc. ("Fund A"), Axe-Houghton Fund B, Inc. ("Fund B"), Axe-Houghton Stock Fund, Inc. ("Stock Fund"), Axe Science Corp. ("Science Fund") (sometimes hereinafter collectively referred to as the "Axe Funds"), and Foursquare Fund, Inc. ("Foursquare"), are all registered open-end diversified investment companies and together are referred to herein as the "five funds". E. W. Axe & Co., Inc. ("Axe & Co.") is the investment adviser to Fund A, Fund B, and

Stock Fund and may be deemed a sub-adviser to Science Fund, for which it acts as research agent (by virtue of a Research Agency Agreement dated August 1, 1964 ("Research Agency Agreement"). Axe Science Management Co., Inc. ("Axe Management") is the investment adviser to Science Fund. Axe Securities Corp. ("Axe Securities") is the principal underwriter for each of the five funds.

The application requests an order of the Commission (1) exempting Axe & Co. and Axe Management from the requirements of section 15(a) of the Act during the period from April 15, 1967 to April 19, 1967, and with respect to the Research Agency Agreement to May 2, 1967; (2) exempting Axe Securities from the requirements of section 15(b) of the Act during the period from April 15, 1967 to April 19, 1967, with respect to its activities with the Axe Funds, and during the period from April 15, 1967 to May 4, 1967, with respect to its activities with Foursquare; (3) exempting the Axe Funds from the provisions of section 15(c) of the Act during the period from April 15, 1967 to April 19, 1967, and with respect to the Research Agency Agreement to May 2, 1967; (4) exempting Foursquare from the provisions of section 15(c) of the Act during the period from April 15, 1967 to May 4, 1967 and (5) exempting Axe & Co. and Axe Management, during the period from April 19, 1967, until the final adjournment of the last special meeting of shareholders held by any of the Axe Funds in 1967, from the provisions of section 15(a) of the Act prohibiting them from serving as investment advisers to Fund A, Fund B, Stock Fund, and Science Fund without approval of the respective reappointed Advisory and Service, Management, Investment Advisory, and Research Agency Agreements by the vote of a majority of the outstanding voting securities of Fund A, Fund B, Stock Fund, and Science Fund, respectively.

Each of the investment advisory and underwriting agreements contains the provisions required by section 15 of the Act that they shall automatically terminate in the event of their "assignment", which under the Act includes any direct or indirect transfer of a controlling block of the outstanding voting securities of the investment adviser or the principal underwriter.

On March 26, 1964, Emerson W. Axe died and shares of Axe & Co., Axe Securities, and Axe Management owned by him passed to his estate. Pursuant to her husband's will Ruth H. Axe ("R. H. Axe") was appointed executor of his estate with the right to vote shares previously held by Emerson W. Axe and now held in his estate. (See Investment Company Act Release Nos. 3981 and 3991.)

On April 15, 1967, R. H. Axe died. Immediately prior to her death R. H. Axe owned more than 25 percent of the outstanding voting securities of Axe & Co., Axe Securities, and Axe Management. Upon the death of R. H. Axe all of her stock interests in Axe & Co., Axe Securities, and Axe Management passed to her estate by operation of law. This

transfer may be deemed, pursuant to sections 2(a)(4) and 15(a)(4) of the Act, to have constituted an assignment of the investment advisory agreements and the underwriting agreements of such companies and to have terminated such agreements.

On April 19, 1967, the respective boards of directors of the Axe Funds readopted their investment advisory agreements with Axe & Co. and Axe Management, and their underwriting agreements with Axe Securities.

On April 27, 1967, the board of directors of Foursquare readopted its underwriting agreement with Axe Securities.

It is proposed by the applicant that shortly after the disposition of this application the Investment Advisory & Research Agency Agreements will be submitted, for approval, to the stockholders of Science Fund, and the Management Agreement will be submitted, for approval, to the stockholders of Stock Fund.

It is proposed that the Advisory and Service Agreements will be submitted to the shareholders of Fund A and Fund B for approval at a special meeting to be held during 1967.

Section 15(a) of the Act provides, among other things, that it shall be unlawful for any person to serve or act as an investment adviser of a registered investment company except pursuant to a written contract which has been approved by the vote of a majority of the outstanding voting securities of such registered investment company and provides in substance for its automatic termination in the event of its assignment by the investment adviser.

Section 15(b) provides, among other things, that it shall be unlawful for any principal underwriter for a registered open-end company to offer for sale, sell or deliver after sale any security of which such company is the issuer except pursuant to a written contract with such company, which contract shall provide for its automatic termination in the event of assignment by such underwriter.

Section 15(c) provides, among other things, that it is unlawful for any registered investment company having a board of directors to enter into, renew, or perform any investment advisory or underwriting contract unless the terms of the contract and any renewal thereof are approved by a majority of the directors who are not parties to such contract or affiliated persons of any such party or by the vote of a majority of the outstanding voting securities of such company.

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

Notice is further given that any interested person may, not later than June

16, 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 should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

NELLYE A. THORSEN,
Assistant Secretary.

[P.R. Doc. 67-6383; Filed, June 7, 1967;
8:47 a.m.]

[812-2099]

FRED M. FRAZIER

Notice of Filing of Application for Order Exempting Proposed Transac- tion Between Affiliated Persons

JUNE 2, 1967.

Notice is hereby given that Fred M. Frazier ("Applicant"), 544 Blue Lakes Boulevard North, Post Office Box 489, Twin Falls, Idaho, president and director of National Western Fund, Inc. ("Fund"), a Delaware corporation and a registered, open-end, diversified management investment company, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act"), for an order exempting from the provisions of section 17(a) of the Act the purchase by the Applicant from the Fund of 3,500 shares of stock of Circle Corp. ("Circle"), at a price of \$11,453.75. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

The Fund purchased the 3,500 shares of Circle stock on July 6, 1966, for \$12,153.75 including brokerage commissions. Applicant states that this investment was improper for the Fund in that the purchase was not authorized and that Circle was not the type of company in which the Fund should have invested.

Pursuant to a resolution of the Fund's Board of Directors, Applicant paid \$11,453.75 to the Fund on February 21, 1967, for 3,500 shares of Circle stock. The \$11,453.75 sale price constitutes the purchase price of \$12,153.75 less a \$700 return of capital paid to the Fund on September 20, 1966. This transaction is conditioned upon the issuance of an order by the Commission exempting it from the provisions of section 17(a) of the Act.

Applicant states that there is no market for the Circle stock and that financial or other information has not been obtainable concerning Circle. Since January 7, 1967, the Fund's Board of Directors have assigned no value to this stock for the purpose of computing the Fund's net asset value. Applicant represents that the only interest the Fund could find for Circle stock was in the range of 50 to 75 cents per share.

Section 17(a) of the Act, as here pertinent, makes it unlawful for Applicant, an affiliated person of a registered investment company, to purchase from such company any security, unless the Commission finds, upon application under section 17(b) of the Act, that the terms of the proposed transaction are reasonable and fair and do not involve overreaching and that the proposed transaction is consistent with the policy of the registered investment company, and with the general purposes of the Act.

Notice is further given that any interested person may, not later than June 19, 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 should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

NELLYE A. THORSEN,
Assistant Secretary.

[P.R. Doc. 67-6384; Filed, June 7, 1967;
8:47 a.m.]

[70-4496]

MICHIGAN WISCONSIN PIPE LINE CO.

Notice of Proposed Issue and Sale of Notes to Banks

JUNE 2, 1967.

Notice is hereby given that Michigan Wisconsin Pipe Line Co. ("Michigan Wisconsin"), 1 Woodward Avenue, Detroit, Mich. 48226, a gas transmission subsidiary company of American Natural Gas Co., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6 and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Michigan Wisconsin proposes to issue and sell to the banks named below, from time to time commencing in July 1967, its unsecured promissory notes in an aggregate principal amount not to exceed \$72 million. The proceeds of the notes will be used to prepay presently outstanding \$15 million of notes payable to banks due September 30, 1967, and to partially finance Michigan Wisconsin's 1967 construction program estimated at \$85 million. The maximum amount of notes to be sold to each bank is as follows:

First National City Bank, New York, N.Y.	\$23,000,000
National Bank of Detroit, Mich.	18,000,000
Manufacturers Hanover Trust Co., New York, N.Y.	12,000,000
The Detroit Bank & Trust Co., Detroit, Mich.	5,500,000
Manufacturers National Bank of Detroit, Mich.	5,000,000
First Wisconsin National Bank of Milwaukee, Wis.	4,000,000
Marshall & Isley Bank, Milwaukee, Wis.	3,000,000
Marine National Exchange Bank, Milwaukee, Wis.	1,500,000
Total	72,000,000

All notes will mature September 30, 1968, and may be prepaid at any time without penalty. Each note will bear interest at the prime rate in effect at First National City Bank, New York, N.Y., on its issue date, subject to adjustment, however, to the prime rate in effect at the beginning of each 90-day period subsequent to the date on which the first note is issued.

Michigan Wisconsin will apply the net proceeds from any permanent debt financing effected prior to the maturity of the notes in reduction of, or in total payment of, the notes, and the aggregate principal amount of the notes authorized under this filing will be reduced by the amount of the net proceeds of the permanent debt financing.

Fees and expenses incident to the proposed transactions are estimated at \$7,100, including legal fees of \$500. The filing states that the Michigan Public Service Commission may be deemed to have jurisdiction over the proposed issue of notes and that a copy of that commission's order authorizing the same will be filed by amendment. The filing further

states that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than July 3, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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] NELLYE A. THORSEN,
Assistant Secretary.

[P.R. Doc. 67-6385; Filed, June 7, 1967;
8:47 a.m.]

NUCLEONIC CORPORATION OF AMERICA

Order Suspending Trading

JUNE 1, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Nucleonic Corporation of America, 196 DeGraw Street, Brooklyn, N.Y., and all other securities of Nucleonic Corporation of America 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 June 2, 1967, through June 11, 1967, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[P.R. Doc. 67-6386; Filed, June 7, 1967;
8:47 a.m.]

SUBSCRIPTION TELEVISION, INC.

Order Suspending Trading

JUNE 2, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$1 par value of Subscription Television, Inc., New York, N.Y., 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 June 5, 1967, through June 14, 1967, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[P.R. Doc. 67-6387; Filed, June 7, 1967;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 1070]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JUNE 2, 1967.

The following applications are governed by Special Rule 1.247¹ of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with § 1.247(d) (3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the Rules may

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

be rejected. The original and one (1) copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of § 1.247 (d) (4) of the special rule, and shall include the certification required therein.

Section 1.247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's General Policy Statement Concerning Motor Carrier Licensing Procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record.

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

No. MC 2228 (Sub-No. 51), filed May 23, 1967. Applicant: MERCHANTS FAST MOTOR LINES, INC., East U.S. Highway 80, Post Office Drawer 270, Abilene, Tex. 79604. Applicant's representative: Reagan Sayers, Century Life Building, Post Office Drawer 17007, Fort Worth, Tex. 76102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Mineral Wells and Wichita Falls, Tex., over U.S. Highway 281, serving no intermediate points, as an alternate route for operating convenience only. Note: If a hearing is deemed necessary, applicant requests it be held at Dallas or Fort Worth, Tex.

