

FEDERAL REGISTER

VOLUME 33 • NUMBER 11

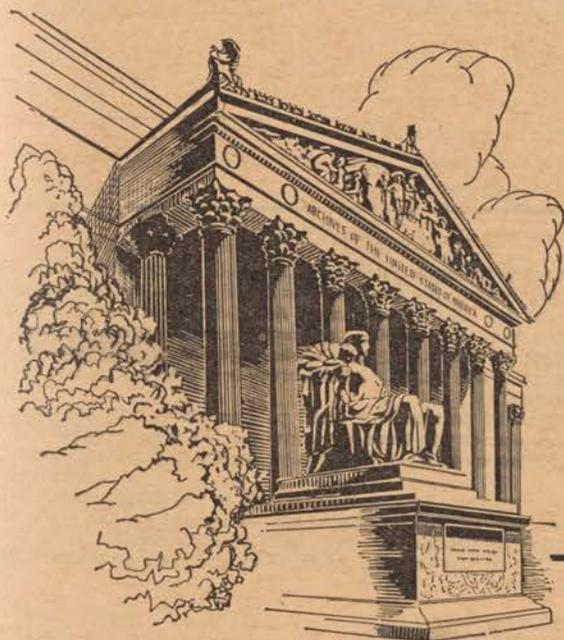
Wednesday, January 17, 1968 • Washington, D.C.

Pages 557-617

Agencies in this issue—

The President
Business and Defense Services Administration
Civil Aeronautics Board
Coast Guard
Consumer and Marketing Service
Customs Bureau
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Railroad Administration
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
General Services Administration
Housing and Urban Development Department
Indian Affairs Bureau
Interagency Textile Administrative Committee
Interstate Commerce Commission
Land Management Bureau
National Park Service
Post Office Department
Securities and Exchange Commission
Social Security Administration
State Department

Detailed list of Contents appears inside.



Latest Edition

Guide to Record Retention Requirements

[Revised as of January 1, 1967]

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Contents

THE PRESIDENT

EXECUTIVE ORDER

Designation of officers of the Department of Commerce to act as Secretary of Commerce..... 563

EXECUTIVE AGENCIES

AGRICULTURE DEPARTMENT

See Consumer and Marketing Service.

BUSINESS AND DEFENSE

SERVICES ADMINISTRATION

Notices

Decisions on applications and applications for duty-free entry of scientific articles:
 Agriculture Department, Agricultural Research Service..... 596
 Battelle - Northwest - Pacific Northwest Labs. et al..... 596
 Baylor University College of Medicine..... 596
 University of California..... 597

CIVIL AERONAUTICS BOARD

Notices

Hearings, etc.:
 Alitalia-Linee Aeree Italiane, S.p.A..... 600
 Alleghany-Lake Central merger case..... 600
 ALM Dutch Antillean Airlines - Memphis / Huntsville / Birmingham-Los Angeles service investigation..... 601
 Northern New England-Great Lakes service investigation..... 601
 Scandinavian Airlines system enforcement proceeding..... 601
 Southern Airways, Inc., show cause proceeding..... 601
 VIASA enforcement case..... 601

COAST GUARD

Notices

Patapsco River, Bear Creek, Baltimore Harbor; portion closed to navigation during launching of "Santa Barbara"..... 600

COMMERCE DEPARTMENT

See Business and Defense Services Administration.

CONSUMER AND MARKETING SERVICE

Rules and Regulations

Lettuce grown in Texas; shipments limitation..... 565

Proposed Rule Making

Dried prunes produced in California; determination..... 576

Notices

Irish potatoes, fresh; Purchase Program IMP 3a and Diversion Program IMD 3a..... 595

CUSTOMS BUREAU

Rules and Regulations

Articles assembled abroad of U.S. components; procedure for establishing exemption from certain duties..... 567

Notices

Ceylon rupee, Finnish markka, Irish pound, New Zealand dollar, Spanish peseta, and United Kingdom pound; rates of exchange..... 592

FEDERAL AVIATION ADMINISTRATION

Rules and Regulations

Airworthiness directives:
 Bristol Siddeley de Havilland Model Gipsy Queen Series 70 engines..... 565
 British Aircraft Corp. Model BAC 1-11 200 and 400 Series airplanes..... 565

Proposed Rule Making

Airworthiness directive; Hawker Siddeley DH.125 Series airplanes..... 576
 Control zone and transition area; alteration..... 576
 Transition areas:
 Alteration..... 577
 Designation..... 577

FEDERAL COMMUNICATIONS COMMISSION

Rules and Regulations

Radio broadcast services; table of assignments, Seneca Falls, N.Y., etc..... 573
 Unattended television STL and intercity relay transmitters; posting of station licenses..... 574

Proposed Rule Making

FM broadcast stations; table of assignments, Geneva, Ala., etc... 578

Notices

Interdependence of computer and communication services and facilities; regulatory and policy problems..... 601
 Hearings, etc.:
 Oliveira, Joseph P..... 602
 State of Oregon et al..... 602
 Voice of the New South, Inc. (WNSL)..... 604
 Welch Antenna Co..... 604

FEDERAL HOME LOAN BANK BOARD

Proposed Rule Making

Federal Savings and Loan Insurance Corporation; accounting requirements..... 580

FEDERAL MARITIME COMMISSION

Notices

American Export Isbrandtsen Lines, Inc. and Transocean Gateway Corp.; agreement filed for approval..... 604

FEDERAL RAILROAD ADMINISTRATION

Proposed Rule Making

Safety appliance standards; tank cars without underframes..... 578

FEDERAL TRADE COMMISSION

Rules and Regulations

Prohibited trade practices; Best Quilting Corp. et al..... 566

FISH AND WILDLIFE SERVICE

Rules and Regulations

Sport fishing; certain national wildlife refuges in California... 575

Notices

Dearborn, Everett L.; loan application..... 595

FOOD AND DRUG ADMINISTRATION

Rules and Regulations

Food additives:
 Antioxidants and/or stabilizers for polymers..... 569
 Hydrogenated polybutene..... 567

Notices

Filing of petitions:
 Allied Chemical Corp..... 598
 Atlas Chemical Industries, Inc... 598
 Elanco Products Co..... 598
 Geigy Chemical Corp. (2 documents)..... 598
 Merck and Co., Inc..... 598
 Monsanto Co..... 599
 NACA Industry Task Force on Phenoxy Herbicide Tolerances (3 documents)..... 599
 Salsbury Laboratories..... 599

GENERAL SERVICES ADMINISTRATION

Rules and Regulations

Utilization and disposal of real property; screening, disposition of title papers, and insertion of circular..... 571

Notices

Secretary of Health, Education, and Welfare; delegation of authority..... 604

(Continued on next page)

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Food and Drug Administration; Social Security Administration.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Notices

Director and Deputy Director for northwest area office at Seattle, Wash.; redelegation of authority ----- 599

INDIAN AFFAIRS BUREAU

Rules and Regulations

Fort Peck Indian Irrigation Project, Mont.; operation and maintenance charges ----- 569

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

Notices

Cotton textiles and cotton textile products; long-term international arrangement categories by tariff schedules ----- 582

INTERIOR DEPARTMENT

See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau; National Park Service.

INTERSTATE COMMERCE COMMISSION

Notices

Fourth section application for relief ----- 609
 Motor carrier alternate route deviation notices ----- 609
 Motor carrier applications and certain other proceedings ----- 610
 Motor carrier intrastate applications ----- 614
 Motor carrier temporary authority applications ----- 614
 Root, Eugene S.; statement of changes in financial interests -- 609

LAND MANAGEMENT BUREAU

Notices

Classification of public lands for multiple-use management:
 Arizona ----- 593
 California ----- 593
 Colorado (2 documents) ----- 593, 594
 Oregon; opening of public lands -- 594
 Utah; classification ----- 595

NATIONAL PARK SERVICE

Notices

Canyonlands National Park; intention to issue concession permit ----- 595

POST OFFICE DEPARTMENT

Rules and Regulations

Code of ethical conduct; specific classes of employees ----- 570

SECURITIES AND EXCHANGE COMMISSION

Rules and Regulations

Securities Act of 1933; no sale rule ----- 566

Notices

Hearings, etc.:

Aereon Corp ----- 604
 Axe-Houghton Fund A, Inc., et al ----- 605
 Coditron Corp ----- 607
 Kashmir Oil, Inc ----- 607
 Leeds Shoes, Inc ----- 607
 Monthly Purchase Plan for Common Stock of Gulf States Utilities Co ----- 607
 Narragansett Electric Co ----- 607
 Rover Shoe Co ----- 608
 Third Fiduciary Exchange Fund, Inc ----- 608

SOCIAL SECURITY ADMINISTRATION

Rules and Regulations

Federal health insurance for the aged; conditions for coverage of services of independent laboratories; correction ----- 567

STATE DEPARTMENT

Rules and Regulations

General and procurement by negotiation; miscellaneous amendments ----- 570

TRANSPORTATION DEPARTMENT

See Coast Guard; Federal Aviation Administration; Federal Railroad Administration.

TREASURY DEPARTMENT

See Customs Bureau.

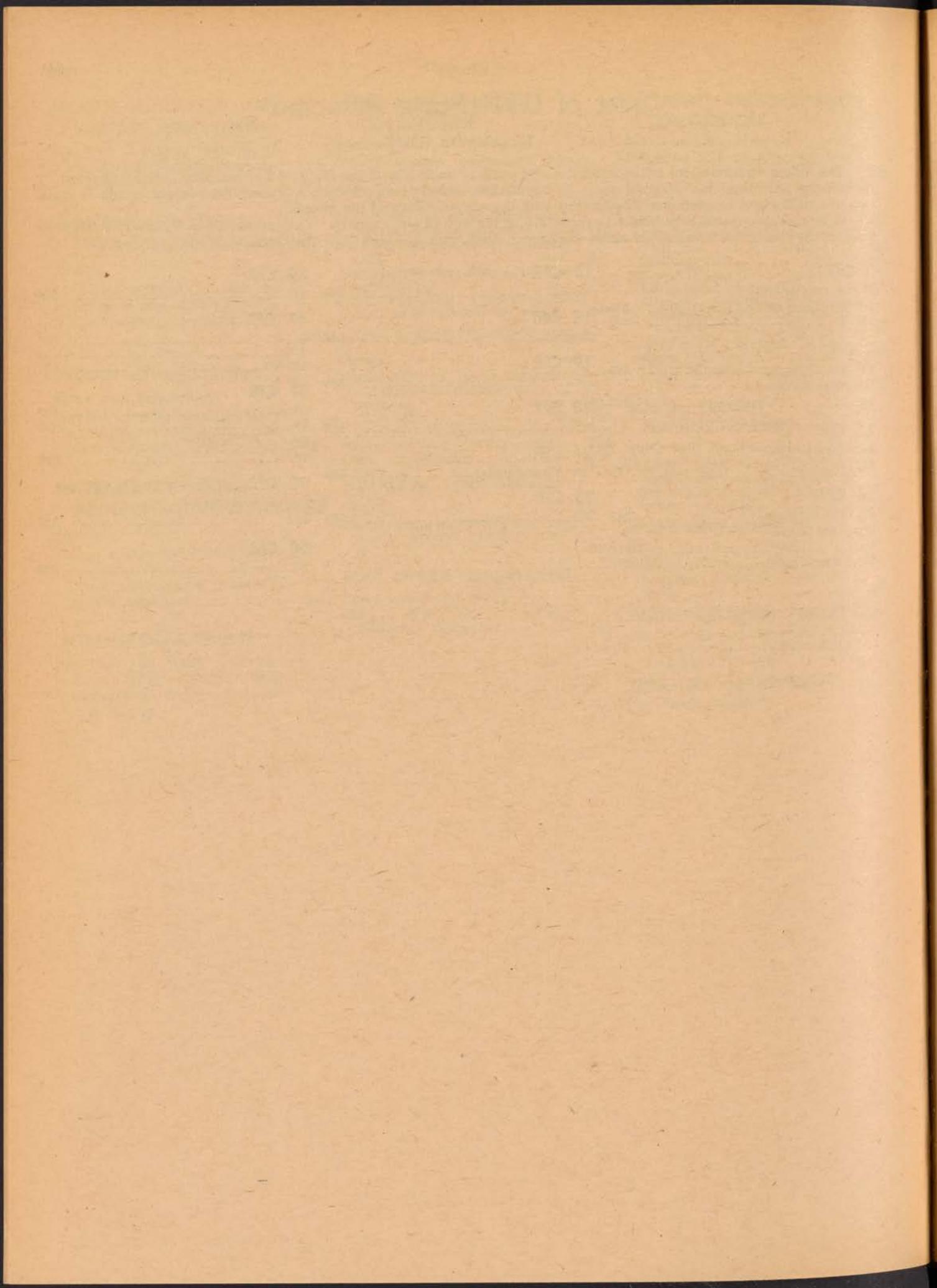
List of CFR Parts Affected

(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, 1968, and specifies how they are affected.

3 CFR		16 CFR		39 CFR	
EXECUTIVE ORDERS:		13.....	566	742.....	570
10148 (superseded by EO 11388) --	563	17 CFR		41 CFR	
11388.....	563	230.....	566	6-1.....	570
7 CFR		19 CFR		6-3.....	570
971.....	565	10.....	567	101-47.....	571
PROPOSED RULES:		20 CFR		47 CFR	
993.....	576	405.....	567	73.....	573
12 CFR		21 CFR		74.....	574
PROPOSED RULES:		121 (2 documents).....	567, 569	PROPOSED RULES:	
563.....	580	25 CFR		73.....	578
14 CFR		221.....	569	49 CFR	
39 (2 documents).....	565			PROPOSED RULES:	
PROPOSED RULES:				131.....	578
39.....	576			50 CFR	
71 (3 documents).....	576, 577			33.....	575



Presidential Documents

Title 3—THE PRESIDENT

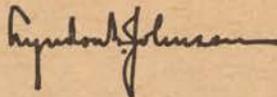
Executive Order 11388

DESIGNATION OF OFFICERS OF THE DEPARTMENT OF COMMERCE TO ACT AS SECRETARY OF COMMERCE

By virtue of the authority vested in me by section 3347 of title 5 of the United States Code and section 301 of title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. During any period when by reason of absence, disability, or vacancy in office, neither the Secretary of Commerce nor the Under Secretary of Commerce is available to exercise the powers or perform the duties of the office of Secretary, an Assistant Secretary of Commerce or the General Counsel of the Department of Commerce, in such order as the Secretary of Commerce may from time to time prescribe, shall act as Secretary. If no such order of succession is in effect at that time, they shall act as Secretary in the order in which they shall have taken office as Assistant Secretaries or General Counsel.

SEC. 2. This order supersedes Executive Order No. 10148 of August 5, 1950.



THE WHITE HOUSE,
January 15, 1968.

[F.R. Doc. 68-697; Filed, Jan. 15, 1968; 3:20 p.m.]

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Rules and Regulations

Title 7—AGRICULTURE

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

[971.310 Amdt. 2]

PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971), regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas (Cameron, Hidalgo, Starr, and Willacy Counties), effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the South Texas Lettuce Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) 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, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (4) this amendment relieves restrictions on the handling of lettuce grown in the production area.

Order, as amended. In § 971.310 (32 F.R. 13320; 33 F.R. 359) the requirements of paragraph (a) *Grade*, which were suspended from January 4, through January 20, 1968 (33 F.R. 359), shall remain suspended through February 3, 1968. Thereafter, the requirements of paragraph (a), as issued September 15, 1967, and effective November 20, 1967 (32 F.R. 13320) shall be in effect. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: January 12, 1968, to become effective January 21, 1968.

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

[F.R. Doc. 68-605; Filed, Jan. 16, 1968;
8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8499, Amdt. 39-542]

PART 39—AIRWORTHINESS DIRECTIVES

Certain Bristol Siddeley de Havilland Model Gipsy Queen Series 70 Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring periodic inspection of crankshafts until Gipsy Modification 2925 (R.550) is incorporated, and the replacement of cracked crankshafts on certain Bristol Siddeley de Havilland Model Gipsy Queen Series 70 Engines was published in 32 F.R. 15490.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRISTOL SIDDELEY. Applies to de Havilland Model Gipsy Queen Series 70 Engines with Crankshafts with Modifications 1399 (R.155), 1609 (R.259), 2289 (R.155 and R.259), 2931 (R.563 and R.564), or Repair Schemes R.155 and R.259 incorporated.

Compliance required as indicated, unless already accomplished.

To prevent failure of the crankshaft front end that could result in loss of the propeller, accomplish the following:

(a) Within the next 400 hours' time in service after the effective date of this AD and thereafter at intervals not to exceed 400 hours' time in service from the last inspection, visually inspect the crankshaft for cracks, in accordance with Bristol Siddeley Technical News Sheet (TNS) G.Q. 70 No. 105, dated August 14, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(b) If cracks are found during the inspections required by paragraph (a), replace cracked crankshaft before further flight with an uncracked crankshaft, or incorporate Gipsy Modification 2925 (R.550). If Gipsy

Modification 2925 (R.550) is not incorporated, inspect the replacement crankshaft in accordance with paragraph (a).

(c) If no cracks are found during the inspections required by paragraph (a), incorporate Modification 2925 (R.550), or an FAA-approved equivalent, at next overhaul.

(d) The repetitive inspections required by paragraph (a) may be discontinued after the incorporation of Gipsy Modification 2925 (R.550).

This amendment becomes effective February 16, 1968.

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

Issued in Washington, D.C., on January 9, 1968.

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

[F.R. Doc. 68-590; Filed, Jan. 16, 1968;
8:47 a.m.]

[Docket No. 8500; Amdt. 39-543]

PART 39—AIRWORTHINESS DIRECTIVES

British Aircraft Corp. Model BAC 1-11 200 and 400 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring modification of the stall protection system oleo relays on British Aircraft Corp. Model BAC 1-11 200 and 400 Series airplanes was published in 32 F.R. 15491.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to BAC 1-11 200 and 400 Series airplanes.

Compliance required as indicated, unless already accomplished.

To prevent possible inadvertent "stick push" during takeoff resulting from oleo relay failure, accomplish the following:

Within the next 1,000 hours' time in service after the effective date of this AD, modify the stall protection system oleo relays by removing the links strapping the oleo relays and connecting the oleo relays in a series configuration, in accordance with British Aircraft Corp. BAC 1-11 Service Bulletin 34-PM 2784, dated August 28, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

This amendment becomes effective February 16, 1968.

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

Issued in Washington, D.C., on January 9, 1968.

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

[F.R. Doc. 68-591; Filed, Jan. 16, 1968;
8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1281]

PART 13—PROHIBITED TRADE PRACTICES

Best Quilting Corp. et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-80 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; 15 U.S.C. 45, 68) [Cease and desist order, Best Quilting Corp. et al., Palisades Park, N.J., Docket C-1281, Jan. 2, 1968.]

In the Matter of Best Quilting Corp., a Corporation, and Charles Shalhoub, Joseph Shalhoub, and Eugenia Shalhoub, Individually and as Officers of Said Corporation

Consent order requiring a Palisades Park, N.J., fabric manufacturer to cease misbranding its wool products.

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

It is ordered, That respondents Best Quilting Corp., a corporation, and its officers, and Charles Shalhoub, Joseph Shalhoub, and Eugenia Shalhoub, individually and as officers 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 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 or 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 correctly showing in a clear and conspicuous man-

ner 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 Best Quilting Corp., a corporation, and its officers, and Charles Shalhoub, Joseph Shalhoub, and Eugenia Shalhoub, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of quilting materials or any other textile products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in quilting materials or any other textile products on invoices or shipping memoranda applicable thereto or in any other manner.

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: January 2, 1968.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-481; Filed, Jan. 16, 1968;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 33-4892]

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

No Sale Rule

The Securities and Exchange Commission has amended its Rule 133 (17 CFR 230.133) under the Securities Act of 1933. That rule provides that the submission to stockholders of a corporation, under certain circumstances, of a proposed merger, consolidation, reclassification of securities or transfer of assets does not, solely for the purpose of the registration requirements of section 5 of the Act, constitute an offer to such stockholders of the securities to be issued to them in the transaction.

Where a transaction involves the transfer of assets to a corporation in consideration of its own securities, the rule provides that the consideration may consist of any kind of securities, whether equity or debt securities. However, where the assets are to be transferred to a subsidiary of the issuer of the securities involved in the transaction, the consideration previously could consist only of voting stock of such issuer. The rule has been amended so that it will apply in cases where the assets are to be trans-

ferred to a subsidiary of the issuer in consideration of any securities of the issuer, whether equity or debt securities. The rule has been further amended to incorporate therein the definition of the term "control" contained in section 368(c) of the Internal Revenue Code, in lieu of referring to such definition. The taxable nature of the transaction should, of course, be fully disclosed to stockholders whose proxies or consents are solicited to the approval of the transaction.

Commission action. Section 230.133(a) of Title 17 of the Code of Federal Regulations is amended to read as follows:

§ 230.133 Definition for purposes of section 5 of the act, of "sale," "offer to sell," and "offer for sale."

(a) For purposes only of section 5 of the Act, no "sale," "offer to sell," or "offer for sale" shall be deemed to be involved so far as the stockholders of a corporation are concerned where, pursuant to statutory provisions in the state of incorporation or provisions contained in the certificate of incorporation, there is submitted to the vote of such stockholders a plan or agreement for a statutory merger or consolidation or reclassification of securities, or a proposal for the transfer of assets of such corporation to another person in consideration of the issuance of securities of such other person or securities of a corporation which owns stock possessing at least 80 percent of the total combined voting power of all classes of stock entitled to vote and at least 80 percent of the total number of shares of all other classes of stock of such person, under such circumstances that the vote of a required favorable majority (1) will operate to authorize the proposed transaction as far as concerns the corporation whose stockholders are voting (except for the taking of action by the directors of the corporation involved and for compliance with such statutory provisions as the filing of the plan or agreement with the appropriate State authority), and (2) will bind all stockholders of such corporation except to the extent that dissenting shareholders may be entitled, under statutory provisions or provisions contained in the certificate of incorporation, to receive the appraised or fair value of their holdings.

(Secs. 5 and 19(a); 48 Stat. 77 and 48 Stat. 85, as amended; 15 U.S.C. 77e and 77s)

The foregoing action was taken pursuant to the Securities Act of 1933, particularly sections 5 and 19(a) thereof.

Effective date. Since this section is in the nature of an exemptive section and the amendment relieves a previously existing restriction, the Commission finds that notice and procedure pursuant to the Administrative Procedure Act is not necessary and that the amendment can be made effective immediately. Accordingly, the amendment shall become effective January 9, 1968.

By the Commission, January 9, 1968.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-579; Filed, Jan. 16, 1968;
8:46 a.m.]

Title 19—CUSTOMS DUTIES

**Chapter I—Bureau of Customs,
Department of the Treasury**

[T.D. 68-26]

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

**Articles Assembled Abroad in Whole
or in Part of U.S. Components**

JANUARY 11, 1968.

Item 807.00, Tariff Schedules of the United States, provides for partial exemption from duty under certain conditions in the case of articles assembled abroad in whole or in part of components which are the product of the United States. This provision was amended by section 85, Public Law 89-241, approved October 7, 1965 (which elaborated and clarified the requirements), and by section 1, Public Law 89-806, approved November 10, 1966 (which deleted the requirement of exportation for the purpose of assembly and return).

To set forth the procedures to be followed in claiming a partial exemption from duty under item 807.00, § 10.1 of the Customs Regulations is amended by adding a new paragraph (g) reading as follows:

§ 10.1 Domestic products; requirements on entry.

(g) The following documents shall be filed in connection with the entry of articles claimed to be partially exempted from duty under item 807.00, Tariff Schedules of the United States, as amended:

(1) A declaration by the person who performed the assembling operations abroad, in substantially the following form:

I, _____, declare to the best of my knowledge and belief that the _____ were assembled in whole or in part from components, as listed and described below, which were produced in the United States.

List and description of components:

Marks or identification numbers	Description of component	Quantity
-----	-----	-----
-----	-----	-----

Unit value at time and place of export from United States ¹	Port and date of export from United States
-----	-----
-----	-----

¹Selling price (or costs, if not sold) including inland freight, insurance and other charges to United States port of export.

Description of operations performed abroad on the U.S. components including assembling and all other operations.

(Date) (Signature)

(Capacity)

(Address)

(2) An endorsement of the owner, importer, consignee, or agent, in substantially the following form:

I declare to the best of my knowledge and belief that the (above) (attached) declaration of _____ is correct in every respect.

(Date) (Signature)

(Capacity)

(Address)

(3) If the customs officer concerned is reasonably satisfied because of the nature of the articles or production of other evidence, for example, pertinent business records or copies of shipper's export declarations, that the components are products assembled in such circumstances as to meet the requirements of item 807.00, he may waive the document provided for in subparagraphs (1) and (2) of this paragraph.

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

LESTER D. JOHNSON,
[SEAL] Commissioner of Customs.
Approved: January 10, 1968.

TRUE DAVIS,
Assistant Secretary
of the Treasury.
[F.R. Doc. 68-640; Filed, Jan. 16, 1968;
8:52 a.m.]

**Title 20—EMPLOYEES'
BENEFITS**

**Chapter III—Social Security Administration,
Department of Health,
Education, and Welfare**

[Regs. No. 5]

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED (1965—)

Subpart M—Conditions for Coverage of Services of Independent Laboratories

MISCELLANEOUS AMENDMENTS

Correction

In F.R. Doc. 68-497 appearing at page 488 in the issue of Saturday, January 13, 1968, § 405.1315(d)(2) should be corrected to read as follows:

(2) He is a high school graduate and subsequent to graduation has served 2 years as a technician trainee in a clinical laboratory with a director at the doctoral level, or in a State which regulates clinical laboratory personnel, in a clinical laboratory acceptable to that State.

Title 21—FOOD AND DRUGS

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

**SUBCHAPTER B—FOOD AND FOOD PRODUCTS
PART 121—FOOD ADDITIVES**

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

HYDROGENATED POLYBUTENE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 6B1843) filed by Cosden Oil & Chemical Co., Big Spring, Tex. 79720, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of hydrogenated polybutene as a component of articles intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c) (1), 72 Stat. 1786; 21 U.S.C. 348 (c) (1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended in the following respects:

1. Section 121.2509(b) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2509 Release agents.

(b) * * *	Limitations
Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).	For use only subject to the limitations prescribed for hydrogenated polybutene under § 121.2511(b).

2. Section 121.2511(b) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2511 Plasticizers in polymeric substances.

(b) List of substances:

RULES AND REGULATIONS

Limitations

Polybutene, hydrogenated (minimum viscosity at 210° F. 39 Saybolt Universal seconds, as determined by ASTM Methods D-445 and D-2161; and bromine number of 3 or less, as determined by ASTM Method D-1492).

For use only:

- 1. In polymeric substances used in contact with nonfatty food.
2. In polyethylene complying with § 121.2501 and used in contact with fatty food, provided that the hydrogenated polybutene is added in an amount not to exceed 0.5 percent by weight of the polyethylene, and further provided that such plasticized polyethylene shall not be used as a component of articles intended for packing or holding food during cooking.
3. In polystyrene complying with § 121.2510 and used in contact with fatty food, provided that the hydrogenated polybutene is added in an amount not to exceed 5 percent by weight of the polystyrene, and further provided that such plasticized polystyrene shall not be used as a component of articles intended for packing or holding food during cooking.

(d) * * *
(2) * * *

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).

10. Section 121.2553(a) (3) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2553 Lubricants with incidental food contact.

(a) * * *
(3) * * *

Substances Limitations

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b). Addition to food not to exceed 10 parts per million.

11. Section 121.2571(b) (2) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2571 Components of paper and paperboard in contact with dry food.

(b) * * *
(2) * * *

List of substances Limitations

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).

12. Section 121.2577(b) (2) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2577 Pressure-sensitive adhesives.

(b) * * *
(2) * * *

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).

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

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

3. Section 121.2514(b) (3) (xxxiii) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2514 Resinous and polymeric coatings.

(b) * * *
(3) * * *
(xxxiii) * * *

Polybutene, hydrogenated; complying with the identity and limitations prescribed by § 121.2511.

4. Section 121.2519(d) (3) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2519 Defoaming agents used in the manufacture of paper and paperboard.

(d) * * *
(3) * * *

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).

5. Section 121.2520(c) (5) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2520 Adhesives.

(c) * * *
(5) * * *

COMPONENTS OF ADHESIVES

Substances Limitations

Polybutene, hydrogenated

6. Section 121.2526(a) (5) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(a) * * *
(5) * * *

List of substances Limitations

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b). For use only as provided in §§ 121.2509, 121.2511, and 121.2514.

7. Section 121.2531(a) (2) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2531 Surface lubricants used in the manufacture of metallic articles.

(a) * * *
(2) * * *

List of substances Limitations

Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b).

8. Section 121.2535(d) (5) (ii) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2535 Textiles and textile fibers.

(d) * * *
(5) * * *

List of substances Limitations

(ii) Polybutene, hydrogenated; complying with the identity prescribed under § 121.2511(b). For use only at a level not to exceed 0.15 percent by weight of finished fibers.

9. Section 121.2536(d) (2) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2536 Filters, resin-bonded.

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

Dated: January 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-624; Filed, Jan. 16, 1968;
8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ANTIOXIDANTS AND/OR STABILIZERS FOR POLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7B2085) filed by Monsanto Co.,

Post Office Box 1531, Springfield, Mass. 01101, and other relevant material, has concluded that the food additive regulations should be amended as set forth below to provide for the use of an additional optional substance as an antioxidant and/or stabilizer in polymers used in the manufacture of articles intended for food-contact use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2566(b) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2566 Antioxidants and/or stabilizers for polymers.

* * * * *

Limitations

* * *

Hydrogenated 4,4'-isopropylidenediphenol-phosphite ester resins produced by the condensation of 1 mole of triphenyl phosphite and 1.5 moles of hydrogenated 4,4'-isopropylidenediphenol such that the finished resins have a molecular weight in the range of 2,400-3,000, a phosphorous content of 6.5-6.9 percent, and contain no more than 2.2 percent by weight of residual free phenol.

For use only at levels not to exceed 0.55 percent by weight of polyvinyl chloride resins used in the manufacture of rigid polyvinyl chloride bottles intended for contact with edible oils (including edible oil in simple mixture or emulsion form) and all types of dressings for salads. The finished food-contact article containing this stabilizer, when extracted with distilled water at 135° F. for 1 week (168 hours), using a volume-to-surface ratio of 5 milliliters per square inch of surface tested, shall yield extracted phenol not to exceed 0.008 milligram per square inch of food-contact surface and shall yield no extracted organophosphates (total phosphates minus inorganic phosphates) when tested by a spectrophotometric method sensitive to 0.0001 milligram of phosphate per square inch of food-contact surface.

* * *

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Fort Peck Indian Irrigation Project, Mont.

On page 17543 of the FEDERAL REGISTER of December 7, 1967, there was published a notice of Intention to amend § 221.38, *Charges*, of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Fort Peck Indian Irrigation Project, Montana. The purpose of the amendment is to establish the assessment rate for 1968 and thereafter until further notice.

A 30-day period was prescribed for the public to have the opportunity to participate in the rule making process and submit written comments, suggestions, or objections. We have reviewed and considered all submitted protests and comments. Information does not indicate facts which would materially change the recommended charges. The proposed

amendment is hereby adopted without change as set forth below.

Section 221.38 is amended to read as follows:

§ 221.38 Charges.

(a) On the Poplar River Unit and that part of the Big Porcupine Unit not served by the Wiota Pumping Plant, water, when available will be furnished upon approved application during the 1968 irrigation season and until further notice, at a flat rate of \$3 per acre per annum for all irrigable lands included in the farm unit or allotment described in the application whether water is used or not.

(b) On that part of the Big Porcupine Unit that is under the service area of the Big Porcupine or Wiota pumping plant, water, when available, will be furnished to all irrigable non-Indian lands and to all Indian lands leased to non-Indians, to which delivery of water can be made, during the 1968 irrigation season and thereafter until further notice, at a minimum rate of \$4 per acre per annum whether water is used or not. Payment of the minimum rate entitles the water-user to the delivery of 2 acre-feet of water per acre of irrigable land included in each farm unit or allotment. Any additional water delivered shall be charged for at the rate of \$2 per acre-foot or fraction thereof for the first additional acre-foot, \$2 per acre-foot or fraction thereof for the second additional acre-foot and \$2 per acre-foot or fraction thereof for water delivered in excess of the second additional acre-foot.

(c) (1) For Indian land farmed by the Indian owner or leased and farmed by Indians, under that part of the Big Porcupine Unit that is within the service area of the Wiota pumping plant, water, when available, will be furnished during the 1968 season and until further notice at a minimum rate of \$4 per acre per annum for the entire irrigable area included in the allotment whether water is used or not. Payment of the minimum rate entitles the Indian water user to the delivery of 2 acre-feet of water per acre included in the allotment. Any additional water delivered shall be charged for at the rate of \$2 per acre-foot or fraction thereof for the first additional acre-foot, \$2 per acre-foot or fraction thereof for the second additional acre-foot and \$2 per acre-foot or fraction thereof for water delivered in excess of the second additional acre-foot.

(2) For all irrigable lands situated adjacent to and outside of that part of the Big Porcupine Unit that is under the service area of the Big Porcupine Unit or Wiota pumping plant, surplus water, when available and not required for irrigation of lands within the Big Porcupine Unit, will be furnished at the flat rate of \$2.75 per acre-foot. Water measurement and delivery thereof will be made at the project limits.

(d) On the Frazer-Wolf Point Unit (comprising all irrigable lands supplied with water from the Little Porcupine Reservoir and the Frazer pumping plant) water, when available, will be furnished to all irrigable non-Indian

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

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

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

Dated: January 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-623; Filed, Jan. 16, 1968;
8:50 a.m.]

lands; to all irrigable Indian-owned allotments leased to non-Indian (whether subjugated or not) to which delivery of water can be made during the 1968 irrigation season and until further notice at a minimum rate of \$4 per acre per annum whether water is used or not. Water, when available, will be furnished at a like minimum rate for the irrigable area for all subjugated Indian-owned allotments to which delivery of water can be made. Payment of the minimum rate entitles the water user to the delivery of 2 acre-feet of water per acre of irrigable land included in each farm unit or allotment. Any additional water delivered shall be charged for at the rate of \$2 per acre-foot or fraction thereof for the first additional acre-foot, \$2 per acre-foot or fraction thereof for the second additional acre-foot and \$2 per acre-foot or fraction thereof for water delivered in excess of the second additional acre-foot.