No. MC 4941 (Sub-No. 27), filed May 23, 1967. Applicant: QUINN FREIGHT LINES, INC., 1093 North Montello Street, Brockton, Mass. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Wallboard, building board, insulation board, fiberboard, and pulpboard, and incidental materials and supplies used in or in connection with the installation thereof,

from the plants, warehouses, and other facilities of the United States Gypsum Co. at Lisbon Falls, Maine, to points in New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and West Virginia, and (2) *returned shipments*, from points in the above-described destination territory to Lisbon Falls, Maine. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Boston, Mass., or Washington, D.C.

No. MC 6945 (Sub-No. 32), filed May 25, 1967. Applicant: THE NATIONAL TRANSIT CORPORATION, 4401 Stecker Avenue, Dearborn, Mich. 48126. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, matches, household goods as defined by the Commission, commodities in bulk, other than metal scrap in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plants of Ford Motor Co. located at Van Dyke and 18 Mile Road, Sterling Township, Mich., as an off-route point in connection with applicant's authorized regular route authority to and from Pontiac and Detroit, Mich. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 10761 (Sub-No. 184) (Clarification), filed October 5, 1965, published *FEDERAL REGISTER* issues of November 4, 1965, and November 10, 1966, clarified May 23, 1967, and republished as clarified, this issue. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Applicant's representative: A. Alvis Layne, Pennsylvania Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), (1) between Pittsburgh, Pa., and Columbus, Ga., as follows: (a) From Pittsburgh over U.S. Highway 19 through Washington, Pa., to Morgantown, W. Va. (also from Pittsburgh over Pennsylvania Highway 51 to Uniontown, Pa., thence over U.S. Highway 119 to Morgantown), thence over U.S. Highway 19 to Beckley, W. Va., thence over combined U.S. Highways 19 and 21 to Princeton, W. Va., thence over combined U.S. Highways 19 and 460 to Bluefield, W. Va., thence over combined U.S. Highways 21 and 52 to Wytheville, Va., thence over Interstate Highway 81 to Fort Christwell, Va., thence over U.S. Highway 52 through Winston-Salem, N.C., to Lexington, N.C., thence over Interstate Highway 85 (also over U.S. Highway 29) through Charlotte, N.C., to Greenville, S.C., thence over U.S. Highway 29 to Athens, Ga., thence over combined U.S. Highways 129 and 441 to junction U.S. Highway 129 and U.S.

Highway 441 near Eatonton, Ga., thence over U.S. Highway 129 to Macon, Ga., thence over U.S. Highway 80 to Columbus, Ga., and return over the same routes, serving the intermediate points of Macon and Athens, Ga., Greenville, S.C., and Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of La Grange, Manchester, Warner-Robins, Warner-Robins Air Force Base, Augusta, and Savannah, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301.

(b) From Pittsburgh, Pa., to Greenville, S.C., as described in (1) (a) above, thence over U.S. Highway 123 to junction combined U.S. Highways 123 and 76 near Clemson, S.C., thence over combined U.S. Highways 123 and 76 to junction U.S. Highway 123 and U.S. Highway 76 near Westminster, S.C., thence over U.S. Highway 123 to junction U.S. Highway 23, thence over U.S. Highway 23 to Atlanta, Ga. (also from Greenville over U.S. Highway 29 through Athens, Ga., to Atlanta) (also from Greenville over Interstate Highway 85 to Atlanta), thence over Georgia Highway 85 to junction U.S. Highway Alternate 27, thence over U.S. Highway Alternate 27 and Georgia Highway 85 to Columbus, Ga. (also from Atlanta over combined U.S. Highways 41 and 19 to Griffin, Ga., thence over U.S. Highway 41 to junction U.S. Highway 23 near Forsyth, Ga., thence over combined U.S. Highways 41 and 23 to Macon, Ga., thence over U.S. Highway 80 to Columbus), and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Manchester, and Griffin, Ga., Greenville, S.C., Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of Rome, Dalton, Calhoun, La Grange, Hedges, Plainville, Warner-Robins, Warner-Robins Air Force Base, Augusta, and Savannah, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C.; points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301.

(c) From Pittsburgh, Pa., to Wytheville, Va., as described in (1) (a) above, thence over U.S. Highway 11 to Bristol, Tenn. (also from Pittsburgh over Interstate Highway 81 to Bristol), thence over U.S. Highway 11W to Knoxville, Tenn., thence over combined Interstate Highways 40 and 75 to junction U.S. Highway 27 near Harriman, Tenn., thence over U.S. Highway 27 to Chattanooga, Tenn., thence over combined U.S. Highways 41 and 76 to junction U.S. Highway 41 and U.S. Highway 76 at Dalton, Ga., thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, Ga., as described in (1) (b) above, and return over the same routes, serving the intermediate points of Dalton, Calhoun, Atlanta, Macon, Manchester, Griffin, Ga., and the off-route points of Rome, Plainville, Hedges, La Grange, Warner-Robins, Warner-Robins Air Force Base, and Athens, Ga.; (2) between Newcomerstown, Ohio, and

Columbus, Ga., as follows: From Newcomerstown, over U.S. Highway 21 (also over Interstate Highway 77) to Charleston, W. Va., thence over combined Interstate Highways 64 and 77 (West Virginia Turnpike) to junction Interstate Highway 77 and Interstate Highway 64, thence over Interstate Highway 77 to junction combined U.S. Highways 219 and 460 near Princeton, W. Va., thence over combined U.S. Highways 219 and 460 to Bluefield, W. Va., thence to Columbus, Ga., as described in (1) above, and return over the same routes, serving Newcomerstown, Ohio, for purposes of joinder only and serving the intermediate points of Dalton, Calhoun, Manchester, Atlanta, Griffin, Macon, and Athens, Ga., Greenville, S.C., Gastonia, Charlotte, and Winston-Salem, N.C., and the off-route points of Rome, Dalton, Calhoun, Plainville, Hedges, La Grange, Manchester, Augusta, Athens, Savannah, Warner-Robins, and Warner-Robins Air Force Base, Ga., Wilmington, Goldsboro, and Rocky Mount, N.C.; points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301.

(3) Between Athens, Ohio, and Columbus, Ga., as follows: From Athens, over U.S. Highway 33 to junction Ohio Highway 7, thence over Ohio Highway 7 to junction U.S. Highway 33, thence over U.S. Highway 33 to junction U.S. Highway 21 (also junction Interstate Highway 77) near Ripley, W. Va., thence over U.S. Highway 21 (also Interstate Highway 77) to Charleston, W. Va., thence to Columbus, Ga., as described in (2) above, and return over the same routes, serving Athens, Ohio, for purposes of joinder only and serving the intermediate and off-route points named in (2) above; (4) between Cincinnati, Ohio, and Columbus, Ga. as follows: (a) From Cincinnati over U.S. Highway 25 to Lexington, Ky. (also from Cincinnati over combined Interstate Highways 71 and 75 to junction Interstate Highway 71 and Interstate Highway 75, thence over Interstate Highway 75 to Lexington, Ky.), thence over U.S. Highway 27 to Chattanooga, Tenn., thence over combined U.S. Highways 41 and 76 to junction U.S. Highway 41 and U.S. Highway 76 at or near Dalton, Ga.; thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, Ga., as described in (1) above, and return over the same routes, serving the intermediate and off-route points named in (1) (c) above; (b) from Cincinnati to Lexington, Ky., as described in (4) (a) above, thence over combined U.S. Highways 421 and 25 to junction U.S. Highway 421 and U.S. Highway 25 at or near Terrill, Ky., thence over U.S. Highway 25 to Corbin, Ky., thence over U.S. Highway 25W to Knoxville, Tenn., thence over U.S. Highway 129 to junction U.S. Highway 411 at Maryville, Tenn., thence over U.S. Highway 411 to junction U.S. Highway 41 near Cartersville, Ga., thence over U.S. Highway 41 to Atlanta, Ga., thence to Columbus, Ga., as described in (1) above, and return over the same routes, serving the intermediate points of Atlanta, Macon, Griffin, and

Manchester, Ga., and the off-route points of La Grange, Athens, Warner-Robins, and Warner-Robins Air Force Base, Ga.

(c) From Cincinnati over U.S. Highway 52 to Bluefield, W. Va., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate and off-route points named in (1) (a) and (b) above; (d) from Cincinnati to Lexington, Ky., as described in (4) (a) above, thence over combined U.S. Highways 421 and 25 to junction U.S. Highway 421 and U.S. Highway 25 at Terrill, Ky., thence over U.S. Highway 421 to junction U.S. Highway 421 and U.S. Highway 58 at Dot, Va., thence over combined U.S. Highways 421 and 58 to Bristol, Tenn., thence over U.S. Highway 421 to Winston-Salem, N.C., thence to Columbus, Ga., as described in (1) (a) and (b) above and return over the same routes, serving the intermediate and off-route points named in (1) (a) and (b) above; (e) from Cincinnati to Corbin, Ky., as described in (4) (b) above, thence over U.S. Highway 25E to Newport, Tenn., thence over combined U.S. Highways 25 and 70 to Asheville, N.C., thence over U.S. Highway 25 to Greenville, S.C., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Griffin, and Manchester, Ga., Greenville, S.C., Asheville, N.C., and the off-route points of Rome, Dalton, Calhoun, Hedges, Plainville, La Grange, Manchester, Savannah, Augusta, Warner-Robins, and Warner-Robins Air Force Base, Ga.; points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301.

(f) From Cincinnati to Asheville, N.C., as described in (4) (e) above, thence over U.S. Highway 74 to junction U.S. Highway 29 near Kings Mountain, N.C., thence over combined U.S. Highways 74 and 29 to Charlotte, N.C., thence to Columbus, Ga., as described in (1) (a) and (b) above, and return over the same routes, serving the intermediate points of Atlanta, Athens, Macon, Griffin, and Manchester, Ga., Greenville, S.C., and Charlotte, Gastonia, and Asheville, N.C., and the off-route points of Rome, Dalton, Calhoun, Hedges, Plainville, La Grange, Manchester, Savannah, Augusta, Warner-Robins, and Warner-Robins Air Force Base, Ga., Wilmington, N.C., points in Charleston, Berkeley, and Dorchester Counties, S.C., and points in North Carolina and South Carolina on and west of U.S. Highway 301; (5) between Louisville, Ky., and Columbus, Ga., as follows: (a) From Louisville over U.S. Highway 60 to Lexington, Ky. (also from Louisville over Interstate Highway 64 to Lexington), thence to Columbus, Ga., as described in (4) (a), (b), and (d)-(f) above, and return over the same routes, serving the intermediate and off-route points named in (4) above; (b) from Louisville over U.S. Highway 60 (also over Interstate Highway 64) to junction U.S. Highway 127 west of Frankfort, Ky., thence over

U.S. Highway 127 to junction U.S. Highway 150 at Danville, Ky., thence over U.S. Highway 150 to junction U.S. Highway 25 at Mount Vernon, Ky., thence over U.S. Highway 25 to Corbin, Ky., thence to Columbus, Ga., as described in (4) (b), (e), and (f) above, and return over the same routes, serving the intermediate and off-route points named in (4) (b), (e), and (f) above; (6) serving in connection with each of the above described routes.

(a) Points within 15 miles of Atlanta, Ga., except with respect to route (1) (a) above; (b) points within 5 miles of Macon and Columbus, Ga., restricted against service between points in North Carolina, South Carolina, and Georgia. NOTE: The purpose of this republication is to clarify the proposed routes and points of service, and to include Plainville and Hedges, Ga., as off-route points. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., Charlotte, N.C., and Pittsburgh, Pa.