(e) For all Indian lands farmed by the Indian owner, or leased and farmed by Indians in the Frazer-Wolf Point Unit, not subjugated but to which water can be delivered, water, when available will be furnished during the 1968 irrigation season and thereafter until further notice at a minimum rate of \$4 per acre per annum for the entire irrigable area included in each allotment whether water is used or not. Payment of the minimum rate entitles the Indian water user to the delivery of two acre-feet of water per irrigable acre included in the allotment. Any additional water delivered shall be charged for at the rate of \$2 per acre-foot or fraction thereof for the first additional acre-foot, \$2 per acre-foot or fraction thereof for the second additional acre-foot and \$2 per acre-foot or fraction thereof for water delivered in excess of the second additional acre-foot.

JAMES F. CANAN,
Area Director.

[F.R. Doc. 68-568; Filed, Jan. 16, 1968;
8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department PART 742—CODE OF ETHICAL CONDUCT

Specific Classes of Employees

Part 742 is amended to update the Department's regulations concerning ethical conduct of its employees and special Government pursuant to Executive Order 11222 and are effective upon publication in the FEDERAL REGISTER.

I. In § 742.735-53 *Specific classes of employees*, make the following changes: The introductory text of paragraph (d) and subparagraph (11) of paragraph (d)

are revised to read as follows. Subparagraph (13) of paragraph (d) is added.

§ 742.735-52 Specific classes of employees.

(d) In addition to the employees listed in paragraph (a) through (c) of this section, employees occupying the positions listed below in the Bureaus, Offices, and postal installations designated therein which are classified at GS-13 or above, PFS-15 or above, except as otherwise indicated.

NOTE: The corresponding Postal Manual section is 742.52d.

(11) REGIONAL POSITIONS

Regional Director.
Deputy Regional Director.
Assistant to the Regional Director.
Regional Counsel.
Regional Controller.
Accounting Programs Officer.
Chief, Budget and Programs Branch.
Chief, Cost and Survey Branch.
Director, Industrial Relations Division.
Chief, Employee-Management Branch.
Chief, Personnel Programs Branch.
Director, Postal Operations Division.
Chief, Methods and Plant Improvements Branch.
Chief, Organization and Standards Branch.
Chief, Distribution Delivery and Vehicle Services Branch.
Director, Postal Service Officer Division.
Director, Transportation Division.
Chief, Transportation Planning Branch.
Chief, Schemes and Routing Branch.
Chief, Railway Transportation Branch.
Chief, Highway Transportation Branch.
Chief, Air Transportation Branch.
Director, Engineering and Facilities Division.
Chief, Engineering Branch.
Chief, Real Estate Branch.
Assistant Chief, Real Estate Branch.
Real Estate Officers (PFS Level 13 or above).
Chief, Plant Maintenance Branch.
Chief, Vehicle Maintenance Branch.
Chief, Procurement and Supply Branch.
Director, Postal Data Center.
Director, Processing and Control Division.
Director, Systems and Planning Division.
Chief, Contract Procurement and Review Section, New York Postal Data Center (PFS-11).

NOTE: The corresponding Postal Manual section is 742.52d(11).

(13) DEPUTY ASSISTANT POSTMASTERS GENERAL, DEPUTY GENERAL COUNSEL, AND DEPUTY CHIEF INSPECTOR

NOTE: The corresponding Postal Manual section is 742.52d(13).

These amendments to Part 742 were approved by the Civil Service Commission on October 17, November 17, and December 12, 1967.

(5 U.S.C. 301, 39 U.S.C. 501, E.O. 11222)

TIMOTHY J. MAY,
General Counsel.

JANUARY 11, 1968.

[F.R. Doc. 68-578; Filed, Jan. 16, 1968;
8:46 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 6—Department of State

[Departmental Reg. 108.577]

PART 6-1—GENERAL

Subpart 6-1.3—General Policies

PART 6-3—PROCUREMENT BY NEGOTIATION

Subpart 6-3.6—Small Purchases

MISCELLANEOUS AMENDMENTS

1. Subpart 6-1.3 is amended by revising § 6-1.350 and deleting § 6-1.354 as follows:

§ 6-1.350 Procurement by posts within the United States.

Posts are authorized to make small purchases, as provided for in § 6-3.605 of this chapter, directly from sources within the United States.

§ 6-1.354 [Deleted]

(Sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 4, 63 Stat. 111, 22 U.S.C. 2658)

2. Subpart 6-3.6 is revised to read as follows:

Subpart 6-3.6—Small Purchases

Sec.	
6-3.604	Imprest funds (petty cash) method.
6-3.604-3	Agency responsibilities.
6-3.604-6	Procurement and payment.
6-3.605	Purchase order forms.
6-3.605-3	Agency order forms.
6-3.605-50	Unpriced purchase order.
6-3.606	Blanket purchase arrangements.
6-3.606-1	General.
6-3.606-2	Authority to use blanket purchase arrangements.
6-3.606-3	Establishment of account.
6-3.606-4	Documentation.

AUTHORITY: The provisions of this Subpart 6-3.6 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 486(c); sec. 4, 63 Stat. 111, 22 U.S.C. 2658.

Subpart 6-3.6—Small Purchases

§ 6-3.604 Imprest funds (petty cash) method.

§ 6-3.604-3 Agency responsibilities.

Regulations regarding the establishing of and accounting for imprest funds (operating cash advances) are contained in Volume 4, Foreign Affairs Manual (FAM), Financial Management.

§ 6-3.604-6 Procurement and payment.

(a) Local employees may be authorized to make small purchases utilizing imprest funds.

(b) The services of cashiers, designated in accordance with 4 FAM 300, may be used to facilitate payments utilizing imprest funds.

(c) Standard form 1165 may be used, in accordance with procedures in 4 FAM

422, to document small purchases utilizing imprest funds if itemized receipts are not available from vendor.

§ 6-3.605 Purchase order forms.

§ 6-3.605-3 Agency order forms.

(a) *Prescribed forms.* Foreign Service forms 455 and 455a (Purchase Order, Receiving Report and Voucher, and Continuation Sheet) are prescribed for post use for all purposes described in this section. These forms provide, in one set, a purchase or delivery order, receiving report and public voucher with requisite space for purchase data and budgetary, accounting and voucher payment data. They may be used as:

(1) A purchase order for small purchases;

(2) A delivery order under an established contract;

(3) Documentation in connection with a blanket purchase arrangement;

(4) A voucher.

(b) *Procedures.* (1) Local procedures shall be established by posts for local and third country small purchases. Regulations regarding the receiving report and public voucher portions are in 4 FAM 420.

(2) Posts are authorized to purchase from both government contract sources (such as Federal Supply Schedules and the Department's supply schedules) and noncontract sources within the United States.

(1) Procedures for purchasing for surface shipment from Federal Supply Schedule contractors are in § 6-5.5004 of this chapter. They may be followed, as applicable, in purchasing from other government contractors. The small purchase limitation of \$2,500 does not apply to purchases under Government contracts existing at the time of purchase.

(ii) Posts should normally follow the procedures in § 6-5.5004 of this chapter in purchasing for surface shipment from noncontract sources so that payment to the vendor may be accelerated through usage of the Despatch Agent's services. The small purchases limitation of \$2,500 applies to the aggregate total of the order (including all estimated handling and freight charges) to be paid to the vendor.

§ 6-3.605-50 Unpriced purchase order.

(a) An unpriced purchase order is one for which the price is not established at the time of issuance of the order.

(b) An unpriced purchase order may be used only when all of the following conditions are present:

(1) The order is one by a post to a U.S. source.

(2) It is impractical to obtain pricing in advance of issuance of the order; and

(3) The prices are known to be competitive.

(c) A realistic monetary limitation shall be placed on the unpriced purchase order. This amount is used to establish an obligation subject to adjustment when the firm price is established.

(d) The following clause shall be included in each unpriced purchase order:

NOTICE TO SUPPLIER

This order is not valid for the procurement of an item or items for a total in excess of \$----- Make delivery as soon as possible and submit invoice to the ordering officer of the purchase office named herein.

If total price of this order will exceed the above amount or if you cannot make delivery in accordance with the description set forth herein, notify the undersigned ordering officer immediately, giving your quotation or proposed substitution or changes, and withhold shipment pending reply.

§ 6-3.606 Blanket purchase arrangements.

§ 6-3.606-1 General.

The primary purpose of the Blanket Purchase Arrangement is to eliminate documentation incident to individual petty cash or purchase order purchases. Its use, in itself, does not imply any increased amount of purchases from the vendor involved as the same policies that apply to selection of suppliers in utilizing the other small purchase methods must be applied to individual purchases under the arrangement.

§ 6-3.606-2 Authority to use blanket purchase arrangements.

Blanket purchase arrangements may be established for periods not to exceed 6 months and individual purchases under them may not exceed \$2,500. Maximum cumulative limitations may not exceed \$2,500 unless authorized by the Chief, Supply and Transportation Services Division. Arrangements established under existing contracts, however, need only conform to the terms of the contract.

§ 6-3.606-3 Establishment of account.

(a) Separate accounts should be established for each user agency and Departmental office.

(b) Fund availability for each account shall be established as provided for in 4 FAM 050. No purchases may be made against the account which exceed the fund availability.

(c) All accounts should be examined periodically to determine whether repetitive purchases of the same item or class of items under them should be consolidated for procurement.

§ 6-3.606-4 Documentation.

(a) Documentation should normally consist of a letter or an exchange of letters providing agreement on the following points:

(1) Authority to the supplier to furnish items or services upon order within a stipulated general class for a stipulated period.

(2) The names of persons authorized to place orders, the method of placing such orders, the maximum limitation of individual orders (which, in any case, may not exceed \$2,500), and the maximum cumulative purchase limitation under the arrangement.

(3) Method of establishing a record of sale and receipt under each order, preferably through use of the supplier's standard delivery ticket.

(4) Understanding that the obligation to purchase is limited to the extent of individual orders.

(5) Method and place of delivery if relevant.

(6) Time and/or trade discount terms that might apply to any standard pricing that might exist.

(7) Frequency of invoicing, preferably monthly, itemized and accompanied by the original of individual delivery tickets.

(b) Regardless of the type of documentation used, any reference to funding included therein should be specified as constituting an availability or reservation only of funds and not an obligation to purchase.

IDAR RIMESTAD,
Deputy Under Secretary
for Administration.

DECEMBER 28, 1967.

[F.R. Doc. 68-589; Filed, Jan. 16, 1968; 8:47 a.m.]

Chapter 101—Federal Property Management Regulations

SUBCHAPTER H—UTILIZATION AND DISPOSAL

PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

Screening of Real Property, Disposition of Title Papers, and Insertion of Bureau of Budget Circular No. A-2, Revised

Bureau of the Budget Circular No. A-2, Revised, dated April 5, 1967, is substituted as an exhibit in § 101-47.4908 in place of Bureau of the Budget Circular No. A-2 dated October 18, 1955. Paragraph 5c of Bureau of the Budget Circular No. A-2, Revised, states that each executive agency will notify GSA either "formally or informally" as to its real property requirements. Section 101-47.203-3 requires such notification to be "in writing." Accordingly, the quoted words are deleted. Bureau of the Budget Circular No. A-25, dated September 23, 1959, as amended by Bureau of the Budget Transmittal Memorandum No. 1, dated October 22, 1963, indicates that it is the Government's policy to charge a fee for any special services furnished the public. Section 101-47.307-4 indicates that copies of title papers may be furnished the purchaser "with or without charge." The quoted words are deleted and the words "at an appropriate charge" substituted.

Subpart 101-47.2—Utilization of Excess Real Property

Section 101-47.203-3 is revised to read as follows:

§ 101-47.203-3 Notification of agency requirements.

Each executive agency shall notify the proper GSA regional office whenever real property is needed for an authorized program of the agency. The notice shall state the land area of the property needed, the preferred location or suitable

alternate locations, and describe the type of property needed in sufficient detail to enable GSA to review its records of property that it knows will be reported excess by holding agencies, its inventory of excess property, and its inventory of surplus property, to ascertain whether any such property may be suitable for the needs of the agency. The agency shall be informed promptly by the GSA regional office as to whether or not any such property is available.

Subpart 101-47.3—Surplus Real Property Disposal

Section 101-47.307-4 is revised to read as follows:

§ 101-47.307-4 Disposition of title papers.

The holding agency shall, upon request, deliver to the disposal agency all title papers in its possession relating to the property reported excess. The disposal agency may transfer to the purchaser of the property, as a part of the disposal transaction, the pertinent records authorized by § 101-11.404-2, to be so transferred. If the purchaser of the property wishes to obtain additional records, copies thereof may be furnished to the purchaser at an appropriate charge, as determined by the agency having custody of the records.

Subpart 101-47.49—Illustrations

Section 101-47.4908 is revised to illustrate Bureau of the Budget Circular No. A-2, Revised, dated April 5, 1967.

§ 101-47.4908 Bureau of the Budget Circular No. A-2, Revised, dated April 5, 1967.

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

Washington, D.C. 20503

Circular No. A-2, Revised,

April 5, 1967.

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND ESTABLISHMENTS

Subject: Utilization, retention, and acquisition of Federal real property

1. *Purpose.* This Circular rescinds and replaces Bureau of the Budget Circular No. A-2, dated October 18, 1955. This revision redefines the Circular's coverage; restates the Government's general policy with respect to utilization, retention, and acquisition of Federal real property; provides guidelines for identification of excess real property; and prescribes an annual report to be submitted by each agency on the results of implementation of this Circular.

2. *Coverage.* The provisions of this Circular apply to all Federal real property located in the United States, the Commonwealth of Puerto Rico, the Virgin Islands, and Guam, except those categories of real property specifically excluded in paragraph 2b, below.

a. For purposes of this Circular, Federal real property will include:

(1) Land, buildings, structures, and facilities (including Government-owned buildings, structures, and facilities located on other than Government-owned land) acquired by purchase, condemnation, donation, construction, lease, or other methods; and

(2) Public domain land withdrawn and assigned to Federal agencies for use within the Federal Government for such purposes as

military installations, airfields, and research facilities.

b. For purposes of this Circular Federal real property will exclude the following:

(1) Unreserved public domain (except as indicated in paragraph 5b);

(2) Real property which is to be sold or otherwise disposed of and which was acquired through (a) foreclosure, confiscation, or seizure in settlement of a claim of the Federal Government, or (b) conveyance to the Federal Government in connection with an indemnity or loan insurance or guarantee program;

(3) Rights-of-way or easements granted to the Government;

(4) Real property held in trust by the Federal Government;

(5) Oregon and California reversion lands (43 U.S.C. 1181a);

(6) Land administered by the National Park Service, other than administrative sites outside of the established boundaries of a national park;

(7) Land administered by the Forest Service, other than administrative sites outside of the established boundaries of a national forest;

(8) Land on Indian reservations within consolidation areas approved by the Secretary of the Interior; and

(9) Land within the National Wildlife Refuge System.

3. *Utilization and retention of real property.* Federal agencies will develop criteria to achieve effective and economical use of their real property in meeting the needs of each of their programs. Agencies will review their real property holdings in accordance with the criteria established and limit such holdings to those required for the efficient and effective conduct of assigned programs and functions.

Such real property as falls within the term "property," as defined in section 3(d) of the Federal Property and Administrative Services Act of 1949, as amended, which is not needed should be identified and reported as excess to General Services Administration without delay pursuant to the provisions of the cited Act.

Portions of withdrawn public domain which are no longer required for effective conduct of the program for which withdrawn will be reported initially to the Bureau of Land Management, Department of the Interior, for a determination by the Secretary of the Interior, with the concurrence of the Administrator of General Services, in accordance with section 3(d) of the Federal Property and Administrative Services Act of 1949, as amended, whether such property is suitable for return to the public domain. Any such property found unsuitable for return to the public domain and thereafter determined to be excess will be reported to the General Services Administration for further use or disposal.

All other real property covered by this Circular, as described in paragraph 2, which is not needed will be identified, screened for use for other programs of the agency and made available for such other purposes or disposed of in accordance with applicable law.

4. *Guidelines for identification of excess.* Real property (including any separable unit) generally will be identified as excess when:

a. It is not being used by the accountable agency for program purposes and there are no approved current plans for future use, or

b. Substantial net savings to the Government would result if properties used for essential purposes could be sold at their current market values and other suitable properties of substantially lower current values substituted for them (see paragraph 7), or

c. The costs of operation and maintenance are substantially higher than for other suit-

able properties of equal or less value which could be made available by transfer, permit, purchase, or lease (see paragraph 7).

5. *Acquisition policy—*a. *Restriction.* Real property and interests therein will be acquired, within applicable authorities, only as necessary for effective program operation. Agencies will not acquire by any method areas of real property larger than needed for approved programs.

b. *Economic use.* Prior to the acquisition of real property by purchase, condemnation, construction, or lease, each agency will review its existing holdings to determine (1) that the best economic use is being made of the agency's property and (2) whether it can fulfill its current needs by use of any property under its jurisdiction. If the new requirement cannot be met by use of the agency's existing real property, efforts will be made to determine if other satisfactory existing Federal holdings are available.

c. *Notification of planned requirements.* Each executive agency will notify either the General Services Administration or the Bureau of Land Management, Department of the Interior, or both, as may be appropriate, of its current and future planned requirements prior to the acquisition of real property by purchase, condemnation, construction, or lease. The notification may be formal or informal as appropriate. GSA and the Bureau of Land Management, as appropriate, will advise the agencies if excess, unreserved public domain, or surplus real property is or may be available which might meet the need.

In specific cases where the agency's proposed acquisition of real property is dictated by such factors as exact geographical location, topography, engineering, or similar characteristics which limit the possible use of other available property, the notification will not be required. For example, in the case of a dam site or reservoir area, the construction of a generating plant or a substation, specific lands are needed and ordinarily no purpose would be served by such notification.

d. *Joint use.* If suitable excess, surplus, or unreserved public domain land is not available, consideration should be given to the possibility of joint use of real property held by other Federal agencies.

e. *Transfer of excess real property.* As a general rule and where compatible with the general provisions of this Circular, excess real property may be acquired by transfer as provided in General Services Administration's Federal Property Management Regulations, Subchapter H, Subpart 47.2, or as otherwise provided by law.

6. *Permits.* Permits authorizing the use of property in the custody of an agency by another agency will be issued only when (a) a determination has been made by the accountable agency that the property is not excess, and (b) the proposed use by the requesting agency conforms to the acquisition and use provisions of this Circular. An agency authorized to dispose of real property may make excess or surplus property available for short-term use by permit during the period it is being processed for further use or disposal, providing the requesting agency conforms to the provisions of this Circular.

7. *Financing arrangements and authorizing legislation.* There may be cases where the application of guidelines 4b and 4c cannot be accomplished without first incurring expenses for which appropriate financing must be obtained or securing the enactment of new authorizing legislation. In these cases appropriate arrangements should be made to complete the necessary studies and to submit such proposals for appropriations or legislation as may be necessary. These proposals should be supported by estimates of replacement costs and ultimate net savings.

8. *Implementation.* The head of each agency will issue appropriate instructions to assure that:

a. Real property use, retention, and acquisition policies enunciated by this Circular are followed;

b. The guidelines for identification of excess real property are applied in accordance with this Circular;

c. Systematic, thorough reviews of real property holdings are made annually to identify unneeded or uneconomically used properties; and

d. Properties or portions of properties identified as excess are reported or processed as provided in paragraph 3 without delay if continued retention by the agency is not justified under the standards prescribed by this Circular.

9. *Annual report—*a. *Submission.* The results of the review conducted pursuant to paragraph 8c of this Circular will be summarized in an annual report. The first annual report will be for fiscal year 1968. This report will either be included as an attachment to the agency's annual inventory report on real property owned by the United States, which is submitted to the General Services Administration as of June 30 of each fiscal year, or it may be submitted separately to GSA when the annual inventory report is submitted. When included as part of the annual inventory report, the data concerning the agency's review will be attached to GSA Form 1209, Summary of Number of Installations Owned by the United States.

b. *Coverage.* The report will include the following:

(1) Summary of actions which have been taken during the fiscal year to comply with the provisions of this Circular. A copy of new or revised instructions or criteria developed and issued by the agency should be included.

(2) A statement that all properties under the custody of the agency are needed or, as appropriate, that action is being taken to screen, report excess, or otherwise dispose of unneeded properties. A separate summary will be included for each of the following categories showing the number and cost of properties, acreage, and number of buildings, structures, and facilities: (a) Properties reported excess for disposition under the Federal Property and Administrative Services Act of 1949, as amended; (b) properties returned to the public domain (see paragraph 3); (c) properties made available by permit to another agency as provided in paragraph 6; (d) leases canceled as a result of the annual agency review; and (e) properties for which other disposition has been made.

(3) In those cases where recommendations have been made to obtain appropriate financing or new authorizing legislation to obtain substitute facilities in accordance with the policy guidelines of this Circular, a reference to such recommendations should be included in the report.

The General Services Administration will transmit the above described report for all agencies accountable for real property to the Bureau of the Budget no later than November 1, of each year.

CHARLES L. SCHULTZE,
Director.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

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

Dated: January 11, 1968.

J. E. MOODY,
Acting Administrator
of General Services.

[F.R. Doc. 68-564; Filed, Jan. 16, 1968;
8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 17850; FCC 68-41]

PART 73—RADIO BROADCAST SERVICES

Table of Assignments; Seneca Falls, N.Y., etc.

In the matter of Amendment of § 73.202 *Table of assignments*, FM Broadcast Stations (Seneca Falls, N.Y., Cayey, P.R., Westerville, Ohio, Gainesville, Fla., Brookings, S. Dak., Mená, Ark., and Soda Springs, Idaho, Docket No. 17850, RM-1195, RM-1205, RM-1194, RM-1199, RM-1200.

Report and Order. 1. The Commission has before it for consideration its notice of proposed rule making, FCC 67-1212, issued in this proceeding on November 8, 1967, and published in the FEDERAL REGISTER on November 14, 1967 (32 F.R. 15679), inviting comments on a number of proposed changes in the FM Table of Assignments advanced by various interested parties and on the Commission's own motion. All the comments filed were considered in making the determinations which follow. Except as noted, the proposals were unopposed and all population figures are from the 1960 U.S. Census.

2. *RM-1195, Seneca Falls, N.Y. (Water-Falls Broadcasting Corp.); RM-1205, Cayey, P.R. (Ponce Broadcasting Corp.).* In these two cases, interested parties seek the assignment of a first Class A channel in a community, without requiring any other changes in the table. Seneca Falls has a population of 7,439 persons and does not have any AM station. Cayey has a population of 19,738 persons and has an unlimited time AM station. We are of the view that the proposed additions to the table have merit and should be adopted since they would provide the communities with their first local FM outlet and an additional aural service without requiring any other changes in the table. We are therefore making the following additions to the table:

City	Channel No.
Seneca Falls, N.Y.	257A
Cayey, P.R.	249A

3. *RM-1194, Westerville, Ohio.* On August 30, 1967, William R. Bates, prospective applicant for a new FM station at Westerville, Ohio, filed a petition requesting rule making to assign Channel 280A as a first assignment to Westerville. This community, which has a population of 7,011 persons, is located about 11.5 miles north of Columbus and is in its Standard Metropolitan Statistical Area but not in its urbanized area. It has no AM or FM assignments and Mr. Bates contends that no AM frequency is available to the community in conformance with the rules. With respect to FM, he submits that only Channel 280A can be assigned and that this would require a site over 7 miles from the community

in order to meet the minimum required spacings.

4. Since Westerville is located in a SMSA (although near its outermost boundary), petitioner includes the preclusion area showing required by our public notice of May 12, 1967, Policy to Govern Requests for Additional FM Assignments. This showing reveals that no areas would be precluded by the requested assignment on all the six adjacent channels due to existing stations in the general area. On Channel 280A, there is an area to the east of Westerville which would be precluded from the use of this channel, but there are no sizeable communities located therein. As a result of this study, petitioner urges that the proposal would have no adverse effect on future needed assignments while at the same time providing a local outlet for Westerville. Finally, he points out that the community is an important retail, educational (home of Otterbein College), and recreational center.

5. In response to our request for more information on the availability of sites which would conform to all the rules, Bates submits an engineering showing, including a profile through Westerville itself, purporting to show that for the assumed site about 7½ miles north of the community, all the required spacings can be met and the required signal can be placed over 96 percent of Westerville.

6. We are of the view that Westerville, a community of over 7,000 persons, without any local radio outlet, merits the assignment of a first Class A channel. Since the proposed assignment is the only manner in which an assignment is possible in this area, we are also of the view that we should adopt it in spite of the problem involved in placing a transmitter at the required distance from the community and covering it with the required signal and accept the showing made that such a site can be found. We are therefore assigning Channel 280A to Westerville upon the condition that a site conforming to the rules is selected by prospective applicants.

7. *RM-1199, Gainesville, Fla.* In a petition filed on September 11, 1967, Edward A. Slimak, prospective applicant for a new FM station in Gainesville, Fla., requested the addition of Channel 288A to Gainesville as follows:

City	Channel No.	
	Present	Proposed
Gainesville, Fla.	279	279, 288A

Gainesville has a population of 29,701 and is the county seat and largest community of Alachua County, population 74,074. It has four AM stations, one unlimited time, one Class IV, and two day-time-only stations. The sole Class C FM channel is operated by the University of Florida on a commercial basis. Petitioner urges that Gainesville needs a second FM outlet since the two unlimited time AM stations have limited coverage at night, and the proposed station would help meet the needs of the area for

emergency and national defense communications and for a diversified primary time radio service. It is urged that the proposal conforms to all the rules. Slimak cites independent sources to show that the population of the city and area has grown considerably, with a 1967 estimate of 62,000 for the city and 92,500 for the county. As to the resulting mixture of a Class A and C channel in the same community, Slimak urges that this would have no adverse effect and points out that there are several situations of this kind in a number of Florida communities.

8. The University of Florida, licensee of WRUF-FM on Channel 279, opposes the addition of the proposed Class A channel on the grounds that the community is adequately served by WRUF-FM, signals from other cities, and a local CATV system, and because of the possible adverse economic effect on WRUF-FM. The University states that its station is not yet meeting its expenses and that it will take about 3 years before it does and that this result is predicated upon the assumption that the potential is not limited by "what we consider unwarranted competition."

9. We have carefully considered all the comments submitted, and the radio broadcast situation in this case, and are of the view that the Slimak proposal is meritorious and should be adopted. The proposal would provide for a second local FM station and an additional source of programming in this fast growing area without adversely affecting the future needs of other communities. There are no areas in which sizable communities exist in which any of the pertinent channels would be precluded by the assignment of Channel 288A. As to the economic injury argument of WRUF-FM, such injury to existing stations from an additional station is relevant only insofar as it affects the public interest.

As to the financial state of the market as a whole, Gainesville has been a profitable radio market in the past. Under these circumstances we believe it would be inappropriate to take the restrictive course urged by WRUF-FM. In view of the circumstances presented in this case we are also of the view that the mixture of a Class A and C channel in Gainesville is warranted.

10. *RM-1200, Brookings, S. Dak.* Brookings Broadcasting Co. now holds a construction permit for Station KBRK-FM on Channel 269A in Brookings, S. Dak. In a petition for rule making filed on September 14, 1967, Brookings requested the substitution of Channel 232A for 269A in Brookings, and a modification of its authorization to specify operation on the new channel. The stated purpose of the request is to avoid serious problems of interference to the television reception of Station KELO-TV, operating on Channel 11 at Sioux Falls, S. Dak., and to the proposed CATV system at Brookings in its carriage of KELO-TV. Channel 269A is the sole FM assignment in Brookings.

11. Petitioner submits that it proposes to side-mount its FM antenna on the KBRK(AM) tower, which is located in a residential area although the area was

not built up at the time the AM station was constructed. It is further pointed out that many of the residents in Brookings have invested appreciably in high gain TV antennas and high supporting towers in order to receive KELO-TV which is about 60 miles away but puts a Grade B signal over Brookings. Since the second harmonic of KBRK-FM falls within the KELO-TV channel, petitioner urges that the resulting interference could not be eliminated either to direct reception in the area or to the proposed CATV head-end. Based upon a detailed study of the area which would be precluded by the use of Channel 232A and those so precluded by the present Channel 269A assignment, petitioner concludes that there will be an overall gain in the areas which will have channels available for future use in other communities. Channel 232A would not interfere with the reception of any TV station receivable in the Brookings area.

12. Based upon a review of the pertinent facts in this case, we are of the view that the petitioner's proposal should be adopted. It would eliminate the danger of interference to television reception in the area without any loss of FM channel availability, conforms to our announced policy of making channel changes to avoid this type of interference, and the area involved is one in which there is no scarcity of available channels. We are therefore substituting Channel 232A for 269A in Brookings and modifying the authorization of Brookings Broadcasting Co. for Station KBRK-FM to reflect this change.

13. *Mena, Ark., and Soda Springs, Idaho.* Comments were invited on two additional changes in the table, the substitution of Channel 269A for 240A at Mena, Ark., and of 261A for 228A at Soda Springs, Idaho. The purpose of the former was to permit a move in site of KMYO-FM on Channel 239 at Little Rock, Ark., and the purpose of the latter was to eliminate a short-spaced assignment at Soda Springs, Idaho. We believe the two proposals would serve the public interest and are adopting the proposed changes.

14. Authority for the adoption of the amendments adopted herein is contained in sections 4(1), 303, and 307(b) of the Communications Act of 1934, as amended.

15. In accordance with the foregoing determinations: *It is ordered*, That effective February 20, 1968, § 73.202 of the Commission's rules, the FM Table of Assignments, is amended to read, insofar as the communities named are concerned, as follows:

City	Channel No.
Arkansas:	
Mena	269A
Florida:	
Gainesville	279, 288A
Idaho:	
Soda Springs	261A
New York:	
Seneca Falls	257A
Ohio:	
Westerville	280A
Puerto Rico:	
Cayey	249A
South Dakota:	
Brookings	232A

16. *It is further ordered*, Pursuant to section 316 of the Communications Act of 1934, as amended, That the outstanding authorization for Station KBRK-FM, held by Brookings Broadcasting Co., is modified, to specify operation on Channel 232A in lieu of Channel 269A subject to the following condition: That the permittee shall submit to the Commission by February 12, 1968, all the technical information normally required for the issuance of a construction permit for operation on Channel 232A, including any changes in antenna and transmission line.

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

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: January 10, 1968.

Released: January 12, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-615; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 17708; FCC 68-12]

PART 74—EXPERIMENTAL, AUXILIARY AND SPECIAL BROADCAST SERVICES

Posting of Station Licenses at Unattended Television STL and Inter-city Relay Transmitters; Correction

The appendix to the report and order in the above entitled matter (FCC 68-12), adopted January 4, 1968, and published in the FEDERAL REGISTER on January 11, 1968, 33 F.R. 414 is corrected to read:

1. Section 74.664(a) (3) is amended to read as follows:

§ 74.664 Station and operator licenses; posting of.

(a) * * *

(3) In cases where the transmitter is operated unattended pursuant to the provisions of § 74.635 the call sign of the unattended station and the name of the licensee, together with the call sign and location of the TV broadcast station(s) with which it operates as an auxiliary, shall be displayed at the transmitter site on the structure supporting the transmitting antenna so as to be visible to a person standing on the ground or other easily accessible point. The display shall be prepared so as to withstand normal weathering over a reasonable period of time and shall be maintained in a legible condition at all times. The station license and other documents referred to in this paragraph, shall be kept in the files of the television broadcast station with which it is licensed as an auxiliary.

* * * * *

¹ Commissioner Cox abstaining from voting on the assignment to Brookings, S. Dak., and concurring on the remaining assignments.

Released: January 12, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-616; Filed, Jan. 16, 1968;
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 33—SPORT FISHING

Certain National Wildlife Refuges in California

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing;
for individual wildlife refuge areas.

General conditions. Fishing shall be in accordance with applicable State regulations. Portions of refuges which are open to fishing are designated by signs and/or delineated on maps. The maps

are available at the respective refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Ore. 97208.

CALIFORNIA

Colusa National Wildlife Refuge
(Headquarters: Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif. 95988).

Special conditions:

(1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

Delevon National Wildlife Refuge
(Headquarters: Sacramento National Wildlife Refuge, Route 1, Box 311, Willows, Calif. 95988).

Special conditions:

(1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

Modoc National Wildlife Refuge
(Headquarters: Post Office Box 111, Lakeview, Ore.).

Sacramento National Wildlife Refuge,
Route 1, Box 311, Willows, Calif. 95988.

Special conditions:

(1) The taking of frogs is permitted except that the refuge is closed to sport fishing and the taking of frogs during the migratory waterfowl hunting season.

(2) The use of boats without motors is permitted for fishing and the taking of frogs.

San Luis National Wildlife Refuge,
Post Office Box 2176, Los Banos, Calif. 93635.

Salton Sea National Wildlife Refuge,
Post Office Box 247, Calipatria, Calif. 92233.

Special condition: Fishing is permitted in that portion of the refuge which is inundated by the Salton Sea.

The provisions of these special regulations supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective to January 1, 1969.

JOHN D. FINDLAY,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

JANUARY 9, 1968.

[F.R. Doc. 68-566; Filed, Jan. 16, 1968;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 993]

[Docket No. AO 201-A6]

DRIED PRUNES PRODUCED IN CALIFORNIA

Determination on Basis of Results of Referendum on Proposed Amendment of Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), hereinafter referred to as the "act", and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a hearing was held at San Francisco, Calif., on April 17 through 19, 1967, after notice thereof was published in the FEDERAL REGISTER (32 F.R. 5556), with respect to a proposal to amend the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California (hereinafter collectively referred to as the "order"), effective pursuant to the act.

The recommended decision (32 F.R. 10579) and the decision (32 F.R. 17434), setting forth the proposed amendment of the order, were published in the FEDERAL REGISTER July 19, 1967, and December 5, 1967, respectively. The decision also contained a referendum order directing that a referendum be conducted among the producers to determine whether the requisite majority of such producers approve or favor the issuance of the proposed amendment.

It is hereby determined on the basis of the results of the referendum conducted December 11-18, 1967, pursuant to the aforesaid referendum order, that the issuance of the proposed amendment is not approved or favored (1) by at least two-thirds of the producers who participated in such referendum and who during the determined representative period (Aug. 1, 1966, through July 31, 1967), were engaged within the State of California in the production for market of the commodity specified therein, or (2) by producers of at least two-thirds of the volume of such commodity represented in the referendum.

It is hereby further determined that the proposed amendment of the order as set forth in the decision published December 5, 1967 (32 F.R. 17434), will not be made effective, and that the order currently effective (7 CFR Part 993)

tends to effectuate the declared policy of the act and continues in effect.

Dated: January 11, 1968.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 68-597; Filed, Jan. 16, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 8657]

AIRWORTHINESS DIRECTIVES

Hawker Siddeley DH. 125 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley DH.125 Series airplanes. There has been a report of the loss of a flap center hinge bolt which resulted in a fully asymmetric flap condition in the lift dump position. Since this condition is likely to develop in other airplanes of the same type design, the proposed AD would require replacement of the present flap center hinge bolt with a self-retaining bolt.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before February 16, 1968, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

HAWKER SIDDELEY. Applies to Model DH.125 airplanes, Series 1A, 1A/522 and 3A.

Compliance required as indicated.

To prevent a fully asymmetric flap condition in the lift dump position, within the next 150 hours' time in service after the effective date of this AD, replace the flap center hinge bolt, P/Ns 25CF71, 25CF1837, 25CF2387, and 25CF2357, with a self-retaining bolt, P/N 3110-7681, in accordance with Hawker Siddeley Service Bulletin 27-49-(1894) revision 2, dated November 27, 1967, or later ARB-approved revision or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

Issued in Washington, D.C., on January 9, 1968.

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

[F.R. Doc. 68-592; Filed, Jan. 16, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-WE-82]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the description of the Chandler, Ariz., control zone and the 700-foot portion of the Phoenix, Ariz., transition area.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Airport Station, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal

Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

A new radar/TACAN approach has been developed for Williams Air Force Base utilizing the 300° M (314° T) radial. The proposed control zone extension is required to protect aircraft executing this approach procedure while operating below 1,000 feet above the surface.

The additional 700-foot transition area is necessary for maximum utilization of radar capability in vectoring aircraft in the Sky Harbor Airport, Luke Air Force Base, and Williams Air Force Base terminal areas.

In consideration of the foregoing, the FAA proposes the following airspace actions:

In § 71.171 (32 F.R. 2081) the Chandler, Ariz., control zone is amended to read as follows:

CHANDLER, ARIZ

Within a 5-mile radius of Williams AFB (latitude 33°18'25" N., longitude 111°39'35" W.), within 2 miles each side of the Chandler TACAN 117° radial extending from the 5-mile radius zone to 8 miles southeast of the TACAN, within 2 miles each side of the Chandler TACAN 141° radial extending from the 5-mile radius zone to 9 miles southeast of the TACAN, and within 2 miles south side of the Chandler TACAN 314° radial extending from the 5-mile radius zone to 8 miles northwest of the TACAN. This control zone is effective from 0700 to 1700 hours local time, Monday through Friday, excluding Federal legal holidays.

In § 71.181 (32 F. R. 2237) the 700-foot portion of the Phoenix, Ariz., transition area is amended to read as follows:

PHOENIX, ARIZ.

That airspace extending upward from 700 feet above the surface bounded by a line beginning at latitude 33°48'30" N., longitude 112°15'00" W., direct to latitude 33°34'45" N., longitude 111°32'15" W., thence clockwise via the arc of a 20-mile radius circle centered on Williams AFB (latitude 33°18'25" N., longitude 111°39'35" W.) to latitude 33°02'30" N., longitude 112°47'30" W., thence direct to latitude 33°16'00" N., longitude 112°31'00" W., thence via an arc of a 20-mile radius circle centered on Luke AFB (latitude 33°32'05" N., longitude 112°22'55" W.) to point of beginning: * * *

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended, (72 Stat. 749; 49 U.S.C. 1348).

Issued in Los Angeles, Calif., on January 9, 1968.

ARVIN O. BASNIGHT,
Director, Western Region.

[F.R. Doc. 68-593; Filed, Jan. 16, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-171]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Omaha, Nebr.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

As a result of the development of a public use instrument approach procedure to serve Council Bluffs, Iowa, Municipal Airport, utilizing the Omaha VOR as a navigational aid, it is necessary to alter the 700-foot floor transition area at Omaha, Nebr., to protect aircraft executing this approach procedure. The present designation of the Omaha 1,200-foot floor transition area will not be changed as a result of this proposal.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is amended to read:

OMAHA, NEBR.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Eppley Field (latitude 41°18'00" N., longitude 95°53'35" W.); within 2 miles each side of the Eppley Field ILS localizer southeast course, extending from the 10-mile radius area to 15 miles southeast of the airport; and within 5 miles northeast and 8 miles southwest of the Eppley Field ILS localizer northwest course, extending from the 10-mile radius area to 12 miles northwest of the OM; within a 10-mile radius of Offutt AFB (latitude 41°07'20" N., longitude 95°54'35" W.); within 6 miles northeast and 8 miles southwest of the Offutt AFB VOR 310° and 130° radials, extending from the 10-mile radius area to 12 miles southeast of the VOR; and within 2 miles each side of the Offutt AFB TACAN 307° radial, extending from the 10-mile radius area to 8 miles northwest of the TACAN; within a 5-mile radius of Council Bluffs, Iowa, Municipal Airport (latitude 41°15'35" N., longitude 95°45'35" W.); and within 2 miles each side of the Omaha VORTAC 341° radial, extending from the 5-mile radius area to the VORTAC; and that airspace extending upward from 1,200 feet above the surface within the area beginning southeast of

Omaha at the north edge of V-216 and longitude 95°00'00" W.; thence north along longitude 95°00'00" W. to and east along the north edge of V-6, to and north along longitude 94°42'00" W., to and west along the south edge of V-172, to and north along longitude 95°18'00" W., to and west along latitude 41°43'00" N., to and south along longitude 96°25'00" W., to and east along latitude 41°30'00" W., to and south along longitude 96°23'00" W., to and east along the north edge of V-216 to the point of beginning.

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

Issued at Kansas City, Mo., on December 28, 1967.

JOHN A. HARGRAVE,
Acting Director, Central Region.

[F.R. Doc. 68-594; Filed, Jan. 16, 1968; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-CE-172]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at Creston, Iowa.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief.

Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

As a result of the development of a public use instrument approach procedure to serve the Creston, Iowa, Municipal Airport, utilizing a privately owned radio beacon located on the airport as a navigational aid, it is necessary to designate a transition area at Creston, Iowa, to protect aircraft executing this approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (32 F.R. 2148), the following transition area is added:

CRESTON, IOWA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Creston Municipal Airport (latitude 41°01'00" N., longitude 94°21'00" W.); and within 2 miles each side of the 171° bearing from Creston Municipal Airport, extending from the 5-mile radius area to 8 miles south of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles west and 8 miles east of the 171° bearing from Creston Municipal Airport, extending from the airport to 12 miles south of the airport; and within 5 miles each side of the 351° bearing from Creston Municipal Airport extending from the airport to V-6S.

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

Issued at Kansas City, Mo., on December 29, 1967.

JOHN A. HARGRAVE,
Acting Director, Central Region.

[F.R. Doc. 68-595; Filed, Jan. 16, 1968;
8:48 a.m.]

Federal Railroad Administration
[49 CFR Part 131]

[Docket No. 32258 (FRA-Sub-No. 1)]

SAFETY APPLIANCE STANDARDS
Tank Cars Without Underframes

JANUARY 12, 1968.

Notice is hereby given pursuant to the provisions of section 553 of Title 5, United States Code, and the authority of section 12 of title 45, United States Code, that the Federal Railroad Administration has under consideration a petition filed by Lox Equipment Co., Livermore, Calif., a manufacturer of tank car equipment, seeking to amend the Safety Appliance Standards, § 131.21 in the following respects:

Paragraphs (e)(3) and (j)(1) of § 131.21 are amended as follows:

§ 131.21 Tank cars without underframes.

(e) *Side railing*—(3) *Location*. One on each side of car, extending from end platform to end platform at a distance of not less than 51 inches from center of line of car, except that where break in side railing is necessary for side ladder or operating cabinet, the side railing shall be securely attached to such ladder and/or cabinet.

(j) *Operating platform, ladder, and safety railing*—(1) *Number*. One operating platform, two ladders and safety railing. Not required if all fittings used in the loading or unloading of the tank

car are accessible from ground or end platform.

The Safety Appliance Acts provide that the standards may be changed "after full hearing and for good cause shown", 45 U.S.C. 12. In the circumstances, a hearing will be held.

Notice is hereby given that the petition is referred to Examiner Robert R. Boyd for hearing on January 26, 1968, at 9:30 o'clock a.m., in the offices of the Federal Railroad Administration, Conference Room 2B, Washington, D.C., and for appropriate proceedings including recommendation of an appropriate order thereon accompanied by the reasons therefor.

The petitioner, and interested parties, should appear at the hearing on January 26, 1968, and submit their evidence and views on the considered revision of the Safety Appliance Standards. The time interval between this notice and the date of the hearing appear reasonable in the particular circumstances of this proceeding but if any interested party objects, the time interval may be extended.

Notice of this proceeding is being given to persons of interest and to the general public by the posting of a copy of this notice for public inspection in the Office of the Executive Secretary of the Federal Railroad Administration at Washington, D.C., and by filing a copy with the Director of the Office of the Federal Register for publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on January 11, 1968.

A. SCHEFFER LANG,
Administrator,

Federal Railroad Administration.

[F.R. Doc. 68-596; Filed, Jan. 16, 1968;
8:48 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Part 73]

[Docket No. 17955; FCC 68-42]

FM BROADCAST STATIONS

Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations, (Geneva, Ala., Baker, Mont., Wallace, N.C., Zeeland, Mich., Springdale, Ark., College, Alaska, Myrtle Beach, S.C., Refugio, Tex., Gardiner, N.Y., Fort Valley and Douglas, Ga., Billings, Mont., and McMinnville, Tenn.), Docket No. 17955, RM-1217, RM-1216, RM-1224, RM-1230, RM-1231, RM-1213, RM-1219, RM-1221, RM-1222, RM-1225, RM-1226, RM-1228.

1. Notice is hereby given of proposed rule making in the above-entitled matters, concerning amendments of the FM Table of Assignments in § 73.202(b) of the rules. All the proposed assignments are alleged and appear to conform to the

minimum spacing requirements of the rules. All proposed assignments within 250 miles of the United States-Canadian border require coordination with the Canadian Government, under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963. Except as noted, all channels proposed for shift or deletion are unoccupied and not applied for, and all population figures are from the U.S. 1960 Census.

2. RM-1217: Geneva, Ala. (Geneva County Broadcasting Co., Inc.); RM-1216: Baker, Mont. (Baker Radio Corp.); RM-1224: Wallace, N.C. (Duplin Broadcasting Co.); RM-1230: Zeeland, Mich. (West-State Broadcasting Co.); RM-1231: Springdale, Ark. (Autus Johnson). In these five cases, interested parties seek the assignment of a first Class A channel in a community, without requiring any other changes in the table. The communities range in size from a population of 2,285 to 10,076 persons. They appear to warrant the requested assignments and so comments are invited on the following additions to the table:

City	Channel No.
Geneva, Ala.	228A
Springdale, Ark.	285A
Zeeland, Mich.	285A
Baker, Mont.	265A
Wallace, N.C.	232A

¹ A site will have to be selected approximately 4 miles northwest of Zeeland to meet the required spacing to WMRR-FM, Channel 285A, Marshall, Mich.

² A site will have to be located about 2 miles southwest of Wallace in order to meet the required minimum spacings on this assignment.

3. RM-1213: College, Alaska. In a petition filed on October 9, 1967, the University of Alaska, licensee of Station KUAC(FM), College, Alaska, requests the substitution of Channel 284 for 285A at College. College is a small community of 1,755 persons located near Fairbanks, which has been assigned two Class C channels, neither of which is in use. The University states that it desires to increase its power beyond that permitted Class A stations in order to better serve the populated areas surrounding College, which have no other FM service, and urges that the proposed change will make this possible and thereby serve the public interest.

4. We are of the view that comments should be invited on petitioner's proposal as follows:

City	Channel No.	
	Present	Proposed
College, Alaska	285A	284

5. RM-1219: Myrtle Beach, S.C. On November 16, 1967, Grand Strand Broadcasting Corp., licensee of radio station WTGR(AM), Myrtle Beach, S.C., filed a petition looking toward the assignment of a second Class A FM channel to Myrtle Beach as follows:

City	Channel No.	
	Present	Proposed
Myrtle Beach, S.C.	221A	221A, 269A

Myrtle Beach is a community of 7,834 persons. It is the largest community, but not the county seat, of Horry County, which has a population of 68,247 persons. Conway, the county seat, has a Class C station in operation. Myrtle Beach has two AM stations, one a Class IV and the other a daytime-only station, as well as a station in operation on Channel 221A. Petitioner submits that Myrtle Beach is the center and largest community of a large seashore and residential area along the South Carolina coast, that it has shown a dramatic growth over the past years with a present estimated population of 10,500, that it is an important educational, civic, and industrial center, and that, in view of these facts, it merits the assignment of a second FM channel for local self-expression.

6. In order to show compliance with the May 12, 1967 policy statement on new FM assignments, petitioner includes an engineering exhibit which shows that the proposal would not preclude any assignments on any of the six adjacent channels due to existing stations and assignments in the general area. On the same channel (269A) the showing reveals that there would be a rather large area in which this channel would be precluded; however, petitioner states that the only two communities located therein of population greater than 2,500 persons have FM assignments already.

7. Normally, a community the size of Myrtle Beach would warrant the assignment of only one Class A channel. We are of the view that a sufficient showing has been made to warrant rule making in this case. However, our decision will depend upon the showing of need made in the proceeding. In this connection, reference is made to the decision in RM-1051, Crossville, Tenn., second report and order, Docket No. 17095 (June 1967), 8 FCC 2d 391.

8. RM-1221: Refugio, Tex. In a petition filed on November 20, 1967, Lawrence Wood, prospective applicant for a new FM station in Refugio, Tex., requests the assignment of a Class C channel, 294, to Refugio. Refugio is a community of 4,944 persons, located about midway between Corpus Christi and Victoria (37 miles from each). It is the county seat and largest community in Refugio County (population 10,975). There are no AM stations in the community. Petitioner urges the need for a Class C assignment in this small community on the basis that it is far removed from population centers, is located in a county of very low population density (14.2 persons per square mile), and needs a wide-coverage station in order to make it economically feasible. Based upon an assumed operation with an effective radiated power of 50 kilowatts and an antenna height of 400 feet and the 1 mv/m contours of such a sta-

tion and other existing stations and applications for their actual facilities, petitioner computes that there would result a first FM service (white area) to 983 square miles.*

9. We are of the view that the request of petitioner for a first FM assignment in Refugio warrants rule making. However, we are not convinced that such a small community, so located with respect to larger cities which have been assigned Class C channel (Corpus Christi and Victoria), merits a Class C assignment. While petitioner makes a showing of the extent of the expected "white area" we are not in agreement with the assumptions made. In a previous rule making proceeding we outlined the criteria which we believed to be reasonable in showings of this sort. See further notice of proposed rule making issued on June 9, 1967 in Docket No. 17095, RM-1034, FCC 67-665. Since there are Class A channels which appear to be technically feasible in Refugio (224A, 292A, or 296A) our decisions in this case will depend largely on the requested showing of need for a Class C assignment and a more reasonable showing of the expected "white area" coverage to be obtained from the proposal.

10. RM-1222: Gardiner, N.Y. On November 22, 1967, and in an amendment of November 29, 1967, Hudson Horizons, Inc., prospective purchaser of Station WGNV(AM), at Newburgh, N.Y., filed a petition for rule making looking toward the assignment of a first Class A channel to Gardiner, N.Y., Channel 257A. Petitioner states that the request was made for the small community of Gardiner (population 1,660) because it would be in full conformance with the rules, but it appears that it is intended to serve the larger community of Newburgh, which has a population of 30,979, at a distance of about 14 miles from Gardiner.

11. Gardiner is located in Ulster County, which has a population of 118,804; it is not its county seat (Kingston) or its largest community (Ellenville). Kingston has two Class A assignments and three AM stations, two of which are daytime-only stations. Ellenville has no FM assignment and only a daytime-only station. Hudson states that a Class A station at Gardiner would provide "city grade service" to such communities as New Paltz, Walkill, and Modena while it would provide a 1 mv/m signal to others like Walden, Newburgh, Poughkeepsie, and Ellenville. Hudson also submits population figures from a 1965 special U.S. Census to show that the population of most of these communities have increased substantially since 1960.

12. While we are of the view that the proposal merits the institution of rule making we believe that comments should also be invited on the question whether the channel should not be assigned to some larger community such as Ellenville, which is also further removed from existing stations and assignments.

* A portion of this "white area" would also be covered by a Class A station with a 1 mv/m contour signal.

13. RM-1225: Fort Valley and Douglas, Ga. In a petition filed on November 28, 1967, Rocket Radio, Inc., licensee of radio station WFPM(AM), Fort Valley, Ga., requests rule making looking toward the assignment of a first Class A channel to Fort Valley, Ga., by making a necessary change in an assignment at Douglas, Ga., as follows:

City	Channel No.	
	Present	Proposed
Fort Valley, Ga.		292A
Douglas, Ga.	258, 293	258, 294

There are no stations on or applications for either Douglas channel. Fort Valley is located about 24 miles southwest of Macon and has a population of 8,310. It is the county seat and largest community in Peach County, which has a population of 13,846. The only radio station in the community is a daytime-only station, licensed to petitioner.

14. Petitioner submits that the primary service area of the daytime-only station in Fort Valley embraces a population of over 45,000 people, that there is no local radio service in the area after sundown, that the proposal conforms to the rules, and that an application for use of the proposed assignment will be filed in the event it is adopted.

15. We are of the view that comments should be invited on the proposed assignment in Fort Valley as outlined above in order that interested parties may submit their views and relevant data.

16. RM-1226: Billings, Mont. Lee Enterprises, Inc., prospective applicant for a new FM station in Billings, Mont., in a petition filed on December 1, 1967, requests the addition of a third FM assignment to Billings, Mont., as follows:

City	Channel No.	
	Present	Proposed
Billings, Mont.	227, 246	227, 246, 253

Billings has a population of 52,851 and its SMSA has a population of 79,016. It has five AM stations, two of which are daytime-only stations, two unlimited-time regional, and one Class IV. Both FM assignments are occupied by the licensees of the daytime-only AM stations.

17. Lee points out that Billings is the second largest city in Montana and that it is twice as large as the next smaller one, that both the city of Billings and its SMSA have grown considerably, that it is an important retail sales, educational, industrial, and cultural center, and that it can support an additional FM station. Lee urges that Great Falls, with only 6,000 more population, has twice the number of FM assignments, that Missoula, with less than half the population of Billings, has one more channel assigned while other cities with less population have as many assignments, and that Billings thus does not have its fair share of available facilities

in this regard. For these reasons Lee contends that the proposed addition will be merited and will promote a fair and equitable distribution of FM facilities.

18. We are of the view that we should invite comments on the Lee proposal in order that all interested parties may submit their comments thereon.

19. RM-1228: McMinnville, Tenn. On December 4, 1967, Cumberland Valley Broadcasting Corp., licensee of Radio Station WBMC(AM), McMinnville, Tenn., filed a petition requesting the assignment of a second Class A channel to McMinnville as follows:

City	Channel No.	
	Present	Proposed
McMinnville, Tenn.	269A	269A, 280A

McMinnville, the county seat and largest community in Warren County (population 23,102), has a population of 9,013. It has two AM stations, one of which is a daytime-only station licensed to the petitioner. The other station (a Class IV) is also the licensee of the Class A FM station on Channel 269A. Cumberland submits that McMinnville is an important religious, educational, and trading center in view of its isolation from other communities of significant size, and merits the second assignment.

20. With respect to the area in which Channel 280A would be precluded (it does not appear that there are any significant areas of preclusion on the six adjacent channels) Cumberland states that there are no other communities of any substantial size in the area which do not already have an FM assignment other than Monterey, which has a population of 2,069 persons and is located about 13 miles east of Cookeville, which has two Class A FM assignments. Cumberland urges that this assignment, however, be made to McMinnville in spite of the lack of an assignment in Monterey because of the need for a second assignment in the former and because two assignments are possible on Channel 280A if one is made at McMinnville whereas only one is possible if the assignment is made to Monterey. Petitioner also contends that a "white area" of approximately 134 square miles would be served, but this is based upon the existing facilities of the stations in the area.

21. In a previous rule making proceeding we denied the request for a second assignment in Crossville, Tenn. (the same channel as requested herein) on the grounds that it may be needed in the future in other more deserving communities such as McMinnville. See second report and order in Docket No. 17095, RM-1051, FCC 67-664, 8 FCC 2d 391. We are of the view that we should invite comments on the Cumberland proposal as outlined above so that all interested parties may submit their comments and views.

22. Authority for the adoption of the amendments proposed herein is contained in sections 4(d), 303, and 307(b)

of the Communications Act of 1934, as amended.

23. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested parties may file comments on or before February 12, 1968, and reply comments on or before February 27, 1968. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

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

Adopted: January 10, 1968.

Released: January 12, 1968.

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

[F.R. Doc. 68-617; Filed, Jan. 16, 1968;
8:49 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 563]

[No. 21, 338]

FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION Accounting Requirements

JANUARY 11, 1968.

Resolved that the Federal Home Loan Bank Board considers it desirable to amend § 563.23-1 of the rules and regulations for Insurance of Accounts (12 CFR 563.23-1) for the following purposes:

(1) To limit the amortization of premiums paid on the purchase of mortgage loans to a period of 7 years;

(2) To provide, in connection with the sale of real estate owned, that any loss on such sale must be charged off during the accounting period in which sustained and that any profit on such sale of \$300 or less need not be deferred if received in cash at the time of sale, and to provide a new basis on which deferred unearned profit may be credited to income, as the first 100 monthly payments are received on a contract or loan with a term of not more than 30 years;

(3) To include in the computation of "acquisition credits" the amount of any loan commitment fees received, unless no actual loan results;

(4) To exclude from the computation of "acquisition credits" escrow fees received, under certain conditions, in connection with sales involving related mortgage loans;

(5) To clarify the rules for computation of acquisition credits subject to deferral;

(6) To add definitions of the terms "affiliate", "book value", "loss", "profit", and "monthly installment sale contract or loan"; and

(7) To clarify and simplify generally the language of the section.

Resolved further that, for such purposes, it is hereby proposed that said § 563.23-1 be amended by revising it to read as follows:

§ 563.23-1 Premiums, charges, and credits with respect to mortgage loans; sale of real estate owned; and related items.

(a) *Purchase at a premium.* A premium paid by an insured institution in connection with the acquisition of a mortgage loan may be charged off when paid or may be capitalized. If the premium is capitalized, it shall be amortized by equal charges to expense, at least semiannually, over a period not in excess of the remaining term of the loan, or 7 years, whichever is less, in the case of a single loan, or over a period not in excess of the average remaining term of the loans, or 7 years, whichever is less, in the case of a group of loans.

(b) *Purchase at a discount.* If an insured institution purchases a loan at a discount, such discount shall be deferred by a credit to an account descriptive of deferred income and shall thereafter be credited in equal amounts to income, at least semiannually, over a period of not less than 7 years. For the purpose of this section, a loan shall be deemed to have been purchased by an insured institution at a discount if the price paid by such institution for such loan is less than the amount of the loan balance. Any charges made by the purchaser in connection with the purchase of a loan shall be deducted from the purchase price to determine the amount of the discount.

(c) *Charges.* All acquisition charges, as hereinafter defined, in connection with the making or acquisition of a mortgage loan by an insured institution shall be charged to such institution's expense for the accounting period in which such charges are incurred and shall not be deferred beyond the end of such accounting period.

(d) *Credits deferred.* Each acquisition credit subject to deferral, as hereinafter defined, shall be deferred by a credit to an account descriptive of deferred income and shall thereafter be credited in equal amounts to income, at least semiannually, over a period of not less than 7 years.

(e) *Sale of loans.* If a mortgage loan owned by an insured institution is sold without recourse at a premium, such premium shall be credited to such institution's income for the accounting period in which the loan is sold. If a mortgage loan owned by an insured institution is sold without recourse at a loss or at a discount, such loss or discount shall be charged to the balance of any acquisition credits or purchase discount applicable to such loan that remains deferred at the time of such sale; any loss or discount in excess of such balance shall be charged to such institution's expense for the accounting period in which the loan is sold or to surplus, undivided profits, or reserves.

(f) *Sale of real estate owned.* When an insured institution sells real estate owned by it, such institution's records shall disclose the book value of such real estate

at the time of such sale and the price at which it was sold. If such sale results in a loss, such loss shall be charged to expense, reserves, undivided profits, or surplus during the accounting period in which such loss was sustained. If such sale results in a profit, the amount of such profit shall be deferred by a credit to an account descriptive of unearned profit on real estate sold, except that a profit of \$300 or less which is received by the institution in cash at the time of sale need not be so deferred. Unearned profit on the sale of real estate shall be credited to income only when such real estate is no longer an asset or no longer secures an asset of the institution, except that when such asset is a monthly installment sale contract or loan entered into or made by the institution to facilitate the sale of the real estate, unearned profit may be credited to income semiannually in an amount which does not exceed one percent of the original unearned profit multiplied by the number of contractually required monthly payments on the related loan or contract received by the institution during such semiannual period. In the event the book value of real estate reacquired by the institution as a result of a cancellation of the contract, foreclosure, or conveyance of title to the institution exceeds the book value of such real estate at the time of sale, the institution shall adjust the book value of such real estate for such excess in the manner specified in paragraph (d) of § 563.17-2.

(g) *Definitions.* For the purposes of this section:

(1) The term "mortgage loan" means any loan or contract (or interest therein) on the security of real estate;

(2) The term "amount of the loan" means the face amount of the obligation executed by the primary obligor on a mortgage loan, except that with respect to a mortgage loan acquired by an insured institution such term means the principal balance of such loan at the time of its acquisition by such institution;

(3) The term "acquisition credits" means any consideration, other than the average interest provided by the loan contract, received by an insured institution for or in connection with

the acquisition, making, refinancing, or modification of a mortgage loan plus any consideration received for making a commitment which precedes the actual making of the loan; the term does not include

(i) Any consideration received for making a loan commitment if no actual loan results,

(ii) Any amounts received and paid out by an insured institution to a third party (not an affiliate) for itemized initial charges in connection with the mortgage loan transaction, or

(iii) Any escrow fee received by an insured institution in connection with a sale which involves a related mortgage loan made by it, if the following requirements are met:

(a) The fee is based on the escrow services actually performed and is comparable in amount to the fee (for performing similar escrow services) charged by other escrow agents located in the institution's normal lending territory,

(b) the borrower is informed of his freedom of choice in selecting a competent escrow agent to perform the escrow services, and

(c) the related mortgage loan is not a refinancing or modification of an existing loan held by the institution and made to the same borrower or to an affiliate of such borrower;

(4) the term "acquisition credit subject to deferral" means the amount of an acquisition credit in excess of

(i) The greater of

(a) \$50, or

(b) 2 percent of the amount of the loan, if the loan is for the purpose of construction, or

(c) 1 percent of the amount of the loan, if the loan is for any other purpose; plus

(ii) \$50, if, with respect to the loan, the insured institution uses its own employees to perform appraisal services or to perform attorney or closing functions for which no escrow fee is received;

(5) The term "acquisition charges" includes finder's fee, buying commission, attorney's fee, and brokerage fee paid by an insured institution in connection with the making or acquisition of a mortgage loan or commitment, but does not include a premium paid by such institution

in connection with the purchase of a mortgage loan;

(6) The term "affiliate" means any person or company which controls, is controlled by, or is under common control with an insured institution, within the meaning of paragraph (a) (3) of section 408 of the National Housing Act, as amended;

(7) The term "book value" means the total amount invested in real estate less any related depreciation allowances, valuation reserves, or deferred profit on sale;

(8) The term "loss" means the amount by which the book value of real estate at the time of sale exceeds the sale price of such real estate;

(9) The term "profit" means the amount by which the sale price of real estate exceeds the book value of such real estate at the time of sale; and

(10) The term "monthly installment sale contract or loan" means a sale contract or loan having a term of not more than 30 years and which requires equal monthly payments sufficient to retire the debt, interest and principal, within the contract period.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Federal Home Loan Bank Board, 101 Indiana Avenue NW., Washington, D.C. 20552, by February 19, 1968, as to whether this proposal should be adopted, rejected or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

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

[F.R. Doc. 68-598; Filed, Jan. 16, 1968; 8:48 a.m.]

Notices

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS UNDER LONG-TERM ARRANGEMENT REGARDING INTERNATIONAL TRADE IN COTTON TEXTILES

Long-Term International Cotton Textile Arrangement Categories by Tariff Schedules of U.S. Annotated Numbers

JANUARY 9, 1967.

There is published below a list of the Tariff Schedules of the U.S. Annotated Numbers arranged by the 64 categories of cotton textiles and cotton textile products used by the United States in administering the Long-Term Arrangement Regarding International Trade in Cotton Textiles beginning January 1, 1968. Actions by the United States under the Long-Term Arrangement are based on the classification of cotton textiles and cotton textile products into 64 categories.

A full description of the items falling within each of the 64 categories may be obtained by using the Tariff Schedules of the U.S. Annotated item number in the list published below to locate the item in the Tariff Schedules of the United States Annotated (1968), where descriptive material is provided.

The list published below does not change the Tariff Schedules of the U.S. Annotated number assignments under the Long-Term Arrangement category numbers set forth in earlier publications. In some cases, Tariff Schedules of the U.S. Annotated numbers formerly in effect have been renumbered or subdivided. The new numbers and subdivisions have been assigned to the parent category.

The list of Long Term International Cotton Textile Agreement Categories by Tariff Schedules of the U.S. Annotated Numbers published in the FEDERAL REGISTER on July 7, 1966 (31 F.R. 9310) is hereby superseded.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
1		Cotton yarn, carded, singles	4.6	Pound.
	301..00	Not bleached or colored:		
	302..20	Not mercerized.		
	302..22	Mercerized.		
2		Bleached or colored.	4.6	Pound.
	302..24	Cotton yarn, carded, plied		
3		Yarns, carded, plied	4.6	Pound.
	302..26	Cotton yarn, combed, singles		
4		Yarns, combed, singles	4.6	Pound.
	302..28	Cotton yarn, combed, plied		
5		Yarns, combed, plied	1.0	Square yard.
		Ginghams, carded		
	322..18	Ginghams, carded, colored, whether or not bleached:		
	325..18	Wholly cotton, not fancy or figured.		
	328..18	Wholly cotton, fancy or figured.		
6	331..18	Chief value but not wholly cotton, not fancy or figured.	1.0	Square yard.
		Chief value but not wholly cotton, fancy or figured.		
	322..20	Gingham, combed		
	325..20	Gingham, combed, colored, whether or not bleached:		
7	328..20	Wholly of cotton, not fancy or figured.	1.0	Square yard.
	331..20	Wholly of cotton, fancy or figured.		
		Chief value but not wholly cotton, not fancy or figured.		
		Chief value but not wholly cotton, fancy or figured.		
8		Velveteen	1.0	Square yard.
	346.1500	Plain back		
	346.2000	Other, including twill back:		
	346.2300	Valued not over 85 cents per square yard.		
9	346.2400	Valued over 85 cents but not over \$1.10 per square yard.	1.0	Square yard.
		Valued over \$1.10 per square yard.		
10		Corduroy	1.0	Square yard.
	346.0500	52 inches or more in width and valued 50 cents or more per square yard.		
11	346.1000	Other	1.0	Square yard.
		Sheeting, carded		
		Wholly of cotton:		
		Unbleached:		
	320..36	Osnaburg.		
	320..38	Classes A, B, C.		
	320..40	Soft filled sheeting.		
	320..44	Other carded sheeting.		
		Bleached:		
	321..44	Other sheeting.		
	322..44	Printed, dyed, or colored:		
		Whether or not bleached.		
	Chief value, but not wholly cotton:			
	Unbleached:			
326..36	Osnaburg.			
326..38	Classes A, B, C.			
326..40	Soft filled sheeting.			
326..44	Other carded sheeting.			
	Bleached:			
327..44	Other sheeting.			
328..44	Printed, dyed, or colored:			
	Whether or not bleached.			
	Chief value, but not wholly cotton:			
	Unbleached:			
320..42	Combed bed sheeting.			
320..46	Other combed sheeting.			
	Bleached:			
321..46	Other combed sheeting.			
322..46	Printed, dyed, or colored:			
	Other combed sheeting.			
	Chief value, but not wholly cotton:			
	Unbleached:			
326..42	Combed bed sheeting.			
326..46	Other combed sheeting.			
	Bleached:			
327..46	Other combed sheeting.			
328..46	Printed, dyed, or colored whether or not bleached:			
	Other combed sheeting.			
	Lawns, carded			
	Wholly of cotton:			
	Not fancy or figured:			
320..22	Not bleached or colored.			
321..22	Bleached, but not colored.			
322..22	Colored, whether or not bleached.			
	Fancy or figured:			
323..22	Not bleached or colored.			
324..22	Bleached, but not colored.			
325..22	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not fancy or figured:			
326..22	Not bleached or colored.			
327..22	Bleached, but not colored.			
328..22	Colored, whether or not bleached.			
	Fancy or figured:			
329..22	Not bleached or colored.			
330..22	Bleached, but not colored.			
331..22	Colored, whether or not bleached.			

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
12		Lawns combed	1.0	Square yard.
		Wholly of cotton:		
		Not fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Chief value, but not wholly cotton:		
		Not fancy or figured:		
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Voile, carded.....			
13		Wholly of cotton:	1.0	Square yard.
		Not fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Chief value, but not wholly cotton:		
		Not fancy or figured:		
		Not bleached or colored.		
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Voile, combed.....			
14		Wholly of cotton:	1.0	Square yard.
		Not fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Chief value, but not wholly cotton:		
		Not fancy or figured:		
		Not bleached or colored.		
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Voile, combed.....			
15		Wholly of cotton:	1.0	Square yard.
		Not fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Fancy or figured:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Chief value, but not wholly cotton:		
		Not fancy or figured:		
		Not bleached or colored.		
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Poplin and broadcloth, carded.....			
	Wholly of cotton:			
	Not fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Voile, combed.....			
	Wholly of cotton:			
	Not fancy or figured:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Voile, combed.....			

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
16		Poplin and broadcloth, combed.....	1.0	Square yard.
		Not fancy or figured:		
		Wholly of cotton:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Chief value, but not wholly cotton:		
		Not bleached or colored.		
		Bleached, but not colored.		
		Colored, whether or not bleached.		
		Typewriter ribbon cloth.....		
		Not fancy or figured:		
	Not bleached or colored:			
	OI average yarn Nos. 51 to 69.			
	OI average yarn Nos. 60 to 79.			
	OI average yarn Nos. 80 to 140.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Printcloth, shirting type, 80 x 80 type, carded.....			
	Not fancy or figured:			
	Wholly of cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Printcloth, shirting type, other than 80 x 80 type, carded.....			
	Not fancy or figured:			
	Wholly of cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Shirting, jacquard or dobby, carded.....			
	Fancy or figured:			
	Wholly of cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly of cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Shirting, jacquard or dobby, combed.....			
	Fancy or figured:			
	Wholly of cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Chief value, but not wholly cotton:			
	Not bleached or colored.			
	Bleached, but not colored.			
	Colored, whether or not bleached.			
	Twill and sateen, carded.....			
	Wholly of cotton:			
	Not fancy or figured:			
	Sateen, not bleached or colored.			
	Twill, not bleached or colored.			
	Sateen, bleached, but not colored.			
	Twill, bleached, but not colored.			
	Sateen, colored, whether or not bleached.			
	Twill, colored, whether or not bleached.			