No. MC 13250 (Sub-No. 91), filed May 25, 1967. Applicant: J. H. ROSE TRUCK LINE, INC., 5003 Jensen Drive, Post Office Box 16190, Houston, Tex. 77022. Applicant's representative: Thomas E. James, The 904 Lavaca Building, Austin, Tex. 78701. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Structures and equipment for moving air or gases, including parts, accessories, and supplies used for the installation or erection thereof, between Roselle, Ill., on the one hand, and, on the other, points in Alabama, Arkansas, Arizona, California, Colorado, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nevada, New Mexico, Oklahoma, Oregon, Tennessee, Texas, Utah, and Washington. NOTE: Applicant indicates tacking possibilities. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC 25798 (Sub-No. 150), filed May 17, 1967. Applicant: CLAY HYDER TRUCKING LINES, INC., 502 East Bridgers Avenue, Post Office Box 1186, Auburn, Fla. 33823. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, and meat byproducts and articles distributed by meat packinghouses, as described in sections A and C of appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from points in Jewell County, Kans., to points in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, and South Carolina. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Chicago, Ill., or Kansas City, Mo.

No. MC 35469 (Sub-No. 42), filed May 24, 1967. Applicant: MODERN TRANSFER CO., INC., 1300 Hanover Avenue, Allentown, Pa. 18001. Applicant's representative: P. F. Gilligan (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transport-

ing: Alcoholic liquors, in bulk, in tank vehicles, from Elizabeth, N.J., and Baltimore, Md., to Cincinnati, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or New York, N.Y.

No. MC 39134 Sub 1, filed May 17, 1967. Applicant: RED BALL TRANSFER & STORAGE COMPANY, INC., 1810 North College Avenue, Fayetteville, Ark. 72701. Applicant's representative: Mrs. J. E. McClelland (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Used household goods, moving on a through bill of lading of a forwarder operating under section 402(b) (2) exemption, and limited to a local service to be provided for a forwarder of used household goods, between points in the Fayetteville, Ark., commercial zone, and between points in Fayetteville, Ark., on the one hand, and, on the other, points in Washington, Benton, Crawford, Carroll, Madison, Boone, Baxter, Newton, Searcy, and Marion Counties, Ark. NOTE: If a hearing is deemed necessary, applicant requests it be held at Tulsa, Okla., or Little Rock, Ark.

No. MC 41792 (Sub-No. 12), filed May 15, 1967. Applicant: HOLDCROFT TRANSPORTATION COMPANY, a corporation, Post Office Box 934, Sioux City, Iowa. Applicant's representative: Donald E. Leonard, Box 2028, 605 South 14th, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Empty cheese drums and cheese packaging supplies, (1) from Hutchinson and New Ulm, Minn., to points in Iowa on the west of U.S. Highway 69 beginning at the Iowa-Minnesota State line to the Iowa-Missouri State line and points in Nebraska on and east of U.S. Highway 83 beginning at the Nebraska-South Dakota State line to the Nebraska-Kansas State line and points in South Dakota on and east of U.S. Highway 83 beginning at the South Dakota-Nebraska State line to Pierre, S. Dak., thence on and east of the Missouri River to the South Dakota-North Dakota State line; and (2) cheese in metal drums or other packages from points in Iowa on and west of U.S. Highway 69 beginning at the Iowa-Minnesota State line to the Iowa-Missouri State line and points in Nebraska on and east of U.S. Highway 83 beginning at the Nebraska-South Dakota State line to the Nebraska-Kansas State line and points in South Dakota on and east of U.S. Highway 83 beginning at the South Dakota-Nebraska State line to Pierre, S. Dak., thence on and east of the Missouri River to the South Dakota-North Dakota State line to Hutchinson and New Ulm, Minn. NOTE: If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.

No. MC 44447 (Sub-No. 24), filed May 24, 1967. Applicant: SUBURBAN MOTOR FREIGHT, INC., 1100 King Avenue, Columbus, Ohio 43212. Applicant's representative: Taylor C. Burneson, 88 East Broad Street, Columbus,

Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), serving the plantsite of the Ford Motor Co., located at or near the intersection of Van Dyke and 18 Mile Roads in Sterling Township, Macomb County, Mich., as an off-route point in connection with applicant's authorized regular route operations to and from points in Michigan, Ohio, Indiana, Illinois, Kentucky, and West Virginia. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 46313 (Sub-No. 8), filed May 22, 1967. Applicant: GREAT FALLS TRANSFER & STORAGE COMPANY, a corporation, doing business as SUHR TRANSPORT, 117 Park Drive, Great Falls, Mont. 59401. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from the Ideal Cement plantsite at Trident, Mont., to points in that part of Idaho in and east of Lemhi, Custer, Blaine, Lincoln, Gooding, and Twin Falls Counties, Idaho, that part of Wyoming in and north of Lincoln, Sublette, Fremont, Natrona, Converse, and Niobrara Counties, Wyo., and that part of North Dakota on and west of U.S. Highway 83. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Helena, Great Falls, or Billings, Mont.

No. MC 52005 (Sub-No. 5), filed May 17, 1967. Applicant: OREGON-WASHINGTON TRANSPORT, 3322 Northwest 35th Avenue, Portland, Ore. Applicant's representative: Lawrence V. Smart, Jr., 419 Northwest 23d Avenue, Portland, Ore. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fire-fighting equipment supplies*, between points in Deschutes County, Ore., on the one hand, and, on the other, points in Oregon, Washington, Idaho, and those in and north of Lassen, Shasta, Trinity, and Humboldt Counties, Calif. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 52579 (Sub-No. 71), filed May 19, 1967. Applicant: GILBERT CARRIER CORP., 441 Ninth Avenue, New York, N.Y. 10001. Applicant's representative: Aaron Hoffman (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel, and materials, and supplies used in the manufacture of wearing apparel*, between New Haven, Ind., and the New York, N.Y., commercial zone as defined by the Commission. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 52751 (Sub-No. 75), filed May 18, 1967. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines, Iowa 50305, also Post Office Box 1351, Des Moines, Iowa 50305. Applicant's repre-

sentative: James L. Nelson, W-1262 First National Bank Building, St. Paul, Minn. 55101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials and gypsum products*, from Fort Dodge, Iowa, to points in Kansas, Missouri, Indiana, and Wisconsin, and *returned shipments*, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Chicago, Ill.

No. MC 59499 (Sub-No. 10), filed May 22, 1967. Applicant: UNITED MOTOR FREIGHT TERMINAL, INC., 3700 First Avenue South, Birmingham, Ala. 35222. Applicant's representative: R. J. Reynolds III, 403 Healey Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving all intermediate and off-route points within a 15-air-mile radius of Birmingham, Ala., in connection with applicant's presently authorized regular routes to and from Birmingham. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 61619 (Sub-No. 6), filed May 24, 1967. Applicant: GLENN L. HORMEL AND LAWSON E. LONG-STRETH, a partnership, doing business as L & H TRUCKING COMPANY, R.F.D. No. 3, Spring Grove, Pa. 17362. Applicant's representative: Donald E. Freeman, Post Office Box 806, Westminster, Md. 21157. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper*, from Spring Grove, Pa., to Cornwall-on-the-Hudson, N.Y., and (2) *wood chips*, from points in Delaware, those points in Virginia east of the Chesapeake Bay, and those in Maryland east of the Chesapeake Bay and south of the Sassafras River, and points in Anne Arundel, Calvert, Charles, Prince Georges, and St. Marys Counties, Md., to Spring Grove, Pa., under contract with P. H. Glatfelter Co. and Glatfelter Pulpwood Co., Division of P. H. Glatfelter Co. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 76993 (Sub-No. 25), filed May 25, 1967. Applicant: EXPRESS FREIGHT LINES, INC., 4600 West Burnham Street, Milwaukee, Wis. 53246. Applicant's representative: Rex Eames, 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving the plantsite of Ford Motor Co., Van Dyke and 18 Mile Road, Sterling Township, Mich., as an off-route point in connection with carrier's regular route operations to and from Detroit, Mich. **NOTE:**

If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich.

No. MC 79577 (Sub-No. 36), filed May 22, 1967. Applicant: OILFIELDS TRUCKING COMPANY, a corporation, 1601 Union Street, Post Office Box 751, Bakersfield, Calif. 93302. Applicant's representative: Phil Jacobson, 510 West Sixth Street, Los Angeles, Calif. 90014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* in bulk, in tank trucks and trailers, including jet turbine fuel, from Phoenix, Ariz., to McCarran Field and Las Vegas, Nev. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Los Angeles or San Francisco, Calif.

No. MC 85552 (Sub-No. 2), filed May 25, 1967. Applicant: JOSEPH LEVINE TRUCKING INCORPORATED, 221 Governor Street, East Hartford, Conn. Applicant's representative: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special equipment), between Hartford, East Hartford, and West Hartford, Conn., on the one hand, and, on the other, points in Connecticut. **NOTE:** Applicant states the purpose of this application is to convert its certificate of registration MC 85552 (Sub-No. 1) to a certificate of public convenience and necessity, and to eliminate the restriction in its underlying Connecticut Public Utilities Commission Certificate limiting transportation to shipments from not more than four consignors in one vehicle at one time. If a hearing is deemed necessary, applicant requests it be held at Hartford, Conn.

No. MC 94430 (Sub-No. 33), filed May 22, 1967. Applicant: WEISS TRUCKING COMPANY, INC., Mongo, Ind. Applicant's representative: James J. Stivers, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Detroit, Mich., to points in Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Columbus, Ohio.

No. MC 97006 (Sub-No. 6), filed May 18, 1967. Applicant: HOWARD'S EXPRESS, INC., East North Street, Geneva, N.Y. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers*, from Brockport, N.Y., to Scobeyville, N.J. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 98289 (Sub-No. 3), filed May 18, 1967. Applicant: RITEWAY TRANSPORT, INC., 4030 East Magnolia, Post Office Box 12163, Phoenix, Ariz. 85034. Authority sought to operate as a *common*

carrier, by motor vehicle, over regular routes, transporting: *General commodities*, between La Plata, N. Mex., and Redmesa, Colo.; From La Plata over New Mexico Highway 17 to the New Mexico-Colorado State line, thence over Colorado Highway 140 to Redmesa, and return over the same route, serving all intermediate points. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Phoenix, Ariz., or Farmington, N. Mex.

No. MC 103880 (Sub-No. 387), filed May 22, 1967. Applicant: PRODUCERS TRANSPORT, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: Arnold L. Burke, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, from Holland, Mich., to points in Illinois, Indiana, Michigan and Ohio. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 103993 (Sub-No. 284), filed May 22, 1967. Applicant: MORGAN DRIVE-AWAY INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger vehicles, in initial movements, (a) from Wagoner County, Okla., to points in the United States (except Alaska and Hawaii), and (b) from Creek County, Okla., to points in Texas, Missouri, Kansas, Arkansas, Louisiana, Colorado, Wyoming, Arizona, and New Mexico; and (2) *vacation campers* in initial movements, from Wagoner County, Okla., to points in the United States (except Alaska and Hawaii). **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 103933 (Sub-No. 285), filed May 22, 1967. Applicant: MORGAN DRIVE-AWAY INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert G. Tassar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger vehicles, (a) from Shelby County, Tenn., to points in Georgia, Alabama, Mississippi, Kentucky, Louisiana, Indiana, Florida, Illinois, Texas, North Carolina, South Carolina, Missouri, and Arkansas; and (b) from Carter County, Tenn., to points in the United States (except Alaska and Hawaii); (2) *houseboats* designed to be drawn by passenger vehicles, from Davidson County, Tenn., to points in the United States (except Alaska and Hawaii), and (3) *prefabricated buildings*, complete, knocked down, or in sections, and equipment and materials incidental to the erection and completion of such buildings when shipped therewith, from Carter and Washington Counties, Tenn., to points in the United States (except Alaska and Hawaii).