NOTICES

INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED—Continued	INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED—Continued
I.C.T.A. category	I.C.T.A. category
T.S.U.S.A. Nos.	T.S.U.S.A. Nos.
Description	Description
Conversion factor	Conversion factor
Unit of measure	Unit of measure
<p>323...54 323...55 323...56 324...54 324...55 325...54 325...55 325...56</p> <p>Fancy or figured: Sateen, not bleached or colored. Twill, not bleached or colored. Sateen, bleached, but not colored. Twill, bleached, but not colored. Sateen, colored, whether or not bleached. Denim, colored, whether or not bleached. Chief value, but not wholly cotton. Not fancy or figured: Sateens, not bleached or colored. Twills, bleached, but not colored. Sateen, bleached, but not colored. Twills, bleached, but not colored. Sateens, colored, whether or not bleached. Denim, colored, whether or not bleached. Twills, colored, whether or not bleached.</p>	<p>325...84 325...72 328...80 328...84 331...72 331...80 331...84</p> <p>Other yarn-dyed fabrics, n.e.s. Chief value but not wholly cotton: Not fancy or figured: Yarn-dyed napped fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Fancy or figured: Yarn-dyed napped fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Colored, whether or not bleached: Wholly of cotton: Not fancy or figured: Yarn-dyed napped fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over, per square yard and 52 inches or over wide. Other yarn-dyed fabrics, Fancy or figured: Yarn-dyed fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over per square yard and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Chief value but not wholly cotton: Not fancy or figured: Yarn-dyed napped fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over per square yard and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Fancy or figured: Yarn-dyed fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over per square yard and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Wholly woven fabrics, n.e.s., carded</p>
<p>326...54 326...55 327...54 327...55 328...54 328...55 328...56 328...58</p> <p>Chief value, but not wholly cotton: Not fancy or figured: Sateens, not bleached or colored. Twills, bleached, but not colored. Sateen, bleached, but not colored. Twills, bleached, but not colored. Sateens, colored, whether or not bleached. Denim, colored, whether or not bleached. Twills, colored, whether or not bleached.</p>	<p>322...74 322...82 322...86 325...74 325...82 325...86 328...74 328...82 328...86 331...74 331...82 331...86</p> <p>Other yarn-dyed fabrics, n.e.s. Chief value but not wholly cotton: Not fancy or figured: Yarn-dyed napped fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over per square yard and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Fancy or figured: Yarn-dyed fabrics, Yarn-dyed fabrics, n.e.s., 8 ounces or over per square yard and 52 inches or over wide. Other yarn-dyed fabrics, n.e.s. Wholly woven fabrics, n.e.s., carded</p>
<p>329...54 329...55 330...54 330...55 331...54 331...55 331...56 331...58</p> <p>Chief value, but not wholly cotton: Not fancy or figured: Sateens, not bleached or colored. Twills, bleached, but not colored. Sateen, bleached, but not colored. Twills, bleached, but not colored. Sateens, colored, whether or not bleached. Denim, colored, whether or not bleached. Twills, colored, whether or not bleached.</p>	<p>320...00 320...64 321...60 321...64 321...68 322...60 322...62 322...64 323...60 323...64 324...60 324...64 325...60 325...62 325...64</p> <p>Other woven fabrics, n.e.s., carded Not fancy or figured: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Single warp, ply filling, 7½ ounces or over per square yard. Ply warp, single filling. Ply warp, ply filling. Printcloth, other than printcloth type shirting. Napped fabrics, other yarn dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Bleached, but not colored: Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Ply warp, single filling. Ply warp, ply filling. Printcloth, other than printcloth type shirting. Napped fabrics, other yarn dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Bleached, but not colored: Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Ply warp, single filling. Ply warp, ply filling. Print cloth other than print cloth type shirting.</p>

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure	
	321..76	Napped fabrics, other than yarn-dyed. Other fabrics: Not 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Colored, whether or not bleached. Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Single warp, ply filling, 7½ ounces or over per square yard. Ply warp, single filling. Print cloth other than print cloth type shirting. Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Wholly of cotton. Fancy or figured: Not bleached or colored: Napped fabrics, other than Yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over and not 52 inches or over wide. Bleached but not colored: Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Colored, whether or not bleached: Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Fancy or figured: Not bleached or colored: Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. In chief value but not wholly of cotton, containing silk or man-made fibers or both: Not fancy or figured: Not bleached or colored: Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Single warp, ply filling, 7½ ounces or over per square yard. Ply warp, single filling, under 7½ ounces per square yard. Ply warp, ply filling, 7½ ounces or over per square yard. Print cloth other than print cloth type shirting. Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide.			
	321..88				
	321..92				
	322..01				
	322..02				
	322..03				
	322..04				
	322..06				
	322..08				
	322..34				
	322..76				
	322..88				
	322..92				
	323..76				
	323..88				
	323..92				
	324..76				
	324..88				
	324..92				
	325..76				
	325..88				
	325..92				
	326..01				
	326..02				
	326..03				
	326..04				
	326..06				
	326..08				
	326..34				
	326..76				
	326..88				
	326..92				

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure	
	327..01	Bleached, but not colored: Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Single warp, ply filling, 7½ ounces or over per square yard. Ply warp, single filling, under 7½ ounces per square yard. Ply warp, ply filling, 7½ ounces or over per square yard. Print cloth other than print cloth type shirting. Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Colored, whether or not bleached: Duck: Single warp, single filling, under 7½ ounces per square yard. Single warp, single filling, 7½ ounces or over per square yard. Single warp, ply filling, under 7½ ounces per square yard. Single warp, ply filling, 7½ ounces or over per square yard. Ply warp, single filling, under 7½ ounces per square yard. Ply warp, ply filling, 7½ ounces or over per square yard. Print cloth other than print cloth type shirting. Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over per square yard and not 52 inches or over wide. Fancy or figured: Not bleached or colored: Napped fabrics other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Not 8 ounces or over and not 52 inches or over wide. Bleached, but not colored: Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Colored, whether or not bleached: Napped fabrics, other than yarn-dyed. Other fabrics: 8 ounces or over per square yard and 52 inches or over wide. Woven fabrics, in chief value but not wholly of cotton, containing wool, whether or not containing silk or man-made fibers or both, but not containing other fibers. Terry fabrics, valued not over \$1.125 per pound. Velvet, plush and velour. Chemille. Other pile fabrics, not knit.			
	327..02				
	327..03				
	327..04				
	327..06				
	327..08				
	327..34				
	327..76				
	327..88				
	327..92				
	328..01				
	328..02				
	328..03				
	328..04				
	328..06				
	328..08				
	328..34				
	328..76				
	328..88				
	328..92				
	329..76				
	329..88				
	329..92				
	330..76				
	330..88				
	330..92				
	331..76				
	331..88				
	331..92				
	332.1020				
	346.3020				
	346.3250				
	346.3650				
	346.4000				
	346.4520				

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
	329...78	Napped fabrics, other than yarn-dyed.		
	329...90	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	329...94	Not 8 ounces or over and not 52 inches or over wide.		
	330...78	Bleached, but not colored:		
	330...90	Napped fabrics, other than yarn-dyed.		
	330...94	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	331...78	Not 8 ounces or over and not 52 inches or over wide.		
	331...90	Colored, whether or not bleached:		
	331...94	Napped fabrics, other than yarn-dyed.		
	332.1040	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	346.3040	Not 8 ounces or over and not 52 inches or over wide.		
	346.3240	Woven fabrics, in chief value but not wholly of cotton, containing wool, whether or not containing silk or man-made fibers or both, but not containing other fibers.		
	346.3540	Terry fabrics, valued not over \$1.125 per pound.		
	346.4040	Terry fabrics, valued over \$1.125 per pound.		
	346.4540	Velvet, plus and velour.		
	346.4940	Chenille.		
	346.5340	Other pile fabrics, not knit.		
	346.5540	Woolen fabric, jacquard-figured.		
	357.0514	Woolen fabric, jacquard-figured except pile.		
	357.0518	Woolen fabric, jacquard-figured except pile.		
28	363.3020	Pillowcases, carded, not ornamented (including bolster sets).	1.084	Number
29	363.3040	Pillowcases, combed, not ornamented (including bolster sets).	1.084	Number
30	365.7820	Towels, dish.	.348	Number
	366.2760	Dish towels, with fringe, ornamented.		
		Dish towels, not jacquard-figured, not ornamented.		
31		Towels, other.	.348	Number
		Other towels not ornamented:		
		Valued not over 45 cents each:		
	366.1820	Dish towels, Terry.		
	366.1840	Dish towels of pile or tufted construction.		
	366.1860	Terry towels, other than dish towels.		
	366.1880	Towels of pile or tuft construction, other than dish towels.		
	366.2120	Valued over 45 cents each, but not over \$1.45 per pound:		
	366.2140	Dish towels, Terry.		
	366.2160	Dish towels, of pile or tuft construction.		
	366.2180	Terry towels, other than dish towels.		
		Towels of pile or tuft construction, other than dish towels.		
	366.2420	Valued over 45 cents each, and over \$1.45 per pound:		
	366.2440	Dish towels, Terry.		
	366.2460	Dish towels, of pile or tuft construction.		
	366.2480	Terry towels, other than dish towels.		
		Towels of pile or tuft construction, other than dish towels.		
	366.2720	Other towels, not ornamented:		
	366.2740	jacquard-figured, not pile.		
		Not jacquard-figured:		
	366.2780	Shop towels (deducted to use in garages, filling stations, and machine shops).		
32		Other:	1.66	Dozen
		Handkerchiefs, whether or not in the piece.		
		Lace handkerchiefs, whether or not ornamented.		
		Not containing any handmade lace and not ornamented in any part by hand.		
	370.0420	Valued not over 70 cents per dozen, having hand-rolled or handmade hems.		
	370.0440	Valued not over 70 cents per dozen, with other than hand-rolled or hand-made hems.		

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
27	346.7000	Tufted fabrics in which the pile or tuft was inserted or knotted into a preexisting base, with the pile or tuft covering the entire surface.	1.0	Square yard.
	357.0512	Tweedy fabric, jacquard-figured.		
	357.0516	Tweed fabric, jacquard-figured, except pile.		
	364.1120	Tweed fabric, except gabelin, jacquard-figured, not pile.		
		Other woven fabrics, h.c.s., combed.		
		Wholly of cotton or figured:		
		Not bleached or colored:		
	320...78	Napped fabrics, other than yarn-dyed.		
	320...90	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	320...94	Not 8 ounces or over and not 52 inches or over wide.		
	321...78	Bleached, but not colored:		
	321...90	Napped fabrics, other than yarn-dyed.		
	321...94	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	322...78	Not 8 ounces or over and not 52 inches or over wide.		
	322...90	Colored, whether or not bleached:		
	322...94	Napped fabrics, other than yarn-dyed.		
		Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	323...78	Fancy or figured:		
	323...90	Not bleached or colored:		
	323...94	Napped fabrics, other than yarn-dyed.		
		Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	324...78	Not 8 ounces or over and not 52 inches or over wide.		
	324...90	Bleached but not colored:		
	324...94	Napped fabrics, other than yarn-dyed.		
		Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	325...78	Colored, whether or not bleached:		
	325...90	Napped fabrics, other than yarn-dyed.		
	325...94	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	326...78	Not 8 ounces or over and not 52 inches or over wide.		
	326...90	Napped fabrics, other than yarn-dyed.		
	326...94	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	327...78	Bleached, but not colored:		
	327...90	Napped fabrics, other than yarn-dyed.		
	327...94	Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
	328...78	Not 8 ounces or over and not 52 inches or over wide.		
	328...90	Colored, whether or not bleached:		
	328...94	Napped fabrics, other than yarn-dyed.		
		Other fabrics: 8 ounces or over per square yard and 52 inches or over wide.		
		Not 8 ounces or over and not 52 inches or over wide.		
		Fancy or figured:		
		Not bleached or colored:		

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
38	355, 3500	Fishing nets and fish netting. Fish netting and fish nets. Gloves and mittens. Gloves and glove linings. Ornamented: Made from preexisting machine-knit or woven fabric: Woven. Not woven. Other than made from preexisting machine-knit or woven fabric: Not ornamented: Made from preexisting machine-knit or woven fabric: Woven.	4.6 3.527	Pounds: Dozen:
39	704, 4015 704, 1020 704, 1620	Not woven. Other than made from preexisting machine-knit or woven fabric: Not ornamented: Made from preexisting machine-knit or woven fabric: Woven.		
40	704, 4015 704, 4515 704, 5015	Not woven. Other than made from preexisting machine-knit or woven fabric: Hose and half hose. Hosiery, lace, net or ornamented: Embroidered: Valued not over \$5 per dozen pair. Valued over \$5 per dozen pair. Other hosiery, not ornamented: Not made or cut from preexisting fabric: Made or cut from preexisting fabric: T-shirts, all white, men's and boys' T-shirts, other, knit. Not ornamented, knit. Men's and boys', T-shirts: All white T-shirts, lace, net or ornamented. Other T-shirts, lace, net or ornamented. T-shirts, except all white, not ornamented. Women's, girls' and infants' T-shirts: Not ornamented. Lace, net or ornamented. N.	4.6	Dozen:
41	380, 0635	Not ornamented, knit. Men's and boys', T-shirts: All white T-shirts, lace, net or ornamented. Other T-shirts, lace, net or ornamented. T-shirts, except all white, not ornamented. Women's, girls' and infants' T-shirts: Not ornamented. Lace, net or ornamented. N.	7.234	Dozen:
42	380, 0918 380, 0921 380, 0940	Men's and boys', T-shirts: All white T-shirts, lace, net or ornamented. Other T-shirts, lace, net or ornamented. T-shirts, except all white, not ornamented. Women's, girls' and infants' T-shirts: Not ornamented. Lace, net or ornamented. N.	7.234	Dozen:
43	382, 0022 382, 0660	Shirts, knit other than T-shirts or sweatshirts Men's and boys', not ornamented. Women's, girls' and infants', not ornamented. Sweaters and cardigans Sweaters and cardigans, knit, not ornamented: Men's and boys'. Women's, girls' and infants'. Shirts, dress, not knit, men's and boys'. Men's and boys' dress shirts, lace, net or ornamented. Men's and boys' work shirts, lace, net or ornamented. Dress shirts: Men's: Poplin and broadcloth, not ornamented. Gingham, not ornamented. Other than poplin, broadcloth, or gingham, not ornamented.	7.234	Dozen:
44	380, 0650 382, 0870	Men's and boys' work shirts, lace, net or ornamented. Dress shirts: Men's: Poplin and broadcloth, not ornamented. Gingham, not ornamented. Other than poplin, broadcloth, or gingham, not ornamented.	36.8	Dozen:
45	380, 0655 382, 0880 380, 0061 380, 0064	Men's and boys' work shirts, lace, net or ornamented. Dress shirts: Men's: Poplin and broadcloth, not ornamented. Gingham, not ornamented. Other than poplin, broadcloth, or gingham, not ornamented.	22.186	Dozen:
46	380, 2752 380, 2755 380, 2759 380, 2762 380, 2765 380, 2769 382, 0078 382, 3370 380, 0067 380, 2782 380, 2785 380, 2787 380, 2789 380, 2792 380, 2795 380, 2797 380, 2799 382, 0076 382, 3568	Boys: Poplin and broadcloth, not ornamented. Gingham, not ornamented. Other than poplin, broadcloth, or gingham, not ornamented. Men's sport shirts: Lace, net or ornamented. Men's sport shirts: Of corduroy, not ornamented. Of gingham, not ornamented. Of flannel, not ornamented. Of other fabric, not ornamented. Boys' sport shirts: Of corduroy, not ornamented. Of gingham, not ornamented. Of flannel, not ornamented. Of other fabrics, not ornamented. Infants' sport shirts: Lace, net or ornamented. Not ornamented.	24.457	Dozen:
33	370, 0460 370, 0800 370, 1620 370, 1640 370, 2400 370, 2800 370, 3200 370, 3600 370, 4000 370, 4400 370, 4800 370, 5200 370, 5600 370, 6020 370, 6040 370, 6420 370, 6440 370, 6820 370, 6840 370, 6844 370, 6844 370, 6844 323...52 324...52 325...52 329...52 330...52 331...52 366, 4200 366, 7500 363, 3010 363, 3090 363, 3090 363, 0515 363, 0520 363, 0520 363, 0540 363, 8060 363, 5120 363, 5140 363, 5160 363, 5520 363, 5940 363, 5960 340, 1150 340, 3010	Valued over 70 cents per dozen, but not over \$1.50. Valued over \$1.50 per dozen. Containing handmade lace or ornamented in part by hand: Valued not over 70 cents per dozen, and not made with hand-rolled or handmade hems. Other than those valued not over 70 cents per dozen, and not made with hand-rolled or hand-made hems. Handkerchiefs, not hemmed, not ornamented: Not fancy or figured or colored: Not over 508 average yarn number. Over 508, but not over 708 average yarn number. Fancy or figured, colored or both: Not over 508 average yarn number. Over 508, but not over 708 average yarn number. Handkerchiefs, hemmed or hemstitched, not ornamented: Not fancy or figured or colored: Not over 508 average yarn number. Over 508, but not over 708 average yarn number. Over 708, but not over 708 average yarn number. Fancy or figured, colored or both: Not over 508 average yarn number: Not colored. Over 508 but not over 708 average yarn number: Not colored. Over 708 average yarn number: Not colored. Table damask and manufactures: Table damask, fancy or figured: Wholly of cotton: Not bleached or colored. Bleached, but not colored. Colored, whether or not bleached. Chief value, but not wholly of cotton: Not bleached or colored. Bleached, but not colored. Colored, whether or not bleached. Tablecloths and napkins, damask, not ornamented. Furnishings, damask, except curtains and drapes, etc., towels, tablecloths, and napkins, not ornamented. Sheets, carded Sheets, combed, not ornamented. Sheets, combed. Not ornamented. Bedspreads and quilts. Lace or net bedding, whether or not ornamented: Bedspreads. Coverlets, quilts, and comforters. Not ornamented: Bedspreads, tufted, block-printed by hand, not jacquard-figured. Bedspreads, other than tufted, block-printed by hand, not jacquard-figured. Coverlets, quilts, and comforters, block-printed by hand, not jacquard-figured. Bedspreads, tufted, not block-printed by hand, not jacquard-figured. Bedspreads, other than tufted, not block-printed by hand, not jacquard-figured. Coverlets, quilts, and comforters, not block-printed by hand, not jacquard-figured. Bedspreads, tufted, jacquard-figured. Bedspreads, other than tufted, jacquard-figured. Coverlets, quilts, and comforters, jacquard-figured. Bedspreads, tufted, not braided. Elastic fabrics, not braided. Elastic yarns, Corduroy braids, and fabrics, braided.	3.17	Pounds.
34	363, 3010	Sheets, carded, not ornamented.	6.2	Number.
35	363, 3090	Sheets, combed, not ornamented.	6.2	Number.
36	363, 3090	Bedspreads and quilts. Lace or net bedding, whether or not ornamented: Bedspreads. Coverlets, quilts, and comforters. Not ornamented: Bedspreads, tufted, block-printed by hand, not jacquard-figured. Bedspreads, other than tufted, block-printed by hand, not jacquard-figured. Coverlets, quilts, and comforters, block-printed by hand, not jacquard-figured. Bedspreads, tufted, not block-printed by hand, not jacquard-figured. Bedspreads, other than tufted, not block-printed by hand, not jacquard-figured. Coverlets, quilts, and comforters, not block-printed by hand, not jacquard-figured. Bedspreads, tufted, jacquard-figured. Bedspreads, other than tufted, jacquard-figured. Coverlets, quilts, and comforters, jacquard-figured. Bedspreads, tufted, not braided. Elastic fabrics, not braided. Elastic yarns, Corduroy braids, and fabrics, braided.	6.9	Number.
37	340, 1150 340, 3010	Braided and woven elastic. Elastic fabrics, not braided. Elastic yarns, Corduroy braids, and fabrics, braided.	4.6	Pounds.

NOTICES

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure				
54	382.0064	Girls' and infants': Of corduroy. Of velveteen. Of other than corduroy or velveteen. Dresses, not ornamented: Velveteen: Women's, Girls' and infants'. Corduroy: Women's, Girls' and infants'. Other than corduroy or velveteen: Women's, Girls' and infants'. Playsuits, sunsuits, washsuits, creepers, rompers, etc., not knit, n.e.s. Men's and boys': Ornamented. Not ornamented: Women's, girls' and infants': Lace, net or ornamented. Not ornamented: Corduroy. Velveteen. Other than corduroy or velveteen. Dressing gowns, including bathrobes and beachrobes, lounging gowns, house coats and dusters, not knit. Men's and boys': Not ornamented: Valued not over \$2.50 each: Of corduroy. Of other than corduroy. Valued over \$2.50 each: Of corduroy. Of other than corduroy. Women's, girls' and infants': Lace, net or ornamented. Not ornamented: Valued not over \$2.50 each: Of corduroy. Of velveteen. Of other than corduroy or velveteen. Valued over \$2.50 each: Of corduroy. Of velveteen. Of other than corduroy or velveteen. Not ornamented: Valued not over \$4 per pound: Athletic-type undershirts, Briefs, drawers, and undershorts. Valued over \$4 per pound: Athletic-type undershirts, Briefs, drawers, and undershorts. Other than athletic-type undershirts, undershirts, briefs and drawers, and undershorts. Men's and boys': Valued not over \$4 per pound: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	25.0	Dozen.				
	382.3314							
	382.3316							
	382.3318							
	382.3320							
	382.3322							
	382.3324							
	380.0058							
	380.3912							
	382.0074							
	382.3328							
	382.3330							
	382.3332							
55	380.0049	Men's and boys': Not ornamented: Valued not over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Valued over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Underwear: Underwear other than undershirts, briefs, drawers, and undershorts. Valued not over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Underwear: Underwear other than undershirts, briefs, drawers, and undershorts. Valued over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Men's and boys': Briefs, drawers, and undershorts. Other: Women's, girls', and infants', underwear. Not ornamented: Valued not over 75 cents per separate piece: Other, men's and boys'. Women's, girls', and infants', underwear. Valued over 75 cents per separate piece: Men's and boys': Other: Women's, girls', and infants', underwear. Men's and boys': Pajamas and other nightwear. Knit: Pajamas, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	51.0	Dozen.				
	382.1520							
	382.1540							
	382.1560							
	382.1820							
	382.1840							
	382.0070							
	382.1520							
	382.1540							
	382.1560							
	382.1820							
	382.1840							
	382.1560							
56	378.1014	Undershirts, knit, men's and boys'. Not ornamented: Valued not over \$4 per pound: Athletic-type undershirts, Briefs, drawers, and undershorts. Valued over \$4 per pound: Athletic-type undershirts, Briefs, drawers, and undershorts. Other than athletic-type undershirts, undershirts, briefs and drawers, and undershorts. Men's and boys': Valued not over \$4 per pound: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	9.2	Dozen.				
	378.1029							
	378.1514							
	378.1529							
	378.1016							
	378.1034							
	378.1516							
	378.1534							
	378.2012							
	378.2512							
	57				378.0521	Other underwear, knit, n.e.s. Men's and boys' underwear, lace or net. Women's, girls' and infants': Lace or net: Undershirts. Briefs, drawers, and shorts. Underwear other than undershirts, briefs, drawers, and shorts. Men's and boys': Ornamented: Union suits. Athletic-type undershirts. Briefs, drawers, and undershorts. Underwear other than union suits, athletic-type undershirts, briefs, drawers, and undershorts. Women's, girls', and infants': Ornamented: Undershirts. Briefs, drawers, and undershorts. Underwear other than undershirts, briefs, drawers, and undershorts. Not ornamented: Valued not over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Valued over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Underwear: Underwear other than undershirts, briefs, drawers, and undershorts. Valued not over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Underwear: Underwear other than undershirts, briefs, drawers, and undershorts. Valued over \$4 per pound: Underwear other than undershirts, briefs, drawers, and undershorts. Men's and boys': Briefs, drawers, and undershorts. Other: Women's, girls', and infants', underwear. Not ornamented: Valued not over 75 cents per separate piece: Other, men's and boys'. Women's, girls', and infants', underwear. Valued over 75 cents per separate piece: Men's and boys': Other: Women's, girls', and infants', underwear. Men's and boys': Pajamas and other nightwear. Knit: Pajamas, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	5.0	Dozen.
					378.0531			
					378.0532			
378.0533								
378.0541								
378.0542								
378.0544								
378.0546								
378.0551								
378.0552								
378.0554								
378.1032								
378.1039								
378.1532								
378.1539								
59	378.0562	All other underwear, not knit. Ornamented: Men's and boys': Briefs, drawers, and undershorts. Other: Women's, girls', and infants', underwear. Not ornamented: Valued not over 75 cents per separate piece: Other, men's and boys'. Women's, girls', and infants', underwear. Valued over 75 cents per separate piece: Men's and boys': Other: Women's, girls', and infants', underwear. Men's and boys': Pajamas and other nightwear. Knit: Pajamas, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	16.0	Dozen.				
	378.0564							
	378.0571							
	378.2018							
	378.2030							
	378.2518							
	378.2530							
	380.0012							
	380.0625							
	380.2100							
	380.2400							
	380.3909							
	382.0018							
382.0650								
60	382.2100	Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	11.25	Dozen.				
	382.2400							
	382.3326							
	378.2425							
	378.2465							
	378.2490							
	61				378.2012	Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Women's, girls', and infants': Knit: Pajamas and other nightwear, lace, net, or ornamented. Pajamas and other nightwear, not ornamented. Not knit: Not ornamented: Pajamas, valued not over \$1.50 per suit. Pajamas, valued over \$1.50 per suit. Nightwear, except pajamas. Brassieres. Body supporting garments (except brassieres) women's, girls', and infants'. Other body supporting garments, men's and boys'.	4.75	Dozen.
					378.2512			

INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES
ANNOTATED—Continued

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
64	352, 3393, 352, 3395, 702, 1020	Other, of duck. Other, of other. Headwear, of cotton, flax or both, not knit. All other cotton textiles	4.6	Pound.
	300, 6020, 300, 6022, 300, 6024	Yarns: In chief value, but not wholly, of cotton: Carded: Not bleached or colored. Bleached or colored. Piled. Combed: Singles: Piled. Chenille yarns. Sewing threads. Knitting, darning, embroidery, and tating yarns for handwork, in length not over 840 yards.		
	300, 6026, 300, 6028, 303, 1000, 303, 2040, 303, 2042	Cotton cordage: Not of stranded construction. Under 3/16 inch in diameter. Over 3/16 inch in diameter.		
	315, 0500, 315, 1000, 315, 1500	Other woven fabrics, in chief value, but not wholly of cotton: Carded. Combed. Circular knit fabrics. Other knit fabrics. Pile fabrics, except terry, knit. Pile ribbons. Seamless tubings, except wicking. Wicking. Zipper tapes. Other narrow fabrics, other than pile ribbons, seamless tubings, wicking, typewriter and machine ribbons and zipper tapes.		
	332, 4020, 332, 4040, 345, 1020, 345, 1040, 345, 4560, 347, 1000, 347, 1500, 347, 2520, 347, 3320, 347, 3340, 347, 3380	Tubular braids, with non-elastic core, not suitable for making or ornamenting headwear. Other braids. Elastic yarns and cordage with rubber core. Elastic tubular braids with rubber core. Velling and lace: Velling made on a lace machine or a net machine, whether or not ornamented. Lace: In the piece or motifs: Whether or not ornamented: Made wholly by hand: Not over \$50 per pound. Made on looms or by machines: Not 12 points or finer. Made on a bobbinet-jacquard machine. Made on a Nottingham lace-curtain machine. Other machine made. Partly handmade.		
	348, 0010, 348, 0510, 349, 1010, 349, 1012, 350, 0010	Netting: In the piece, made on a lace, net or knitting machine: Netting, ornamented. Quilling, not ornamented. Other than quilling, in the piece: Not ornamented: Made on a mechin (or malines) net machine. Made on a bobbinet machine, not over 224 holes per square inch. Made on a lace, net or knitting machine other than a mechin or bobbinet machine.		
	351, 0500, 351, 2510, 351, 4010, 351, 4610, 351, 6010, 351, 6010, 351, 8010, 351, 9010	Netting, ornamented: Velling not 47.5 cents per pound: Not hand-figured. Not hand-figured. Valued over 47.5 cents per pound: Jacquard-figured.		
	352, 1010, 352, 3010, 352, 4010, 352, 5000, 352, 8010	Imitation oriental, with pile not hand-inserted, and not hand-knotted. Of pile or tuft construction, other than chenille or imitation oriental, pile not hand-inserted, and not hand-knotted. Of pile or tuft, hand-hooked, in which pile or tuft were inserted or knotted into a preexisting base. Of pile or tuft, not hand-hooked, in which the pile or tuft were inserted or knotted into a preexisting base. Wholly or in part of braids (except tubular braids with a core) over 50 percent by weight cotton. Wholly or in part of braids (except tubular braids with a core) chief value cotton but containing not more than 50 percent by weight cotton. With over 50 percent by weight of the fibers, exclusive of any core, being cotton. Other: "Hit-and-miss" rag floor coverings. Floor coverings, n.s.p.f.: Woven but not made on a power-driven loom. Other: Lace or net sheets and pillowcases (including bolster cases) and other sheets and pillowcases, ornamented. Blankets of lace or net and other blankets ornamented. Lace or net bedding and other bedding ornamented, except sheets and pillowcases, blankets, bedspreads, coverlets, quilts, and comforters. Blankets: Not ornamented: Velling not 47.5 cents per pound: Not hand-figured. Not hand-figured. Valued over 47.5 cents per pound: Jacquard-figured.		

INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES
ANNOTATED—Continued

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
64	352, 3393, 352, 3395, 702, 1020	Other, of duck. Other, of other. Headwear, of cotton, flax or both, not knit. All other cotton textiles	4.6	Pound.
	300, 6020, 300, 6022, 300, 6024	Yarns: In chief value, but not wholly, of cotton: Carded: Not bleached or colored. Bleached or colored. Piled. Combed: Singles: Piled. Chenille yarns. Sewing threads. Knitting, darning, embroidery, and tating yarns for handwork, in length not over 840 yards.		
	300, 6026, 300, 6028, 303, 1000, 303, 2040, 303, 2042	Cotton cordage: Not of stranded construction. Under 3/16 inch in diameter. Over 3/16 inch in diameter.		
	315, 0500, 315, 1000, 315, 1500	Other woven fabrics, in chief value, but not wholly of cotton: Carded. Combed. Circular knit fabrics. Other knit fabrics. Pile fabrics, except terry, knit. Pile ribbons. Seamless tubings, except wicking. Wicking. Zipper tapes. Other narrow fabrics, other than pile ribbons, seamless tubings, wicking, typewriter and machine ribbons and zipper tapes.		
	332, 4020, 332, 4040, 345, 1020, 345, 1040, 345, 4560, 347, 1000, 347, 1500, 347, 2520, 347, 3320, 347, 3340, 347, 3380	Tubular braids, with non-elastic core, not suitable for making or ornamenting headwear. Other braids. Elastic yarns and cordage with rubber core. Elastic tubular braids with rubber core. Velling and lace: Velling made on a lace machine or a net machine, whether or not ornamented. Lace: In the piece or motifs: Whether or not ornamented: Made wholly by hand: Not over \$50 per pound. Made on looms or by machines: Not 12 points or finer. Made on a bobbinet-jacquard machine. Made on a Nottingham lace-curtain machine. Other machine made. Partly handmade.		
	348, 0010, 348, 0510, 349, 1010, 349, 1012, 350, 0010	Netting: In the piece, made on a lace, net or knitting machine: Netting, ornamented. Quilling, not ornamented. Other than quilling, in the piece: Not ornamented: Made on a mechin (or malines) net machine. Made on a bobbinet machine, not over 224 holes per square inch. Made on a lace, net or knitting machine other than a mechin or bobbinet machine.		
	351, 0500, 351, 2510, 351, 4010, 351, 4610, 351, 6010, 351, 6010, 351, 8010, 351, 9010	Netting, ornamented: Velling not 47.5 cents per pound: Not hand-figured. Not hand-figured. Valued over 47.5 cents per pound: Jacquard-figured.		
	352, 1010, 352, 3010, 352, 4010, 352, 5000, 352, 8010	Imitation oriental, with pile not hand-inserted, and not hand-knotted. Of pile or tuft construction, other than chenille or imitation oriental, pile not hand-inserted, and not hand-knotted. Of pile or tuft, hand-hooked, in which pile or tuft were inserted or knotted into a preexisting base. Of pile or tuft, not hand-hooked, in which the pile or tuft were inserted or knotted into a preexisting base. Wholly or in part of braids (except tubular braids with a core) over 50 percent by weight cotton. Wholly or in part of braids (except tubular braids with a core) chief value cotton but containing not more than 50 percent by weight cotton. With over 50 percent by weight of the fibers, exclusive of any core, being cotton. Other: "Hit-and-miss" rag floor coverings. Floor coverings, n.s.p.f.: Woven but not made on a power-driven loom. Other: Lace or net sheets and pillowcases (including bolster cases) and other sheets and pillowcases, ornamented. Blankets of lace or net and other blankets ornamented. Lace or net bedding and other bedding ornamented, except sheets and pillowcases, blankets, bedspreads, coverlets, quilts, and comforters. Blankets: Not ornamented: Velling not 47.5 cents per pound: Not hand-figured. Not hand-figured. Valued over 47.5 cents per pound: Jacquard-figured.		

INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORIES BY TARIFF SCHEDULES OF THE UNITED STATES
ANNOTATED—Continued

I.C.T.A. category	T.S.U.S.A. Nos.	Description	Conversion factor	Unit of measure
	363.4540 363.6025 363.6040	Not jacquard-figured. Quilt covers, not ornamented. Bedding, other than sheets, pillowcases, blankets, bedspreads, etc., and quilt covers, not ornamented. Tapestries, etc., except gobelin, etc.:		
	364.1120 364.1220 364.1320	Jacquard-figured: Not pile. Pile. Not jacquard-figured.		
	365.0000 365.1510	Handmade lace furnishings: Valued not over \$50 per pound. Valued over \$50 per pound.		
	365.2510 365.3110 365.3510 365.4010 365.5010	Lace furnishings: Made on a leavers machine (including go-through): 12 points or finer. Not 12 points or finer. Made on a bobbinet-jacquard machine. Made on a nottingham lace-curtain machine. Made on other machines.		
	365.7010 365.7510	Net curtains and drapes including panels and valances: Burnt-out lace furnishings. Furnishings of lace, netting or both and made in designs or pattern formed wholly or in substantial part of lining (by applique or otherwise) machine-made or hand-made machine-made materials by handwork.		
	365.7700	Curtain and drapes, including panels and valances, whether or not machine embroidered, but not otherwise ornamented.		
	365.7830	Other net furnishings, other than dish towels, curtains, drapes and valances, whether or not machine embroidered, but not otherwise ornamented.		
	366.0300	Curtains and drapes (including panels and valances): Not ornamented: Of velveteen, velvet, plush, velour, or any combination thereof.		
	366.0600 366.0000	Of corduroy. Of pile or tuft construction other than corduroy, velvet, velveteen, plush, velour, or any combination thereof.		
	366.1520	Of other than pile or tuft construction.		
	366.4500 366.4600 366.4700	Tablecloths and napkins (except damask): Not ornamented: Block-printed by hand. Not block-printed by hand: Plain woven. Other.		
	366.5720	Other furnishings: Other than curtains and drapes, towels, tablecloths, napkins, etc.:		
	366.6000	Not ornamented: Knit (except pile or tuft). Pile or tuft construction: Velveteen, velvet, plush, velour, or any combination thereof.		
	366.6300 366.6500 366.6900	Corduroy. Terry. Other.		
	366.7700 366.7900 372.0400 376.0420	Other (not knit, not pile or tufted): Plain-woven. Other. Lace, net, or ornamented veils. Garters, garter bells, and suspenders, of cotton or cotton and rubber, of plastics. Dust cloths, mop cloths, and polishing cloths:		
	385.2500 385.3000 385.4000 385.5520 385.6020 385.7020	Of pile construction. Not of pile construction. Ladder tapes. Bags and sacks, or other shopping containers. Labels, not ornamented. Tassels, and cords and tassels. Corset lacings, footwear lacings, with or without cords, or similar lacings:		
	385.7520 385.8020	Braided. Other than braided.		
	386.0400	Articles, not specially provided for: Lace or net, ornamented. Other articles, not ornamented: Of pile or tuft construction:		
	386.2000 386.2500 386.3000	of corduroy. Of terry. Of velveteen, Velvet, Plush, Velour, or any combination thereof.		
	386.4000 386.5000	Other. Other articles, not of pile construction.		
	706.2015	Luggage and handbags, whether or not fitted with bottle, dining, drinking, manicure, sewing, traveling, or similar sets: and flat goods: Whether or not ornamented: Wholly or in part of braid.		
	706.2240 706.2270 706.2415	Other: Not of pile or tuft construction: Handbags. Other. Other.		
	727.8020 727.8040 731.4000 734.5045 745.7420	Pillows, cushions, mattresses and similar furnishings, whether or not fitted with covers and with and without heating elements: Pillows and cushions. Other. Fishing line of cotton. Badminton nets, other than in sets, of cotton. Parts of slide fasteners, of cotton.		

[F.R. Doc. 68-473; Filed, Jan. 16, 1968; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 68-25]

CEYLON RUPEE, FINNISH MARKKA, IRISH POUND, NEW ZEALAND DOLLAR, SPANISH PESETA, AND UNITED KINGDOM POUND

Rates of Exchange

JANUARY 11, 1968.

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 U.S.C. 372 (c)), has certified the following rates of exchange which vary by 5 per centum or more from the quarterly rate published in Treasury Decision 67-235 for the dates and countries indicated. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for customs purposes to convert any such currency into currency of the United States, conversion shall be at the following daily rates:

Ceylon Rupee:

Dec. 11, 1967	\$0.165995
Dec. 12, 1967	.166966
Dec. 13, 1967	.166795
Dec. 14, 1967	.166895
Dec. 15, 1967	.167133
Dec. 18, 1967, through Dec. 19, 1967	.166895
Dec. 20, 1967	.166475
Dec. 21, 1967, through Dec. 22, 1967	.166895
Dec. 26, 1967, through Dec. 29, 1967	.166880

Finnish Markka:

Dec. 11, 1967, through Dec. 19, 1967	.237125
Dec. 20, 1967	.237875
Dec. 21, 1967, through Dec. 29, 1967	.237125

Irish Pound and United Kingdom Pound:

Dec. 11, 1967	2.404600
Dec. 12, 1967	2.404050
Dec. 13, 1967	2.404500
Dec. 14, 1967	2.402500
Dec. 15, 1967	2.400300
Dec. 18, 1967	2.400600
Dec. 19, 1967	2.402800
Dec. 20, 1967	2.406750
Dec. 21, 1967	2.404400
Dec. 22, 1967	2.401300
Dec. 26, 1967	2.404000
Dec. 27, 1967	2.406800
Dec. 28, 1967	2.406700
Dec. 29, 1967	2.406000

New Zealand Dollar:

Dec. 11, 1967	1.118827
Dec. 12, 1967	1.118527
Dec. 13, 1967	1.118777
Dec. 14, 1967	1.117842
Dec. 15, 1967	1.116778
Dec. 18, 1967	1.116890
Dec. 19, 1967	1.117916
Dec. 20, 1967	1.119808
Dec. 21, 1967	1.118696
Dec. 22, 1967	1.117234
Dec. 26, 1967	1.118385
Dec. 27, 1967	1.119867
Dec. 28, 1967	1.119507
Dec. 29, 1967	1.119491

Spanish Peseta:

Dec. 11, 1967	.0142365
Dec. 12, 1967	.0142397
Dec. 13, 1967	.0142210
Dec. 14, 1967	.0142385
Dec. 15, 1967	.0142196
Dec. 18, 1967	.0142380
Dec. 19, 1967	.0142335

NOTICES

Spanish Peseta—Continued

Dec. 20, 1967	0142385
Dec. 21, 1967	0142163
Dec. 22, 1967	0142352
Dec. 26, 1967	0142163
Dec. 27, 1967, through Dec. 28, 1967	0142397
Dec. 29, 1967	0142372

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

[P.R. Doc. 68-641; Filed, Jan. 16, 1968;
8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[A 662]

ARIZONA

Notice of Classification of Public Lands for Multiple-Use Management; Correction

In F.R. Doc. 67-14768, appearing on page 20660 of the issue of December 21, 1967, paragraph 1 is changed to read as follows:

1. Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands in the area described below are classified for multiple-use management. Publication of this notice has the effect of segregating all of the described lands from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334), private exchange (43 U.S.C. 315g (b)), State exchange (43 U.S.C. 315g (c)), sales under section 2455 Revised Statutes (43 U.S.C. 1171), State selections (43 U.S.C. 851, 852), and the mining laws. As used in this order, "public lands" means any lands (1) withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or (2) 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.

FRED J. WEILER,
State Director.

JANUARY 9, 1968.

[P.R. Doc. 68-569; Filed, Jan. 16, 1968;
8:46 a.m.]

[S-856]

CALIFORNIA

Notice of Classification of Public Lands for Multiple-Use Management; Correction

JANUARY 10, 1968.

In F.R. Doc. 67-15087; filed December 28, 1967, appearing at page 20988 of the issue for Friday, December 29, 1967, the following correction should be made in Block No. 3: "T. 15 N., R. 8 E., Secs. 2, 4, 5, and 6." should read:

T. 15 N., R. 8 E.,
Secs. 3, 4, 5, and 6.

E. J. PETERSEN,
Acting State Director.

[P.R. Doc. 68-570; Filed, Jan. 16, 1968;
8:46 a.m.]

[C-3357]

COLORADO

Notice of Proposed Classification of Public Lands for Multiple-Use Management

JANUARY 11, 1968.

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 areas described below together with any lands therein that may become public lands in the future. As used herein "public lands" means any lands withdrawn or reserved by Executive Order 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. Publication of this notice has the effect of segregating:

(a) All lands described in this notice from appropriation only under the agricultural land laws (43 U.S.C. Chapters 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171).

(b) Further segregates the public lands described in paragraph 4 from appropriation under the general mining laws (30 U.S.C. 20). Except as provided in (a) and (b) above the lands described shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws.

3. Public lands proposed for classification are located within the following described area and are shown on maps on file in the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo., and Land Office, Bureau of Land Management, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo. 80202.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
GUNNISON, HINSDALE, AND SÁGUACHE COUNTIES

T. 44 N., R. 1 W.,
Secs. 5 and 6.
T. 44 N., R. 2 W.,
Secs. 1, 2, 3, 4, 9, 10, 11, 12, 14, 15, and 16.
T. 44 N., R. 4 W.,
Secs. 1, 2, 10 to 15, inclusive;
Secs. 22, 23, and 24.
T. 45 N., R. 1 W.,
Secs. 2 to 11, inclusive;
Secs. 15 to 20, inclusive;
Secs. 29, 30, 31, and 32.
T. 45 N., R. 1½ W.,
Secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, and 26.
T. 45 N., R. 2 W.,
Secs. 1 to 35, inclusive.
T. 45 N., R. 3 W.,
Secs. 1 to 36, inclusive.
T. 45 N., R. 4 W.,
Secs. 1, 2, 11, 12, 13, 14, 25, 26, and 35.
T. 45 N., R. 1 E.,
Secs. 1, 2, and 11.
T. 45 N., R. 2 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 14, inclusive;
Secs. 17, 20 to 24, inclusive;
Secs. 26, 27, 28, and 29.
T. 45 N., R. 3 E.,
Secs. 5, 6, 7, 8, and 18.

T. 46 N., R. 1 W.,
Secs. 3 to 10, inclusive;
Secs. 16 to 22, inclusive;
Secs. 26 to 35, inclusive.
T. 46 N., R. 1½ W.,
Secs. 1, 2, 12, 13, 14, 23, 24, 25, 26, 35, and 36.
T. 46 N., R. 2 W.,
Secs. 1, 2, 3, 5 to 36, inclusive.
T. 46 N., R. 3 W.,
Secs. 1 to 36, inclusive.
T. 46 N., R. 4 W.,
Secs. 13, 24, 25, 26, and 36.
T. 46 N., R. 1 E.,
Secs. 13, 24, 25, and 26.
T. 46 N., R. 2 E.,
Secs. 1 to 12, inclusive;
Secs. 15, 18 to 22, inclusive;
Secs. 27 to 35, inclusive.
T. 47 N., R. 1 W.,
Secs. 1 to 14, inclusive;
Secs. 17, 18, 19, 20, 23, 24, 25, and 26;
Secs. 29 to 36, inclusive.
T. 47 N., R. 1½ W.,
Secs. 1, 2, 11, 12, 13, 14, 24, 25, 35, and 36.
T. 47 N., R. 2 W.,
Secs. 1 to 36, inclusive.
T. 47 N., R. 3 W.,
Secs. 1 to 6, inclusive;
Secs. 8 to 36, inclusive.
T. 47 N., R. 1 E.,
Secs. 1, 2, 4, and 5.
T. 47 N., R. 2 E.,
Secs. 1 to 8, inclusive;
Secs. 10, 11, 12, 15 to 22, inclusive;
Secs. 27 to 36, inclusive.
T. 47 N., R. 3 E.,
Secs. 4 to 9, inclusive.
T. 48 N., R. 1 W.,
Secs. 1 to 36, inclusive.
T. 48 N., R. 1½ W.,
Secs. 1, 2, 11, 12, 13, 14, 23, 24, 25, 26, and 36.
T. 48 N., R. 2 W.,
Secs. 1 to 36, inclusive.
T. 48 N., R. 3 W.,
Secs. 1 to 36, inclusive.
T. 48 N., R. 4 W.,
Secs. 25 and 36.
T. 48 N., R. 1 E.,
Secs. 1, 2, 4 to 12, inclusive;
Secs. 14 to 36, inclusive.
T. 48 N., R. 2 E.,
Secs. 1 to 36, inclusive.
T. 48 N., R. 3 E.,
Secs. 1, 3 to 8, inclusive;
Secs. 10 to 26, inclusive;
Secs. 29 to 33, inclusive.
T. 48 N., R. 4 E.,
Secs. 4 to 9, inclusive;
Secs. 15, 17 to 22, inclusive;
Secs. 27, 28, and 30.
T. 49 N., R. 1 W.,
Secs. 4, 5, 6, 9, 12, 13, 15, 16, and 17;
Secs. 19 to 36, inclusive.
T. 49 N., R. 2 W.,
Secs. 1 to 26, inclusive;
Secs. 30, 31, 32, 33, 34, 35, and 36.
T. 49 N., R. 3 W.,
Secs. 1, 2, 3, 6, 7, 8, 10 to 19, inclusive;
Secs. 21 to 26, inclusive, and 36.
T. 49 N., R. 1 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 21, inclusive;
Secs. 23 to 36, inclusive.
T. 49 N., R. 2 E.,
Secs. 1 to 14, inclusive;
Secs. 17 to 36, inclusive.
T. 49 N., R. 3 E.,
Secs. 3 to 10, inclusive.
Secs. 13 to 36, inclusive.
T. 49 N., R. 4 E.,
Secs. 19, 29, 30, 31, and 32.
T. 50 N., R. 1 W.,
Secs. 3 to 11, inclusive;
Secs. 15, 16, 17, 20, 21, 22, 26 to 33, inclusive.
T. 50 N., R. 2 W.,
Secs. 1, 12, 13, 14, 23, 24, 25, 26, 35, and 36.

[C-3358]

COLORADO

Notice of Proposed Classification of Public Lands for Multiple-Use Management

JANUARY 10, 1968.

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 areas described below together with any lands therein that may become public lands in the future. As used herein "public lands" means any lands withdrawn or reserved by Executive Order 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. Publication of this notice has the effect of segregating:

(a) All lands described in this notice from appropriation only under the agricultural land laws (43 U.S.C. Chapters 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171).

(b) Further segregates the public lands described in paragraph 4 of this notice from appropriation under the general mining laws (30 U.S.C. 20). Except as provided in (a) and (b) above, the lands shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws.

3. Public lands proposed for classification are located within the following described areas and are shown on maps on file in the Montrose District Office, Bureau of Land Management, Highway 550 South, Montrose, Colo., and Land Office, Bureau of Land Management, Room 15019, Federal Building, 1961 Stout Street, Denver, Colo. 80202.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
GUNNISON AND MONTROSE COUNTIES

- T. 46 N., R. 4 W.,
Secs. 1 to 12, inclusive.
T. 46 N., R. 5 W.,
Secs. 1 to 5, inclusive.
T. 46 N., R. 6 W.,
Secs. 1, 2, 3, 10, 11, and 12.
T. 47 N., R. 4 W.,
Secs. 1, 19, 20, 24, 25;
Secs. 29 to 33, inclusive, and 36.
T. 47 N., R. 5 W.,
Secs. 13, 15, 16, 20 to 24, inclusive;
Secs. 26, 27, 28, 29, and 32 to 36, inclusive.
T. 47 N., R. 6 W.,
Secs. 22, 26, 27, 33, 34, 35, and 36.

The public lands in the area described aggregate approximately 22,778 acres.

4. As provided in 2(b) above the following lands are further segregated from appropriation under the mining laws:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
GUNNISON COUNTY
Little Cimarron Site

- T. 46 N., R. 6 W.,
Sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$.

Big Blue Creek

T. 47 N., R. 5 W., 300 feet on either side of Big Blue Creek in the following described areas:

- Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 22, W $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 27, W $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 34, NW $\frac{1}{4}$.

The lands described in paragraph 4 aggregate approximately 355 acres.

5. For a period of 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, Highway 550 South, Post Office Box 1269, Montrose, Colo. 81401.

6. A public hearing on the proposed classification will be held at 7:30 p.m., March 7, 1968, in the courthouse, Gunnison, Colo.

J. ELLIOTT HALL,
Acting State Director.

[F.R. Doc. 68-572; Filed, Jan. 16, 1968;
8:46 a.m.]

[Oregon 015810]

OREGON

Order Providing for Opening of Public Lands

JANUARY 10, 1968.

1. In an exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1272), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following lands have been reconveyed to the United States:

WILLAMETTE MERIDIAN

- T. 37 S., R. 10 E.,
Sec. 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 11, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 24, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 37 S., R. 11 $\frac{1}{2}$ E.,
Sec. 31, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 32, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$.
T. 38 S., R. 11 $\frac{1}{2}$ E.,
Sec. 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 16, all;
Sec. 21, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$, except for the following described parcel; beginning at a point 600 feet west of the northeast corner of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, and running thence east 600 feet; thence south 900 feet; thence west 135 feet; thence northwesterly 1,013 feet, more or less to the point of beginning;
Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate 3,038.34 acres.

2. The lands are located in Klamath County. They are semiarid in character and are not suitable for farming. Some of the lands support a stand of Ponderosa pine timber.

3. Subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law, the lands are hereby open to application, petition, location and selection. All valid

- T. 50 N., R. 1 E.,
Secs. 1, 2, 3, 4, 9 to 16, inclusive;
Secs. 19 to 30, inclusive;
Secs. 32 to 36, inclusive.
T. 50 N., R. 2 E.,
Secs. 17 to 21, inclusive;
Secs. 25 to 36, inclusive.
T. 50 N., R. 3 E.,
Secs. 28 to 33, inclusive.
T. 51 N., R. 1 W.,
Secs. 29, 32, 33, and 34.

The total area described aggregates approximately 460,219 acres in Gunnison, Hinsdale, and Saguache Counties, Colo.

4. As provided in paragraph 2(b) above, the following lands are further segregated from appropriation under the mining laws:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
GUNNISON, HINSDALE, AND SAGUACHE COUNTIES

Dome Lake Site

- T. 45 N., R. 2 E.,
Sec. 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 46 N., R. 2 E.,
Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

Cathedral Sites

- T. 44 N., R. 2 W.,
Sec. 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$.

Narrow Grade Site

- T. 45 N., R. 4 W.,
Sec. 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Tomichi Site

- T. 49 N., R. 2 E.,
Sec. 16, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Powderhorn Lakes Site

- T. 45 N., R. 3 W.,
Sec. 22, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, lots 7, 8, 11, 12.

Cochetopa Creek

- T. 47 N., R. 2 E.,
Those lands within 300 feet of either side of Cochetopa Creek within secs. 5, 8, 16, 18, 20, 21, 28, 29.

Kellog Siding Site

- T. 46 N., R. 4 W.,
Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Granodiorite Site

- T. 49 N., R. 2 W.,
Sec. 13, W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

These lands aggregate approximately 1,145 acres.

5. For a period of 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, Highway 550 South, Post Office Box 1269, Montrose, Colo. 81401.

6. A public hearing on the proposed classification will be held 7:30 p.m., March 7, 1968, in the county courthouse at Gunnison, Colo.

J. ELLIOTT HALL,
Acting State Director.

[F.R. Doc. 68-571; Filed, Jan. 16, 1968;
8:46 a.m.]

applications received at or prior to 10 a.m., shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

4. The United States did not acquire minerals in the lands described as the NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, sec. 16, T. 38 S., R. 11 $\frac{1}{2}$ E., W.M.

5. Inquiries concerning the lands should be addressed to the Chief, Division of Lands and Minerals Program Management and Land Office, Post Office Box 2965, Portland, Oreg. 97208.

VIRGIL O. SEISER,
Chief, Branch of Lands.

[F.R. Doc. 68-573; Filed, Jan. 16, 1968;
8:46 a.m.]

[Utah 2883]

UTAH

Notice of Classification

JANUARY 10, 1968.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g), for private lands in the same vicinity.

The lands affected by this classification are located in Box Elder County, Utah, and are described as follows:

SALT LAKE MERIDIAN

T. 11 N., R. 16 W.,

Sec. 4, all;

Sec. 6, S $\frac{1}{2}$;

Sec. 8, all;

Sec. 12, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 14, all.

T. 12 N., R. 16 W.,

Sec. 22, N $\frac{1}{2}$;

Sec. 24, all.

The areas described aggregate 3,444.48 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 241.1-2(d)).

EDWARD J. HOFFMAN,
Acting State Director.

[F.R. Doc. 68-574; Filed, Jan. 16, 1968;
8:46 a.m.]

Fish and Wildlife Service

[Docket No. B-425]

EVERETT L. DEARBORN

Notice of Loan Application

JANUARY 11, 1968.

Everett L. Dearborn, 290 Sawyer Street, South Portland, Maine 04106, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 34-foot length overall wood vessel to engage in the fishery for lobsters.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fish-

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

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

[F.R. Doc. 68-567; Filed, Jan. 16, 1968;
8:45 a.m.]

National Park Service

CANYONLANDS NATIONAL PARK

Notice of Intention To Issue Concession Permit

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Superintendent, Canyonlands National Park proposes to issue a concession permit to Mitchell M. Williams, doing business as Tag-A-Long Tours; Kent Frost, doing business as Canyonland Tours; and Warren G. McClatchy, doing business as Tex's Colorado River Cruises authorizing them to provide guided tours for the public at Canyonlands National Park, for a period of 5 years from January 1, 1968, through December 31, 1972.

The foregoing concessioners have performed their obligations under existing permits to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, are entitled to be given preference in the issuance of new permits. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the date of publication of this notice.

Interested parties should contact the Superintendent, Canyonlands National Park, Moab, Utah 84532, for information as to the requirements of the proposed permit.

ROGER J. CONTOR,
Acting Superintendent.

DECEMBER 29, 1967.

[F.R. Doc. 68-575; Filed, Jan. 16, 1968;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

FRESH IRISH POTATOES

Notice of Purchase Program IMP 3a and Diversion Program IMD 3a

In order to encourage the domestic consumption and utilization of Irish potatoes by diverting them from the normal channels of trade and commerce in accordance with section 32, Public Law 320, 74th Congress, approved August 24, 1935, as amended, two programs, IMP 3a and IMD 3a, were made effective January 8, 1968, and will continue until further notice but in any event not later than April 30, 1968.

One program, IMP 3a, provides for purchase and distribution of potatoes to schools and eligible institutions. Potatoes will be purchased under this program on an announced price basis from growers, associations of growers, or growers' agents. Details regarding price, container, and other program specifications are contained in purchase announcements issued by the Agricultural Stabilization and Conservation (ASC) Committees in the States of purchase. Quantities purchased will depend upon marketing conditions at the time of purchase and availability of outlets for use of the potatoes without waste.

The other program, IMD 3a, provides for a diversion payment program in areas where facilities are available for manufacture of potato starch and flour or areas where livestock feeding takes place.

Purchase program IMP 3a will be operative only where it is not practical to operate diversion program IMD 3a. Both programs will be effective in areas where potato surpluses have created serious marketing problems, and where a marketing plan approved by the Department of Agriculture has been established to assist in effectuating the purposes of the programs.

Information relative to these programs may be obtained from: Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(Sec. 32, 40 Stat. 774, as amended, 7 U.S.C. 612c)

Dated: January 12, 1968.

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

[F.R. Doc. 68-606; Filed, Jan. 16, 1968;
8:49 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services
Administration

DEPARTMENT OF AGRICULTURE, AGRICULTURAL RESEARCH SERVICE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 68-00074-33-46500. Applicant: U.S. Department of Agriculture, Agricultural Research Service, Eastern Utilization Research and Development Division, 600 East Mermaid Lane, Wyndmoor (Philadelphia), Pa. 19118. Article: Ultramicrotome, Model LKB Ultratome III Type 8800A and knife-maker accessory Type 7800B. Manufacturer: LKB Instruments, Inc., Sweden. Intended use of article: The instrument will be used to prepare sections for high resolution microscopy. Comments: Comments with respect to this application were received from one domestic manufacturer, Ivan Sorvall, Inc. (Sorvall), which alleges inter alia " * * * some customers desire the features of a mechanical advance and some desire features of a thermal advance. This is operator preference only and has nothing to do with the principle of ultrathin sectioning." Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The applicant requires an ultramicrotome that is capable of cutting ultrathin sections less than 90 Angstroms in diameter. The minimum sectioning capability of the Sorvall Model MT-2 is 100 Angstroms (page 11 of Sorvall catalogue describing the Model MT-1 and Model MT-2 ultramicrotomes). The Sorvall Model MT-1 has a higher minimum sectioning capability than the MT-2, 1/40 micron (page 4 of Sorvall catalogue). The minimum sectioning capability of the foreign article is 50 Angstroms (page 6 of technical specifications attached to application). (2) The foreign article provides a thermal advance, whereas the Sorvall Models MT-1 and MT-2 provide a mechanical advance. We are advised by the Department of Health, Education, and Welfare (HEW) that " * * * the cutting of serial sections, with a section thickness of about 90 Angstroms for high resolution electron microscopy and the sectioning of such difficult materials as

connective tissue and leather, establish as pertinent, the degree of advance control, uniformity and smoothness of cut that is possible with a thermal advance mechanism." (See memorandum dated Oct. 19, 1967.) In connection with another application (Docket No. 67-00052-33-46500), relating to the same model of foreign article with which this application is concerned, HEW advised that "Reproducibility of thickness of each section cut for examination under the electron microscope is substantially greater when thermal advance microtomes are used than when the advance is achieved through purely mechanical devices." (See memorandum dated July 26, 1967.)

For the foregoing reasons, we find that neither the Sorvall Model MT-1 nor the Sorvall Model MT-2 is of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific
and Technical Equipment,
Business and Defense Services
Administration.

[F.R. Doc. 68-560; Filed, Jan. 16, 1968;
8:45 a.m.]

BATELLE-NORTHWEST-PACIFIC NORTHWEST LABS., ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be

mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00182-00-46040. Applicant: Battelle-Northwest-Pacific Northwest Labs., Post Office Box 999, Richland, Wash. 99352. Article: Gas Reaction Accessory for JEM-7 Electron Microscope. Manufacturer: Japan Electron Lab., Japan. Intended use of article: Applicant states: "To study the effect of gases and gaseous pressure on thick and thin specimens." Application Received by Commissioner of Customs: October 13, 1967.

Docket No. 68-00185-33-46040. Applicant: Polytechnic Institute of Brooklyn, 333 Jay Street, Brooklyn, N.Y. 11201. Article: Electron Microscope, HU-11C-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: Ultrastructural studies of biological systems: bacteria, soil microorganisms, their organelles, fimbriae, pili, nuclear regions, wall and cell membrane structure on ultrathin sections and negatively stained specimens. Application received by Commissioner of Customs: October 17, 1967.

Docket No. 68-00187-33-46040. Applicant: Kansas State Teachers College of Emporia, 12th and Commercial, Emporia, Kans. 66801. Article: Electron Microscope EM 9A with complete set of Spare Parts. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: Research in fields of virology, immunology, mycology, neurophysiology, developmental biology, and botanical taxonomy. Teaching aid in courses in biological structure and function. Application received by Commissioner of Customs: October 17, 1967.

Docket No. 68-00184-33-29800. Applicant: Texas A&M University, Department of Biology, College Station, Tex. 77843. Article: Monitor tank for recording fish movements. Manufacturer: Lloyd J. Suggett, Canada. Intended use of article: Applicant states: "Research into orientation and role of sensory information in orientation in animals." Application received by Commissioner of Customs: October 17, 1967.

CHARLEY M. DENTON,
Director, Office of Scientific
and Technical Equipment,
Business and Defense Services
Administration.

[F.R. Doc. 68-561; Filed, Jan. 16, 1968;
8:45 a.m.]

BAYLOR UNIVERSITY COLLEGE OF MEDICINE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00108-33-11000. Applicant: Baylor University College of Medicine, 1200 Moursund Avenue, Houston, Tex. 77025. Article: LKB Combined Gas Chromatograph-Single Focusing Mass Spectrometer. Manufacturer: LKB-Produkt AB, Sweden. Intended use of article: Applicant states:

This instrument is intended for use in analytical biochemical problems of importance in medical research. The specific field of work is gas phase analytical biochemistry.

Research to be conducted with this instrument includes development of quantitative gas chromatographic analytical procedures. Study of reaction of polyfunctional substances through continuous transference of high mass derivative products. Determinations will be made of unidentified concentrations of new substances developed by drug metabolites. Study of steroid and urinary acid derivatives will be conducted and investigations using stable isotopes will be made. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: Section 602.1(e) of the regulations issued pursuant to the Educational, Scientific, and Cultural Materials Importation Act of 1966 (80 Stat. 897) provides:

The determination of scientific equivalency between a foreign instrument and a domestic instrument shall be based on comparisons of the pertinent characteristics and pertinent specifications of the foreign instrument with the similar pertinent characteristics and pertinent specifications of the domestic instrument. If such comparisons show that at least one domestic instrument or a reasonable combination of domestic instruments does possess all of the pertinent characteristics and pertinent specifications of the foreign instrument, the Administrator shall find that scientific equivalency does exist.

The phrase, "reasonable combination of domestic instruments," was intended to be construed in a reasonably narrow manner to include only combinations which would under normal commercial practice and usage generally be considered as a unit. The phrase is narrowly construed because the operative language of the statute and the explanatory language of the Committee Reports both speak in terms of comparisons of single instruments with other single instruments. Thus, item 851.60 of schedule 8, part 4 of the Tariff Schedules prescribes the test "if no [domestic] instrument or apparatus of equivalent scientific value . . . is being manufactured in the United States." Similarly, the Committee Reports speak in terms of "a" domestic article and "a" domestic instrument or apparatus. (H. Rept. No. 1779, House Committee on Ways and Means,

89th Cong., 2d sess., p. 18, and H. Rept. No. 1678, 89th Cong., 2d sess., p. 12). The foreign article is a unit which combines the functions of a gas chromatograph, a mass spectrometer and a separating device. At the time the applicant placed the order for the foreign article, there were no domestic manufacturers offering to supply a comparable unit in which the three functions were integrated. There are known domestic manufacturers of mass spectrometers, which do not manufacture gas chromatographs. There are also known domestic manufacturers of gas chromatographs which do not manufacture mass spectrometers. The only known domestic manufacturer which produces both gas chromatographs and mass spectrometers is Varian Associates. This domestic manufacturer has recently entered into the production of combined gas chromatograph-mass spectrometer systems comparable to the foreign article, with the first system scheduled for delivery in December 1967. In connection with another case (Docket No. 67-00018-01-11000), two domestic manufacturers of mass spectrometers, Consolidated Electrodynamics Corp. (CEC) and Bendix Corp., offered to supply their respective mass spectrometers and a gas chromatograph manufactured by the F & M Scientific Division of the Hewlett-Packard Co. In its comments on Docket No. 67-00018-01-11000, the Department of Health, Education and Welfare (HEW) advised that the alternatives proposed by CEC and Bendix Corp. have not been designed and tested as single units. (HEW memorandum dated June 14, 1967.)

Since no domestic manufacturer submitted comments in the case of either Docket No. 67-00018-01-11000 or in regard to this application, no contention has been made or evidence submitted to support a contention that either of the combinations offered by Bendix Corp. or CEC would under normal commercial practice and usage generally be considered as a unit. We are not otherwise aware of any evidence that would support such a finding. Accordingly, we find that the several instruments offered by each of the manufacturers named above are not eligible for comparison with the foreign article as a "reasonable combination" in accordance with the applicable provisions of the regulations set forth above. The foreign article incorporates a Becker-Ryhage separating device. In its memorandum cited above, HEW advised that "the jet-type carrier gas separation system in the LKB apparatus is unique and is generally considered by authorities in the field to be the most effective separator presently available. The efficiency of the separator largely determines the effectiveness of the mass spectrometer and the alternatives proposed by domestic manufacturers are not equivalent in this scientific specification." With respect to this application, HEW advises (memorandum dated Aug. 11, 1967) that the purposes for which the foreign article is intended to be used require a functionally integrated instrument with a number of interrelated

characteristics that are pertinent such as adequate sample flow, high resolution at high mass and high accelerating voltage, a wide choice of scan rates and a number of other characteristics that could determine the success of specific experiments in this field.

On the basis of the evidence of this application and Docket No. 67-00018-01-11000, we find that neither of the combinations offered by CEC and Bendix Corp. is scientifically equivalent to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which was being manufactured and offered for sale at the time the applicant placed its order for the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and
Technical Equipment, Business
and Defense Services
Administration.

[F.R. Doc. 68-562; Filed, Jan. 16, 1968;
8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00100-33-46040. Applicant: University of California, Riverside, Post Office Box 112, Riverside, Calif. 92502. Article: Electron Microscope, Norelco Model EM 300 and accessories. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for research studies on ultrathin sections and on isolated biological materials shadowed with heavy metals or stained with uranyl salts or phosphotungstic acids. It will be used in teaching and by students to investigate such things as biological membranes and other cellular components to develop more valid concepts of structural and functional relationships in biological systems. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons:

(1) The foreign article offers a guaranteed resolution of 5 Angstroms (specifications for Norelco electron microscope EM 300, attached to application), whereas the only known domestic electron microscope, the Radio Corporation of America (RCA) Model EMU-4, offers a guaranteed resolution of 8 Angstroms (specifications of RCA Model EMU-4). (The lower the numerical rating in terms of Angstroms, the better the resolution.) The National Bureau of Standards (NBS) (memorandum dated Aug. 2, 1967) advises that the difference in resolution is pertinent to the purposes for which the foreign article is intended to be used, which involve the extension of microscopic investigations to the finest possible structure that can be observed. (2) The foreign article offers five accelerating voltages, 20, 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 offers only two accelerating voltages, 50 and 100 kilovolts. In regard to the alternative accelerating voltages available in the foreign article and not in the domestic article, NBS advises that "it is essential to the research objectives of the applicant that he have the capability to attempt to obtain improved contrast through the use of these accelerating voltages. The availability of 20 and 40 KV accelerating voltages in the foreign article is therefore found to be a pertinent characteristic." (Memorandum dated Aug. 2, 1967.)

For the foregoing reasons, we find that the RCA Model EMU-4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

CHARLEY M. DENTON,
Director, Office of Scientific
and Technical Equipment,
Business and Defense Services
Administration.

[F.R. Doc. 68-563; Filed, Jan. 16, 1968;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
ALLIED CHEMICAL CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2241) has been filed by Allied Chemical Corp., Plastics Division, Post Office Box 365, Morristown, N.J. 07960, proposing the issuance of a food additive regulation to provide for the safe use of lauryl vinyl ether-polyvinyl chloride copolymers as a component of

articles and coatings for food-contact use.

Dated: January 9, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-626; Filed, Jan. 16, 1968;
8:50 a.m.]

ATLAS CHEMICAL INDUSTRIES, INC. Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2243) has been filed by Atlas Chemical Industries, Inc., Wilmington, Del. 19899, proposing an amendment to § 121.2541 *Emulsifiers and/or surface-active agents* to provide for the safe use of polyoxyethylene (20) sorbitan monopalmitate, polyoxyethylene (20) sorbitan trioleate, and sorbitan monooleate as emulsifiers and/or surface-active agents in articles intended for food-contact use.

Dated: January 9, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-627; Filed, Jan. 16, 1968;
8:50 a.m.]

ELANCO PRODUCTS CO.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0679) has been filed by the Elanco Products Co., a division of Eli Lilly and Co., Indianapolis, Ind. 46206, proposing the establishment of a tolerance of 0.05 part per million for negligible residues of the herbicide trifluralin (α,α,α -trifluoro-2,6-dinitro-*N,N*-dipropyl-*p*-toluidine) in or on the raw agricultural commodity sunflower seed.

The analytical method proposed in the petition for determining residues of the herbicide is gas chromatographic technique.