NOTE: If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn.

No. MC 104004 (Sub-No. 167), filed May 17, 1967. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's representative: John P. Tynan, 66-12 Fresh Pond Road, New York (Ridgewood), N.Y. 11227. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Columbus, Ohio, and junction U.S. Highway 50 and Ohio Highway 7, from Columbus over U.S. Highway 33 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction Ohio Highway 7, and return over the same route, serving no intermediate or off-route points, as an alternate route for operating convenience only. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, New York, N.Y., or Washington, D.C.

No. MC 107107 (Sub-No. 382), filed May 19, 1967. Applicant: ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th Street, Miami, Fla. 33143. Applicant's representative: Ford W. Sewell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Quincy, Ill., to points in Alabama, Florida, Georgia, Mississippi, and Tennessee. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 107295 (Sub-No. 107), filed May 22, 1967. Applicant: PRE-FAB TRANSIT CO., a corporation, 100 South Main Street, Post Office Box 146, Farmer City, Ill. 61842. Applicant's representative: Dale L. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast and prestressed concrete structural members, slabs, and shapes*, from Dallas, Houston, and Odessa, Tex., to points in Arkansas, Louisiana, Mississippi, New Mexico, and Oklahoma. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., Dallas, or Houston, Tex.

No. MC 107515 (Sub-No. 573), filed May 22, 1967. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Mankato, Kans., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, and Tennessee (ex-

cept Memphis). **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Kansas City, Mo.

No. MC 108722 (Sub-No. 2), filed May 23, 1967. Applicant: FRANK RIVIELLO, 860 West Oak Street, Old Forge, Pa. Applicant's representative: Kenneth R. Davis, 1106 Dartmouth Street, Scranton, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Wayne County, Pa., to points in New York. **NOTE:** Applicant holds contract carrier authority in MC 126381, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Scranton or Harrisburg, Pa.

No. MC 108835 (Sub-No. 12), filed May 18, 1967. Applicant: HYMAN TRANSPORTATION COMPANY, a corporation, 2690 Prior Avenue North, St. Paul, Minn. 55113. Applicant's representative: Wayne K. Bracker (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Empty cheese drums and cheese packaging supplies*, from Hutchinson and New Ulm, Minn., to points in South Dakota on and east of the Missouri River beginning at the South Dakota-North Dakota State line to U.S. Highway 212, and (2) *cheese in metal drums or other packages*, from points in South Dakota on and east of the Missouri River beginning at the South Dakota-North Dakota State line to U.S. Highway 212, to Hutchinson and New Ulm, Minn. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.

No. MC 112547 (Sub-No. 4), filed May 18, 1967. Applicant: J. T. GERKEN TRUCKING, INC., Eighth and Harmon Streets, Portsmouth, Ohio. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between points in Ohio, Indiana, Illinois, Michigan, Pennsylvania, New Jersey, New York, Texas, Florida, and Tennessee, on the one hand, and, on the other, points in the United States located east of New Mexico, Colorado, Wyoming, and Montana, and (2) *plastic pellets and granules*, in bulk, from points in Texas to Columbus, Ohio, and Pompano Beach, Fla. Restriction: The authority sought will be subject to the following conditions: Transportation service to be performed in shipper-owned trailers under a continuing contract, or contracts with the Standard Oil Co. (Ohio) and its subsidiaries. **NOTE:** Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Columbus, Ohio.

No. MC 112801 (Sub-No. 70), filed May 17, 1967. Applicant: TRANSPORT SERVICE CO., a corporation, 5100 West 41st Street, Chicago, Ill. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Liquid acids*, in bulk, in tank vehicles, from the plantsite of Central Chemical, Division of Wilson & Co., located at or near Elwood, Ill., to points in Wisconsin. NOTE: If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113271 (Sub-No. 31), filed May 22, 1967. Applicant: CHEMICAL TRANSPORT, a corporation, 1627 Third Street, NW., Great Falls, Mont. 59401. Applicant's representative: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 59401. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from the Ideal Cement plantsite at Trident, Mont., to points in that part of Idaho in and east of Lemhi, Custer, Blaine, Lincoln, Gooding, and Twin Falls Counties, Idaho; that part of Wyoming in and north of Lincoln, Sublette, Fremont, Natrona, Converse, and Niobrara Counties, Wyo., and that part of North Dakota on and west of U.S. Highway 83. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Helena, Great Falls, or Billings, Mont.

No. MC 113855 (Sub-No. 161), filed May 15, 1967. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55902. Applicant's representative: Michael E. Miller 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Dynamometers*, related commodities used with the operation of dynamometers, (2) *farm machinery and farm implements* and (3) *parts of or for the commodities* named in (1) and (2) above, from points in McLean and Stark Counties, Ill., to points in the United States (except Hawaii). NOTE: Applicant states that no duplicating authority is being sought. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 113855 (Sub-No. 162), filed May 24, 1967. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55902. Applicant's representative: Franklin J. Van Osdel, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Plastic pipe, tubing, conduit, valves, and fittings, compound joint sealer, bonding cement, and accessories, and hand tools used in the installation of such products*, from Terre Haute, Ind., to points in Washington, Montana, North Dakota, Minnesota, Wisconsin, Michigan, Oregon, Idaho, Wyoming, South Dakota, Iowa, Illinois, California, Nevada, Utah, Colorado, and Arizona. NOTE: If a hearing is deemed

necessary, applicant requests it be held at Little Rock, Ark., or Indianapolis, Ind.

No. MC 114045 (Sub-No. 281), filed May 15, 1967. Applicant: TRANS-COLD EXPRESS, INC., Post Office Box 5842, Finley and Belt Line Road, Dallas, Tex. 75240. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Wapakoneta, Ohio, to points in Oklahoma, Kansas, Missouri, Colorado, Arizona, New Mexico, California, and Louisiana. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 114323 (Sub-No. 8), filed May 17, 1967. Applicant: PAUL MARCKESANO AND SONS CO., INC., 54th Avenue and Fifth Street, Long Island City, N.Y. 11101. Applicant's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk, from the storage site of Cilco Cement Corp. in Long Island City, N.Y., to points in New Jersey and in Orange County, N.Y. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC 115331 (Sub-No. 227), filed May 17, 1967. Applicant: TRUCK TRANSPORT, INCORPORATED, 707 Market Street, St. Louis, Mo. 63101. Applicant's representative: Thomas P. Kilroy, 913 Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials; acids and chemicals; petroleum oil (used in fungicides, herbicides and pesticides); including but not restricted to anhydrous ammonia, fertilizer solutions, insecticides, herbicides, fungicides, aqua ammonia, methanol, urea, and urea products*; in bulk, from the Gulf Oil Corp. River Terminal at or near Blair, Nebr., to points in Wisconsin, Minnesota, Iowa, Missouri, Kansas, Illinois, Indiana, Michigan, Colorado, South Dakota, North Dakota, Wyoming, Montana, and Nebraska. NOTE: Common control and dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 115669 (Sub-No. 74), filed May 23, 1967. Applicant: HOWARD N. DAHLSTEN, doing business as DAHLSTEN TRUCK LINE, Post Office Box 95, Clay Center, Nebr. 68933. Applicant's representative: Donald L. Stern, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials, urea, herbicides, insecticides, and pesticides*, from points in Woodbury County, Iowa, Dakota County, Nebr., and Nebraska City, Nebr., to points in Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota, and Wyoming. NOTE: If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.

No. MC 115840 (Sub-No. 29), filed May 23, 1967. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway, West, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Citrus pulp*, and *fish meal*, except in bulk in tank vehicles, from points in Florida to points in Alabama, Georgia, Mississippi, Louisiana, and Tennessee, and (2) *fish meal and oyster shells*, except in bulk in tank vehicles, from points in Mississippi, and Louisiana to points in Alabama, Georgia, Mississippi, Louisiana, and Tennessee. NOTE: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Birmingham, Ala.

No. MC 115841 (Sub-No. 309), filed May 22, 1967. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway, West, Post Office Box 2169, Birmingham, Ala. 35201. Applicant's representative: C. E. Wesley (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, from Akron, Ohio, to points in Kentucky, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Mississippi, Louisiana, Arkansas, Missouri, and the District of Columbia; and (2) *frozen foods*, from Paducah, Ky., to points in Kansas, Missouri, Nebraska, Iowa, Wisconsin, Arkansas, Louisiana, Illinois, Indiana, Lower Peninsula of Michigan, Tennessee, Mississippi, Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, West Virginia, Pennsylvania, New York, Ohio, Maryland, Delaware, New Jersey, Connecticut, Rhode Island, Massachusetts, and the District of Columbia. NOTE: Applicant states it can already serve most of the same States in above proposed operations, from origins presently held, in direct service. However, some tacking could be done at Paducah, Ky., to serve the Mid-Western States primarily. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Akron, Ohio.

No. MC 115944 (Sub-No. 6), filed May 17, 1967. Applicant: THE BRISSON TRUCKING COMPANY, INC., 4415 McIntyre Road, Golden, Colo. 80401. Applicant's representative: Leslie R. Kehl, 420 Denver Club Building, Denver, Colo. 80202. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Golden, Colo., to Safford, Globe, and Prescott, Ariz. NOTE: If a hearing is deemed necessary, applicant requests it be held at Denver, Colo.

No. MC 116400 (Sub-No. 2), filed May 19, 1967. Applicant: LAWRENCE TRANSFER & STORAGE CORPORATION, 2727 Whiteside Avenue NE., Roanoke, Va. 24012. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over

irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Virginia in and west of Brunswick, Dinwiddie, Chesterfield, Powhatan, Goochland, Louisa, Orange, Culpepper, Rappahannock, Warren, and Clarke Counties, restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating and de-containerization of such shipments. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Roanoke, Va., or Washington, D.C.

No. MC 117815 (Sub-No. 125), filed May 24, 1967. Applicant: PULLEY FREIGHT LINES, INC., 405 South East 20th Street, Des Moines, Iowa 50317. 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: *Frozen foods*, from Green Bay, Wis., to points in Iowa, Kansas, Missouri, and Nebraska. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 119282 (Sub-No. 6), filed May 16, 1967. Applicant: L. F. TAYLOR OF PA., INC., Rural Delivery No. 1, Mount Bethel, Pa. 18343. Applicant's representative: Morris Mindlin, 146 East Broad Street, Bethlehem, Pa. 18018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building block*, from the plant, plants, or storage areas of L. F. Taylor, Inc., at Mount Bethel, Pa., and points within 5 miles thereof to points in Westchester, Nassau, and Suffolk Counties, N.Y., New York, N.Y., and to points in New Jersey north of New Jersey State Route 33, joining Trenton and Asbury Park, N.J. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Allentown or Easton, Pa.

No. MC 119399 (Sub-No. 18), filed May 19, 1967. Applicant: CONTRACT FREIGHTERS, INC., 3105 East Seventh Street, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Glass or plastic containers, bottles, jars, packing glasses, and jelly tumblers, with or without caps, covers, stoppers, or tops*, and (2) *corrugated paper boxes or paper containers, knocked down, when moving in mixed shipments with the commodities described in (1) above*, from Ada, Okla., to points in Arkansas, Iowa, Kansas, and Missouri. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Tulsa or Oklahoma City, Okla., Kansas City or St. Louis, Mo.