Dated: January 9, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-628; Filed, Jan. 16, 1968;
8:50 a.m.]

GEIGY CHEMICAL CORP.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8B2242) has been filed by Geigy Chemical Corp., Ardsley, N.Y. 10502, pro-

posing an amendment to § 121.2520 *Adhesives* to provide for the safe use of sodium *N*-lauroyl sarcosinate as an optional component of food-packaging adhesives.

Dated: January 9, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-629; Filed, Jan. 16, 1968;
8:50 a.m.]

GEIGY CHEMICAL CORP.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0685) has been filed by the Geigy Chemical Corp., Ardsley, N.Y. 10502, proposing the establishment of tolerances for negligible residues of the insecticide ethyl 4,4'-dichlorobenzilate in or on the raw agricultural commodities cottonseed at 0.5 part per million and walnuts at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a microcoulometric gas chromatographic technique.

Dated: January 9, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-630; Filed, Jan. 16, 1968;
8:50 a.m.]

MERCK AND CO., INC.

Notice of Filing of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0674) has been filed by Merck and Co., Inc., Rahway, N.J. 07065, proposing the establishment of a tolerance for residues in or on the raw agricultural commodity bananas of the fungicide thiazobenzazole (2-(4-thiazolyl)-benzimidazole), from postharvest use, at 3 parts per million of which not more than 0.4 part per million shall be in the pulp after peel is removed and discarded.

The analytical method proposed in the petition for determining residues of the fungicide involves extraction into ethyl acetate from a pH 4.5 buffered suspension of banana pulp or peel. The extract is washed with sodium hydroxide extracted into hydrochloric acid and determined by fluorescence measurement.

Dated: January 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-631; Filed, Jan. 16, 1968;
8:51 a.m.]

MONSANTO CO.**Notice of Filing of Petition Regarding Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0672) has been filed by the Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the herbicide 2-chloro-N-isopropylacetanilide and its metabolites (calculated as 2-chloro-N-isopropylacetanilide) in or on the raw agricultural commodity corn grain.

The analytical method proposed in the petition for determining residues of the herbicide and its metabolites is gas-liquid chromatography.

Dated: January 5, 1968.

J. K. KIRK,
*Associate Commissioner
for Compliance.*

[F.R. Doc. 68-632; Filed, Jan. 16, 1968;
8:51 a.m.]

NACA INDUSTRY TASK FORCE ON PHENOXY HERBICIDE TOLERANCES**Notice of Filing of Petition Regarding Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0676) has been filed by the National Agricultural Chemicals Association's Industry Task Force on Phenoxy Herbicide Tolerances, 1155 15th Street NW., Washington, D.C. 20005, proposing the establishment of tolerances for negligible residues of the herbicide 2-methyl-4-chlorophenoxyacetic acid from the application of the herbicide in the acid form or in the form of one or more of the following salts or esters:

1. Inorganic salt: Sodium;
2. Amine salts: Ethanolamine, diethanolamine, triethanolamine, isopropanolamine, diisopropanolamine, triisopropanolamine, and dimethylamine;
3. Esters: Isooctyl and butoxyethyl;

in or on the raw agricultural commodities alfalfa, barley, beans, clover, corn, flaxseed, oats, peas, rice, sorghum, soybeans, and wheat at 0.2 part per million.

The analytical method proposed in the petition for determining residues of the herbicide is a colorimetric technique in which the residue is first extracted, then separated by means of column chromatography, and finally reacted with chromotropic acid. The optical density is measured at 550 millimicrons.

Dated: January 5, 1968.

J. K. KIRK,
*Associate Commissioner
for Compliance.*

[F.R. Doc. 68-633; Filed Jan. 16, 1968;
8:51 a.m.]

NACA INDUSTRY TASK FORCE ON PHENOXY HERBICIDE TOLERANCES**Notice of Filing of Petition Regarding Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0675) has been filed by the National Agricultural Chemicals Association's Industry Task Force on Phenoxy Herbicide Tolerances, 1155 15th Street NW., Washington, D.C. 20005, proposing the establishment of tolerances for negligible residues of the herbicide silvex (2-(2,4,5-trichlorophenoxy)propionic acid) from application of the herbicide in the acid form or in the form of one or more of the following salts or esters:

1. The inorganic salts: Sodium and potassium;
2. The amine salts: Ethanolamine, diethanolamine, isopropanolamine, diisopropanolamine, triethanolamine, and triisopropanolamine;
3. The esters: Butoxyethyl, butoxypropyl, dipropylene glycol isobutyl ether, 2-ethylhexyl (isooctyl), propylene glycol butyl ether, propylene glycol isobutyl ether, and tripropylene glycol isobutyl ether;

in or on the raw agricultural commodities apples, pears, prunes, rice, and sugarcane at 0.2 part per million.

The analytical methods proposed in the petition for determining residues of the herbicide are:

- (1) The residue is extracted and hydrolyzed to silvex and then treatment with sodium nitrate and sulfuric acid produces a color which is measured at 515 millimicrons.
- (2) The residue is extracted and hydrolyzed to silvex, the ether linkage of silvex is split by pyridine hydrochloride, and the resulting 2,4,5-trichlorophenol is measured at 298 millimicrons.

Dated: January 5, 1968.

J. K. KIRK,
*Associate Commissioner
for Compliance.*

[F.R. Doc. 68-634; Filed, Jan. 16, 1968;
8:51 a.m.]

NACA INDUSTRY TASK FORCE ON PHENOXY HERBICIDE TOLERANCES**Notice of Filing of Petition Regarding Pesticides**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0669) has been filed by the National Agricultural Chemicals Association's Industry Task Force on Phenoxy Herbicide Tolerances, 1155 15th Street NW., Washington, D.C. 20005, proposing the establishment of tolerances for negligible residues of the herbicide 2,4,5-T (2,4,5-trichloro-phenoxyacetic acid) from application of the herbicide in either the acid form or in the form of

one or more of the following salts or esters:

1. The amine salts: Alkyl (C-12), alkyl (C-13), alkyl (C-14), *N,N*-dimethylololeylamine, *N,N*-dimethylololeylamine, *N*-oleyl-1,3-propylenediamine, triethanolamine, and triethylamine;
2. The esters: Alkyl (C₈-C₁₂), amyl, butyl, butoxyethyl, butoxypropyl, dipropylene glycol isobutyl ether, 2-ethylhexyl (isooctyl), propylene glycol butyl ether, propylene glycol isobutyl ether, and tripropylene glycol isobutyl ether;

in or on the raw agricultural commodities apples, barley, blueberries, corn, oats, rice, rye, sugarcane, and wheat at 0.2 part per million.

The analytical methods proposed in the petition for determining residues of 2,4,5-T are: (1) The method of G. Yip, "Journal of the Association of Official Agricultural Chemists," vol. 45, pp. 367-376 (1962); (2) the method of L. J. Edgerton and D. J. Lisk, "Journal of the American Society for Horticultural Science," vol. 83, pp. 120-125 (1963); and (3) a modification of the method of R. P. Marquardt and E. N. Luce, "Journal of Agricultural and Food Chemistry," vol. 3, pp. 51-53 (1955).

Dated: January 9, 1968.

J. K. KIRK,
*Associate Commissioner
for Compliance.*

[F.R. Doc. 68-635; Filed, Jan. 16, 1968;
8:51 a.m.]

SALSBURY LABORATORIES**Notice of Filing of Petition for Food Additives Dimetridazole, Reserpine**

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Salsbury Laboratories, Charles City, Iowa 50616, proposing amendments to the food additive regulations to provide for the safe use in turkey feed of dimetridazole and reserpine for the prevention and control of outbreaks of blackhead and as an aid in the prevention or treatment of aortic rupture in turkeys.

Dated: January 5, 1968.

J. K. KIRK,
*Associate Commissioner
for Compliance.*

[F.R. Doc. 68-636; Filed, Jan. 16, 1968;
8:52 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**DIRECTOR AND DEPUTY DIRECTOR FOR NORTHWEST AREA OFFICE AT SEATTLE, WASH., REGION VI****Redelegations of Authority**

Redelegations of authority with respect to college housing loan program;

program of loans for housing for elderly or handicapped; and rent supplements for disadvantaged persons in program of housing for elderly or handicapped; revocations:

SECTION A. Redlegation of authority. The Director for Northwest Area Office and the Deputy Director for Northwest Area Office at Seattle, Wash., Region VI, each is hereby authorized within the entire State of Washington, Oregon, Alaska, and Montana, together with the Northern portion of Idaho, including the counties of Adams, Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lemhi, Lewis, Nez Perce, Shoshone, Valley, and Washington, to exercise the power and authority of the Secretary of Housing and Urban Development described below with respect to the following programs:

1. College Housing Loan Program under Title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749-1749c):

a. Approve applications, authorize loans, and execute loan agreements, involving loans for student and/or faculty housing and for other educational facilities.

b. Amend or modify such loan agreements.

c. Approve, consent to, and authorize amendments or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments, upon his finding that the action is supported by adequate consideration or requires no consideration.

d. Execute approvals, consents, amendments, or modifications to bonds, bond resolutions, indentures, notes, mortgages, and other collateral security instruments.

2. Program of Loans for Housing for the Elderly or Handicapped under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q):

a. Execute loan agreements and regulatory agreements and amendments or modifications of loan agreements and regulatory agreements.

b. Authorize an increase of not to exceed 10 percent in the amount of the loan and authorize such amendment of the loan agreement as is necessary to effectuate the authorized increase in the amount of the loan.

c. Execute amendments or modifications of notes, mortgages, and other collateral security instruments.

3. Rent Supplements for Disadvantaged Persons in Program of Housing for Elderly or Handicapped under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) in connection with housing assisted under section 202 of the Housing Act of 1959, as amended (12 U.S.C. 1701q):

a. To execute contracts with housing owners for rent supplement payments.

b. To execute amendments or modifications of such contracts.

c. To renegotiate or terminate such contracts.

Sec. B. Revocations. The redelegations of authority to the Director for Northwest Operations, Region VI, with respect to these programs effective November 9, 1966 (32 F.R. 2825, February 11, 1967)

amended at 32 F.R. 11897, August 17, 1967, and effective December 27, 1966 (32 F.R. 2793, February 10, 1967).

(Redelegations of authority by Assistant Secretary for Renewal and Housing Assistance: Effective July 1, 1966 (31 F.R. 8969, June 29, 1966), as amended at 31 F.R. 16375, Dec. 22, 1966, and further amended at 32 F.R. 4145, Mar. 16, 1967; and effective Dec. 27, 1966 (32 F.R. 159, Jan. 7, 1967))

Effective date. These redelegations of authority shall be effective as of the 1st day of September 1967.

ROBERT B. PITTS,

Regional Administrator, Region VI.

[F.R. Doc. 68-637; Filed, Jan. 16, 1968; 8:52 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-12]

PATAPSCO RIVER-BEAR CREEK,
BALTIMORE HARBOR

Portion Closed to Navigation During
Launching of "Santa Barbara"
(AE-28)

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4 (32 F.R. 5606) and Executive Order 10173 as amended by Executive Orders 10277, 10352, and 11249, I hereby affirm for publication in the FEDERAL REGISTER the order of E. C. Allen, Jr., Rear Admiral, U.S. Coast Guard, Commander, 5th Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

PORTION OF PATAPSCO RIVER-BEAR CREEK,
BALTIMORE HARBOR

Under the authority of Title II of the Espionage Act of June 15, 1917, 40 Stat. 220, 50 U.S.C. 191 and Executive Order 10173, as amended, I declare that from 11 a.m., e.s.t. until 3 p.m., e.s.t., Tuesday, January 23, 1968, the following area is a security zone and I order that it be closed to any person or vessel due to the launching of the "SANTA BARBARA" (AE-28):

The water of the Patapsco River-Bear Creek, Baltimore Harbor within the coordinates of latitude 39°12'48" N., longitude 76°29'54" W. at the shoreline of Sparrow's Point, thence westerly 500 yards to latitude 39°12'48" N., longitude 76°30'12.5" W., thence northerly to latitude 39°13'20" N., longitude 76°30'10" W. thence easterly to the shoreline at Sparrow's Point.

No person or vessel may remain in or enter this security zone.

The Captain of the Port, Baltimore, Md., shall enforce this order.

The Captain of the Port may be assisted by employees and facilities of any State or political subdivision thereof or any Federal Agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220 as amended, 50 U.S.C. 192) provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or obstructs or interferes with the exercise of any power conferred by this chapter, the vessel, together with her tackle, apparel, furniture, and

equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be punished by imprisonment for not more than 10 years and may, in the discretion of the court, be fined not more than \$10,000.

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or knowingly obstructs or interferes with the exercise of any power conferred by this chapter, he shall be punished by imprisonment for not more than 10 years and may, at the discretion of the court, be fined not more than \$10,000."

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

JANUARY 11, 1968.

[F.R. Doc. 68-559; Filed, Jan. 16, 1968; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 19103]

ALITALIA-LINEE AEREE ITALIANE,
S.p.A.

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on January 29, 1968, at 10 a.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

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

Dated at Washington, D.C., January 10, 1968.

[SEAL] EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 68-607; Filed, Jan 16, 1968; 8:49 a.m.]

[Docket No. 19151]

ALLEGHENY-LAKE CENTRAL MERGER
CASE

Notice of Further Postponement of
Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding previously assigned to be held on January 17, 1968, is further postponed to February 5, 1968, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., January 10, 1968.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 68-608; Filed, Jan. 16, 1968; 8:49 a.m.]

[Docket No. 18595]

ALM DUTCH ANTILLEAN AIRLINES**Notice of Hearing**

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is hereby assigned to be held before the undersigned Examiner on February 7, 1968, at 10 a.m., e.s.t., in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., January 10, 1968.

[SEAL]

RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 68-609; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 19023]

MEMPHIS/HUNTSVILLE/BIRMINGHAM-LOS ANGELES SERVICE INVESTIGATION**Notice of Postponement of Prehearing Conference**

Notice is hereby given that the prehearing conference in the above-entitled matter previously assigned to be held on February 6, 1968, is hereby postponed to February 14, 1968, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

The dates for exchange of proposed statements of issues and other related materials to be submitted by the Bureau of Operating Rights and the other parties are hereby postponed until February 2, 1968, and February 7, 1968, respectively.

Dated at Washington, D.C., January 10, 1968.

[SEAL]

MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 68-610; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 18322]

NORTHERN NEW ENGLAND-GREAT LAKES SERVICE INVESTIGATION**Notice of Hearing**

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding will be held before the undersigned Examiner on January 30, 1968, at 10 a.m., e.s.t., in the Sheraton-Wayfarer Motor Inn, Manchester, N.H. Upon conclusion of the Manchester session the hearing will reconvene on February 13, 1968, at 10 a.m., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Without limiting the precise scope of the issues in this proceeding, particular attention will be directed to the following matters:

1. Do the public convenience and necessity require and should the Board order the issuance, alteration, amend-

ment, or modification of air carrier certificates authorizing air service between points in Maine, New Hampshire, and Vermont on the one hand, and Albany, Syracuse, Cleveland, Detroit, and Chicago, on the other, subject to the restrictions set forth in the Board's Order of Investigation, Order E-24916.

2. If the public convenience and necessity require the award of such authority, what additional terms, conditions, and limitations, if any, should be imposed on the operation of the service.

3. Are the applicants citizens of the United States within the meaning of section 101(13) of the Act, and are they fit, willing, and able to perform the proposed air transportation and to conform to the provisions of the Act and the rules, regulations, and requirements of the Board thereunder.

For further details of the issues involved in this proceeding, interested persons are referred to the orders and notices entered herein, the documents filed by the parties, and the Examiner's report of prehearing conference served on August 4, 1967, all of which are on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than the parties of record desiring to be heard in this proceeding shall file with the Board on or before January 25, 1968, a statement setting forth the issues of fact or law raised by this proceeding which he desires to controvert.

Dated at Washington, D.C., January 10, 1968.

[SEAL]

RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 68-611; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 18141]

SCANDINAVIAN AIRLINES SYSTEM ENFORCEMENT PROCEEDING**Notice Postponing Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the public hearing in this proceeding heretofore assigned to be held on January 22, 1968, is hereby postponed, and will now be held before the undersigned Examiner on February 26, 1968, at 10 a.m., e.s.t., in Hearing Room E, Federal Trade Commission Building, 30 Church Street, New York, N.Y.

Dated at Washington, D.C., on January 12, 1968.

[SEAL]

RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 68-612; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 18754]

SOUTHERN AIRWAYS, INC., SHOW CAUSE PROCEEDING**Notice of Hearing**

Notice hereby is given, pursuant to the provisions of the Federal Aviation Act of

1958, as amended, that a hearing in the above-entitled proceeding will be held on January 30, 1968, at 10 a.m., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on November 21, 1967, and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 12, 1968.

[SEAL]

HERBERT K. BRYAN,
Hearing Examiner.

[F.R. Doc. 68-613; Filed, Jan. 16, 1968;
8:49 a.m.]

[Docket No. 18791]

VIASA ENFORCEMENT CASE**Notice of Further Change in Date of Hearing**

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding now assigned to be held on February 13, 1968, is hereby postponed to February 26, 1968, at 10 a.m., e.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

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

Dated at Washington, D.C., January 10, 1968.

[SEAL]

EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 68-614; Filed, Jan. 16, 1968;
8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 16979; FCC 68-32]

INTERDEPENDENCE OF COMPUTER AND COMMUNICATIONS SERVICES AND FACILITIES**Order Regarding Regulatory and Policy Problems**

In the matter of regulatory and policy problems presented by the interdependence of computer and communication services and facilities; Docket No. 16979.

1. On January 8, 1968, the Business Equipment Manufacturers Association (BEMA) filed with the Commission a letter requesting that the final date for submission of written responses to the issues contained in the Commission's above-captioned notice of inquiry be extended from February 5 to March 5, 1968. Copies of the letter were served by BEMA on all of the parties known to be interested in this proceeding.

2. In its letter BEMA states that it has undertaken an extensive compilation of data in connection with its proposed filing in this proceeding. Because of the need for coordination with the various entities participating in its response, BEMA requires additional time to complete its response. Counsel for BEMA has been authorized by counsel for the Newspapers Publishers Association and Aeronautical Radio Inc. to advise that they also support the request for change in dates. In addition, there have been informal requests to the Common Carrier Bureau asking that the date for the filing of responses in this proceeding be deferred.

3. In view of the request made by BEMA in its letter and the indication from other interested parties that it would be useful to allow additional time to file responses in this proceeding, we conclude that it would be in the public interest to grant BEMA's request.

4. Accordingly, it is ordered, That the date for the submission for responses to the notice of inquiry in the matter of the "Regulatory and the Policy Problems Presented by the Interdependence of Computer Communication Services and Facilities" is hereby extended from February 5, 1968 to March 5, 1968.

Adopted: January 10, 1968.

Released: January 11, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-618; Filed, Jan. 16, 1968;
8:50 a.m.]

[Docket No. 17755; FCC 68-4]

JOSEPH P. OLIVEIRA

Order Designating Application for Hearing on Stated Issues

In re application of Joseph P. Oliveira, Hollywood, Calif., Docket No. 17755; for amateur radio station and general class operator licenses.

The Commission has under consideration the above-entitled application for amateur radio station and general class operator licenses.

There are substantial questions as to:

(a) Whether Joseph P. Oliveira made a false statement concerning his criminal record in his application for general class license in the Amateur Radio Service;

(b) Whether Joseph P. Oliveira operated radio transmitting apparatus on Citizens Radio Service frequencies without a valid station authorization, in violation of section 301 of the Communications Act of 1934, as amended;

(c) Whether Joseph P. Oliveira operated radio transmitting apparatus on Amateur Radio Service frequencies without a license therefor, in violation of

section 301 of the Communications Act of 1934, as amended;

(d) Whether Joseph P. Oliveira, while operating a radio transmitter on Citizens Radio Service frequencies, engaged in conduct which was or, had he been licensed would have been, in violation of the Commission's rules governing that service.

In view of these questions, the Commission is unable to find that a grant of the captioned application would serve the public interest, convenience and necessity and must, therefore, designate the application for hearing. Except for the issues specified herein, the applicant is otherwise qualified to hold an Amateur Radio Service license.

Accordingly, it is ordered, Pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.973(b) of the Commission's rules, that the captioned application is designated for hearing at a time and place to be specified by subsequent order upon the following issues.

(1) To determine whether Joseph P. Oliveira made a false statement concerning his criminal record, in his captioned application for general class license in the Amateur Radio Service.

(2) To determine whether at various times during the period from October 24, 1962, to August 12, 1963, Joseph P. Oliveira operated radio transmitting apparatus on Citizens Radio Service frequencies without a valid station authorization, in violation of section 301 of the Communications Act of 1934, as amended.

(3) To determine whether Joseph P. Oliveira at various times during the period March 1 to August 9, 1967, operated radio transmitting apparatus on Amateur Radio Service frequencies without a valid station authorization, in violation of section 301 of the Communications Act of 1934, as amended.

(4) To determine whether, at various times during the period from October 24, 1962, to August 12, 1963, Joseph P. Oliveira engaged in conduct which was, or had he been licensed would have been, in violation of §§ 95.83(a) (1), (3), (8), and (11), 95.91 (a) and (b), and 95.95(c) of the Commission's rules.

(5) To determine whether, in the light of the evidence adduced with respect to the foregoing issues, the grant of the subject application for radio station and operator licenses in the Amateur Radio Service would serve the public interest, convenience and necessity.

It is further ordered, That, to avail himself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission in triplicate a written appearance stating an intent to appear on the date fixed for hearing and present evidence on the issues specified in this order; and

It is further ordered, That the Chief, Safety and Special Radio Services Bureau, shall within 10 days after the release of this order, furnish a Bill of

Particulars to the applicant herein setting forth the basis for the above issues.

Adopted: January 4, 1968.

Released: January 10, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-619; Filed, Jan. 16, 1968;
8:50 a.m.]

[Docket Nos. 17680-17682; FCC 67R-10]

STATE OF OREGON ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of State of Oregon acting by and through the State Board of Higher Education, Medford, Oreg., Docket No. 17680, File No. BPCT-3814; Liberty Television, a joint venture comprised of Liberty Television, Inc., and Siskiyou Broadcasters, Inc., Medford, Oreg., Docket No. 17681, File No. BPCT-3858; Medford Printing Co., Medford, Oreg., Docket No. 17682, File No. BPCT-3859; for construction permits.

1. State of Oregon acting by and through the State Board of Higher Education (State); Liberty Television, a joint venture comprised of Liberty Television, Inc., and Siskiyou Broadcasters, Inc. (Liberty); and Medford Printing Co. (Medford), mutually exclusive applicants, request a construction permit to operate a new television broadcast station on VHF Channel 8 at Medford, Oreg. The applications were designated for hearing in an order released September 6, 1967 (FCC 67-998). Now before the Review Board is a petition to enlarge issues, filed October 10, 1967,¹ by Southern Oregon Broadcasting Co. (Southern), licensee of Station KTVM (TV), Channel 5, Medford, an intervenor in this proceeding.² In its petition,³ Southern requests the addition of an issue to determine the validity of Liberty's first year cost estimates.⁴

¹ The petition, although not timely filed, will be considered since good cause for the late filing has been shown.

² Southern's petition to intervene was granted by the Examiner in an order, FCC 67M-1699, released Oct. 11, 1967.

³ The other pleadings before the Review Board are: (a) Comments, filed Nov. 3, 1967, by the Broadcast Bureau; (b) opposition, filed Dec. 1, 1967, by Liberty; (c) reply to opposition, filed Dec. 22, 1967, by Southern; and (d) addendum filed Dec. 26, 1967, by Southern.

⁴ The Commission, in the designation order, found, on the basis of Liberty's application, that 703,000 would be required for construction and first year operation; that the balance sheet filed by one of the joint venturers, Liberty Television, Inc., did not reflect current liquid assets sufficient to meet its \$250,000 commitment; that Siskiyou Broadcasters, Inc., the other coventurer, filed no balance sheet; and that the applicant thus " . . . may have no more than the \$500,000 bank loan available to it to meet a \$703,000 commitment." An issue inquiring into availability of funds was therefore specified.

¹ Commissioner Bartley dissenting; Commissioner Wadsworth abstaining from voting.

2. In support of its petition, Southern offers the affidavit of Jerold R. Poulos, vice president and general manager of Station KTVM (TV), Medford, which contains his estimates of first year operational cost allegedly " * * * demonstrating that the Liberty estimates are inadequate." Southern notes that Liberty's application (Exhibit 4-A), reads in part:

Based on a detailed study of operational needs, first year operating costs, exclusive of equipment payments, have been estimated at \$213,367. However, the applicant has allocated 15 percent (\$32,005) of that amount for contingencies, thus increasing the first year operating estimate to a total of \$245,381.

Southern urges that this analysis lacks the requisite particularity required by the Ultravision⁶ case. The affiant suggests 29 items which "must" be included under first year expense and which result in a minimum requirement of \$283,350. Mr. Poulos affirms that these are " * * * very conservative estimates of costs * * * " and do not reflect, in addition to video tape expenses, " * * * preparation of tower site, tower base, erection and painting charges which should exceed \$5,000." The Broadcast Bureau supports the petition, "[a]bsent a satisfactory detailed breakdown * * * " of Liberty's cost estimate.

3. In opposition, Liberty asserts the validity of its original \$245,381 estimate and, to support its assertion, includes the affidavit of Donald E. Tykeson, president and general manager of Liberty Television, Inc., licensee of Station KEZI (TV), Eugene, Oreg. Liberty asserts that several of the Poulos estimates " * * * are either overstated or should not be considered at all in determining whether Liberty complies with the Ultravision test * * * ". The attached affidavit discusses in detail the latter items, and indicates the basis upon which Liberty reached some of its estimates.⁷ For example, Liberty challenges the inclusion of Southern's \$15,000 estimate for "Sales Commissions", stating that this is a " * * * direct selling expense, and therefore, should not be budgeted for the purposes of determining whether the Medford operation will have sufficient funds available to construct and operate the station for 1 year without revenues." If the item is considered, Liberty argues, revenues derived from these sales should also be included. In the same manner, Liberty challenges Southern's \$9,000 estimate

for "Consultant Fees." Although the Liberty joint venture agreement calls for payment to Liberty Television, Inc. of \$1,500 per month or 4 percent of gross operating revenues for consultant fees (whichever is greater), Liberty argues that this obligation will be eliminated through an amendment, and in any case, no payment would be required " * * * until the cash flow of the Channel 8 station makes payment possible." An example of alleged overestimation by Southern involves the "Film Rental" allocation; Southern projects a \$54,450 expense. Citing the experience of Liberty Television Inc.'s KEZI-TV Liberty notes that that station programmed a weekly average of 32.68 hours of film in 1966 and expended \$37,566 for rental fees; the instant application proposes 19.5 hours and allegedly may expect to derive a financial advantage through common purchase of film with KEZI and a lower fee schedule due to Medford's "smaller market". For these reasons, Liberty avers, a \$20,000 estimate is adequate. Lastly, Liberty indicates that it is seeking leave to amend its application to "submit a revised plan of financing" which, Liberty asserts, will demonstrate its ability to meet the \$703,000 in costs the Commission considered, as well as the \$38,000 increase Southern urges in the present petition.

4. Southern, in reply, filed a further affidavit from Poulos which allegedly "lays at rest" the arguments raised by Liberty. Southern notes that there is a vast difference in the experience of the two professional affiants and the areas on which their estimates are based; Liberty's figures being based primarily on the broadcast record of KEZI in Eugene, while Southern has had numerous years in the Medford area. Moreover, the attached affidavit discusses in some detail four of the major conflicting estimates, alleging the validity of Southern's projections contained in its original petition. For example, with reference to Southern's higher estimate of film rental costs, Mr. Poulos states that it has been his experience that " * * * the supply of film has diminished, [and] discounts for combination buys have been eliminated." He further notes that " * * * film companies have already indicated to us that the current price for film in the Medford market will be upped quite appreciatively if and when it becomes a three station market." Mr. Poulos therefore concludes that even his earlier estimate of \$54,450 is too low.

5. The Review Board finds that there is a sufficient basis for expanding the financial inquiry. Petitioner has submitted, in its affidavit, cost estimates for first year operation of over \$283,350; Liberty has allocated \$213,367 for this expense. Even the inclusion of Liberty's contingency fund of \$32,005 still leaves a difference of approximately \$38,000. The Board cannot agree with several of Southern's inclusions. For example, we agree with Liberty that the items denoted as "Commissions" and "Loss Due to Bad Debts" should not be charged against the applicant in the absence of consideration of expected revenues. However, with regard to the allocations for "Film Rental", "Film Transportation", "Consultant Fees" and "Telephone and Telegraph", the Board is unable to determine the validity of either party's estimates on the basis of the submitted pleadings. Thus, even accepting Liberty's contentions with regard to all but these four of the disputed allocations, Liberty would still require almost \$258,000 for first year costs; \$13,000 more than its estimate, a difference which warrants further investigation. Moreover, in accordance with Commission policy, when an applicant's operating cost estimates are challenged, a "detailed breakdown of the estimate will be required."⁸ Liberty has not attempted to itemize its estimated costs in its opposition; rather it chooses to challenge Southern's estimates as overstated and improper. It is only in opposition to eight of Southern's 29 included operational expenses that Liberty offers any "detailed breakdown" of how it reached its estimates. Liberty offers no reasoned challenge to the remaining allocations, nor does it indicate what items are included in its first year cost estimate. Under all of these circumstances, the Board believes that an issue relating to first year's cost is warranted.

Accordingly, it is ordered, That the petition to enlarge issues, filed October 10, 1967, by Southern Oregon Broadcasting Co., is granted; and that the issues in this proceeding are enlarged by the addition of the following issue: To determine, with reference to the application of Liberty Television, the basis for its estimated operating expenses for the first year of operation.

Adopted: January 10, 1968.

Released: January 12, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-620; Filed, Jan. 16, 1968;
8:50 a.m.]

⁷ Liberty has not filed an amendment deleting the obligation, and its financial plan must be judged on the basis of the proposals in its application. Triad Stations, Inc., FCC 64R-540, 3 RR 2d 1064.

⁸ Note 2, The Ultravision Standard (for financial qualifications), FCC 67-812, 10 RR 2d 1757.

⁹ Review Board Member Nelson absent.

⁶Ultravision Broadcasting Company, FCC 65-581, 5 RR 2d 343.

⁸In summary, Liberty has provided the following chart reflecting the contested estimates and noting the resulting differences:

Item	KTVM	Liberty	Difference
Film rental	\$54,450.00	\$20,000.00	\$34,450.00
Film transportation	7,000.00	4,000.00	3,000.00
Sales commissions	15,000.00		15,000.00
Bad debt expense	2,500.00		2,500.00
Consultant fees	9,000.00		9,000.00
Emergency power generator	5,000.00	616.65	4,383.35
Music license fees	5,200.00	1,680.00	3,520.00
Telephone and telegraph	12,000.00	3,600.00	8,400.00
Total	110,150.00	29,896.65	80,253.35

[Docket No. 17634; FCC 68M-55]

**VOICE OF THE NEW SOUTH, INC.
(WNSL)****Order Scheduling Further Prehearing
Conference**

In re application of Voice of the New South, Inc. (WNSL), Laurel, Miss., Docket No. 17634, File No. BP-16819; for construction permit.

The Hearing Examiner having under consideration a "Motion To Change Procedural Dates" filed by the applicant on November 9, 1967;

It appearing that the lapse of time has rendered this motion moot but that a new schedule of procedural dates should be established:

It is ordered, That there will be a further prehearing conference on January 23, 1968 at 2 p.m.

Issued: January 10, 1968.

Released: January 11, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 68-621; Filed, Jan. 16, 1968;
8:50 a.m.]

[Docket No. 17855; FCC 68M-59]

WELCH ANTENNA CO.**Order Continuing Hearing**

In re cease and desist order to be directed against the following CATV operator: Welch Antenna Co., Welch, W. Va., Docket No. 17855.

The Hearing Examiner has under consideration "Joint Petition For Dismissal of Show Cause Proceeding and Continuance of Procedural Dates Pending Action," filed January 10, 1968, by the CATV respondent in the above-entitled proceeding and the intervenor, Daily Telegraph Printing Co., licensee of Television Station WHIS-TV, Bluefield, W. Va. Also before the Examiner are the transcript of the prehearing conference which was held December 21, 1967, and the order after prehearing conference, released December 27 (67M-2132), which postponed the hearing from January 8 to 12, 1968. The joint petition, which is addressed to the Commission, asks the Commission to approve a settlement agreement which has been reached by the petitioners and to continue all procedural dates pending action dismissing the proceeding. It would be inappropriate under the circumstances for the Hearing Examiner to force the petitioners into a hearing without waiting until the Commission has at least passed upon so much of the joint petition which may be construed as requesting a "stay" of the hearing. The hearing will therefore be postponed herein, on the Examiner's own motion, until release of the Commission's order granting or denying this requested relief. Counsel for the Commission's Broadcast Bureau has indicated orally her consent to this action.

It is so ordered, And the hearing in the above-entitled proceeding is hereby con-

tinued pending release of the Commission's ruling referred to above.

Issued: January 11, 1968.

Released: January 11, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 68-622; Filed, Jan. 16, 1968;
8:50 a.m.]

FEDERAL MARITIME COMMISSION**AMERICAN EXPORT ISBRANDTSEN
LINES, INC., AND TRANSOCEAN
GATEWAY CORP.****Notice of Agreement Filed for
Approval**

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as set forth below), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. James N. Jacobi, Kurrus and Jacobi, 2000
K Street NW., Washington, D.C. 20006.

Agreement No. T-2122 between American Export Isbrandtsen Lines, Inc. (AEIL), and Transocean Gateway Corp. (Transocean) is a containership terminal contract wherein Transocean grants AEIL (1) exclusive operating use (but not exclusive berthing) of certain facilities on the Staten Island Waterfront known as Pier 13, Stapleton, N.Y.; (2) exclusive use of a marshalling area of approximately seven (7) acres west of Pier 12; and (3) necessary use of part (not to exceed 75 percent of a terminal consolidation shed). Transocean will provide various services and facilities and arrange for a contract stevedore to provide stevedoring for all users of the terminal. As compensation, AEIL will pay Transocean a fixed annual sum. AEIL will receive credit against its rental for secondary use of the facilities.

Dated: January 11, 1968.

By order of the Federal Maritime
Commission.

THOMAS LISI,
Secretary.

[P.R. Doc. 68-558; Filed, Jan. 16, 1968;
8:45 a.m.]

**GENERAL SERVICES ADMINIS-
TRATION**

[Federal Property Management Temporary
Reg. D-8]

**SECRETARY OF HEALTH, EDUCATION,
AND WELFARE****Delegation of Authority Regarding
Control of Violations of Law of Cer-
tain Facilities Located in Mont-
gomery County, Md.**

1. *Purpose.* This regulation delegates authority to the Secretary of Health, Education, and Welfare to assist in controlling violations of law at Health, Education, and Welfare facilities located in Montgomery County, Md.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, authority is hereby delegated to the Secretary of Health, Education, and Welfare to appoint uniformed guards as special policemen and make all needful rules and regulations for the protection of Health, Education, and Welfare facilities and grounds in Montgomery County, Md., over which the Federal Government has acquired exclusive or concurrent jurisdiction under the Laws of Maryland, Chapter 158, approved March 31, 1953.

b. The Secretary of Health, Education, and Welfare may redelegate this authority to any officer or employee of the Department of Health, Education, and Welfare.

c. This authority shall be exercised in accordance with the limitations and requirements of the above-cited acts, and policies, procedures, and controls prescribed by the General Services Administration.

4. *Effect on other issuances.* This regulation supersedes Federal Property Management Regulations, Temporary Regulation D-3, Delegation of Authority, dated October 25, 1966.

Dated: January 9, 1968.

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

[P.R. Doc. 68-565; Filed, Jan. 16, 1968;
8:45 a.m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 24NY-6171]

AERON CORP.**Order Permanently Suspending
Exemption**

JANUARY 10, 1968.

I. Aeron Corp., Mercer County Airport, Trenton, N.J., a corporation organized under the laws of Pennsylvania on September 4, 1959, and having its principal office located at the Mercer

County Airport, Trenton, N.J., filed with the Commission on July 19, 1965, a notification on Form 1-A with exhibits thereto, including an offering circular, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder. The notification and offering circular covered a proposed offering of 25,000 shares of 20 cents par value common stock at the price of \$12 a share for an aggregate offering price to the public of \$300,000. The offering commenced on May 9, 1966, and in a Form 2-A filed on December 8, 1966, the issuer stated that it had sold 11,188 shares of stock, receiving \$134,156 therefrom, and that the offering would continue. A subsequent report of sales indicated the sale of additional shares in the amount of \$22,320 prior to March 23, 1967.

II. The Commission, on March 23, 1967, temporarily suspended the Regulation A exemption of Aereon Corp., stating it had reason to believe from information reported to it by its staff that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to the following:

1. The statement in the offering circular that the company intended to repair the test aircraft described therein for approximately \$7,200 was false and misleading.

2. The failure to disclose that the company, at or about the time the offering was commenced, was in the process of materially changing the design and the power plant of the Aereon test airship; that such changes would require a new and enlarged program of engineering testing and evaluation necessitating increased costs; that the major portion of the proceeds of this offering would be expended in order to change and redesign the test airship; that there was no assurance that these changes would prove successful; and that such changes would prevent flight testing of the redesigned airship within the immediate future.

3. The failure to disclose that the issuer has no engineering data to support the engineering theories, aerodynamic stability and characteristics of the three-fuselage test vehicle or with respect to such test vehicle as modified.

4. The failure to disclose that any ground and flight tests and engineering data related thereto regarding the present and past test vehicle will have no demonstrable relation to the commercial prototype now in the design phase.

B. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer offered and sold certain of its securities to the public without delivering a copy of an offering circular containing the information required by

Schedule I of Form 1-A in violation of Rules 256(a) (1) and (2).

2. The issuer offered and sold, within 1 year prior to the commencement of the offering under Regulation A, \$48,800 of interest bearing 5 percent convertible securities, termed "advances on open account", in violation of section 5 and the inclusion of the sale price of these securities in the computation required by Rule 254(a) causes the \$300,000 limitation on offerings under Regulation A to be exceeded.

3. The offering circular failed to disclose a contingent liability on the part of the issuer because of the sale of certain of its securities in violation of section 5.

4. The issuer used false and misleading sales literature, consisting of brochures prepared by the issuer and reproductions of newspaper and magazine articles, in offering and selling its "advances on open account" and its common stock in violation of section 17 of the Securities Act of 1933, as amended.

5. The issuer violated Rule 258 of Regulation A by failing to file sales literature used in connection with the offer and sale of its securities.

6. The issuer's oral representation, made in connection with the offer and sale of its stock, that "the stock has more than tripled in value from the time that the company first issued stock in 1960" was materially false and misleading in failing to disclose that the price was not dependent upon a public market price but was an arbitrary price established by the issuer and its officers and directors.

7. The issuer's written and oral statements made to persons to whom its securities were offered were materially inaccurate and misleading in representing that: The issue is almost sold out; only a small part of the issue is still available and it is expected that most of the stock available will be sold in the immediate future to local persons; this is the last issue of stock available; the proposed aircraft can deliver 4 to 6 times the average truck load, at ranges up to 4,000 miles, at a cost of less than 1½ cents per ton mile; the issuer is proceeding as rapidly as possible toward manufacture of a commercial aircraft; and, rapid progress is being made toward a commercial prototype aircraft.

8. Issuer's response to Item 10 of the notification is materially false and misleading in failing to disclose that the company was presently offering securities in addition to those covered by the notification and offering circular.

C. The offering has been and will continue to be made in violation of section 17 of the Securities Act of 1933.

III. Issuer, on December 15, 1967, filed, pursuant to Rule 8 of the Commission's rules of practice, an offer of settlement in which it consents to the temporary suspension order becoming permanent providing that such consent is limited to this proceeding and is given solely for purposes of settlement and without admitting any of the allegations contained in the temporary suspension order dated March 23, 1967, and that the permanent suspension order shall so recite, and also

provided that the language of section IIA 3 and 4 of said temporary suspension order be amended to read as follows:

3. The failure to disclose that issuer's engineering data was insufficient and inadequate to support the engineering theories, aerodynamic stability, and characteristics of the three-fuselage test vehicle or with respect to such test vehicle as modified.

4. The failure to disclose that any ground and flight tests and engineering data related thereto regarding the present and past test vehicle will have few demonstrable relationships to the commercial prototype now in the design phase.

IV. The Commission has determined to accept the offer of settlement submitted by Aereon Corp. on December 15, 1967, and therefore:

It is ordered, On the basis of the temporary suspension order and the issuer's offer of settlement, that the Regulation A exemption with respect to the securities of Aereon Corp. be, and it hereby is, permanently suspended.

It is further ordered, That the hearing in this matter ordered by the Commission on April 21, 1967, at a date to be scheduled, be and it hereby is canceled.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-580; Filed, Jan. 16, 1968;
8:46 a.m.]

[812-2240]

**AXE-HOUGHTON FUND A, INC.
ET AL.**

**Notice of Filing of Application for
Order Exempting Proposed Trans-
actions**

JANUARY 11, 1968.

Notice is hereby given that Axe-Houghton Fund A, Inc. ("Fund A"), Axe-Houghton Fund B, Inc. ("Fund B"), Axe-Houghton Stock Fund, Inc. ("Stock Fund"), and Axe Science Corp. ("Science Fund"), 400 Benedict Avenue, Tarrytown, N.Y., open-end diversified management investment companies registered under the Investment Company Act of 1940 (the "Act") (sometimes collectively referred to as "Applicants"), have filed a joint application pursuant to section 17(b), or in the alternative section 6(c), of the Act and Rule 17d-1 promulgated under section 17(d) of the Act. Applicants request an order of the Commission (1) exempting from the prohibitions of section 17(a) of the Act the proposed conversion by Applicants of 6 percent convertible subordinated debentures due April 1, 1975, of Metro-media, Inc. ("Metromedia"), into shares of Common Stock of Metromedia and (2) authorizing, pursuant to Rule 17d-1, the acquisition by Applicants of such common stock. All interested persons are referred to the Application on file with the Commission for a statement of Applicants' representations, which are summarized below:

Metromedia is a Delaware corporation engaged in radio and television broadcasting, graphics advertising, production and distribution of films, presentation of touring ice shows, and mail marketing. It has two authorized classes of capital stock: Common Stock, \$1 par value ("Common Stock"), of which approximately 2,317,273 shares were outstanding on December 5, 1967; and Preferred Stock, no par value, none of which was outstanding on December 5, 1967. Of the currently issued and outstanding shares of Common Stock, Fund A owns 87,000 shares (3.75 percent), Fund B owns 125,000 shares (5.39 percent), Stock Fund owns 23,000 shares (0.99 percent) and Science Fund owns 5,000 shares (0.22 percent).

As of December 5, 1967, Metromedia also had issued and outstanding \$1,915,000 principal amount of its 6 percent Convertible Subordinated Debentures due April 1, 1975 (the "Debentures"), of which Fund A owns \$200,000, Fund B owns \$400,000, Stock Fund owns \$50,000 and Science Fund owns \$50,000.

Metromedia has called all of the outstanding Debentures for redemption on January 31, 1968, at a redemption price of 103.5 percent of the principal amount of such Debentures plus accrued interest to such date, January 31, 1968. The holders of the Debentures are entitled to convert their Debentures into Common Stock on or prior to January 26, 1967, at the rate of 6 shares for each \$100 in principal amount of Debentures at a conversion price of \$16 $\frac{2}{3}$. Applicants propose to exercise this conversion privilege. If Applicants convert their Debentures as proposed, and all other outstanding Debentures are converted, Applicants' holdings of Common Stock would be as follows: Fund A would own 99,000 shares (4.07 percent), Fund B would own 149,000 shares (6.13 percent), Stock Fund would own 26,000 shares (1.07 percent) and Science Fund would own 8,000 shares (0.33 percent). As of December 5, 1967, Metromedia also had issued and outstanding to persons other than Applicants (a) \$5,940,000 principal amount of its 5 percent Subordinated (Convertible) Notes due August 1, 1979, and (b) 73,625 Common Stock Purchase Warrants. The conversion or exercise of such Notes or Warrants would diminish the percentages of the outstanding Common Stock owned by Applicants.

Each Applicant has on its board of directors individuals who are also directors of one or more of the other Applicants. Two persons serve on the board of directors of all Applicants. Some of the officers of each Applicant also serve the other Applicants in similar capacities. Each Applicant employs Axe Securities Corp. as its principal underwriter. Fund A, Fund B, and Stock Fund employ E. W. Axe & Co., Inc., as investment adviser, and Science Fund employs Axe Science Management Co., Inc., as investment adviser. E. W. Axe & Co., Inc., may also be deemed to be an investment adviser to Science Fund. Some of the officers and directors of each Applicant are also affiliated with Axe Science Man-

agement Co., Inc., E. W. Axe & Co., Inc., and Axe Securities Corp.

Justin S. Dunn, Louis K. Hyde, Jr., and Donald W. Ellsworth are each a senior officer or a director of each Applicant and a senior officer and a director of the investment advisers of each Applicant. As such, they, or any one of them, might be deemed indirectly to control or hold with power to vote the Metromedia Common Stock owned by Applicants, which in the aggregate constitutes more than 5 percent of Metromedia's voting securities outstanding. Therefore, Metromedia might be deemed to be an affiliated person, of them, or any one of them, and they, or any one of them, each being a senior officer or a director of each Applicant, would be an affiliated person of each Applicant within the meaning of section 2(a)(3) of the Act.

The application states that the proposed conversion of the Debentures by Applicants is consistent with their respective investment policies, as recited in their registration statements and reports filed under the Act, and is consistent with the general purposes of the Act. Applicants also assert that the terms upon which the Debentures are convertible into Common Stock are fair and reasonable and do not involve overreaching on the part of any party concerned. The market value (as of Dec. 27, 1967) of the shares of Common Stock receivable upon conversion of the Debentures is \$57 per share, as compared with the conversion price of \$16 $\frac{2}{3}$ per share. Thus, conversion of \$1,000 principal amount of the Debentures would entitle the holder of the Debentures to 60 shares of Common Stock having a current aggregate market value of \$3,420. If the same principal amount of the Debentures was to be redeemed, the holder would receive only \$1,035, plus \$20 accrued interest, for a total of \$1,055. Applicants do not intend to exercise control over management of Metromedia either individually or collectively.

With certain exceptions, section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to, or purchasing from, such company any security or other property, 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 the general purposes of the Act. Because Fund B owns more than 5 percent of the outstanding voting securities of Metromedia, Fund B is an affiliated person of Metromedia. If Justin S. Dunn, Louis K. Hyde, Jr., and Donald W. Ellsworth, individually or collectively, are deemed indirectly to control or hold with power to vote the Metromedia Common Stock owned by Applicants (which in the aggregate constitutes more than 5 percent of the outstanding voting securities of Metromedia), Applicants would be deemed persons of an affiliated person or persons of Metromedia. If the

acquisition by Metromedia of the Debentures upon conversion thereof is deemed to be a purchase of such Debentures by Metromedia from Applicants, then the prohibition of section 17(a)(2) would apply to the conversion of the Debentures by Applicants.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security, 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.

Section 17(d) of the Act and Rule 17d-1 thereunder, taken together, provide, as here pertinent, that it shall be unlawful for an affiliated person of a registered investment company, acting as principal, to participate in, or to effect any transaction in connection with, any joint transaction or arrangement in which any such registered company is a participant unless an application regarding such arrangement has been granted by the Commission and that, in passing upon such application, the Commission will consider whether the participation of such registered company in such arrangement is consistent with the provisions, policy, and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants. Fund A, Fund B, Stock Fund, and Science Fund may be deemed affiliated persons of one another and their conversion of the Metromedia Debentures may be deemed transactions in connection with a joint enterprise or other joint arrangement.

Notice is hereby given that any interested person may, not later than January 25, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the 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 such application, unless an order for hearing 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.

[F.R. Doc. 68-581; Filed, Jan. 16, 1968;
8:47 a.m.]

CODITRON CORP.

Order Suspending Trading

JANUARY 10, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, \$3 par value, of Coditron Corp., New York, N.Y., 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 January 11, 1968, through January 20, 1968, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-582; Filed, Jan. 16, 1968;
8:47 a.m.]

[File No. 1-3629]

KASHMIR OIL, INC.

Order Suspending Trading

JANUARY 11, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Kashmir Oil, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 11, 1968, through January 20, 1968, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-583; Filed, Jan. 16, 1968;
8:47 a.m.]

LEEDS SHOES, INC.

Order Suspending Trading

JANUARY 10, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common

stock of Leeds Shoes, Inc., Tampa, Fla., and all other securities of Leeds Shoes, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 11, 1968, through January 20, 1968, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-584; Filed, Jan. 16, 1968;
8:47 a.m.]

[811-1324]

MONTHLY PURCHASE PLAN FOR COMMON STOCK OF GULF STATES UTILITIES CO.

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

JANUARY 10, 1968.

Notice is hereby given that Monthly Purchase Plan for Common Stock of Gulf States Utilities Co. ("Applicant"), Stock Service, Inc., 1500 Walnut Street, Philadelphia, Pa., a unit investment trust registered under the Investment Company Act of 1940, 15 U.S.C., Sec. 80a-1, et seq. ("Act"), has filed by its sponsor, Stock Service, Inc., an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of Applicant's representations, which are summarized below.

Applicant was organized as a trust in 1965 under Pennsylvania law to accumulate the shares of Gulf States Utilities Co. Applicant operated from November 1, 1965, to March 16, 1967. At that date the sponsor directed the custodian to terminate the accounts of all participants by issuing certificates to each for the number of whole shares of Gulf States Utilities Co. in his account and by making a payment representing the value of fractional shares. All payments made after that date were returned to the participants. Applicant represents that at the present time it has no assets and no participants, and that it has no intention to offer any participations or to conduct any business in the future.

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

Notice is further given that any interested person may, not later than January 31, 1968, at 5.30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided in 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.

[F.R. Doc. 68-585; Filed, Jan. 16, 1968;
8:47 a.m.]

[70-4571]

NARRAGANSETT ELECTRIC CO. AND NEW ENGLAND ELECTRIC SYSTEM

Notice of Proposed Issue and Sale of Common Stock to Holding Company and of First Mortgage Bonds at Competitive Bidding

JANUARY 11, 1968.

Notice is hereby given that New England Electric System ("NEES"), 441 Stuart Street, Boston, Massachusetts 02116, a registered holding company, and The Narragansett Electric Company ("Narragansett"), 15 Westminster Street, Providence, R.I. 02903, one of its electric utility subsidiary companies, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2), 6(b), 7, 9(a), 10, and 12 of the Act and Rules 42(a) and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Narragansett proposes to authorize, issue and sell to NEES, its sole common stockholder, 50,000 additional shares of

common stock, \$50 par value per share, and NEES proposes to acquire such shares for cash at par, or a total consideration of \$2,500,000. Upon such issuance and sale, Narragansett will have outstanding 932,487 shares of common stock of an aggregate par value of \$46,624,350.

Narragansett also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, \$7,500,000 principal amount of First Mortgage Bonds, Series G, ---- percent, due 1998. The interest rate on the bonds (which shall be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Narragansett (which shall be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by competitive bidding. The bonds will be issued under a First Mortgage Indenture and Deed of Trust dated as of September 1, 1944, between Narragansett and Rhode Island Hospital Trust Co., Trustee, as heretofore amended and supplemented and as to be further amended and supplemented by a Sixth Supplemental Indenture to be dated as of February 1, 1968.

Narragansett presently has outstanding \$9 million of short-term notes payable to banks and \$2,500,000 of short-term notes payable to NEES. The proceeds from the issue and sale of additional common stock and of the bonds estimated at \$10 million, exclusive of accrued interest, will be applied to the payment of then outstanding short-term notes payable evidencing borrowings made for capitalizable construction expenditures or to reimburse the treasury therefor. Narragansett anticipates that the additional common stock will be issued and sold prior to the issue and sale of the bonds, and neither the issue of the additional common stock nor the issue of the bonds is contingent upon the issue of the other.

Expenses in connection with the proposed issuance and sale of common stock are estimated at \$2,500 for State taxes plus charges of \$1,000 to Narragansett and \$200 to NEES for services of the system service company, rendered at cost. Expenses incident to the issuance and sale of the bonds are estimated at \$70,000, including \$36,000 for legal, accounting and other services rendered at cost by the system service company, accountants' fees of \$3,000, legal fees of \$750, and the balance of \$30,250 for printing, taxes, trustee's fees, registration and other expenses. The fees and expenses of counsel for the underwriters, which are to be paid by the successful bidders, will be supplied by amendment.

It is stated that the proposed issuance and sale of the bonds and the common stock require authorization by the Public Utility Administrator, Department of Business Regulation of Rhode Island, the State commission of the State in which Narragansett is organized and doing business. It is further stated that no other State commission and no Fed-

eral commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 5, 1968, 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 the filing 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 applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the joint application-declaration, as filed or as it may be amended, may be granted and 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.

[F.R. Doc. 68-586; Filed, Jan. 16, 1968;
8:47 a.m.]

ROVER SHOE CO.

Order Suspending Trading

JANUARY 11, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Rover Shoe Co., Bushnell, Fla., and stock purchase warrants of Rover Shoe Co. 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 January 12, 1968, through January 21, 1968, both dates inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 68-587; Filed, Jan. 16, 1968;
8:47 a.m.]

[811-1454]

THIRD FIDUCIARY EXCHANGE FUND, INC.

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

JANUARY 10, 1968.

Notice is hereby given that Third Fiduciary Exchange Fund, Inc. ("Applicant"), 111 Devonshire Street, Boston, Mass., a Massachusetts corporation registered as an open-end diversified management company under the Investment Company Act of 1940, 15 U.S.C. section 80a-1, et seq. ("Act") has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company. All persons are referred to the application on file with the Commission for a statement of Applicant's representations which are summarized below.

Applicant was organized for the purpose of operating as a tax free exchange fund. However, because of an amendment to the Internal Revenue Code, it is now impossible for Applicant to offer its shares to the public in exchange for securities in a nontaxable transaction. Applicant's registration statement under the Securities Act of 1933 has not become effective and has been ordered withdrawn. Applicant is thus not making and does not propose to make any public offering. It has outstanding one share of common stock for which it received \$100.

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

Notice is further given that any interested person may, not later than January 31, 1968, 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 reasons 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 (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application,

unless an order for hearing thereon 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.

[F.R. Doc. 68-588; Filed, Jan. 16, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

EUGENE S. ROOT

Statement of Changes in Financial Interests

Pursuant to subsection 302(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons Under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Office of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475, 9198; 22 F.R. 3777, 9450; 23 F.R. 3798, 9501; 24 F.R. 4187, 9502; 25 F.R. 102; 26 F.R. 1693, 6405; 27 F.R. 648, 6409; 28 F.R. 197, 7060; 29 F.R. 1675, 981; 30 F.R. 1073, 9342; 31 F.R. 592, 9432; 32 F.R. 2404 and 11190) for the period from July 1, 1967, through December 31, 1967.

No change.

E. S. ROOT.

DECEMBER, 26, 1967.

[F.R. Doc. 68-577; Filed, Jan. 16, 1968;
8:46 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 12, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41208—Clay from points in Kentucky and Tennessee. Filed by O. W. South, Jr., agent (No. A5074), for interested rail carriers. Rates on clay, in carloads, as more fully described in the application, from Clayburn and Wickliffe, Ky., McKenzie, Spinks, and Whitlock, Tenn., to points in New York and Pennsylvania.

Grounds for relief—Market competition.

Tariff—Supplement 3 to Southern Freight Association, agent, tariff ICC S-751.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-600; Filed, Jan. 16, 1968;
8:48 a.m.]

[Notice 481]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 12, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Deviation No. 32), PACIFIC INTERMOUNTAIN EXPRESS CO., 1417 Clay Street, Post Office Box 958, Oakland, Calif. 94604, filed December 29, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: Between Omaha, Nebr., and Sioux City, Iowa, over Interstate Highway 29, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Omaha, Nebr., over U.S. Highway 75 to Missouri Valley, Iowa, and (2) from Missouri Valley, Iowa, over U.S. Highway 75 to Sioux City, Iowa, and return over the same routes.

No. MC 35628 (Deviation No. 25), INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue SW., Grand Rapids, Mich. 49502, filed December 29, 1967. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (1) From Denver, Colo., over Colorado Highway 2 to junction U.S. Highway 6, (2) from Washington, Pa., over Interstate Highway 70 to junction U.S. Highway 119, thence over U.S. Highway 119 to junction U.S. Highway

22, (3) from New Haven, Conn., over Interstate Highway 91 to junction Alternate U.S. Highway 6, thence over Alternate U.S. Highway 6 to Middletown, Conn., (4) from New Haven, Conn., over Interstate Highway 91 to Springfield, Mass., and (5) from Salem, Ohio, over Ohio Highway 14A to junction Ohio Highway 14, thence over Ohio Highway 14 to the Ohio-Pennsylvania State line, thence over Pennsylvania Highway 51 to junction Pennsylvania Highway 65, thence over Pennsylvania Highway 65 to Pittsburgh, Pa., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Denver, Colo., over U.S. Highway 6 to Sterling, Colo., (2) from Washington, Pa., over U.S. Highway 19 to Pittsburgh, Pa., thence over U.S. Highway 22 to Harrisburg, Pa., (3) from New Haven, Conn., over Connecticut Highway 17 to Middletown, Conn., (4) from New Haven, Conn., over U.S. Highway 5 to Springfield, Mass., and (5) from Salem, Ohio, over Ohio Highway 45 to Lisbon, Ohio, thence over U.S. Highway 30 to Pittsburgh, Pa., and return over the same routes.

No. MC 97006 (Deviation No. 1), HOWARD'S EXPRESS, INC., Post Office Drawer 72, East North Street, Geneva, N.Y. 14456, filed December 29, 1967. Carrier's representative: Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Interchange 56 of the New York State Thruway, Blasdell, N.Y., over the New York State Thruway to Interchange 1 of the New York State Thruway, Yonkers, N.Y., and return over the same route, for operating convenience only, with entrance and egress at Interchange 54, West Seneca, N.Y., Interchange 53-50 Buffalo, N.Y., Interchange 49 Depew, N.Y., Interchange 48 Batavia, N.Y., Interchange 45 Rochester, N.Y., Interchange 43 Manchester, N.Y., Interchange 42 Geneva, N.Y., Interchange 41 Waterloo, N.Y., Interchange 36 Syracuse, N.Y., Interchange 33 Verona, N.Y., Interchange 31 Utica, N.Y., Interchange 16 Harriman, N.Y., Interchange 15 Suffern, N.Y., Interchange 14 Spring Valley, N.Y., Interchange 11 Nyack, N.Y., Interchange 9 Tarrytown, N.Y., and Interchanges 5-1 Yonkers, N.Y. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Gowanda, N.Y., over U.S. Highway 62 to Buffalo, N.Y., thence over New York Highway 263 to junction New York Highway 78, thence over New York Highway 78 to Lockport, N.Y., thence over New York Highway 31 to Rochester, N.Y., thence over city streets to U.S. Highway 104, thence over U.S. Highway 104 to Red Creek, N.Y., (2) from Collins, N.Y., over New York Highway 39 to

junction New York Highway 16 near Yorkshire, N.Y., thence over New York Highway 16 to Buffalo, N.Y., thence over New York Highway 5 to Batavia, N.Y., thence over New York Highway 33 to Rochester, N.Y.

(3) From Medina, N.Y., over New York Highway 63 to Ridgeway, N.Y., thence over U.S. Highway 104 to Rochester, N.Y., thence over city streets to New York Highway 31, thence over New York Highway 31 to Pittsford, N.Y., thence over New York Highway 96 to Ithaca, N.Y., thence over New York Highway 96B to Candor, N.Y., thence over New York Highway 96 to Owego, N.Y., thence over New York Highway 17 to Binghamton, N.Y. (also from Owego over New York Highway 17C to Binghamton), thence over New York Highway 17 to Suffern, N.Y., thence over New York Highway 59 to junction New York Thruway near Nyack, N.Y., thence over New York Thruway to junction U.S. Highway 9 near Tarrytown, N.Y., thence over U.S. Highway 9 to New York, N.Y. (4) from Syracuse, N.Y., over New York Highway 5 to Canandaigua, N.Y., (5) from Pittsford, N.Y., over New York Highway 31 to Savannah, N.Y., (5) from Utica, N.Y., over New York Highway 49 to Rome, N.Y., thence over New York Highway 365 to junction New York Highway 5, thence over New York Highway 5 to Geneva, N.Y., thence over New York Highway 14A to Penn Yan, N.Y. (also from Geneva over New York Highway 14 to Dresden, N.Y., thence over New York Highway 54 to Penn Yan), (6) from Suffern, N.Y., over New York Highway 17 to the New York-New Jersey State line, thence over New Jersey Highway 17 to junction New Jersey Highway 3, thence over New Jersey Highway 3 to the Hudson River, thence across the Hudson River to New York, N.Y., (7) to junction New Jersey Highways 17 and 4 over New Jersey Highway 4 to the Hudson River, thence across the Hudson River to New York, N.Y., and (8) from junction New Jersey Highway 17 and U.S. Highway 46, over U.S. Highway 46 to New York, N.Y., and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 27530 (Deviation No. 1), KERRVILLE BUS COMPANY, INC., 206 Sidney-Baker Street, Kerrville, Tex. 78028, filed December 29, 1967. Carrier's representative: Jerry Prestridge, 12th Floor, Capital National Bank Building, Austin, Tex. 78767. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: Between Sealy, Tex., and Houston, Tex., over Interstate Highway 10, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: Between Sealy, Tex., and Houston, Tex., over U.S. Highway 90.

No. MC 55312 (Deviation No. 6) (Cancels Deviation No. 4), CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue, South, Nashville, Tenn. 37203,

filed January 2, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Nashville, Tenn., over Interstate Highway 40 to Knoxville, Tenn., (2) from junction Interstate Highway 40 and U.S. Highway 231, over U.S. Highway 231 to Lebanon, Tenn., (3) from Carthage, Tenn., over Tennessee Highway 53 to junction Interstate Highway 40, (4) from Cookeville, Tenn., over Tennessee Highway 42 to junction Interstate Highway 40, (5) from junction Tennessee Highway 61 and Interstate Highway 40, over Interstate Highway 40 to Knoxville, Tenn., (6) from Midtown Junction, Tenn., over U.S. Highway 70 to junction Interstate Highway 40 (a distance of approximately 2 miles), thence over Interstate Highway 40 to Knoxville, Tenn., (7) from Crossville, Tenn., over U.S. Highway 127 to junction Interstate Highway 40, and (8) from Oak Ridge, Tenn., over Tennessee Highway 58 to junction Interstate Highway 40, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over pertinent service routes as follows: (1) From Nashville, Tenn., over U.S. Highway 70N to Crossville, Tenn., thence over U.S. Highway 70 to junction U.S. Highway 27, at Harriman Junction, Tenn., thence over U.S. Highway 27 to Harriman, Tenn., thence over Tennessee Highway 61 to Oliver Springs, Tenn., thence over Tennessee Highway 62 to Oak Ridge, Tenn., thence via the Solway Gate and over the New Solway Road to Knoxville, Tenn., (2) from Harriman, Tenn., over Tennessee Highway 61 to Rockwood, Tenn., and (3) from Nashville, Tenn., over U.S. Highway 70N to Lebanon, Tenn., thence over Tennessee Highway 26 to Sparta, Tenn., and return over the same routes.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.
[F.R. Doc. 68-601; Filed, Jan. 16, 1968;
8:48 a.m.]

[Notice 1141]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 12, 1968.

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

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

eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 3560 (Sub-No. 35), filed January 8, 1968. Applicant: GENERAL EXPRESSWAYS, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: William E. Kenworthy (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 by the Commission, commodities in bulk, and those requiring special equipment), serving Sykesville, Md., and the plantsite of Westinghouse Electric Corp., as an off-route point in connection with applicant's regular route operations to and from Baltimore, Md.

HEARING: January 29, 1968, in Room 108, Federal Building, Charles Center, 31 Hopkins Plaza, Baltimore, Md., before Joint Board No. 112.

No. MC 31389 (Sub-No. 90), filed January 5, 1968. Applicant: McLEAN TRUCKING COMPANY, a corporation, 617 Woughton Street, Post Office Box 213, Winston-Salem, N.C. 27102. Applicant's representative: James W. Lawson, 1000 Sixteenth Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), serving Sykesville, Md., as an off-route point in connection with applicant's regular route authority to serve Baltimore, Md.

HEARING: January 29, 1968, in Room 108, Federal Building, Charles Center, 31 Hopkins Plaza, Baltimore, Md., before Joint Board No. 112.

MC 103993 (Sub-No. 298) (Republication), filed September 1, 1967, published FEDERAL REGISTER issue September 21, 1967, and republished this issue. Applicant: MORGAN DRIVE AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Robert G. Tessar (same address as applicant). By application filed September 1, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of frames and undercarriages for mobile buildings, in initial movements, from points in Washington County, Va., to points in the United States. An order of the Commission, Operating Rights Board, dated December 19, 1967, and served January 10, 1968, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of frames and undercarriages for portable buildings, from points in Washington County, Va., to points in

the United States (including Alaska but excluding Hawaii) that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings of this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 124078 (Sub-No. 295) (Republication), filed August 28, 1967, published FEDERAL REGISTER issue of September 14, 1967, and republished this issue. Applicant: SCHWERMAN TRUCKING CO., a corporation, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: James R. Ziperski (same address as applicant). By application filed August 28, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes transporting (1) *liquid and compressed gases* (except liquefied petroleum gases) in shipper-owned trailers, from the plantsite of Air Reduction Co., Inc., at Butler, Pa., to points in Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin in and east of Iron, Price, Taylor, Clark, Jackson, and La Crosse Counties, and (2) *liquid and compressed gases* (except liquefied petroleum gases) in cylinders and cylinder cradles, from the plantsite of Air Reduction Co., Inc., at Butler, Pa., to points in Ohio in and east of Lucas, Wood, Hancock, Hardin, Logan, Champaign, Madison, Fayette, Ross, Pike, Jackson, and Gallia Counties, points in West Virginia in and north of Cabell, Putnam, Kanawha, Fayette, and Greenbrier Counties, to those points in Virginia in, north, and west of Alleghany, Rockbridge, Nelson, Albemarle, Orange, Culpeper, Stafford, Prince William, and Fairfax Counties, points in Maryland in and west of Montgomery, Howard, Baltimore, Baltimore City, and Harford Counties, points in Pennsylvania in and west of York, Lancaster, Berks, Schuylkill, Luzerne, Wyoming, and Bradford Counties, points in New York in and west of Tioga, Tompkins, Seneca, and Wayne Counties, and to points in the District of Columbia.

An order of the Commission, Operating Rights Board, dated December 19, 1967, and served January 10, 1968, as

amended, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of (1) *liquid and compressed gases* (except liquefied petroleum gases) in shipper-owned trailers, from the plantsite of Air Reduction Co., Inc., at Butler, Pa., to points in Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia, and to those points in that part of Wisconsin in and east of Iron, Price, Taylor, Clark, Jackson, and La Crosse Counties, and (2) *liquid and compressed gases* (except liquefied petroleum gases), in cylinders, from the plantsite of Air Reduction Co., Inc., at Butler, Pa., to those points in that part of Ohio in and east of Lucas, Wood, Hancock, Hardin, Logan, Champaign, Madison, Fayette, Ross, Pike, Jackson, and Gallia Counties; to those points in that part of West Virginia in and north of Cabell, Putnam, Kanawha, Fayette, and Greenbrier Counties; to those points in that part of Virginia in, north, and west of Alleghany, Rockbridge, Nelson, Albemarle, Orange, Culpeper, Stafford, Prince William, and Fairfax Counties; to those points in that part of Maryland in and west of Montgomery, Howard, Baltimore, Baltimore City, and Harford Counties; to those points in that part of New York in and west of Tioga, Tompkins, Seneca, and Wayne Counties; and to points in the District of Columbia; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition, to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 128917 (Sub-No. 1) (Republication), filed July 10, 1967, published FEDERAL REGISTER issue of July 27, 1967, and republished this issue. Applicant: HANDY TRUCK LINE, INC., Heyburn, Idaho 83336. By application filed July 10, 1967, applicant seeks a certificate of public convenience and necessity authorizing operation, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cement, in bulk or containers, from points in Bannock, Blingham, Booneville, Cassia,

Power, Minidoka, Twin Falls, Jerome, and Gooding Counties, Idaho, to points in Montana, Wyoming, and Nevada. A report of the Commission, Review Board Number 3, decided December 26, 1967, served January 10, 1968, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of cement, from Michaud, Meridian, Twin Falls, Idaho Falls, Pocatello, Heyburn, and Inkom, Idaho, to points in Montana, Wyoming, and Nevada; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

No. MC 106904 (Notice of Filing of Petition for the Elimination of Restrictions in Certificate of Public Convenience and Necessity), filed November 13, 1967. Petitioner: TOPEKA MOTOR FREIGHT, INC., Topeka, Kans. Petitioner's representative: D. S. Hults, Box 225, Lawrence, Kans. 66044. Pursuant to MC-FC-69279, petitioner acquired the operating rights formerly held by Jeff A. Robertson, doing business as Topeka Motor Freight in MC 106904 and Sub 5 thereunder, and on October 13, 1967, petitioner was issued a certificate under MC 106904 which covered the authority acquired, as consolidated. The authority in MC 106904 here pertinent, authorizes the transportation of general commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, livestock, washing machines, and newsprint), serving off-route points within four miles of junction U.S. Highway 24 and U.S. Highway 81 and Cloud County, Kans., in connection with carrier's regular route operations authorized herein. Between Wakefield, Kans., and Kansas City, Mo., over specified regular routes. Between Kansas City, Mo., and junction Kansas Highways 9 and 15, south of Palmer, Kans., serving certain intermediate and off-route points. From Kansas City, Mo., over specified highways to Junction City, Kans., serving the intermediate and off-route points of North Kansas City, Mo., Kansas City, Kans., and those within 15 miles of Junction City. From Kansas

City, Mo., to Concordia, Kans., over specified highways, serving certain intermediate and off-route points. Between Marysville, Kans., and St. Joseph, Mo., over specified regular routes. Between Marysville, Kans., and Kansas City, Mo., over specified regular routes, serving the intermediate and off-route point of Kansas City, Kans., and those within 10 miles of Marysville, Kans., in connection with the two routes described above. Between Winifred, Kans., and Kansas City, Mo., over specified regular routes, serving the intermediate and off-route points of Kansas City, Frankfort, Bigelow, and Lillis, Kans.