No. MC 119493 (Sub-No. 33), filed May 23, 1967. Applicant: MONKEM COMPANY, INC., Post Office Box 1196, West 20th Street Road, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Diammonium phosphate*, from plantsites and warehouses of the New Jersey Zinc Co. located at or

near Depue, Riverdale and Colfax, Ill., and Des Moines, Iowa, to points in Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Missouri, and Iowa. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC 119974 (Sub-No. 17), filed May 18, 1967. Applicant: L. C. L. TRAN-SIT COMPANY, a corporation, 520 North Roosevelt Street, Green Bay, Wis. 54305. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packing houses*, 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, Michigan, Minnesota, Ohio, and Wisconsin, restricted to traffic originating at the described plantsite and destined to points in the States named. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 123393 (Sub-No. 184), filed May 17, 1967. Applicant: BILYEU REFRIGERATED TRANSPORT CORP., 2105 East Dale Street, Post Office Box 948, Commercial Station, Springfield, Mo. 65803. Applicant's representative: Harley E. Laughlin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses* as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from St. Louis, Mo., and National Stockyards, Ill., to points in Indiana, Ohio, Pennsylvania, and West Virginia. **NOTE:** Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Louis or Springfield, Mo., or Oklahoma City, Okla.

No. MC 123393 (Sub-No. 185), filed May 19, 1967. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, Post Office Box 948, Commercial Station, 2105 East Dale Street, Springfield, Mo. 65803. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Oleomargarine, salad dressing, coconut oil, vegetable oil, cooking oil, shortening, stearine, stearate, mayonnaise and related advertising matter* when moving in mixed shipments with the specified commodities (except in bulk, in tank vehicles), from Columbus, Ohio, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, District of Columbia, North Carolina, South Carolina, Georgia, Alabama, and Florida. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 123781 (Sub-No. 7), filed May 22, 1967. Applicant: JAMES D. TURNER, Route 1, Stark City, Mo. 64866. Applicant's representative: George Henry, 111 East Main Street, Neosho, Mo. 64850. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, in bags and in bulk, from Neosho, Mo., to points in Benton, Boone, Carroll, Crawford, Franklin, Johnson, Madison, Marion, Newton, and Washington Counties, Ark.; Cherokee, Crawford, LeBette, and Neosho Counties, Kans.; and Adair, Cherokee, Craig, Delaware, Mayes, Ottawa, and Sequoyah Counties, Okla.; under contract with the Quaker Oats Co., Chicago, Ill. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Jefferson City, Mo., Oklahoma City, Okla., or Little Rock, Ark.

No. MC 124073 (Sub-No. 4), filed May 22, 1967. Applicant: ROY S. SARGEANT, INC., Barkers Mill Road, Vienna, N.J. Applicant's representative: Edward P. Bowes, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen meat*, from the Polarized Meat Division, Durkee Famous Foods, plantsite of the Glidden Co., located at or near Moosic, Pa., to Manchester and Nashua, N.H.; Burlington, Vt., Milton, Ithaca, Newark, Newburgh, Rome, New York, Mineola, and Huntington, N.Y.; Meriden, Waterbury, Hartford, Hamden, New Haven, Norwich, Wallingford, and Danbury, Conn.; Pawtucket and Providence, R.I.; and Ludlow, Fall River, Southboro, and Worcester, Mass.; (2) *fresh meat*, from the Polarized Meat Division, Durkee Famous Foods, plantsite of the Glidden Co. located at or near Moosic, Pa., to New York, Mineola, and Huntington, N.Y.; (3) *fresh and frozen meat*, from the Beef Products Division, Durkee Famous Foods, plantsite of the Glidden Co. located at or near Pittston, Pa., to New York and Rockville Centre, N.Y.; (4) *fresh and frozen meat*, from New York, N.Y., to the Polarized Meat Division, Durkee Famous Foods, plantsite of the Glidden Co., located at or near Moosic, Pa.; (5) *fresh poultry, frozen hors d'oeuvres, frozen prepared dough, and frozen bakery products*, from the plantsite of Glidden Co. located at or near Moosic, Pa., to Nashua and Manchester, N.H.; Burlington, Vt.; Buffalo, Jamestown, Rochester, Newark, Newburgh, New York, Olean, Norwich, Syracuse, Schenectady, Albany, Troy, Kingston, Monticello, Utica, Milton, Ithaca, and Rome, N.Y.; Newark and Paterson, N.J.; Waterbury, Hartford, Hamden, New Haven, Stamford, Bridgeport, Norwich, Meriden, Wallingford, and Danbury, Conn.; Woonsocket, Pawtucket, and Providence, R.I.; and Springfield, Pittsfield, Boston, Worcester, Southboro, Fall River, and Ludlow, Mass.; (6) *frozen hors d'oeuvres, frozen prepared dough, and frozen bakery products*, from the plantsite of Gretchen Grant Kitchens Division, Durkee Famous Foods, the Glidden Co. located at or near Maplewood, N.J., or its warehouse at Jersey

City, N.J., to the plantsite of Polarized Meat Division, Durkee Famous Foods, the Glidden Co. at Moosic, Pa.; (7) frozen poultry from the Empire Chicken Industries Division, Durkee Famous Foods, plantsite of the Glidden Co. located at or near Moosic, Pa., to Hoboken, N.J.; Farmingdale, Floral Park, and Mineola, N.Y.; and (8) frozen pizza pies, from Scranton, Pa., to Buffalo, Fulton, Syracuse, and Troy, N.Y.; New Brunswick, Newark, Jersey City, and Paterson, N.J.; Bridgeport and Hamden, Conn.; Woonsocket and Pawtucket, R.I.; and Springfield, Pittsfield, and Boston, Mass.; under contract with the Glidden Co., and Profera's Pizza Pies, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Scranton, Pa., or New York, N.Y.

No. MC 124211 (Sub-No. 107), filed April 25, 1967. Applicant: HILT TRUCK LINE, INC., 2937 North 27th Street, Post Office Box 824, Lincoln, Nebr. 68501. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *New, empty glass containers, covers and disks, and new wooden and fiberboard boxes, set up and knocked down, from Alton, Ill., to Council Bluffs, Iowa, restricted to traffic originating at Alton, Ill.; and (2) Bees, beeswax, crude; beets, sugar, buttermilk, castor beans, Christmas trees, containers, crates, and boxes which have been used in the movement of exempt commodities, and are being returned for reuse; corn cobs, corn fodder, cotton, cotton linters, cotton waste, cottonseed; whole or de-hulled; cottonseed hulls, eggs, feathers, fish (except hermetically sealed in containers as a treatment for preservation); flax fiber, flaxseed, whole; fodder, corn, and sorghum, forest products, frogs, fruits, and berries (except canned or frozen); grains, artificially dried, cracked, rolled, shelled, or whole; grass sod, hay, and forage, dried naturally or salted; honey, hops, horticultural commodities, humus, ice, for cooling subsequent shipments of exempt commodities; jute, fiber, kelp, livestock, ordinary, manure, maple sap, milk, and cream (except canned, chocolate, or condensed); mohair, mushrooms, fresh, nuts (except roasted or boiled); poultry, fresh, frozen, or live, rabbits, ramie fiber, seeds, seaweed, sorghum fodder, sorghum grains, spices, and herbs, unground; stover, straw, tobacco (except cigars and cigarettes, homogenized and smoking); trees, turtles, vegetables (except candied, canned, cooked, or frozen); wool, raw (except imported); wool grease, and wreaths, of holly or other natural material with less than 20 percent of foundation or decorative material; restricted to the transportation of straight or mixed shipments moving between the following points or when moving in mixed shipments with regulated commodities (presently authorized) between the following points.*

(a) Between points in Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, North Dakota, South Dakota, and Wy-

oming; and (b) between points in Iowa, Kansas, Missouri, and Nebraska, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii); and, (3) *general commodities, (a) between points in the Omaha, Nebr., commercial zone, as defined by the Commission; and (b) between points in the Omaha, Nebr., commercial zone, as defined by the Commission, on the one hand, and, on the other, points in Cass, Douglas, Saunders (except points west of U.S. Highway 77), Sarpy, and Washington Counties, Nebr., and Harrison, Mills, Pottawattamie Counties, Iowa. Note: Applicant states that he intends to tack with his presently held authority in MC 124211 and subs thereunder. Applicant further states that it does not seek any duplicating authority. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr.*

No. MC 124236 (Sub-No. 25), filed May 22, 1967. Applicant: CHEMICAL EXPRESS, INC., 3300 Republic National Bank Building, Dallas, Tex. 75201. Applicant's representative: William D. White, Jr., 2505 Republic National Bank Tower, Dallas, Tex. 75201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement, having a prior movement by water between points in the State of Texas, from the plantsite of Dundee Cement Co. at Houston, Tex., to points in Alabama, Arkansas, Louisiana, Mississippi, and Oklahoma. Note: Applicant states that it intends to tack its entire operating authority with that sought in this application. He further states that no duplicating authority is being sought. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.*

No. MC 124774 (Sub-No. 66), filed May 25, 1967. Applicant: CARAVELLE EXPRESS, INC., Box 384, Norfolk, Nebr. 68701. Applicant's representative: Richard McCoy (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses, as defined in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and bulk commodities), (1) from the plantsite of Minden Beef Co., located at or near Minden, Nebr., to points in Iowa, Kentucky, Missouri, and Minnesota; (2) from the plantsite of Cornland Dressed Beef Co., located at or near Lexington, Nebr., to points in Iowa, Kentucky, Missouri, and Minnesota; (3) from the plantsite of Platte Valley Packing Co., located at or near Darr, Nebr., to points in Minnesota and Missouri; and (4) from the plantsite of the Millard Warehouse, Inc., located at or near Millard, Nebr., to points in Kentucky, Missouri, Iowa, and Minnesota. Note: If a hearing is deemed necessary, applicant requests it be held at Kearney or Lincoln, Nebr.*

No. MC 124961 (Sub-No. 3), filed May 24, 1967. Applicant: HERBERT SMITH, 301 Cumberland Street, Ber-

lin, Pa. Applicant's representative: Frank S. Lucente, Law Building, Somerset, Pa. 15501. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Coal, from points in Somerset County, and Donegal and Mount Pleasant Townships in Westmoreland County, Pa., to Cumberland, Md., and Amelle Plant near Cumberland, Hagerstown, and Williamsport, Md. Note: If a hearing is deemed necessary, applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.*

No. MC 125136 (Sub-No. 6), filed May 17, 1967. Applicant: W. T. MARSHALL, 1285 Nickey Avenue, Decatur, Ill. Applicant's representative: Mack Stephenson, 42 Fox Mill Lane, Springfield, Ill. 62707. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages, from St. Louis, Mo., to Ottawa, Ill., under contract with St. Louis Beverage, Inc. Note: If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill.*

No. MC 125285 (Sub-No. 5), filed May 5, 1967. Applicant: SKYLINE EXPRESS, INC., 4609 West First Street, Duluth, Minn. 55807. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Cement, in bags, from Superior, Wis., to points in Minnesota, and (2) lime and mineral filler, from Superior, Wis., to points in Minnesota, North Dakota, and South Dakota. Note: Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Madison, Wis.*

No. MC 125952 (Sub-No. 5), filed May 18, 1967. Applicant: INTERSTATE DISTRIBUTOR CO., 8311 Durango SW, Tacoma, Wash. 98499. Applicant's representative: George R. LaBissoniere, 920 Logan Building, Seattle, Wash. 98101. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Interior fixtures, consisting of counters, cabinets, benches, shelving, files, blackboards, partitions, wooden and parts thereof, necessary for their assembly and installation, between points in Pierce County, Wash., on the one hand, and, on the other, points in California, under contract with Harmon Cabinets, Inc., Pasquier Products, Inc. Note: Applicant holds common carrier authority in MC 117201, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash.*

No. MC 126142 (Sub-No. 2), filed May 22, 1967. Applicant: GLEASON TRANSPORTATION CO., INC., Rockingham Road, Bellows Falls, Vt. 05101. Applicant's representative: F. T. O'Sullivan, 372 Granite Avenue, Milton, Mass. 02186. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by chain grocery stores and in connection therewith supplies used in the conduct of such stores, between Vernon, Brattleboro, Dummerston, Putney, Westminster Station, Bellows Falls, Ascutney, Windsor,*

Hartland, White River Junction, Wilder, Lewiston, Norwich, East Thetford, Ely, Fairlee, Bradford, South Newbury, Newbury, Wells River, Ryegate, McIndoe Falls, Lower Waterford, Gilman, South Lunenburg, Stevens, Maldstone, Brunswick, Bloomfield, Lemington, Canaan, and Beecher Falls, Vt. **NOTE:** Application is accompanied by a motion to dismiss. If a hearing is deemed necessary, applicant requests it be held at White River Junction, Vt., Lebanon, N.H., Rutland or Brattleboro, Vt.

No. MC 126218 (Sub-No. 2), filed May 19, 1967. Applicant: ACME MOVING AND STORAGE CO., INC., 707 Scott Street, Charleston, S.C. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Berkeley, Dorchester, Charleston, and Colleton Counties, S.C., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Charleston, S.C., or Washington, D.C.

No. MC 127523 (Sub-No. 2), filed May 22, 1967. Applicant: INTERNATIONAL WALNUT CORPORATION, CANADA LTD., 109 Judson Street, Toronto 18, Ontario, Canada. Applicant's representative: John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, between points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Massachusetts, the Lower Peninsula of Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Wisconsin, and the District of Columbia, restricted against the transportation of pallets from Millville, Pa., to points in New York and against the transportation of lumber from Catawissa, Millville, and Williamsport, Pa., to points in New York and Ohio, under contract with Forest-All Sales & Products, Ltd., of Weston, Ontario, Canada, and Forest-All Lumber, Inc., of New York. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

No. MC 127614 (Sub-No. 3), filed May 19, 1967. Applicant: TANNERS TRANSPORTATION, INC., 400 West 14th Street, New York, N.Y. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Hides*, from Chester, Buffalo, and New York, N.Y.; Newark, and Trenton, N.J.; West Chester, Boyertown, and Philadelphia, Pa.; and Baltimore, Md.; to Girard, Ohio; and (2) *scrap leather*, from Girard, Ohio, to Oak Creek, Wis. Restriction: The authority sought in (1) and (2) above is to be

limited to a transportation service to be performed under a continuing contract or contracts with the Ohio Leather Co., Inc. of Girard, Ohio. **NOTE:** Applicant now holds authority to provide service in (1) above for certain shippers, and by this application merely seeks to add an additional contracting shipper. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 128445 (Sub-No. 2), filed May 25, 1967. Applicant: STEVEN K. DOMBROSKI, doing business as SPORT-LAND BEER DIST. COMPANY, 213 North Huron Street, Cheboygan, Mich. 49721. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Fort Wayne and South Bend, Ind., Toledo, Ohio, and St. Louis, Mo., to Cheboygan, Mich., and empties and cooperage, on return. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Lansing or Detroit, Mich.

No. MC 128850 (Sub-No. 1), filed May 19, 1967. Applicant: M & M TRANSPORT, INC., Route 1, Box 262, Onalaska, Wash. 98570. Applicant's representative: Fred R. Convery, 859 Pacific Avenue, Chehalis, Wash. 98532. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Green veneer*, planed, rough, *green and dry kilned lumber*, and *finished plywood*, between points in Lewis County, Wash., and Columbia, Clatsop, Washington, Yamhill, Multnomah, Polk, Benton, and Clackamas Counties, Ore. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portland, Ore.

No. MC 129058 (Sub-No. 1), filed May 19, 1967. Applicant: MURRAY VAN AND STORAGE OF ORLANDO, INC., 2550 Dinneen Avenue, Orlando, Fla. 32804. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Polk, Osceola, Indian River, Brevard, Orange, Lake, Sumter, Marion, Seminole, and Volusia Counties, Fla., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such shipments. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Orlando, Fla., or Washington, D.C.

No. MC 129090 (Sub-No. 1), filed May 23, 1967. Applicant: REPUBLIC PORTSMOUTH STORAGE CORPORATION, 915 Duke Street, Portsmouth, Va. 23705. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between Portsmouth, Norfolk, Newport News, Hampton, Virginia Beach, Williamsburg,

and Chesapeake, Va., and (2) between points in Nansemond, Isle of Wight, York, James City, Surry, Southampton, Northampton, Sussex, Accomack, Charles City, New Kent, Gloucester, Mathews, Middlesex, King Williams, King and Queen, Essex, Richmond, Northumberland, and Lancaster Counties, Va.; Gates, Chowan, Perquimans, Pasquotank, Camden, and Currituck Counties, N.C.; restricted to shipments having a prior or subsequent movement beyond said points in containers. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at Portsmouth, Va., or Washington, D.C.

No. MC 129104 (Amendment), filed May 18, 1967, published in FEDERAL REGISTER issue of June 1, 1967, amended May 25, 1967, and republished as amended, this issue. Applicant: BOOTH TRANSPORT CO., LIMITED, Rural Route No. 3, Simcoe, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Cut flower and florists' supplies*, from points in Alabama, Colorado, Florida, Illinois, Indiana, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Pennsylvania, West Virginia, and Wisconsin, to the ports of entry on the United States-Canadian boundary at the Niagara, St. Marys, and Detroit Rivers, under contract with Thomas A. Ivey & Sons, Ltd., of Port Dover, Ontario, Canada, restricted to traffic destined to the Dominion of Canada. **NOTE:** Applicant seeks authority to transport cut flowers, an exempt agricultural commodity, to authorize the transportation of mixed shipments of cut flowers and florists' supplies. **NOTE:** The purpose of this republication is to add Alabama and Michigan as origin States, which were inadvertently omitted from the application. If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC 129105, filed May 16, 1967. Applicant: WOODWARD WAREHOUSE AND TRANSPORT CORP., 111 Woodward Street, Jersey City, N.J. 07304. 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: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), from the Woodward Warehouse & Transport Corp. warehouse located at Jersey City, N.J., to points in Nassau and Suffolk Counties, N.Y., under contract with Woodward Warehouse & Transport Corp. **NOTE:** If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., or Newark, N.J.

No. MC 129107, filed May 17, 1967. Applicant: R. H. HARDING CO., INC., 100 Centre Drive, Rochester, N.Y. 14623. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate

as a common carrier, by motor vehicle, over irregular routes, transporting: *Used automobiles, used pickup trucks, used panel trucks, used jeeps, used station wagons, and used trailers*, in truckaway service, (1) from Albany, Dansville, Horseheads, and Syracuse, N.Y., to Manheim, Pa., (2) between Rochester, N.Y., Bordentown, N.J., and Manheim, Pa., (3) between Rochester, N.Y., and New York, N.Y., (4) from Rochester, N.Y., to Albany, Dansville, Horseheads, and Syracuse, N.Y., and (5) between Rochester, N.Y., and Springfield, Mass. NOTE: If a hearing is deemed necessary, applicant requests it be held at Rochester, N.Y.

No. MC 129108, filed May 18, 1967. Applicant: RICHARD A. MILLER, doing business as MILLER'S MOVING AND STORAGE, 734 North Railroad Street, Palmyra, Pa. 17078. Applicant's representative: John W. Frame, Box 626, Camp Hill, Pa. 17011. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Palmyra, Pa., and points within 8 miles of Palmyra, on the one hand, and, on the other, points in Pennsylvania within 100 miles of Palmyra, Pa., restricted to shipments having a prior or subsequent movement beyond said points by a motor carrier, other than applicant, and further restricted to pickup and delivery service incidental to and in connection with storage-in-transit, or packing, crating, and containerization, or unpacking, uncrating, and de-containerization of such shipments. NOTE: If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC 129110, filed May 17, 1967. Applicant: 3 H TRUCKING, INC., 887 Northeast 145th Street, North Miami, Fla. Applicant's representative: Bernard C. Pestcoe, 412 City National Bank Building, Miami, Fla. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Synthetic resin granules, powder, solid mass, or liquid non-plastic material in standard 55-gallon steel drums*, from Wippany, N.J., and Toledo, Ohio, to points in Florida, and damaged or rejected merchandise, on return, under contract with Owens-Corning Fiberglass Corp. NOTE: Applicant states that on return trips, it proposes to transport commodities falling within the partial exemption of section 203(b)(6) of the Interstate Commerce Act. Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Miami, Fla.

No. MC 129111, filed May 18, 1967. Applicant: FIGENSHOW TRANSPORTATION, INC., Box 7733, Tonasket, Wash. 98855. Applicant's representative: Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash. 99201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Rodeo stock and equipment*, (1) between points in the States of Washington, Oregon, Idaho, and Montana, and, (2) between points in Washington, Oregon, Idaho, and Mon-

tana, and the ports of entry on the international boundary line between the United States and Canada located at Blaine and Oroville, Wash., and Eastport, Idaho. NOTE: If a hearing is deemed necessary, applicant requests it be held at Spokane or Wenatchee, Wash.

No. MC 129113, filed May 19, 1967. Applicant: JO-PELL TRUCKING, INC., 6087 68th Avenue, Ridgewood, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Textiles*, between New York, N.Y., and points in its commercial zone, on the one hand, and, on the other, Passaic, Paterson, and East Rutherford, N.J. NOTE: If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

MOTOR CARRIERS OF PASSENGERS

No. MC 123718 (Sub-No. 4), filed May 19, 1967. Applicant: C. MONETTE & FILS LIMITEE, 150 Principale Street, Delson County Laprarie, Quebec, Canada. Applicant 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 round-trip charter operations, beginning and ending at ports of entry on the international boundary line between the United States and Canada, located at points in New York, Vermont, New Hampshire, and Maine, and extending to points in the United States, except Alaska and Hawaii. NOTE: If a hearing is deemed necessary, applicant requests it be held at Albany, N.Y.

No. MC 129109, filed May 19, 1967. Applicant: RICHARD J. HARRIS, doing business as GRIZZLY PEAK TRANSPORTATION CO., Post Office Box 267, Red Lodge, Mont. 59068. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Red Lodge, Mont., and Gardiner Lake, Wyo., over U.S. Highway 212 and return over the same route, serving the intermediate point of Twin Lakes, Wyo. NOTE: If a hearing is deemed necessary, applicant requests it be held at Billings, Mont.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAVE BEEN REQUESTED

No. MC 11740 (Sub-No. 5), filed May 22, 1967. Applicant: BLUE & GRAY TRANSPORTATION CO., INCORPORATED, 1111 Commerce Road, Richmond, Va. 23224. Applicant's representative: L. N. Lewis (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities requiring special equipment), (1) between Bacons Castle and Hog Island, Va., over Virginia Highway 617, serving all intermediate points, and (2) serving Surry Power Station, Va., as an off-route point

in connection with applicant's presently authorized regular-route authority between Richmond and Norfolk, Va.