From Kansas City, Mo., to Waterville, Kans., and specified regular routes, serving the intermediate and off-route points of Kansas City, Green, and Frankfort, Kans., and those within 15 miles of Waterville. Between Junction City, Kans., and Kansas City, Mo., over specified regular routes, serving the intermediate point of Kansas City, Kans., and the off-route point of North Kansas City, Mo. Between Kansas City, Mo., and Hill City, Kans., over specified regular routes, serving certain intermediate and off-route points. Between Concordia, Kans., and junction Kansas Highway 9 and U.S. Highway 24, serving no intermediate points. Between Concordia, Kans., and junction U.S. Highways 81 and 24, serving no intermediate points. By the instant petition, petitioner requests the Commission to reissue the certificate eliminating as restrictions the words: "livestock, washing machines and newsprint", where they appear as a restriction on the general commodity authority. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 126311 (Notice of Filing of Petition To Add Shipper), filed December 29, 1967. Petitioner: CAHRLLES L. PARKS, Ashland, Nebr. Petitioner's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 2028, Lincoln, Nebr. 68501. Petitioner states he is authorized in permit No. MC 126311 to transport dry fertilizer, from Joplin and St. Joseph, Mo., and Lawrence, Kans., to points in Cass, Butler, Colfax, Dodge, Douglas, Lancaster, Saunders, Seward, and Washington Counties, Nebr., under contract with Farmer's Union Co-op Oil Association of Wahoo, Nebr., and Nehawka Farmers Cooperative, Nehawka, Nebr. By the instant petition, petitioner requests the Commission approve the addition of contracts with Farmers Union Co-op Grain Co., Snyder, Nebr., and Farmers Cooperative Co., Hooper, Nebr. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

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

No. MC 29120 (Sub-No. 97), filed December 12, 1967. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, S. Dak. 57101. Applicant's representative: Carl L. Steiner, 39 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods and general commodities*, within a 50-mile radius of 315 North Railroad Street, Crystal Lake, Ill., restricted to points in Illinois. NOTE: This application is directly related to MC-F-9975, published in FEDERAL REGISTER December 20, 1967. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 110479 (Sub-No. 21), filed January 8, 1968. Applicant: HARPER TRUCK SERVICE, INC., 1230 North Eighth Street, Paducah, Ky. 42002. Applicant's representative: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between junction U.S. Highway 62 and the west bank of Kentucky Lake at Kentucky Dam and Louisville, Ky.; from junction U.S. Highway 62 and the west bank of Kentucky Lake at Kentucky Dam near Gilbertsville, Ky., over U.S. Highway 62 to junction U.S. Highway 31W located at or near Elizabethtown, Ky., thence over U.S. Highway 31W to Louisville, and return over the same route, serving no intermediate points, but serving Princeton and Caneyville, Ky., for purpose of interchange only (also from junction U.S. Highway 62 with junction Western Kentucky Parkway interchange near Princeton, Ky., over the Western Kentucky Parkway to junction Interstate Highway 65 located at or near Elizabethtown, Ky., thence over Interstate Highway 65 to Louisville). NOTE: This application is a matter directly related to Docket No. MC-F-10007 published FEDERAL REGISTER issue of January 17, 1968. If a hearing is deemed necessary, applicant requests it be held at Nashville, Tenn., or Louisville, Ky.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. F.D. 24911. Authority sought for control by TEXAS GAS TRANSMISSION CORPORATION (a noncarrier), 3800 Frederica Street, Owensboro, Daviess County, Ky. (Mailing Address: Post Office Box 1160, Owensboro, Ky. 42301), of (1) AMERICAN COMMERCIAL BARGE LINE COMPANY, Jeffersonville, Ind., (2) COMMERCIAL CARRIERS, INC., 10701 Middlebelt Road, Romulus, Mich. 48174, and (3) TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Post Office Box 1918, Atlanta, Ga. 30301. Applicant's attorneys and representative: S. H. Moerman, J. Raymond Clark, both of 743 Investment Building, Washington, D.C. 20005, and Robert O. Koch, Post Office Box 1160, Owensboro, Ky. 42301. Operating rights sought to be controlled: (1) *General commodities*, and numerous other specified commodities, as a *common carrier by water*, between specified ports in the States of Minnesota, Tennessee, Mississippi, West Virginia, Ohio, Pennsylvania, Kansas, Indiana, Arkansas, Louisiana, Illinois, Missouri, Texas, and Kentucky, as more specifically described in W-552 and Sub-numbers thereunder; (2) *new automobiles, new trucks, and new chassis*, restricted to initial movements, in truckaway service, and numerous other specified commodities, as a *common carrier*, over irregular routes, from, to, and between specified points in all States in the United States (except Hawaii), and the District of Columbia, as more specifically described in Docket No. MC-43038 and Sub-numbers thereunder; and (3) *general commodities* with certain specified exceptions, and numerous other specified commodities, as a *common carrier*, over regular and irregular routes, from, to, and between specified points in the States of Florida, Ohio, Georgia, Illinois, Michigan, Indiana, Kentucky, Tennessee, and Alabama, with certain restrictions, serving various intermediate and off-route points, over numerous alternate routes for operating convenience only, as more specifically described in Docket No. MC-22229 and Sub-numbers thereunder. This notice does not purport to be a complete description of all of the operating rights of the carriers involved. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of these carriers operating rights, without stating, in full, the entirety, thereof.

No. MC-F-10006. Authority sought for control by TRI-STATE MOTOR TRANSPORT CO., Post Office Box 113, Interstate Business Route 44, Joplin, Mo. 64802, of PARKHILL TRUCK COMPANY, 4219 South Memorial Drive, Box 3807, Tulsa, Okla. 74152. Applicants' attorneys: Fenson Boesche, 1300 National Bank of Tulsa, Tulsa, Okla. 74102, and Max G. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. Operating rights sought to be controlled: *Oil-field equipment and supplies*, as a *common carrier*, over irregular routes, between points in Oklahoma, Kansas,

Missouri, and Texas; *pipe, pipeline material, machinery, and equipment* incidental to and used in connection with the construction, repairing, or dismantling of pipelines, between points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, traversing Arizona, California, Delaware, Idaho, Maryland, Montana, Nevada, New Jersey, North Carolina, South Carolina, Utah, and the District of Columbia for operating convenience; *pipe, pipeline material, machinery and equipment*, incidental to and used in connection with the construction, repairing, or dismantling of gas, gasoline, and oil pipelines, between points in Arizona, Connecticut, Delaware, Idaho, Massachusetts, Maryland, Montana, Maine, New Hampshire, North Carolina, Nevada, Rhode Island, South Carolina, Utah, Vermont, and the District of Columbia, between points in the above-named States and the District of Columbia, on the one hand, and, on the other, points in the remaining 32 States, except California, with restriction.

Machinery, equipment, materials, and supplies used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts, between points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming, between points in Oklahoma, on the one hand, and, on the other, points in Montana, North Dakota, and South Dakota, between points in Nevada, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, Wyoming, Montana, North Dakota, and South Dakota; *commodities*, the transportation of which because of their size or weight requires the use of special equipment or handling, except those specified above, and *parts of commodities*, the transportation of which because of their size or weight requires the use of special equipment or handling, except those specified above, between points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, and Wyoming, between points in Illinois and Indiana, on the one hand, and, on the other, points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, and Wyoming; *machinery, equipment, materials, and supplies* used in or in connection with the construction, operation, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, other than pipelines used for the transmission

of water or sewerage, between points in Alaska.

Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way, between points in Arizona, Connecticut, Delaware, Idaho, Massachusetts, Maryland, Montana, Maine, New Hampshire, North Carolina, New Jersey, Nevada, Rhode Island, South Carolina, Utah, Vermont, and the District of Columbia, between points in Arizona, Connecticut, Delaware, Idaho, Massachusetts, Maryland, Montana, Maine, New Hampshire, North Carolina, New Jersey, Nevada, Rhode Island, South Carolina, Utah, Vermont, and the District of Columbia, on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin, and Wyoming; *pipe and conduits, and fittings therefor*, from Prospect Hill, Mo., to points in New Jersey and Massachusetts; *asbestos-cement pipe and conduit, and fittings therefor*, from Hillsboro, Tex., to points in Arizona, from Prospect Hill, Mo., to points in Connecticut and Rhode Island, from St. Louis, Mo., to points in Delaware, Idaho, Maryland, Montana, Maine, New Hampshire, Utah, Vermont, and the District of Columbia, from Hillsboro, Tex., to points in Nevada; *self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts, and supplies* moving in connection therewith, between points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, and Wyoming, between points in Illinois and Indiana, on the one hand, and, on the other, points in Arkansas, Colorado, Iowa, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas, and Wyoming, with restriction.

Earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming, between points in Oklahoma, on the one hand,

and, on the other, points in Montana, North Dakota, and South Dakota, between points in Nevada, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, Texas, Wyoming, Montana, North Dakota, and South Dakota; *machinery, electrical equipment, contractors' equipment and supplies, structural iron or steel, tanks, boilers and parts, smoke stacks, safes or vaults, or any equipment or commodity* requiring special equipment, between points in Indiana, on the one hand, and, on the other, points in Ohio and Kentucky, and those in that part of Illinois on and south of U.S. Highway 24; and *heavy machinery*, between Louisville, Ky., St. Louis, Mo., and points in Illinois, on the one hand, and, on the other, points in Indiana. TRI-STATE MOTOR TRANSIT CO., is authorized to operate as a *common carrier* in all States in the United States (except Hawaii) and the District of Columbia. Application has not been filed for temporary authority under section 210a(b). NOTE: F.D. 24908 is simultaneously filed. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC-F-10007. Authority sought for purchase by HARPER TRUCK SERVICE, INC., 1230 North Eighth Street, Paducah, Ky. 42002, of a portion of the operating rights of ARNOLD LIGON TRUCK LINE, INC., 332 High School Street, Lebanon, Ky. 40033, and for acquisition by DUDLEY HARPER, also of Paducah, Ky., of control of such rights through the purchase. Applicants' attorneys: Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101, and Harry McChesney, Jr., Post Office Box 464, Frankfort, Ky. 40601. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, serving the sites of the Tennessee Valley Authority plant and the Atomic Energy Commission plant located approximately 12 miles west of Paducah, Ky., near Kevil, Ky., as off-route points in connection with carrier's authorized regular route operations to and from Paducah, Ky., between Paducah, Ky., and Evansville, Ind., serving the intermediate points of Corydon, Henderson, Marion, Morganfield, Smithland, Sturgis, Sullivan, Waverly, Ky., those between Smithland and Marion, and as off-route points, Dycusburg and points in Livingston County, Ky., on Kentucky Highways 133 and 135.

Restriction: Service at Evansville, Ind., is restricted against the handling of traffic originating at, destined to, or interchanged at Louisville, Ky., and points in its commercial zone; between Sullivan, Ky., and Henshaw, Ky., serving all intermediate points and off-route points within 3 miles of a certain specified route, between junction of U.S. Highway 62 with Kentucky Dam near Gilbertsville, Ky., and junction of Kentucky Highway 93 (formerly U.S. Highway 62) and unnumbered county highway approximately

5 miles southeast of Smithland, Ky., serving all intermediate points and off-route points within 3 miles of the described route, between Gilbertsville, Ky., and Paducah, Ky., serving the junction of Kentucky Highway 95 and U.S. Highway 68 as an intermediate point, between junction of U.S. Highway 68 with the west bank of Kentucky Lake and Paducah, Ky., serving all intermediate points and off-route points within 3 miles of a certain specified route, between junction U.S. Highway 68 and Kentucky Highway 408, near Fairdealing, Ky., and junction U.S. Highway 641 and U.S. Highway 68, near Briensburg, Ky., serving all intermediate points; and off-route points within 3 miles of a certain specified route, between Morganfield, Ky., and the junction of Kentucky Highway 56 with the Kentucky-Illinois State line, serving all intermediate points; and all off-route points in Kentucky within 3 miles of the indicated segment of Kentucky Highway 56, between Morganfield, Ky., and junction of Kentucky Highway 130 with the Ohio River, serving all intermediate points and off-route points within 3 miles of a certain specified route, between junction U.S. Highways 62 and 641, at or near Gilbertsville (Kentucky Dam), Ky., and junction U.S. Highways 62 and 68, at or near Reidland, Ky., serving all intermediate points; and off-route points within 3 miles of a certain specified route, serving intermediate and off-route points in connection with carrier's regular route operations specified hereinabove, as follows: Points in Kentucky and Indiana within 5 miles of Evansville, Ind.; points in Kentucky and Illinois within 5 miles of Paducah, Ky.; and points on and within 3 miles of carrier's above-specified regular routes in McCracken, Livingston, Crittenden, and Union Counties, Ky. Restriction: Service at Evansville, Ind., is restricted against the handling of traffic originating at, destined to, or interchanged at Louisville, Ky. and points in its commercial zone. Vendee is authorized to operate as a *common carrier* in Kentucky, Missouri, Illinois, Tennessee, Arkansas, and Indiana. Application has been filed for temporary authority under section 210a(b). NOTE: MC 110479 Sub-21 and MC 35396 Sub-33, are matters directly related.

No. MC-F-10008. Authority sought for purchase by INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville SW., Grand Rapids, Mich. 49502, of a portion of the operating rights of VALLEY TRANSFER & STORAGE COMPANY, INC., Post Office Box 268, Pottsville, Pa. Applicants' attorney: Leonard D. Verdier, Jr., 900 Old Kent Building, Grand Rapids, Mich. 49502. Operating rights sought to be transferred: *General commodities*, excepting, among others household goods and commodities in bulk, as a *common carrier*, over regular routes, between Allentown, Pa., and Albany, N.Y., serving all intermediate points; also off-route points in Pennsylvania within 15 miles of Allentown, and those in New York within 15 miles of Albany, between Windgap, Pa., and Stroudsburg, Pa., between Saylorburg, Pa., and Stroudsburg, Pa., between Wurtsboro,

N.Y., and junction U.S. Highways 9W and 209, near Kingston, N.Y., serving all intermediate points, between Highland, N.Y., and Albany, N.Y., serving all intermediate points, and off-route points in New York within 15 miles of Albany. Vendee is authorized to operate as a *common carrier* in Ohio, Indiana, Illinois, Minnesota, New York, Pennsylvania, West Virginia, Maryland, Missouri, Wisconsin, New Jersey, Michigan, Massachusetts, Kentucky, Delaware, Rhode Island, Connecticut, Kansas, Colorado, Wyoming, Iowa, Nebraska, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

MC-F-10009. Authority sought for purchase by MOORE'S TRUCKING CO., Stelton Road, Box 607, Piscataway, N.J. 08854, of the operating rights and property of EDWARD L. TRASFERINI, doing business as RICH'S EXPRESS, Old Delsea Drive, Post Office Box 16, Malaga, N.J. 08828, and for acquisition by ALBERT J. MOORE, JOHN C. MOORE, RAYMOND E. MOORE and ROBERT T. MOORE, all also of Piscataway, N.J., of control of such rights and property through the purchase. Applicants' attorneys: Werner & Alfano, Attention: Martin Werner, 2 West 45th Street, New York, N.Y. 10036 and H. Charles Ephraim, 1411 K Street NW., Washington, D.C. 20005. Operating rights sought to be transferred: *General commodities*, except those of unusual value, livestock, dairy products as defined by the Commission, alcoholic beverages, 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, as a *common carrier*, over irregular routes, between Philadelphia, Pa., on the one hand, and, on the other, points in Cumberland, Gloucester, and Salem Counties, N.J. Vendee is authorized to operate as a *common carrier* in New Jersey, New York, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-602; Filed, Jan. 16, 1968;
8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 12, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for

information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. M-5004-18, filed November 20, 1967. Applicant: CITY DELIVERY SERVICE, INC., 111 South 22d Street, Boise, Idaho 83707. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, restricted against the transportation of packages or articles weighing more than 100 pounds per item or 1,000 pounds in the aggregate on one bill of lading from one consignor to one consignee on any one day between Boise and Weiser over all Federal and State highways including U.S. Highways 30, 20, 26, and 95, Interstate Highway 80N and Idaho State Highways 44, 16, 52, 73, 45, and 69, with service to all intermediate points. Both intrastate and interstate authority sought.

HEARING: Wednesday, February 28, 1968, at 9:30 a.m., Industrial Administration Building, 317 Main Street, Boise, Idaho, Room 52. Requests for procedural information including the time for filing protests, concerning this application should be addressed to the Idaho Public Utilities Commission, Boise, Idaho 83702, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-603; Filed, Jan. 16, 1968;
8:48 a.m.]

[Notice 526]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 12, 1968.

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 protests 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 51146 (Sub-No. 71 TA), filed January 2, 1968. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54303. Applicant's representative: D. F. Martin (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and plywood products, plywood and plywood products combined with veneer and plastics, paneling, doors, wood products, and composition wood and composition wood products*, except laboratory furniture and equipment, from Two Rivers and Neenah, Wis., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin and the District of Columbia; and *returned and rejected shipments of the above-specified commodities and equipment, materials and supplies used in the manufacture and distribution of the commodities described in above*, except commodities in bulk, in tank or hopper-type vehicles, on return, for 180 days. Supporting shipper: Eggers Hardwood Products Corp., Post Office Box 250, Neenah, Wis. 54956 (Thomas F. Germuga, Vice President of Manufacturing). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 66194 (Sub-No. 7 TA), filed January 2, 1968. Applicant: OWL TRUCK COMPANY, a corporation, 500 South Alameda Street, 90224, Post Office Box 4009, Compton, Calif. 90221. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum plaster and gypsum wall board*, from Blue Diamond, Nev., to points in Los Angeles, Orange, San Bernardino, and Riverside Counties, Calif., for 180 days. Supporting shipper: The Flintkote Co., Blue Diamond Gypsum Division, 1650 South Alameda Street, Los Angeles, Calif. 90054. Send protests to: District Supervisor, W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 87861 (Sub-No. 11 TA), filed January 2, 1968. Applicant: BELL DIAMOND EXPRESS, INC., 6901 North Michigan Road, Indianapolis, Ind. 46268. Applicant's representative: Warren C. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Finished or unfinished railroad ties, timbers, and other forest products*, from the plantsite of Treated Wood Products Co., Louisville, Ky., to

points in Illinois, Michigan, Ohio, Indiana, Wisconsin, Missouri, West Virginia, and Pennsylvania, for 180 days. Supporting shipper: Gillis & Co., 134 Breckenridge Lane, Post Office Box 7091, Louisville, Ky. 40207. Send protests to: District Supervisor, Interstate Commerce Commission, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 107496 (Sub-No. 617 TA), filed January 2, 1968. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Alexandria, Mo., to points in Iowa and Illinois, for 150 days. Supporting shipper: Morgan Oil Co. Alexandria, Mo. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 113106 (Sub-No. 25 TA), filed January 2, 1968. Applicant: THE BLUE DIAMOND COMPANY, a corporation, 4401 East Fairmount Avenue, Baltimore, Md. 21224. Applicant's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mixed fertilizers, ammonium nitrate fertilizers, ammonium phosphate fertilizers, urea fertilizers, and pesticides*, from Lebanon, Pa., to points in Maryland, those in Kent and Sussex Counties, Del.; Gloucester, Hunterdon, and Mercer Counties, N.J.; Accomack, Northampton, and Culpeper Counties, Va., and Suffolk, Orange, Rockland, Westchester, Dutchess, Putnam, Ulster, and Columbia Counties, N.Y., for 180 days. Supporting shipper: Olin Mathieson Chemical Corp., Agricultural Division, Post Office Box 991, Little Rock, Ark. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, Md. 21201.

No. MC 113678 (Sub-No. 306 TA) (Correction), filed December 21, 1967, published FEDERAL REGISTER, issue of January 4, 1968, and republished as corrected this issue. Applicant: CURTIS, INC., 770 East 51st Avenue, Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Duane W. Acklie, Post Office Box 806, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*; (2) *frozen fish and salad dressing* when moving in the same vehicles with meats, meat products, and articles distributed by meat packinghouses; from Denver, Colo., and its commercial zone, to points in Nebraska, Kansas, Iowa, Missouri, and Illinois (except Omaha, Nebr.; Des Moines and Ottumwa, Iowa; and Chicago, Ill.) for 150 days. NOTE: The pur-

pose of this republication is to correctly set forth the origin and destination territory proposed to be served. Supporting shippers: Pepper Packing Co., 901 East 46th Avenue, Denver, Colo.; Home Provision Co., 835 East 50th Avenue, Denver, Colo.; United Fryer & Stillman, Inc., 5300 Franklin Street, Denver, Colo.; Foster Frosty Foods, Inc., 1421 Oneida Street, Denver, Colo.; Gold Star Meat Co., 1050 10th Street, Denver, Colo. 80202; Shurtenda Steaks, Inc., 2468 West Second Avenue, Denver, Colo.; Cardinal Meat Co., 801 East 50th Avenue, Denver, Colo. Send protests to: District Supervisor H. C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 114416 (Sub-No. 3 TA), filed January 2, 1968. Applicant: ELKINS TRANSPORT SERVICE, INC., 620 North Freya Street, Spokane, Wash. 99202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction equipment, materials, or supplies*, having prior or subsequent rail shipment, between a 3-mile radius of Coulee City, Odair, and Coulee Dam, Wash. NOTE: Applicant states it proposes to interline with the Northern Pacific Railroad at Odair and Coulee City, Wash., for 180 days. Supporting shippers: Northern Pacific Railway Co., 800 Third Avenue, Seattle, Wash. 98104; The Washington Water Power Co., Post Office Drawer 1445, Spokane, Wash.; Williams Equipment Co., East 905 Third Ave., Spokane, Wash.; Intermountain Equipment Co., Post Office Box 208, Spokane, Wash. 99210; Power City Construction & Equipment, Inc., Spokane, Wash. 99220. Send protests to: L. C. Taylor, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 401 U.S. Post Office, Spokane, Wash. 99201.

No. MC 120800 (Sub-No. 9 TA), filed January 2, 1968. Applicant: CAPITOL TRUCK LINE, INC., 2500 North Alameda Street, Compton, Calif. 90222. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid methane*, in bulk, in specially designed and equipped vacuum insulated trailers, from the plantsite of the San Diego Gas & Electric Co., San Diego, Calif., to Cryogenic Enterprises located at Squamish, British Columbia, Canada, to the port of entry on the international boundary line between the United States and Canada located at or near Blaine, Wash., for 150 days. Supporting shipper: Cryogenic Enterprises, Ltd., Suite 522, 602 West Hastings Street, Vancouver 2, British Columbia, Canada. Send protests to: District Supervisor, John E. Nance, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 123408 (Sub-No. 18 TA), filed January 2, 1968. Applicant: FOOD HAULERS, INC., 600 York Street, Elizabeth, N.J. 07201. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to

operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fresh meats*, in mechanically refrigerated equipment, on rails, from Elizabeth, N.J., to Miami, Fla., (2) *orange juice*, frozen, in mechanically refrigerated equipment, from Umatilla, Fla., to Elizabeth, N.J., under contract with Wakefern Food Corp., Elizabeth, N.J., for 180 days. Supporting shipper: Wakefern Food Corp., 600 York Street, Elizabeth, N.J. 07207. Send protests to: District Supervisor Walter J. Grossmann, Interstate Commerce Commission, Bureau of Operations, 1060 Broad Street, Room 363, Newark, N.J. 07102.

No. MC 124078 (Sub-No. 311 TA), filed January 2, 1968. Applicant: SCHWERMANN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: David S. Harris (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes,

transporting: *Diammonium phosphate*, in bulk, (1) from Depue, Ill., to points in Ohio, Illinois, Indiana, Michigan, Wisconsin, Minnesota, Iowa, Kansas, Missouri, Nebraska, North Dakota, and South Dakota; (2) from Riverdale and Colfax, Ill., to points in Indiana, Michigan, Missouri, Ohio, and Wisconsin; (3) from Des Moines, Iowa, to points in Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin, for 180 days. Supporting shipper: The New Jersey Zinc Co., 160 Front Street, New York, N.Y. 10038 (M. K. Scheuing, Supervisor Motor Carrier Transportation. Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 129613 (Sub-No. 1 TA), filed January 2, 1968. Applicant: ARTHUR H. FULTON, Stephens City, Va. 22655. Applicant's representative: Eston H. Alt, 10 West Boscawen, Post Office Box 81,

Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Veneer and byproducts thereof*, from Martinsburg, W. Va., to Louisville, Ky., and New Albany, Ind., and points in Maryland, New York, Pennsylvania, Virginia, North Carolina, and South Carolina, under a continuing contract with Martinsburg Veneer Corp. of Martinsburg, W. Va., for 150 days. Supporting shipper: Martinsburg Veneer Corp., Post Office Box 1102, Martinsburg, W. Va. 25401. Send protests to: Robert D. Caldwell, District Supervisor, 1220 Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, D.C. 20423.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-604; Filed, Jan. 16, 1968; 8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—JANUARY

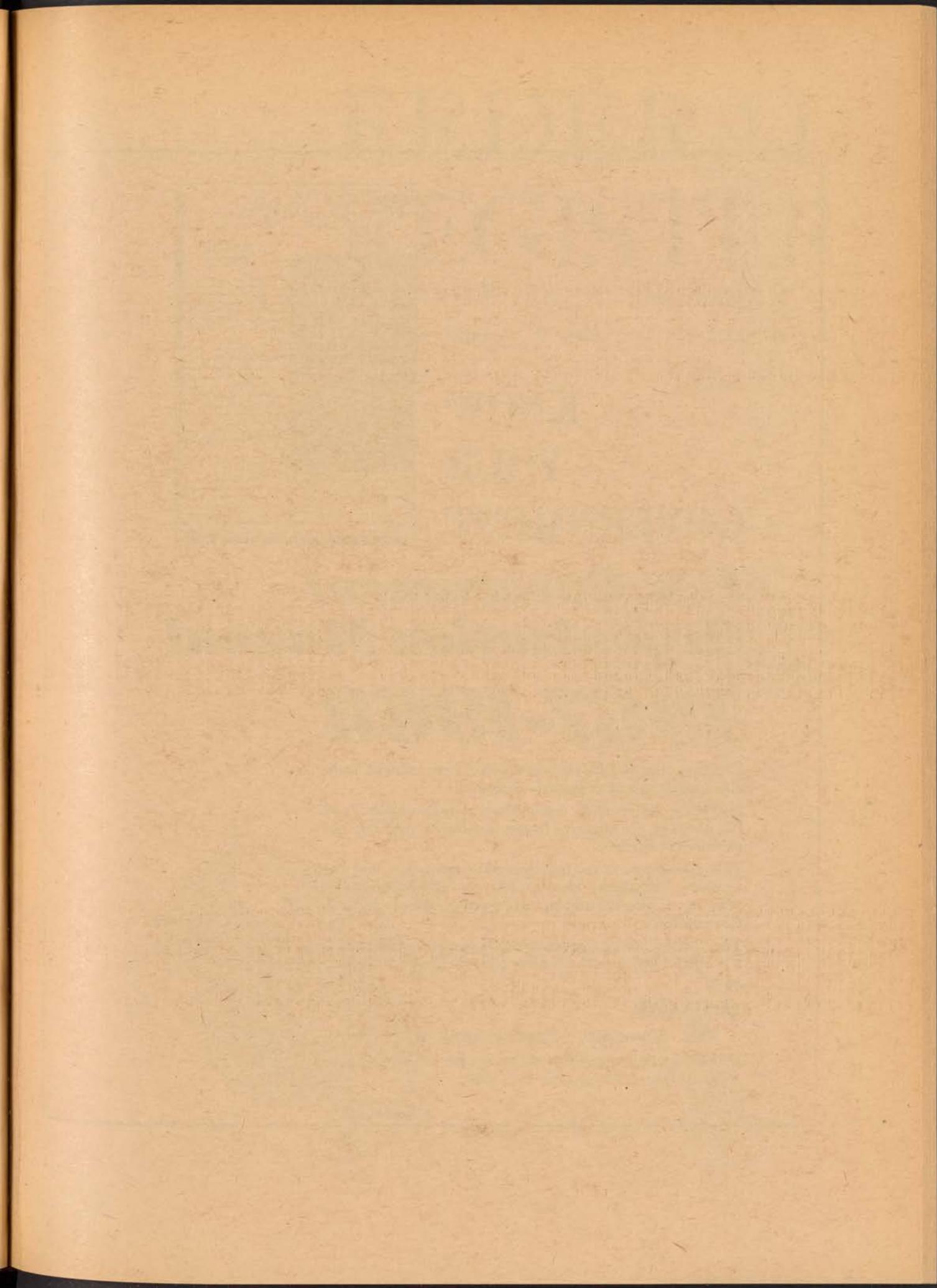
The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during January.

3 CFR	Page	7 CFR—Continued	Page	9 CFR—Continued	Page
EXECUTIVE ORDERS:		910.....	64, 222, 359, 486	307.....	9
10148 (superseded by EO 11388).....	563	950.....	359	340.....	9
11182 (amended by EO 11386).....	5	959.....	64	355.....	10
11209 (revoked by EO 11386).....	5	971.....	359, 565		
11386.....	5	987.....	486	10 CFR	
11387.....	47	1001.....	65	70.....	137
11388.....	563	1421.....	222		
		1422.....	223	12 CFR	
4 CFR		1464.....	136	204.....	65
81.....	357	1483.....	9	330.....	530
82.....	358	PROPOSED RULES:		510.....	137
5 CFR		27.....	283	545.....	360
213.....	9, 135, 219, 359	319.....	77	564.....	403
315.....	401	729.....	77	PROPOSED RULES:	
338.....	135	730.....	378	563.....	580
353.....	529	907.....	283		
550.....	219	917.....	497	13 CFR	
610.....	219	929.....	283	107.....	326
752.....	401	989.....	78	121.....	530
754.....	401	991.....	149		
771.....	401	993.....	576	14 CFR	
2100.....	485	1002.....	188	39.....	10, 255-257, 403, 565
		1005.....	285	45.....	449
7 CFR		1013.....	78	47.....	11, 257
81.....	9, 135	1016.....	378	49.....	11, 12, 66
210.....	219	1069.....	417	71.....	67, 138, 139, 450-452, 530-532
215.....	220	1121.....	497		
220.....	220	1126.....	497		
250.....	402	1133.....	289		
319.....	136	8 CFR		73.....	487
401.....	221	212.....	255	91.....	452
722.....	59	214.....	255	97.....	257
811.....	529	238.....	255	151.....	224
814.....	59	316a.....	255	241.....	68
822.....	62	319.....	255	385.....	68, 360
827.....	402	332a.....	255	389.....	458
891.....	62, 402			425.....	
892.....	62	9 CFR		PROPOSED RULES:	
905.....	221	73.....	223	21.....	469
907.....	64, 222, 402, 485	76.....	223	27.....	469
				29.....	469
				39.....	292, 576
				43.....	469

14 CFR—Continued	Page
PROPOSED RULES—Continued	
45.....	469
71.....	22-25,
149-151, 469-471, 539, 576, 577	
75.....	25
91.....	151, 469
127.....	469
15 CFR	
1000.....	49, 360
16 CFR	
13.....	258, 487, 488, 532, 566
15.....	72, 459
17 CFR	
230.....	566
287.....	259
PROPOSED RULES:	
231.....	507
240.....	152, 513
18 CFR	
2.....	139
41.....	139
141.....	139
158.....	139
260.....	139
300.....	224
PROPOSED RULES:	
260.....	417
19 CFR	
10.....	567
12.....	360
PROPOSED RULES:	
1.....	149
20 CFR	
404.....	12, 15
405.....	404, 488, 567
21 CFR	
1.....	404
51.....	72
120.....	260, 261, 410, 492
121.....	73, 261, 262, 567, 569
146a.....	74
148l.....	411
148m.....	262
22 CFR	
41.....	459
23 CFR	
255.....	18
PROPOSED RULES:	
255.....	540

24 CFR	Page
0.....	144
25 CFR	
221.....	569
26 CFR	
1.....	533
29 CFR	
1602.....	282
32 CFR	
1.....	264
3.....	268
4.....	272
5.....	272
7.....	273
8.....	273
11.....	274
13.....	274
14.....	276
15.....	276
16.....	281
30.....	281
51.....	492
54.....	493
536.....	282
564.....	533
808.....	535
1005.....	144
1007.....	144
1016.....	144
1054.....	144
1711.....	229
33 CFR	
205.....	494
207.....	494
208.....	263
36 CFR	
7.....	145
212.....	145
38 CFR	
1.....	362
2.....	362
6.....	362
8.....	362
21.....	536
39 CFR	
127.....	231
158.....	231
742.....	570
41 CFR	
5A-2.....	366
5A-3.....	366
5A-8.....	20

41 CFR—Continued	Page
5A-73.....	366
6-1.....	570
6-3.....	570
8-2.....	74
8-7.....	74
101-6.....	146
101-32.....	146
101-47.....	571
42 CFR	
73.....	367, 370, 536
PROPOSED RULES:	
73.....	292
43 CFR	
1720.....	460
45 CFR	
177.....	371
178.....	374
500.....	232
531.....	232
1105.....	494
PROPOSED RULES:	
85.....	110
46 CFR	
PROPOSED RULES:	
Ch. IV.....	378
47 CFR	
0.....	460
1.....	460
2.....	411
73.....	20, 414, 573
74.....	414, 574
95.....	377
PROPOSED RULES:	
21.....	293
73.....	293, 578
49 CFR	
95.....	466
1207.....	537
1240.....	537
1249.....	538
PROPOSED RULES:	
131.....	578
50 CFR	
33.....	148, 415, 416, 538, 575
PROPOSED RULES:	
28.....	22
253.....	495



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