No. MC 112595 (Sub-No. 30), filed May 19, 1967. Applicant: FORD BROTHERS, INC., Post Office Box 419, Ironton, Ohio. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry petroleum pitch*, in dump trucks, from Leach, Ky., to Findlay, Ohio. NOTE: If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio.

By the Commission.

[SEAL]

H. NEIL GARRON,
Secretary.

[F.R. Doc. 67-6318; Filed, June 7, 1967; 8:45 a.m.]

[Notice No. 399]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 5, 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 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One Copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 30605 (Sub-No. 140 TA), filed June 1, 1967. Applicant: THE SANTA FE TRAIL TRANSPORTATION COMPANY, 433 East Waterman, Wichita, Kans. 67202. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, nitroglycerin, livestock, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) between the Colorado-Kansas State line and Pueblo, Colo., over U.S. Highway 50; (2) between junction U.S. Highway 50 Bypass and U.S. Highway 50, and junction U.S. Highway 50 Bypass and U.S. Highway 85 north of Pueblo, Colo., over U.S. Highway 50 Bypass; and

(3) between junction U.S. Highway 50 and Colorado Highway 209 and Pueblo, Colo.: From junction U.S. Highway 50 and Colorado Highway 209, over Colorado Highway 209 to junction Colorado Highway 96 to Pueblo; and return over the same routes, serving all intermediate points; for 180 days. Note: Rates will be filed under existing special permission numbers held by pertinent tariff publishing agents. Applicant states that it proposes to tack the authority sought with its existing authority (1) in MC-30605 (Sub-No. 133), and (2) in item 58 of MC-30605. Supporting shippers: Applicant submitted its own statement in support thereof, and also attached a representative list of shippers, which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 906 Schweitzer Building, Wichita, Kans. 67202.

No. MC 42405 (Sub-No. 26 TA), filed May 29, 1967. Applicant: MISTLETOE EXPRESS SERVICE, a corporation, 111 North Harrison, Oklahoma City, Okla. 73125. Applicant's representative: Max Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities (except classes A and B explosives), between Wichita, Hutchinson, and Pratt, Kans., as follows: From Wichita over U.S. Highway 81 to Newton, Kans., thence over U.S. Highway 50 to Hutchinson, thence over Kansas Highway 61 to Pratt, thence over U.S. Highway 54 to Wichita, serving all intermediate points and the off-route point of Halstead, Kans., for 180 days. Supporting shippers: There are 34 shippers' supporting statements attached to application which may be examined at the Interstate Commerce Commission in Washington, D.C., or at the field office named below. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 350, American General Building, 210 North-west Sixth, Oklahoma City, Okla. 73102.

No. MC 52579 (Sub-No. 73 TA), filed June 1, 1967. Applicant: GILBERT CARRIER CORP., 441 Ninth Avenue, New York, N.Y. 10001. Applicant's representative: Aaron Hoffman (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Wearing apparel, on hangers, from Pleasanton, Kans., to Omaha, Nebr.; for 180 days. Supporting shipper: Stern-Slegman-Prins Co., 3122 Gillham Plaza, Kansas City, Mo. 64109. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 79135 (Sub-No. 39 TA), filed May 31, 1967. Applicant: COSSITT MOTOR EXPRESS, INC., 63 West Kendrick Avenue, Hamilton, N.Y. 13346. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J.

07306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberboard wallboard, primed siding, on flat bed equipment, from Deposit, N.Y., to points in Maine, New Hampshire, and Vermont; for 150 days. Supporting shipper: Allied Chemical Corp., Traffic Department, Walter Brody, Manager, Motor Analysis, 40 Rector Street, New York, N.Y., 10006. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 82841 (Sub-No. 30 TA), filed May 29, 1967. Applicant: R. D. TRANSFER, INC., 801 Livestock Exchange Building, Omaha, Nebr. 68107. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Scrapers, earth movers, agricultural implements, and agricultural machinery, from Columbus, Nebr., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; for 180 days. Supporting shipper: The Soil Mover Manufacturing Corp., Post Office Box 475, Columbus, Nebr. 68601 (R. S. Waite, Vice President). Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 97006 (Sub-No. 7 TA), filed June 1, 1967. Applicant: HOWARD'S EXPRESS, INC., East North Street, Post Office Box 72, Geneva, N.Y. 14456. Applicant's representative: Morton E. Kell, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Glass containers, from Brockport, N.Y., to Scobeyville, N.J.; for 180 days. Supporting shipper: Owens-Illinois, Glass Container Division, Toledo, Ohio 43601. Send protests to: Morris H. Gross, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 107515 (Sub-No. 574 TA), filed May 31, 1967. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road SE., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Grundlach (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Foodstuffs, in vehicles equipped with mechanical refrigeration, from Charlotte, N.C., to points in Alabama, Georgia, Florida, Tennessee, and Virginia; for 180 days. Supporting shipper: Family Foods, Inc., 2040 Cliffwood Place, Post Office Box 3631, Charlotte,

N.C. 28203. Send protests to: William L. Scroggs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 300, 680 West Peachtree Street NW., Atlanta, Ga. 30308.

No. MC 108449 (Sub-No. 261 TA), filed May 29, 1967. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul, Minn. 55113. Applicant's representative: W. A. Myllenebeck (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Resin, in bulk, in shipper-owned trailer, from Chemolite, Minn., to Prairie du Chien, Wis.; for 180 days. Supporting shipper: Minnesota Mining & Manufacturing Co., 2501 Hudson Road, St. Paul, Minn. 55119. Send protests to: A. E. Rathert, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 111401 (Sub-No. 225 TA), filed May 31, 1967. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin L. Hamilton (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sodium phosphate, dry, in bulk, from Hooker Chemical Corp., Dallas, Tex., to Remwood Chemical Co., Tulsa, Okla.; for 180 days. Supporting shipper: Hooker Chemical Corp., Niagara Falls, N.Y. 14302 (F. L. Frank, Traffic Analyst). Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 350, American General Building, 210 North-west Sixth, Oklahoma City, Okla. 73102.

No. MC 114273 (Sub-No. 24 TA), filed May 31, 1967. Applicant: CEDAR RAPIDS STEEL TRANSPORTATION, INC., 3930 16th Avenue, SW., Cedar Rapids, Iowa 52406. Applicant's representative: Robert E. Konchar, 2720 First Avenue, NE., Cedar Rapids, Iowa 52402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, dairy products, articles distributed by meat packing-houses, and such commodities as are used by meatpackers in the conduct of their business when destined to and for use by meatpackers, as described in appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, from the plantsite and/or cold storage facilities utilized by Wilson & Co. at Cedar Rapids, Iowa, to Decatur, Peoria, La Salle, and Rushville, Ill.; for 180 days. Supporting shipper: Wilson & Co., Inc., Prudential Plaza, Chicago, Ill. 60601. Send protests to: Charles C. Biggers, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 332 Federal Building, Davenport, Iowa 52801.

No. MC 115180 (Sub-No. 42 TA), filed June 1, 1967. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. 10014. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from La Porte, Ind., to points in Rhode Island, Connecticut, Massachusetts, Delaware, Virginia, Maryland, West Virginia, Ohio, New Jersey, New York, Pennsylvania, Illinois, Wisconsin, Minnesota, and Missouri; and the District of Columbia; for 180 days. Supporting shipper: American Home Foods, 685 Third Avenue, New York, N.Y. 10017. Send protests to: Paul W. Asenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 346 Broadway, New York, N.Y. 10013.

No. MC 115268 (Sub-No. 4 TA), filed May 31, 1967. Applicant: DAYTON TRANSPORT CORPORATION, Post Office Box 35, Dayton, Va. 22821. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone, sand, and cement*, in dump trucks, from points in Rockingham County, Va., to points in Pendleton County, W. Va.; for 180 days. Supporting shipper: Betts & Frazier, Inc., Post Office Box 422, Harrisonburg, Va. 22801. Send Protests to: George S. Hales, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 118034 (Sub-No. 9 TA), filed May 31, 1967. Applicant: MILLER TRUCK LINE, INC., 901 Northeast 28th Street, Fort Worth, Tex. 76106. Applicant's representative: E. L. Miller (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, B, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk, in tank vehicles), between Fort Worth, Tex., and Muskogee, Okla.; for 150 days. Supporting shipper: Swift & Co., East Exchange Avenue, Fort Worth, Tex. 76106. Send Protests to: Billy R. Reid, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 9A27, Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 124032 (Sub-No. 6 TA), filed May 31, 1967. Applicant: REED'S FUEL COMPANY, 138 North Fifth Street, Springfield, Ore. 97477. Applicant's representative: Henry J. Camarot, 655 North A Street, Springfield, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plywood, hardboard, and chip products*, from points in Lane County, Ore., to dock sites at Yaquina Bay, Newport, and Florence, Ore., for foreign shipment; for 180 days. Supporting shipper: Starr-Carter Lumber Sales, Springfield, Ore. Send protests to: A. E. Odums, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 124181 (Sub-No. 7 TA), filed May 31, 1967. Applicant: JOSEPH GENOVA, Clayton Road, Williamstown,

N.J. 08094. 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: *Containers, ends, caps, and covers*, from Fruitland, Md., to points in Salem, Cumberland, Burlington, Gloucester, Atlantic, Camden, and Cape May Counties, N.J.; for 150 days. Supporting shippers: Violet Packing Co., 123 Railroad Avenue, Williamstown, N.J. 08094; Crown Cork & Seal Co., Inc., 9300 Ashton Road, Post Office Box 6208, Philadelphia, Pa. 19136; and National Fruit Product Co., Inc., Glassboro, N.J. Send protests to: Raymond T. Jones, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 410 Post Office Building, Trenton, N.J. 08608.

No. MC 125294 (Sub-No. 2 TA), filed May 29, 1967. Applicant: HILLDRUP TRANSFER & STORAGE CO., INC., 510 Essex Street, Post Office Box 745, Fredericksburg, Va. 22401. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, (1) between points in the District of Columbia, (2) between points in Virginia within a 100 mile radius of Fredericksburg, Va., including Fredericksburg, Va., (3) between points in Maryland within a 50-mile radius of Lexington Park, Md., including Lexington Park, Md., and (4) between Lexington Park, Md., and the port of Baltimore, Md., restricted to shipments having a prior or subsequent movement beyond said points in containers, and further restricted to pickup and delivery services incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating and decontainerization of such shipments; for 180 days. Note: Applicant states that it intends to tack the herein requested authority to its existing authority in MC 125294 and Sub 1 only insofar as it is necessary to permit it to pickup and deliver shipments between the port of Baltimore, on the one hand, and, on the other, Washington, D.C., and Fredericksburg and Midway (Quantico), Va. Supporting shippers: Express Forwarding Storage, Inc., 17 Battery Place, New York, N.Y. 10004; Home-Pack Transport, Inc., 57-48 49th Street, Maspeth, N.Y.; Routed Thru-Pack, Inc., 350 Broadway, New York, N.Y.; Astron Forwarding Co., Post Office Box 161, Oakland, Calif. 94604; and World-Wide Mollerup Freight Forwarding Co., 2900 South Main Street, Salt Lake City, Utah. Send protests to: Robert W. Waldron, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 126000 (Sub-No. 2 TA), filed May 29, 1967. Applicant: CHARLES SOJOURNER, doing business as SOJOURNER TRUCKING COMPANY, Crystal Springs, Miss. 39059. Applicant's representative: Donald B. Morrison, Post Office Box 961, Jackson, Miss. 39205. Authority sought to operate as a *contract*

carrier, by motor vehicle, over irregular routes, transporting: (1) *Furnishings, fixtures, and equipment used in school laboratories*, from the plantsite of General Equipment Manufacturers, Crystal Springs, Miss.; to Louisville, Ky.; Baltimore, Md.; Detroit, Mich.; Columbia, Kinloch, and St. Joseph, Mo.; New Philadelphia and West Salem, Ohio; Chester, Fairfax, Virginia Beach, and Weyers Cave, Va.; (2) *natural quarried stone tops*, from McDermott, Ohio; Chicago, Ill.; and Stone Mountain, Ga.; to the plantsite of General Equipment Manufacturers, Crystal Springs, Miss.; and (3) *fume hoods*, from Muskegon, Mich., to the plantsite of General Equipment Manufacturers, Crystal Springs, Miss.; transportation of the above commodities to be limited to a service performed under a continuing contract with General Equipment Manufacturers, Crystal Springs, Miss.; for 180 days. Supporting shipper: General Equipment Manufacturers, Crystal Springs, Miss. 39059. Send protests to: Floyd A. Johnson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 312-A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 127806 (Sub-No. 4 TA), filed May 31, 1967. Applicant: BEER TRANSPORT, INC., 130 Steamboat Road, Great Neck, N.Y. 11024. Applicant's representative: Bowes and Milner, 1060 Broad Street, Newark, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt beverages* (except in bulk, in tank vehicles) and *advertising materials*, between Brooklyn, N.Y., and Orange, N.J., plantsites of Rheingold Breweries, Inc., on the one hand, and, on the other, the plantsite of Jacob Ruppert, Inc., at New Bedford, Mass.; (2) *hops in bales, yeast in barrels, and brewing supplies, including brewing chemicals* in fiber barrels or metal drums, and *ditamatus earth*, in bags, from Brooklyn, N.Y., and Orange, N.J., to New Bedford, Mass.; and (3) *malt beverages* (except in bulk, in tank vehicles) and *advertising materials* from the plantsite of Jacob Ruppert Brewery, Inc., in New Bedford, Mass., to Weathersfield, Williamantic, and Fairfield, Conn.; for 150 days. Note: The transportation described in (1) and (2) above is to be performed under contract with Rheingold Breweries, Inc., and that described in (3) above is to be performed under contract with C. Carbone & Co., Inc. Supporting shippers: Rheingold Breweries, Inc., 36 Forrest Street, Brooklyn, N.Y. 11206; and C. Carbone & Co., Inc., 623 Somerville Avenue, Somerville, Mass. 02143. Send protests to: David J. Kiernan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 324 U.S. Post Office Building, 135 High Street, Hartford, Conn. 06101.

No. MC 128122 (Sub-No. 3 TA), filed May 3, 1967. Applicant: STATE TRANSPORT COMPANY, a corporation, Post Office Box 691, Corvallis, Ore. 97330. Applicant's representative: John H. Gallagher, Jr. (same address as above).

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, hardboard, particleboard, and chipboard*, from points in Benton, Lane, Linn, Lincoln, Marion, and Polk Counties, Oreg., to Yaquina Bay, Coos Bay, and Portland, Oreg., and Vancouver and Longview, Wash.; for 180 days. Supporting shippers: Clemens Forest Products, Inc., Post Office Box 668, Philomath, Oreg.; Patrick Lumber Co., Terminal Sales Building, Portland, Oreg.; and Bonnington Lumber Co., Post Office Box 749, Corvallis, Oreg. Send protests to: A. E. Odoms, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 128899 (Sub-No. 1 TA), filed May 31, 1967. Applicant: ROBERT P. K. McNEILL, McNeill Transport Co., 13201 Grand River, Detroit, Mich. 48227. Applicant's representative: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. 48021. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Willow Run Airport, Ypsilanti, Mich.; Detroit Metropolitan Airport, Romulus, Mich.; and Detroit City Airport, Detroit, Mich.; on the one hand, and, on the other, points in Wayne County, Mich., and points in Detroit, Mich., and the commercial zone thereof, as defined by the Commission, restricted to traffic having an immediately prior or immediately subsequent movement by air; for 180 days. Supporting shipper: Ford Motor Co., The American Road, B. Michael, Supervisor, Parts & Material Analysis Section, Transportation & Traffic Analysis Department, Dearborn,

Mich. Send protests to: Gerald J. Davis, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Witherell, Detroit, Mich. 48226.

No. MC 129123 TA, filed May 29, 1967. Applicant: CHECKER VAN & STORAGE, INC., 2130 Third Street, San Francisco, Calif. 94107. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between points in Marin, Sonoma, Napa, San Francisco, Solano, San Mateo, Santa Clara, Alameda, and Contra Costa Counties, Calif., restricted to shipments having a prior or subsequent movement beyond said counties, in containers, and further restricted to pickup and delivery service incidental to and in connection with packing, crating, and containerization, or unpacking, uncrating, and de-containerization of such shipments; for 180 days. Supporting shipper: Routed Thru-Pac, Inc., 350 Broadway, New York, N.Y. 10013. Send protests to: William R. Murdoch, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 129124 TA, filed June 1, 1967. Applicant: Samuel J. Lansberry, Woodland, Pa. 16881. Applicant's representative: Robert A. Mills, 100 Pine Street, Post Office Box 432, Harrisburg, Pa. 17108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, in dump vehicles, from Bradford Township, Clearfield County, Pa., to Fairmount Heights, Prince Georges County, Md.; for 180 days. Supporting shipper: Lansberry Coal & Excavating Co., Woodland, Pa. 16881. Send protests to: Frank L. Calvary, District Supervisor, Bureau

of Operations, Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6415; Filed, June 7, 1967; 8:49 a.m.]

[Notice 1072]

FILING OF APPLICATIONS BY MOTOR CARRIERS OF PROPERTY OR PASSENGERS

JUNE 6, 1967.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act, and certain other proceedings with respect thereto. (49 C.F.R. 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9769. (CONTINENTAL ATLANTIC LINES, INC.—Consolidation—SOUTHERN STAGES, INC., and ATLANTIC STAGES, INC.) (Republication), published in the June 7, 1967, issue of the FEDERAL REGISTER. The reason for this republication is to reflect the hearing date.

HEARING: July 17, 1967, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin. NOTE: This hearing will be heard along with MC-F-9638.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[P.R. Doc. 67-6472; Filed, June 7, 1967; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JUNE

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 June.

1 CFR	Page	9 CFR	Page	26 CFR	Page
20	7899	83	8078	301	8240
3 CFR		10 CFR		601	8135
PROCLAMATIONS:		70	8124	PROPOSED RULES:	
3787	8017	140	8124	1	8093
EXECUTIVE ORDERS:		12 CFR		28 CFR	
July 2, 1910 (modified by PLO 4227)	8037	526	8023	0	8144
6583 (revoked in part by PLO 4223)	8036	555	8238	29 CFR	
11356	8019	562	8125	697	8242
11357	8225	569	8023	30 CFR	
11358	8227	14 CFR		PROPOSED RULES:	
5 CFR		39	7948, 8024, 8079	11	8162
213	8021, 8124, 8229	71	7948, 8024, 8079, 8080, 8127	31 CFR	
7 CFR		73	8024, 8127	251	7947
56	8229	91	8127	32 CFR	
301	7958	97	7949	256	8089
319	7958	221	8127	538	8091
722	7910	224	7901	881	7962
775	8123	288	7901	1001	8142
845	8234	PROPOSED RULES:		1002	8143
848	8123	39	7978, 7979	1003	8143
905	8234	61	8094	1007	8144
908	8021, 8123	63	8094	1013	8144
910	8021	65	8094	1467	8091
911	8022	71	7979, 8181, 8182	35 CFR	
916	7911, 7959, 7960	75	8095	67	8026
917	8063	208	8248	111	8243
944	8235	214	8248	123	8243
1004	8063	295	8248	36 CFR	
1062	8022	15 CFR		PROPOSED RULES:	
1063	8023	201	8027	7	8039
1421	7961, 8124	371	8129	38 CFR	
1804	8235	382	8133	9	8144
1861	8064	384	8130	39 CFR	
1872	8066	399	8130	143	7955
PROPOSED RULES:		16 CFR		41 CFR	
26	8116	13	8238-8240	8-1	7912
68	8004, 8093	18 CFR		8-3	8027
777	7976	301	8133	8-6	7912
915	8039	PROPOSED RULES:		9-7	7912
917	8247	154	7920	9-16	7912
953	8039	260	7920	11-3	8027
958	8168	19 CFR		101-11	8034
987	8171	1	8025	101-38	8144
1001	8175	19	8134	101-45	8145
1002	8175	24	8025	101-46	8145
1003	8175	PROPOSED RULES:		42 CFR	
1004	7976, 8175, 8176	10	7917	51	8243
1015	8175	23	8093	54	8145
1016	8175	21 CFR		PROPOSED RULES:	
1032	8176	3	7945	73	8181
1050	8176	27	8134		
1060	8093	120	8025		
1062	8176	121	7911, 7945-7947		
1063	8179	130	8080		
1067	8176	PROPOSED RULES:			
1073	8247	8	8094		
1103	8093	17	7917		
1104	8247				
1132	8247				
1134	8248				
1136	8180				

FEDERAL REGISTER

8275

43 CFR

Page

PUBLIC LAND ORDERS:

4189	7913
4221	7913
4222	7913
4223	8036
4224	8036
4225	8037
4226	8037
4227	8037

44 CFR

PROPOSED RULES:

401	7978
-----	------

45 CFR

Page

177	8146
178	8146
801	8091, 8246

46 CFR

10	7914
146	8148
147	8148
533	7915

47 CFR

2	8147
73	7915, 7955

47 CFR—Continued

Page

PROPOSED RULES:

1	7917
73	7918, 7919

49 CFR

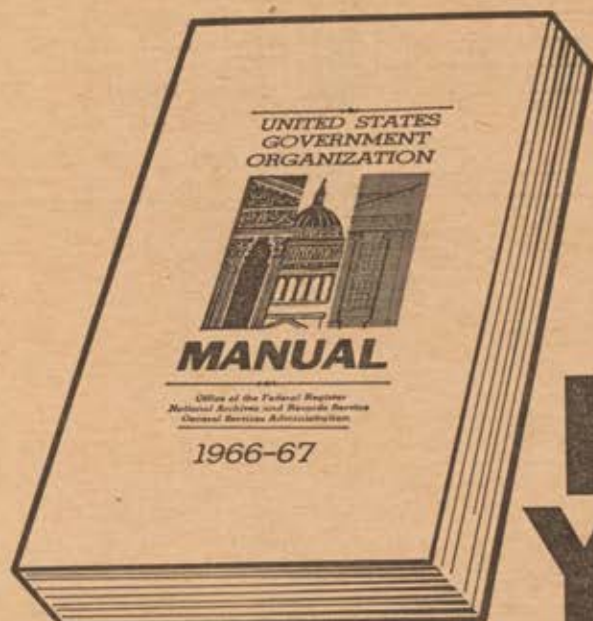
191	8092
195	8037, 8038
293	7956, 8246

PROPOSED RULES:

270	8182
-----	------

50 CFR

32	8246
----	------



KNOW YOUR GOVERNMENT

U.S. GOVERNMENT ORGANIZATION MANUAL

1966-67 EDITION



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

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

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

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

\$2⁰⁰ per copy. Paperbound, with charts

Order from

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